

## EXTENSIONS OF REMARKS

## GRAZING FEES—PART VIII

## HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, January 29, 1970

Mr. METCALF. Mr. President, one can easily get lost on Secretary of the Interior Hickel's big ranch over near Foggy Bottom. In fact, there are times when I suspect the Secretary himself is not sure where the ranch is, or who is supposed to be doing what chores.

On October 8, 1969, Secretary Hickel's top hand on the legal side of Foggy Bottom Ranch wrote to the Director of the Public Land Law Review Commission on the subject of user charges. He held forth at length on how the budget circular A-25—developed away back in 1959 under Budget Director Maurice Stans, President Eisenhower, and Vice President Nixon—is still alive and well.

When the Solicitor got around to grazing fees, he did not mention any legal impediment that ought to be considered by the Commission. He did state that "the Department has undertaken a general review of grazing charges." And he promised that at least some of the results of this review would be available to the Commission before it completes its study. Let me quote the text of the pertinent paragraph:

You are aware that the Department has undertaken a general review of grazing charges as applied to the grazing districts. At least some of the results of that review are expected to be announced before the Commission completes its study.

However, on November 25, 1969, Secretary Hickel wrote Senator JACKSON, in a letter already read into the RECORD:

As you are aware, the Public Land Law Review Commission is presently studying the matter and will, during calendar 1970, make its recommendations thereon. This Department, of course, is awaiting with great interest the results of the Commission's work.

Meanwhile, we think it appropriate to delay implementation of the next increment until the views of the Commission have been made known and evaluated. At that time, my Department will take such further action as it may determine to be proper.

Secretary Hickel's press release writers followed through with this observation for public consumption:

The Secretary said he had directed his Department's Bureau of Land Management to delay implementation of further scheduled increases for one year.

This action, he explained, will allow the Department of the Interior to evaluate a study and report by the Public Land Law Review Commission on the subject.

The 19-member Commission, composed of Congressional and Presidential appointees, is due to issue its final report in mid-1970 on a wide range of public land matters, including grazing fees.

Secretary Hickel made it clear that he will take into account the Commission's recommendations prior to any future increases, but that his Department will not necessarily be bound by such recommendation.

On December 19, 1969, Assistant Secretary Loesch wrote to the Senator from Washington (Mr. JACKSON), enclosing a review made by the Bureau of Land Management. In the language of a Foggy Bottom rancher, Mr. Loesch made it clear that the BLM review "does not bear the imprimatur of the Department."

Meanwhile, back at the Public Land Law Review Commission, the work presumably is close to being done.

Attorney General Mitchell's men have won every court test so far hands down. So it does not look like Secretary Hickel can snag his britches on the cowboys' legal barbed wire.

But it does look like Assistant Secretary Loesch and his crew have cut some pretty big holes in Secretary Hickel's conservation fences.

The Secretary of Agriculture had a report from his Forest Service that is almost identical to the one prepared by the Bureau of Land Management. So far, I have not heard that either Secretary Hardin or Assistant Secretary Cowden has discovered that the Forest Service report does not have the Department's approval.

Secretary Hickel will have a mighty short time to put his imprimatur on the Department report for the Public Land Law Review Commission. In his December 23, 1969, letter to me, which already is a part of the record, Assistant Secretary Loesch listed and enclosed 23 items considered at the staff level on the grazing fee issue. He stated flatly that:

No formal report approved by this Department was developed on this subject after January 14, 1969.

As far as I can figure it out, Secretary Hickel's top hands are playing the old shell game with the Senate Committee on Interior and Insular Affairs, the Public Land Law Review Commission, and the American people, who own the public lands.

Mr. President, I ask unanimous consent that the letter of October 8, 1969, to Director Milton A. Pearl of the Public Land Law Review Commission from Department of the Interior Solicitor Mitchell Melich be printed in the RECORD.

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

U.S. DEPARTMENT OF THE INTERIOR,  
Washington, D.C., October 8, 1969.  
Mr. MILTON A. PEARL,  
Director, Public Land Law Review Commission,  
Washington, D.C.

DEAR MILT: Responding to your letter of September 29, I am glad to submit brief comments on the five questions listed in the letter. These comments, however, should be viewed as tentative, inasmuch as our reviews of the studies of nonfuel mineral resources, outdoor recreation, and use and occupancy have not been completed. Reconsideration may also be necessary following review of other studies, such as criteria to judge the facts; organization, administration, and budgetary policy; and appraisal techniques and procedures.

1. Whether generally the United States should receive, but not necessarily mone-

tarly, fair-market value for the goods and services of the public lands.

As you know, Bureau of the Budget Circular A-25 (September 1959) has not been superseded as the Executive Branch policy directive on natural resources user charges. The Bureau's publication "Natural Resources User Charges: A Study" (June 1964) was issued as "further guidance to insure that agencies carry out the policies more consistently."

The 1964 study's general principle applicable to resources or property being leased or sold is that a fair market value should be obtained. "Charges are to be determined by the application of sound business management principles, and so far as practicable and feasible in accordance with comparable commercial practices."

The study's general principle applicable to services or privileges which provide special benefits to an identifiable recipient above and beyond those which accrue to the public at large is that a charge should be imposed to recover the full cost to the Federal Government or rendering that service including the cost of collection and administration.

2. Whether any user or user group should be excepted from the general rule, whatever your answer to "1" above may be.

The general principles, referred to under No. 1 above, provide that less than fair market value or full cost may be recovered in the following cases:

a. Where the full payment would significantly impair a federally sponsored public program;

b. Where full payment by a State or local government would not be in the interest of the program;

c. Where the user is engaged in a semi-public nonprofit activity designed for the public health, safety, or welfare; or

d. Where the incremental cost of collecting the charge would be unduly large in relation to the return to be received.

3. Whether generally the United States should give credit, against a fair-market value dollar sale, lease, permit, or other right or privilege to use the public lands or its products, for any improvements or rehabilitation work placed on the public land by the user (a) pursuant to a requirement by the government; or (b) voluntarily.

This question seems to assume that the sale, lease, permit, or other right or privilege is to be granted to a party who has theretofore used the land. Such a situation arises for example under the Color of Title Act, Mining Claim Occupancy Act, and the Public Land Sale Act of 1968 (omitted lands). However, situations also develop in which the sale, lease, or permit is to be granted to a different party.

"Fair market value," under a general or usual public land management concept in the Department, refers not to the value of all of the property interests in the described real estate, but rather to the value of the Government's property interests being transferred or conveyed. Where the Government's appraisal omits consideration of the value, if any, added by reason of private improvements, such added value would, of course, not be given credit against a fair-market value dollar sale.

However, if "fair market value" means the combined value of the Government's interest and the private interest, then "credit" generally has been and should be given in recognition of the party's equity.

Little or no significance in these respects would seem to exist as between improvements and rehabilitation work that are (a) required by the Government, or (b) volun-

tarily and reasonably developed by the user under the authority of the permit.

Where the tenure of an existing user is to be terminated, and the sale, lease, or permit is to be granted to a new party, obviously no "credit" for the existing user's investment would be allowed to the new party unless that party has agreed to purchase the terminating user's equity. As you know, the Departments' regulations generally require a purchaser or new user to reimburse a terminating user for the fair value of authorized improvements on the land. In any event, the terminating user is authorized to remove or salvage the improvements.

4. Whether, and to what extent, the general principle enunciated by you in response to the last question can or should be applied to various users together with some information as to how this would be applied.

In case of unauthorized agricultural use, where damages are being appraised or where an agricultural lease or permit is granted to a formerly unauthorized user, the general practice has been to observe applicable landlord-tenant customs in the area. For example, the custom in some newly irrigated areas has been to defer full scale crop-share payments (one-fourth or one-third) until water and land developments have been completed.

The Mining Claim Occupancy Act (76 Stat. 1127; 30 U.S.C. 701-709) requires the Secretary, prior to any conveyance, to determine the fair market value, as of the date of the appraisal, of the interest to be conveyed exclusive of the value of any improvements placed on the lands by the applicant or his predecessors in interest.

The regulations under the Color of Title Act, 43 CFR 2214.1-5(a), provide on the hand that the land applied for will be appraised on the basis of its fair market value at the time of appraisal, but that value resulting from improvements or development by the applicant or his predecessors in interest will be deducted from the appraised price.

Timber sale appraisals by the Bureau of Land Management take into account the costs that may be involved on the part of the successful bidder by virtue of required improvements and rehabilitation work. However, where competition is exhibited, the price to be paid is set by the bidding process.

As you know, the administration of domestic livestock grazing on the Federal Range has not reached a point at which improvements or rehabilitation work placed on the lands by individual users is separately taken into account. Instead, a uniform use charge and range improvement fee is assessed against all users at a specified rate per animal unit month. It is generally thought that the basic data that would be needed to support an accounting in each instance for forage added respectively by Governmental and user costs or investments could not be reasonably acquired at the present level of management.

You are aware that the Department has undertaken a general review of grazing charges as applied to the grazing districts. At least some of the results of that review are expected to be announced before the Commission completes its study.

5. Any other general comment that you may have concerning the establishment and payment of user fees and charges.

In his letter of August 29 to Chairman Aspinall, Secretary Hickel suggested that the Commission consider, among other things, the following change in the Mining Law of 1872:

Provision for realistic increases in the purchase price per acre for mining claims upon patenting. Such increases should adequately reimburse the Federal Government for expense incurred in issuing the patents.

Secretary Hickel also recommended that a

careful study be made of revenues resulting from mineral claims to determine whether the Federal Government should receive any compensation from the minerals extracted from such claims. The Secretary added, however, that consideration should not be given to revisions which would deter exploration for and development of our mineral resources, nor which would render unfeasible or uneconomical the removal of vitally needed minerals from public lands.

In regard to leasable minerals, comments previously submitted have generally suggested the use of competitive bidding where competitive interest is exhibited by the market.

This ends my general comment at this time. I have noted your invitation to submit revised or further views after the meeting of October 9-10 and by a date you will later establish.

Thank you for this opportunity to assist the Commission.

Sincerely yours,

MITCHELL MELICH,  
Solicitor.

### FORCED SCHOOL INTEGRATION ENDANGERS CHILDREN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. RARICK. Mr. Speaker, those of us who see the cost of the illegal operations of Secretary Finch and the tyranny of courts which use their powers and their processes to violate the law have constantly called the situation to the attention of our colleagues, trying to make them understand that what they regard as impossible in a free America.

Sometimes the actions of average Americans are more eloquent than our words. I include newscippings regarding such actions in the States of Florida and Oklahoma, as a part of my remarks:

[From the Fort Myers (Fla.) News-Press, Jan. 24, 1970]

GIRLS GET UNRULY; SCHOOL BUS DRIVER  
QUITS DURING ROW  
(By Dave Schmirler)

An altercation among girls on a school bus in front of Fort Myers Senior High School Friday afternoon led the driver, Harold Santini, to ask for a police guard aboard the bus—and to resign on the spot when his request was denied.

His departure left the 60 students on the bus, girls and boys, to make their way home as best they could.

Officers carted about 15 girls to police headquarters when they failed to obey orders to quiet down and clear the area. All were released except two who were charged with disorderly conduct and turned over to juvenile authorities who held them in the detention home.

City Detective Don Bennett said the incident began over a pushing incident on the bus but apparently had been brewing for some time. One of the girls arrested, he said, had told others she was going to "get" a certain girl and if she could not get her, "she'd get any other white girl she could find."

A girl was attacked on the bus and Santini stopped to settle the fight, Bennett said.

"This thing has been simmering for a week and I don't think anybody really wants to do anything about it," Santini said later. He said the incident started when "one of the girls squared off at a white girl. She had a big smile on her face. I stopped the bus and asked her to come up front and exchange seats so I could keep an eye on her and she refused."

"I got off the bus and went to get Mr. Barker (Asst. Principal C. R. Barker) and when we got back, they had knocked the white girl down and she was crying."

Several officers responded to a call for assistance and the incident momentarily appeared to be settled. Santini got back into his bus and started it.

As the bus started rolling, about 15 girls left their seats to lean out the windows shouting and cursing. They called officers "pigs" and various obscenities.

Santini again stopped the bus and got off to request that an officer accompany him on his route covering the eastern area of Fort Myers in the area of Seaboard and Marsh Streets, Michigan Avenue and Ballard Road.

Bennett radioed the request to Capt. Morgan House. It was decided that police could not place armed guards on school buses but Bennett offered to have a marked police car follow the bus. Sheriff Lt. Paul Palumbo said a sheriff's car could follow the bus beyond the city.

Santini said that would not do and offered the ignition key to Bennett, who declined it. Santini and Barker then went into the school building.

The students, who by that time had vacated the bus, were told they would have to find their own way home and most either set off on foot or went into the school to telephone for a ride.

The 15 or so girls who were ultimately taken to the police station, however, stood in a group yelling and screaming. They asked how they were to get home and Bennett again told them they would have to find their own way.

Several girls then held out their hands and asked for dimes to telephone their parents. Bennett said he would give them one dime if they could call the parents of one girl and have them contact other parents. This precipitated another clamor and the girls said they each needed a dime.

Bennett then told them they would have to do something else and the girls surged into the street, shouting and yelling. Several officers ordered them to get out of the street and quiet down.

The girls, in a loose knot, began wandering slowly down the middle of the street toward Cleveland Avenue, yelling insults to police and turning to make various gestures toward the officers.

They stopped and congregated about a block from the school to raise another clamor, and it was then that they were loaded into cars by police and sheriff's officers.

"A lot of them are pretty straight kids. They get nasty sometimes when they're in a group, but when we talked to them one at a time, they settled right down. There are only one or two troublemakers, but we're trying to straighten that situation out," Bennett said.

Santini agreed that there were few troublemakers but said he could not drive the bus and act as referee at the same time.

"I've tried to get along. There's just a couple that cause trouble, but I'm just not going to drive that bus and have those kids fighting," he said.

"It seems that the powers that be are getting a big kick out of what is going on and they don't want to stop it—from the Supreme Court right on down. It's just an impossible situation."



[From the Miami (Fla.) Herald, Jan. 25, 1970]

# SCHOOL DEFIANCE COSTLY FOR PARENTS IN OKLAHOMA

OKLAHOMA CITY.—Two parents have been sentenced to 30 days in jail and \$1,000 fines for defying a court desegregation order.

U.S. District Judge Luther Bohanon sentenced Mr. and Mrs. Raymond York for violating a court injunction prohibiting their son Raymond, 14, from attending the junior high school he attended last year.

"I won't bow and scrape to please the Supreme Court or federal judges," Mrs. York said.

Bohanon's court ordered Raymond to attend Harding Junior High this year, rather than Taft Junior High, which he attended last year and which is two blocks farther from the Yorks' home.

But Mrs. York sent the boy to Taft anyway, even though he was not enrolled and could not take part in classes there. He is an eighth grader.

She said it was not a matter of which school was the better institution, but "a matter of principle of not being told what to do."

Since a U.S. deputy marshal removed the strawberry blond, freckle-faced boy from Taft Monday, he has not been attending any school at all.

Mrs. York said he would "never, never, never go to Harding."

## PREMIER GOLDA MEIR PRAISES PRESIDENT NIXON'S REMARKS ON MIDEAST

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, January 29, 1970

Mr. SCOTT. Mr. President, the New York Times of January 27, contains a most informative article on Israeli Premier Golda Meir's warm reception of President Nixon's remarks on the Mideast. In comments the President sent to American Jewish leaders, he said that the United States is prepared to send military aid to friendly countries like Israel and urged direct Israeli-Arab negotiations. I could not be more in agreement with the President's position. I commend this article to the attention of the Senate and ask unanimous consent that it be printed in the Extensions of Remarks.

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

MRS. MEIR WARMLY GREET'S NIXON'S MESSAGE ON ISRAEL—PREMIER'S REPLY IS SEEN AS AN EFFORT TO REDUCE DIPLOMATIC TENSION

(By James Feron)

JERUSALEM.—Premier Golda Meir said tonight that President Nixon's message yesterday on American-Israeli relations was a clear expression of concern for Israel's security and integrity.

Responding warmly to the message Mr. Nixon sent to a conference of American Jewish leaders in Washington, Mrs. Meir said in a statement issued by her office that she also "noted with gratification" Mr. Nixon's remarks on arms.

The Nixon message said that the United States was prepared to supply military equipment to support friendly Governments such as Israel's, and it reiterated the

Administration's assurances that the United States believed peace in the Middle East was attainable only through negotiations between the parties concerned. Direct negotiations are a basic tenet of Israeli policy.

Mr. Nixon's message and Mrs. Meir's statement appeared to some observers here to represent an effort on both sides to eliminate the tensions caused by American diplomatic initiatives and Israel's reaction to them.

Recent proposals by the United States to the Soviet Union for peace pacts between Israel and two neighboring states, the United Arab Republic and Jordan, were rejected by Israel as completely unacceptable.

The Israeli rejection was accompanied by statements that the proposals, which included restoration of the pre-1967 boundaries in the area, represented American appeasement of the Arabs and an erosion of United States support for Israel.

The American proposals also involved withdrawal of Israel from occupied territories, a "civic" role for Jordan in the administration of Jerusalem and the right of compensation or repatriation to Israel of Arab refugees from the 1948 war.

American Jewish leaders expressed particular concern that United States-Soviet talks and four-power meetings on the Middle East might replace direct Arab-Israeli negotiations.

The dispute led to the meeting of the Conference of Presidents of Major Jewish Organizations.

### FEARS ON TERMS DISCUSSED

In his message, Mr. Nixon declared that the United States would not impose the terms of peace in the Middle East. This was an attempt to quiet Israeli fears that the major powers were seeking to draft peace terms. The Israelis say peace terms should be left to the disputants.

President Nixon's statement was received here with warmth and gratification. Many observers saw the reaffirmation of American policy as more important diplomatically than the tenets outlined in the statement.

Mrs. Meir said Mr. Nixon's message had given "eloquent expression" to American friendship for Israel and concern for Israeli peace and security. She noted that Mr. Nixon had expressed these attitudes during their talks in September in Washington.

"Being deeply concerned over certain U.S. diplomatic initiatives," she said, referring to Secretary of State William P. Rogers' proposals in the Soviet Union, "we never lost sight, and always gave expression to, the broad range of interests and objectives that our two countries have in common."

She said she was hopeful that the Nixon message would convince "all concerned" that "only through a freely negotiated agreement between the parties to the conflict" can a "lasting peace be established."

Some observers considered Mrs. Meir's response to be unusually enthusiastic, but they suggested that it might have been so to erase what they thought was the overly severe reaction earlier.

## ERLE STANLEY GARDNER'S STATEMENT ON THE DELTA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. WALDIE. Mr. Speaker, millions of Americans are well acquainted with the works of Erle Stanley Gardner. His books featuring the attorney, Perry

Mason, have repeatedly sold over a million copies—a most extraordinary feat.

Mr. Gardner is also famed for his books dealing with the wonders of nature. He has written five books on Baja, California, and three others dealing with the marvelous delta region in California which I am proud and privileged to represent.

Although he is now recuperating from a recent illness, Mr. Gardner was so profoundly concerned about the perils to this magnificent delta area posed by State and Federal water development projects that he wrote a statement to be read before hearings of the State Water Resources Control Board.

Mr. Speaker, I found this statement to be most informative and I would like to take this opportunity to enter it in the CONGRESSIONAL RECORD:

### AFFIDAVIT—STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

Erle Stanley Gardner, being first duly sworn, deposes and says:—

Having only recently been released from the Riverside Community Hospital, I find it impossible to travel to Sacramento and be a witness in connection with the Delta hearings. I therefore make this affidavit.

I am a professional writer and have been for more than forty years. As such, it is a part of my work to appraise the areas in which the public will take an active interest.

Until 1932 I wrote generally for the so-called woodpulp magazines, writing of matters in which there was manifest a public interest in the magazine field.

In 1932 I became convinced that there was a broad field of undeveloped public interest in a certain type of detective story, one in which a practicing lawyer would be the hero. I, therefore, created the character of Perry Mason and wrote the stories for the most part in book-length episodes.

That I was correct in this assumption is shown by the success achieved in this field.

From 1932 on to date I have written some eighty books featuring Perry Mason, and pocket books alone has sold over a hundred million of these books.

I also created a firm of private detectives of Bertha Cool and Donald Lam which was written in books under the pen name of A. A. Fair.

In addition to these books I have created other characters in the detective field and have been highly successful in that field.

According to actual count my books have sold in the United States and Canada alone more than a hundred and sixty-five million copies in all editions.

In a book entitled, "70 Years of Best Sellers" by Alice Payne Hackett, published by R. R. Bowker Company in 1967, a survey is made of best sellers from 1895 to 1965.

In the department of this book featuring crime and suspense it is stated that the records show that there have only been one hundred and fifty-one best sellers during this seventy-year period.—The best seller is defined as a book which has sold over a million copies.—Of the one hundred and fifty-one titles which have been best sellers in that seventy-year period, it is stated that ninety-one of these titles have been written by me, either under my own name or under the pen name of A. A. Fair.

The character of Perry Mason has also appeared in nationwide radio daytime drama, Monday through Friday, sponsored by Procter & Gamble, and, as I remember it, this lasted for some twelve years.

The character of Perry Mason, as portrayed by Raymond Burr, appeared in television, was exceedingly popular over a nine-year period, and is still proving immensely popular in re-

runs in various television stations throughout the United States.

The books dealing with Perry Mason have been translated into many foreign languages and have appeared in television in several foreign countries, even including Japan and Mexico where the sound track is so arranged that Raymond Burr, as Perry Mason, seems to be speaking in a foreign language.

I also created other book characters which were highly successful.

Later on I decided that a certain type of travel book profusely illustrated with photographs would have a sale and, particularly, would be of interest to public libraries where each volume would be exposed to many rentals and would attract many readers.

I decided that three places would be of particular interest—the desert of the Southwestern United States, the peninsula of Baja California and the Delta region fed by the Sacramento, the San Joaquin and the Mokelumne Rivers.

The success of my books dealing with these fields vindicates my judgment and the books have not only attracted a large reader following but, because of these books, an increased public interest has been reflected in the territories mentioned.

My first book on Baja California was entitled "The Land of Shorter Shadows". That book is now entirely out of print. A book of various adventure stories entitled "Neighborhood Frontiers" has enjoyed a good sale and only a few remaining copies are available in the hands of the publishers.

"Hunting the Desert Whale", "Hovering Over Baja", "The Hidden Heart of Baja", "Off the Beaten Track in Baja" and "Mexico's Magic Square" deal with areas in Mexico which I felt would result in good book sales and rentals.

"The World of Water", "Gypsy Days on the Delta" and "Drifting Down the Delta" deal with the Delta region above mentioned. These books have resulted in an increasing interest in the Delta region on the part of many readers and I have been advised that many people have either purchased or rented houseboats because of what I have written about the Delta region in these books.

In order to get material for these books on the Delta I have spent considerable time in houseboats on the Delta, in getting acquainted with various points of interest and making a survey of the natural beauties of the Delta region.

I mention my record in connection with anticipating public interest in order to show that, as a professional writer, I have been able to predict public tastes and reader demand.

It is not easy to do this. Subjects must be selected which have a strong potential for reader enjoyment.

I have been advised by my publishers and various other sources that my books on Mexico and Baja California in particular have resulted in an increase in tourism. I have also been advised by my publishers that no other author either living or dead has even approached my sales record in the book field.

In addition to the characters of Perry Mason, Donald Lam and Bertha Cool, I have created the characters of Terry Clane, "Gramps" Wiggins, and Doug Selby, the District Attorney of Madison County.

All of these books have enjoyed a wide sale, and reference is hereby made to the book, "70 Years of Best Sellers", in order to show the actual sales figures as of 1965 and the seventy-year period prior to 1965. My sales record indicates that in gauging and anticipating public interest I am something of an expert and a very successful author.

It is my opinion that the Delta country has potential possibilities far in excess of the possibilities that are presently considered.

I don't believe that the cities in the Delta country, such as Sacramento, Stockton, Rio

Vista, Antioch, etc., etc., realize even today the terrific potential possibilities or what the recreational possibilities of the Delta country are going to mean.

In the relatively short time I have been writing about the Delta, I have seen at first hand an increase in public interest and I feel that the latent possibilities are such that it is impossible to overestimate what the Delta assets will mean to the cities and the resorts that are in this area.

Our whole economic system is undergoing a change with Medicare, Social Security, etc., etc. People are retiring at a time when they have a lot of life ahead of them. With the increase in automobile traffic and the congestion of our highways people are naturally going to turn to the waterways of the Delta as a source of recreation and amusement once they realize the full recreational possibilities of the territory.

As a nation we have always been prone to emphasize material results and have frequently overlooked natural beauties.

It will, of course, be possible to utterly ruin the Delta country as a valuable asset to recreational possibilities that are even yet unappreciated just as it is possible to preserve and enhance the recreational possibilities if intelligent action is taken.

What with congested traffic, smog and atmospheric garbage we are only now beginning, and barely beginning, to appreciate the dollars and cents value of our scenic assets.

I consider the latent possibilities of the Delta region to be similar to those of Yosemite. The beautiful trees which still exist in parts of the Delta region, with the color and beauty of reflections in the calm Delta waters, represent a potential which is, for the most part, unappreciated.

Trees that have been growing for many, many years can be smashed within a relatively short period of time. The levees can be turned into rock-strewn dikes, the fresh water can be drained out so there will be an intrusion of salt water and the entire region can be so ruined that the beautiful places remaining can be subjected to such pressure that the recreational facilities can be lost.

If too great an area is devastated by ruining the beautiful trees and levees are turned into rock-ribbed, monotonous dikes, the yachting pressure upon such limited facilities as remain available, such as the area known as "The Meadows", will cause these areas to lose much of their charm.

In my opinion what the Delta area needs at the present time is to have the natural beauties enhanced, a protection of the remaining esthetic assets, and an increase in boating facilities.

In the future, if the country is not devastated of its natural charm and beauty, the rental of houseboats, the sale of pleasure craft, and the increased money which will come pouring into the territory as the result of a recognition of the esthetic beauties, will be of the greatest benefit.

In order to protect the potential assets there must be a sharp about-face in the treatment of the scenic advantages and a realization of the tremendous potentials which are involved.

The Delta country needs a large dose of human understanding. There must be people with vision sufficient to realize the possibilities and the dollars and cents harvest which will come from preserving and increasing the natural beauties of the place.

On the other hand, a relatively shortsighted policy in connection with the natural beauties of the place can result in devastating ruination, the possibilities of which are only now beginning to be recognized.

I have written three books dealing with the Delta country and a few magazine articles, discussing the potentials. I have no hesitancy in predicting that the factors are al-

ready in existence which will make the Delta country one of the greatest scenic attractions in California if the people who are destined to be the most benefited will join forces and protect those natural beauties.

It has been said that there are a thousand miles of inland waterways in the Delta region. It is going to need an appreciation of the esthetic possibilities and a willingness to fight to preserve the beauty of the Delta in order to exploit those possibilities.

If people would become determined to preserve the natural beauties, the day will surely come when the waterways will be a national asset with marinas, high-class restaurants, docking facilities, stores to cater to the influx of yachtsmen, increased facilities for fishing, water skiing, camping and lazy days in houseboating recreation.

I believe that only a small percentage of the people in the Delta region have seen the beauty of early morning reflections of the towering shade trees along the waterways. The manner in which the assets of the Delta country are being ruined is a crime, and the worst of it is that once the levees have been stripped bare of shade trees it is going to take many, many years before the beauty can be restored.

I have traveled extensively in this country and abroad. I have made it a point to appraise the public interest potential in the various places where I have been. I feel absolutely certain that the Delta country is at the threshold of a great development if the people who should be mainly concerned can organize and present a united front.

My record shows that I have been able to anticipate public tastes in various fields and, in my opinion, if the Delta country can present an organized front to persons who would destroy the natural assets, another decade will convince even the most skeptical that these waterways are an asset far beyond the present concept of their possibilities.

ERLE STANLEY GARDNER.

Subscribed and sworn to before me this 31st day of December, 1969.

M. DOWNS,

Notary Public in and for the County of Riverside, State of California.

## THE CENTURY OF PROGRESS

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Thursday, January 29, 1970

Mr. HRUSKA. Mr. President, in the highest tradition of the American Newcomen Society, Mr. Edd H. Bailey, president of the Union Pacific Railroad Co., and a member of the society, delivered an interesting address reviewing the history and service of that great company which first served as the all-important link between the Atlantic and Pacific Oceans.

The Newcomen Society, a group interested in material history, as distinguished from political history, had the pleasure of hearing from one who has been referred to as "a railroader's railroader."

None is more qualified to review the history of this great railroad, celebrating the 100th anniversary of the completion of its construction, than Mr. Bailey who has served the company well for 47 of those years. Mr. Bailey went to work for the Union Pacific at the age of 17 as a helper in the car department at Cheyenne, Wyo. He has advanced in the



company, working in nearly all aspects of the railroad's operation, and was elected president of the railroad and a director on January 1, 1965.

In an interesting combination of history and personal experiences, he has outlined the growth and service of the railroad from the time it was created in 1862 to the ultramodern, computerized railroad of the 1970's.

I wish to commend the Newcomen Society on its choice of a speaker and the Union Pacific on its choice of a president who is leading the Union Pacific in meeting the challenge of today's railroad.

Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the speech by Mr. Bailey entitled "The Century of Progress, a Heritage of Service, Union Pacific 1869-1969," and the introductory remarks by Mr. Morris F. Miller.

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

THE CENTURY OF PROGRESS; A HERITAGE OF SERVICE, UNION PACIFIC 1869-1969

INTRODUCTION OF MR. BAILEY AT OMAHA ON SEPTEMBER 9, 1969, BY MR. MORRIS F. MILLER, CHAIRMAN OF THE BOARD OF THE OMAHA NATIONAL BANK, MEMBER OF THE NEBRASKA COMMITTEE IN THE NEWCOMEN SOCIETY IN NORTH AMERICA

My fellow members of Newcomen:

It is undoubtedly trite but it is also very true to say that I am deeply honored to have the privilege of introducing our honoree and principal speaker.

If any one of us were asked this evening to name that business concern which over the past century has had the greatest economic impact on Omaha, on Nebraska, and indeed on much of the West, he would unhesitatingly and rightly name the Union Pacific Railroad Company. As a matter of fact, the Union Pacific has influenced far more than just the economic fortunes of the region it serves. But I don't want to steal from Edd Bailey's script, so I will confine my introduction to telling you something about Edd and let him tell you about the Union Pacific.

Mr. Bailey was born in the northwestern corner of Missouri and then, when still a youngster, moved with his parents to northeastern Colorado, where the Baileys homesteaded. Forty-seven years ago, at the age of seventeen, Edd Bailey went to work for the Union Pacific as a helper in the Car Department at Cheyenne, Wyoming. Over the next two plus decades, until the end of World War II, Edd Bailey advanced through a number of different jobs in maintenance, in operations and in security. Between 1945 and 1950 he was superintendent of the Nebraska and Wyoming Divisions respectively and in 1950 became General Superintendent of the entire Eastern District with headquarters in Cheyenne.

In 1952 he moved to Portland, Oregon, as General Superintendent and in the following year was named General Manager of the Northwest District. In 1954 he came back to Omaha as General Manager of the Eastern District, and in 1957 became Vice-President in charge of Systems Operations.

On January 1, 1964, Edd Bailey was named Chief Executive Officer, Transportation Division, and was elected President of the railroad and a Director on January 1, 1965.

Somewhere along the way, or perhaps I should say somewhere along the right-of-way, he married Mabel Parker of Grover, Colorado. Mr. and Mrs. Bailey are parents of a son, Hugh, who lives in San Francisco,

California, and a daughter, Mrs. Laura Richardson, who lives in North Platte, Nebraska.

Edd Bailey is active in his own industry as a director of the Association of American Railroads and a member of the Executive Committee of the Association of Western Railways. He serves on the boards of the First Security Corporation of Salt Lake City, Guarantee Mutual Life Insurance Company of Omaha, and I am proud to say, of The Omaha National Bank.

How a man as busy as Edd Bailey has obviously been can find time for civic activities I do not know, but Edd Bailey has more than his share of these. The list of specific assignments is long and covers a broad scope of educational, social and community service. These activities were recognized two years ago by a grateful citizenry, when Edd Bailey received Omaha's highest civic honor and was made King of Ak-Sar-Ben.

But I think probably the accolade that best describes Edd Bailey was the one printed in the May issue of *Modern Railroads* and which simply describes him as Edd Bailey—a railroader's railroader.

Gentlemen, it is with extreme pleasure that I present to you Mr. Edd H. Bailey, President of the Union Pacific Railroad Company.

ADDRESS BY MR. BAILEY

My fellow members of Newcomen:

I am most happy to be invited here tonight. I am well-familiar with the activities of The Newcomen Society in North America, its standards and its purposes.

I am also pleased, but not surprised, that so respected a group as the Newcomen fellows should do honor to the company for which I have worked for forty-seven years. In a very real sense, you honor not only Union Pacific, but also me and every one of some thirty-two thousand of my fellow officers and employees.

In all of the history of civilization, the balance of truly important accomplishments was foreseen and discussed by generations of men. The construction of the Union Pacific was no exception. This enterprise, which has occupied so much of my life, is rooted deeply in the heart of the finest American tradition.

I think the reasons for building the railroad were good ones. Ours was a young country then. The states of California, Oregon and Washington were separated from the rest of the Union by many days of hard travel. In order to insure the proper growth of the fledgling nation, an easy and convenient means of transportation had to be established. With construction of the Panama Canal still many years away, it was apparent that the overland route was the only practical approach.

The men who early supported this great project sound like a "Who's Who" of the day: John C. Calhoun, Henry Clay, Daniel Webster, Stephen A. Douglas, and Congressman Abraham Lincoln of Illinois. It has always been a source of satisfaction for me to realize that I have spent nearly half a century working for a cause that had such supporters.

It remained for a Civil War and President Lincoln to clear the way for the events which are still unfolding today. Union Pacific was created by the Enabling Act, signed by Lincoln in 1862. This Act of Congress settled, once and for all, the question of where the transcontinental railroad was to be.

Ground was broken on a cold, snowy December 2, 1863, and a year passed before any further work was done towards building the road. The Civil War was raging and the iron and machinery upon which construction depended were sorely needed for the war effort.

Construction finally started in July 1865.

The first rail was laid on the tenth of that month, with the first locomotive being operated over two miles of track on the twenty-first.

In May of 1866, Major General Grenville M. Dodge became chief engineer of the line. He is high on the list of those rugged men who deserve notice for what was then called "The Work of the Age."

The construction army was under the direction of General Jack Casement and his brother Daniel. It was a strange collection of ex-soldiers from both Union and Confederate armies, ex-convicts, Irish and German immigrants, and an occasional settler from along the way. As many as ten thousand people came to be involved in grading the line, building the bridges and laying the track. Their pay ranged from \$2.50 to \$4.00 per day—excellent wages at that time. These hardy men lived on buffalo meat, bacon, beans, hardtack, and coffee.

The term "construction army" is no exaggeration. The chief of each of the units was usually a former Union officer and his men worked near stacks of rifles held in readiness for defense against surprise Indian attacks. Shovels and rifles were equally important during the construction days.

Following the completion of construction in 1869, the company endured twenty-eight difficult years. Finally declared bankrupt, Union Pacific was sold at auction on November 1, 1897. That auction was held on the steps of the UP freight house, here in Omaha. The defunct property was purchased by Edward Henry Harriman. After assuming control of the railroad, Harriman set forth on one of the most ambitious improvement projects ever undertaken. The railroad was virtually rebuilt, using materials and standards considered superior even today. It is his genius and his remarkable sons that have guided Union Pacific so successfully to the present day.

E. H. Harriman's oldest son, W. Averell, served as Chairman of the Board of Directors from 1932 to 1946. It was during this period of time that the streamlined train and world famous Sun Valley, Idaho, became a part of Union Pacific. This distinguished man served not only UP, but also his country in a number of public offices and diplomatic posts.

The younger son, E. Roland, Chairman of UP's Board of Directors from 1946 until this last January, is an equally distinguished man. He is chairman of the American Red Cross and co-sponsor with his brother, of the E. H. Harriman Memorial Award program. They are both great Americans.

The time of the Harrimans has been a time of great change and development. What the life of E. H. Harriman meant to this great company could not have been told better than the address delivered to The Newcomen Society in November, 1949, by fellow-member Robert A. Lovett. Mr. Lovett, son of an early UP President, has been a member of the board of directors of the company since 1926 and has, in the past, served as Chairman of the Executive Committee. Mr. Lovett, another great American, is also widely recognized for his distinguished career in the public service of his country.

After Union Pacific had been reorganized and rebuilt and after the United States Railway Administration had relinquished control of the road, things began to go along just fine, at least until 1929. Then, along with everyone else, we were faced with some mighty lean years. As the drought of the 1930's spread across the land, our business dropped off. Painful decisions had to be made concerning priorities. We had to become more efficient.

However, the Great Depression was, in a large measure, responsible for what was to become a mechanical revolution. To help improve service, UP designers developed roller-

bearing equipped steam locomotives that could run all day long at eighty miles per hour. But this still didn't seem to be the answer. Mechanical engineers began to wonder whether internal combustion engines might not be more efficient than steam. Ensuing events proved them right. The diesel locomotive became our mainstay.

Coming out of the depression, we were all faced with World War II. Short of equipment, short of manpower, and short of spare parts, the "Strategic Middle Route," as Union Pacific was called, performed with speed and efficiency never before seen. Literally millions of men and machines were moved across our lines during those very difficult days. I can personally vouch for the fact that during this period it was not uncommon to handle fifty trains in each direction, daily, over our double track main line. It was also during this time that the trucking industry actually started in a big way. World War II left us with a competitor we had not been faced with before—the trucker.

The end of World War II let us finally catch our breath and take a good look at the changes that were happening around us.

The very nature of our business was changing. It was becoming more specialized than ever before and we had to meet these changes. Among other things, management recognized a public trend away from the long-haul passenger train. That trend has continued to the present. Today, Union Pacific continues to operate first class passenger service for the few who desire to use it.

To keep abreast of our shippers' demands for more speed and more complete and dependable transportation services, it has been necessary to continually improve and modernize our facilities, our equipment and our operations.

As schedules became faster, it was necessary to install heavier rail, new ballast and ties. Curves were straightened and grades reduced, allowing us to cut a few minutes here and there from our schedules. Millions of dollars have been spent for this purpose.

Total use of diesel locomotives was a major step. Diesels didn't have to stop periodically for coal and water, they allowed greater concentrations of horsepower for more speed, and they eliminated much of the need for helper locomotives on heavy grades.

While we formerly served our shippers with a half-dozen basic types of freight cars, today Union Pacific can supply cars of every conceivable type, size, shape, capacity, and purpose.

In former times, there were unavoidable delays in our major terminals. These delays were the result of engine and caboose changes, as well as train reclassification. These procedures were repeated a number of times as the train progressed across the system to its final delivery point.

Today, things are different. In cooperation with other carriers, we operate what is known in the trade as "pre-blocked, run-through trains." We assemble trains of one hundred or more cars that can be handled as a unit—all of the cars having a destination in common. Since neither locomotives nor cabooses now need to be changed, the entire train can now move through a terminal in five minutes. The savings involved and the benefits brought from a schedule standpoint are tremendous.

Early in 1960, Union Pacific was the first to pioneer this "preblocked, run-through" concept with another railroad. In cooperation with the Burlington, an arrangement was initiated allowing solid trains, including engines and cabooses, to operate from Galesburg, Illinois, to Green River, Wyoming. This modern practice has reduced the time and handling required in train operations. It has also allowed Union Pacific to centralize many of its operations at North Platte, Nebraska.

The installation of a new and modern

classification yard at North Platte, last year, has made possible the efficient and expeditious handling of a great volume of trans-continental traffic. There, traffic, both east and westbound is classified for through movement to distant terminals on our line and to those of connecting carriers.

In addition to the computer-operated retarder yards already in service at North Platte, new magnificent locomotive shops have been recently authorized. The net result will be increased efficiency.

Union Pacific's faith in the future as well as its progress has always been marked by capital expenditures of great amounts of money and today is no exception. We are continuing to make huge investments in order to keep our equipment in the best possible condition. In fact, the past five years have seen UP spend over one-half billion dollars for new equipment. That's a great deal more money than it cost to initially construct the entire railroad.

Union Pacific has been unique among railroads in many of the methods it has chosen to meet the challenges of the future. We are forever searching for new and better ways to simplify the safe and speedy handling of volume freight traffic.

However, transportation wasn't the only facet of Union Pacific which was undergoing change. The company began to diversify. A land division was established to insure more profitable use of our lands and properties. The primary job of this division, along with the transportation division, is to attract traffic-producing industries to the railroad.

Union Pacific's interest in natural resources dates back a long while, in fact in 1937 Union Pacific owned about 3,000 acres of swamp land in Wilmington, California. Today there are about 1,300 oil producing wells replacing that swamp. In order that exploration of natural resources be further emphasized, a natural resources division has been established that is continually developing new oil and gas reserves; overseeing the mining of the world's largest deposit of trona, located in Wyoming; and carrying on constant exploration for new and different mineral reserves. The future holds exciting new development for this important part of our present holding company.

To fit the changing patterns of American railroading, Union Pacific, in 1963, voiced its desire to merge with the Rock Island. If such a merger is permitted, we will then provide single-line service to the important terminals of Chicago and St. Louis. There is little doubt that this merger is of paramount importance to the economy of the western half of the United States.

Early this year, the Union Pacific Corporation was formed. The new organization will allow UP's various interests such as Land Division, Union Pacific Natural Resources, and Union Pacific Transportation to each develop to its fullest potential. Under the leadership of our Chairman of the Board and Chief Executive Officer, Mr. Frank E. Barnett, the Chairman of the Executive Committee, Mr. Elbridge T. Gerry, and the President of the new Corporation, Mr. James H. Evans, the Union Pacific Corporation will carry our great heritage of service to new and broader fields.

As you can well understand, Union Pacific has meant a very great deal to me, personally. I first went to work for the company in 1922, as helper in the car department at Cheyenne, Wyoming. In retrospect, I can clearly see that the railroad of that era is remote from the company of today.

In 1922, we car department helpers at Cheyenne were paid the princely wage of 47¢ per hour. Times really have changed!

Railroading, to me, has been and always will be a fascinating business. And one of the most remarkable characteristics of Union Pacific is that over the years, the company has inspired a great sense of loyalty and

pride among its employees. It's not difficult today to find UP employees with more than fifty years of service to their credit. You are looking at one who hopes to reach that goal.

Some years ago, these old-timers were full of tales about Indian raids, buffalo stampedes and train robberies. They were more than happy to spin yarns for any young man willing to take the time to listen.

Speaking of train robberies, there is a story which comes to mind that I'd like to tell you about. William L. Carlisle, a bold, lone robber, was UP's equivalent of Jesse James. His short, but noisy, career has always been of interest to me for two reasons. The first reason is that he started robbing trains in 1916, at a time when train robbery was going out of style. The second reason is that I knew and worked for the men who brought about his final demise.

Bill Carlisle was a young man—today he'd probably be called a "product of his environment." To the UP special agents, he was an out and out crook. During the months of February and April, 1916, Carlisle held up and robbed three Union Pacific passenger trains.

His favorite technique was to swing aboard the observation platform of the last car as the train left the station. Then, he'd work his way forward through the train, systematically robbing the passengers of their valuables. As a practical demonstration that chivalry was not dead, he robbed only the men and didn't bother the women and children.

Carlisle's most daring robbery occurred on April 4, 1916, when he swung on the observation car as the Overland Limited was leaving Cheyenne. He robbed the occupants of the car of \$567 and jumped off the train before it was out of the city limits.

He was captured on April 22, 1916, after a train robbery the night before, by the sheriff and a posse from Carbon County, Wyoming. Justice was swift—Carlisle was sentenced to life in prison on May 11th that same year.

But that's not the end of the story. On November 15, 1919, Bill Carlisle escaped from prison and on the eighteenth, he robbed another train. Shortly after, he was finally wounded and captured in a western-style gun battle with the Sweetwater County posse which included UP chief special agent John C. Gale and special agent W. J. McClement.

A few years later, I became very well acquainted with both of these men. No matter how often they told the story of Bill Carlisle, I was always a willing listener.

During my time I have had the occasion to inspect every mile of track on the railroad and once was even asked how many ties there were. "Thirty-eight million," I answered. Then I was asked the number of spikes. I replied that I wasn't sure—I hadn't had the time to count them.

I've served the company during some of its most exciting years. Since becoming an officer, I have had the occasion to move twelve times, in fact, our children have been in as many as three different schools in one semester. In those days you were told to go—nobody asked if you wanted to go. Sometimes a move was an advancement, sometimes just the opposite—but all times were great experiences.

I have been present at numerous disastrous happenings—derailments and washouts and storms. One of those times that I recall, but wouldn't want to experience again, was the winter of 1949. That winter was just one blizzard after another. During the seven weeks beginning with the week of January 2, and ending with the week of February 23, Union Pacific was faced with unbelievable conditions. On the Wyoming Division, where I was superintendent at the time, we had eighty mile per hour winds, drifts of snow sometimes thirty feet deep, and temperatures as low as twenty degrees below zero. One storm, in particular, lasted eight long



days. Finally, the sub-zero temperature was replaced with a Chinook wind. In twenty-four hours, instead of ice and snow, there was water. The only evidence of this freak storm was the large accumulation of snow in the cuts which had drifted full.

Snow would pack into a cut or around cars and locomotives so firmly it was like cement. You could drive a large caterpillar tractor on top of the snow drifts without fear of breaking through. Much of the work had to be done by hand. Along with our regular section force we had a gang of 100 Indians, who were excellent workers. I recall they had been told not to lose their shovels and believe me until I had been associated with them for some time they refused to even loan me one. You can rest assured, I tried not to exercise that authority too often.

I recall on many occasions seeing a man attempt to walk from a railroad outfit car to a lineside telephone. The wind blew him along as if he were an empty sack. If anyone would have said that we were faced with a crisis, I would have been relieved. It probably would have meant that the situation had improved!

All things considered, I feel I have been fortunate. I've had privileges that few other men have had. Not only did I have an opportunity to view these things first hand, but I also had the opportunity to participate in them. I pay tribute to those who taught me the business and to those who supported me along the way—those officers and men whose loyalty was unquestionable and who stayed on the job regardless of the circumstances, cleaning up a wreck or repairing a washout. The conditions—weather, or length of time required—were beside the point. Restoring service was the objective.

A centennial year is a good year for memories. As you are aware, we celebrated the driving of the Golden Spike in May of this year. I happened to be at Promontory, Utah, to witness that celebration. You should have seen the number of people in attendance at this out-of-the-way place—there were over 12,000 of them. It bears out the fact that people are interested in their heritage. I wonder if 12,000 people will attend the centennial of the moon landing. It's probably not very likely—but then again, who knows?

Those of us whose careers are closely linked to the operation and development of western railroads look back with a good deal of nostalgia. More important, we look back through the years toward Promontory with a feeling of considerable pride in the accomplishments of our railroad and our fellow railroaders.

It is not our policy at Union Pacific to look back except to recognize accomplishments of the past. We are grateful for the knowledge gained, enabling us to look into the future with clear foresight in meeting the challenges of tomorrow.

Five times in the past century, our railroad has been called upon to serve the country in times of armed conflict. Five times, three in my lifetime, alone, we have answered the call. Our industry is proud of this record. I hope circumstances will not develop that make necessary a repeat performance.

The original Golden Spike carried this inscription on one side: "May God continue the unity of our country as the railroad unites the two great oceans of the world." The importance of this statement cannot be over-emphasized in our world today. The railroad was, and still is, important to the lives and the fortunes of every American.

Our plans for the future are exciting to say the least. For example, we recently announced the expansion of our Headquarters Building. A twelve-story addition comprising 190,000 square feet will be built.

Another announcement was made concern-

ing our new Corporation's purchase of two subsidiaries of Celanese Corporation, namely Champlin Petroleum Company and Pontiac Refining Corporation.

As time goes on, I am sure there will be many more exciting announcements.

Gentlemen, thank you for the invitation to visit with you tonight. It is indeed an honor I shall long remember.

### CONCERN OVER ALCOHOL PROBLEMS INCREASING

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. HANNA. Mr. Speaker, over the past few months a good deal of material on the dangers of alcohol have been printed. It has been interesting to me to follow the renewed public interest in the dangers of alcohol consumption.

Over the past two sessions, I have introduced legislation which has been designed to regulate the advertising of alcoholic beverages. It seems very logical to move in this area when we consider the national concern over other substances that physically and emotionally damage the human body.

I have been concerned that problems connected with alcohol abuse have been relegated to a domain of less priority than the more politically sexy issues of drug abuse and cigarette advertising. Possibly because drinking has become so socially acceptable, people are less willing to understand the dramatic problems alcohol is causing.

Although there are still a few who contend that "the demon rum" has and always will continue to be a social affliction of men, leaders in medicine, the social sciences, industry, and government are learning alcohol consumption and its attendant problems are seriously affecting our societal fabric.

In 1969, Senator HAROLD HUGHES held a comprehensive series of hearings on alcohol during which dramatic evidence was presented. Among the more important accomplishments of these hearings was the forum which brought many previously whispered concerns to the attention of the public. Also, Congress has become more concerned as demonstrated by its insistence that OEO funds for alcoholic rehabilitation be earmarked.

However, there still is not enough concern. While we are perfectly willing to restrict and regulate dangerous drugs that affect and damage men in the same manner as alcohol, we are still unable to overcome the inertia in dealing effectively with alcohol regulation legislation.

An impressive amount of media concern may change this unfortunate situation. I am attaching to my remarks certain articles which have been published over the past few months, and tend to demonstrate the growing awareness over the wide range of problems attributable to alcohol.

The Washington Post reports on some recent statistics which the alarming effects of drunk driving and related prob-

lems are having. State law enforcement agencies and courts are showing an increasing awareness of dealing with drunk drivers by concerning themselves with the causes and aiming at stopping the drinking rather than the driving. This is an important new thrust. Those dealing with drunk driving offenses are realizing that their most effective methods to reduce the rising rates involve stopping or, more realistically, limiting drinking.

The costs to the economy through casualty losses, and the personal losses resulting from accidents caused by those under the influence of alcohol, has long been known. Methods to reduce the carnage will be unsuccessful until we deal effectively with the entire question of drinking, and I am encouraged that this is the direction in which we are moving.

Another interesting component of this growing recognition was an excellent article that appeared in the Wall Street Journal. The article documents the serious costs to industry resulting from "on-the-job drinking." Millions of dollars are lost each year, both through workdays lost and on-the-job injuries.

Businessmen recognize that it is now necessary to develop employee rehabilitation programs. While this is still a new field, more and more businesses are moving into it. And as business leaders become increasingly concerned we can anticipate pressure developing for some meaningful Government action.

Many in Congress have been talking at length about the serious effects drugs have been causing in terms of job injuries and workdays lost. The Wall Street Journal article points out that alcohol presents as serious if not more serious problems in this area.

I also want to shatter another related myth. Many young people have been justifying drug abuse with the argument that it is no more dangerous than alcohol abuse. Well, the facts show that alcohol is very dangerous—to a man's physical health, his emotional health, his livelihood, and his very life as traffic statistics will demonstrate.

A recent article, which I am also attaching to this statement, reports on some of the latest medical research into the dangers of alcohol. Once again we are made aware that alcohol is damaging to our physical well being. Dr. Knisely's article is excellent and I recommend it highly.

I believe these three articles highlight arguments I have made in the past urging Congress to take a more aggressive concern on this issue. One of the most effective things we can do immediately is regulate the advertising of alcoholic beverages. It is my hope that the House will not wait any longer to take action on the measure I have authored.

I cannot conceive how more clearly the case has to be made for the Congress to realize we are in the midst of a growing social problem. We must devote as much attention to the dangers from alcohol as we are devoting to the dangers from drugs.

Mr. Speaker, the Wall Street Journal article, the article by Dr. Knisely, and two other articles on alcoholism follow:

ONE FOR THE PLANT—DRUNK EMPLOYEES RISE BUT LABOR-SHORT FIRMS OFTEN DON'T FIRE THEM—CONCERNS TRY REHABILITATION, SCORE STARTLING SUCCESS; A \$4-BILLION-A-YEAR PROBLEM—COSTLY CAPER OF DRUNK SANTA

(By Ralph E. Winter)

COLUMBUS, OHIO.—Something was wrong. The crane operator was operating his crane erratically, so his supervisor at Buckeye Steel Castings Co. signaled him down. "What's the trouble?" the supervisor wanted to know. And, he asked, why couldn't the crane operator walk a straight line—and why did he smell of alcohol so early in the morning?

"I had a beer before I came to work," the operator answered belliciously.

Indeed he had. And he hadn't stopped with just one, an on-the-spot check with a breath analyzer disclosed. In fact, the test indicated the man was roaring drunk. And so the crane was idled and the people at Buckeye Steel Castings chalked up a few more hours lost to drink.

But the crane operator wasn't fired, as he almost surely would have been a few years back. Rather, under threat of firing he enrolled in the company's problem-drinker program. Thus, company officials hope to help the man salvage his life—and, somewhat less altruistically, to help themselves salvage a worker in these times of severe labor shortage.

#### THE CORPORATE CONSCIENCE

A drunken worker, of course, is not a new problem. But it is an increasing one, and it is especially troubling employers now because many of them have developed corporate consciences and hate to fire a worker for what they now view as a disease—and because if they did fire a worker it would be very difficult to find a replacement now that the unemployment rate is so low. One result is that there now are formal drinker-rehabilitation programs at an estimated 1,000 companies, 10 times the number a decade ago.

The dimensions of on-the-job alcoholism are elusive because most drunks are able to conceal their problem. "It's an iceberg, with the biggest part hidden from management," says an official of Anchor Hocking Corp. of Lancaster, Ohio. Buckeye Steel, a Buckeye International Inc. subsidiary that discusses the problem more candidly than most companies estimates that 18% of its employees have a drinking problem that affects the company. That rate is probably higher than average, because Buckeye studies have found that the rate tends to run high in the foundry industry, where the labor pinch is particularly acute.

There's no question the problem is worsening. Officials at the National Council on Alcoholism estimate that alcoholism costs American employers \$4 billion a year in lost time and ineffectiveness. That's up from an estimate of \$1 billion five years ago, although officials now say that the 1964 estimate was too low.

"Alcoholism is more prevalent in industry than it was five years ago," agrees J. J. Davis, president of Esco Corp., a Portland, Ore., alloy steel foundry. "It may be the result of greater affluence in that people have more money to buy booze. And they know employers can't fire them so readily in a tight labor market."

#### A JOLLY SANTA'S CAPER

Whatever the reason a worker shows up drunk, it can foul up operations. Efficiency experts reckon that North American Rockwell Corp. lost 500 man-hours of production as employees gathered to gawk and talk one December day after a drunken worker donned a Santa Claus costume and romped for an hour through an aircraft plant.

Excessive drinking is the biggest single factor in absenteeism, itself industry's biggest personnel headache, according to L.R. Price,

executive vice president of the American Society for Personnel Administration. Records at North American Rockwell's division here in Columbus indicate that employees with drinking problems average an extra 30 days of absence annually, most of which must be made up by other employees on overtime. Counting only the 310 hourly workers that have entered the company's problem drinker program, this figures out to added costs of \$125,000 a year unless their drinking can be controlled.

What's more, when a drunken worker does show up he's often aware he isn't functioning properly and thus slows down to avoid accidents or mistakes. A heavy drinker may reduce his output by 50% or more, authorities say. Mistakes made by on-the-job drunks add thousands of dollars more to companies' costs.

#### KEEPING AN EYE PEELED

One result of all this costly boozing by all these scarce workers is that companies are making a bigger effort to spot the alcoholics early, when there's considerably more opportunity for rehabilitation. "I tell supervisors to be alert for any change in behavior, such as the jovial employee who becomes morose or the gregarious guy who turns into a loner," says Dr. Luther A. Cloud, senior associate medical director for Equitable Life Assurance Society of the U.S. and president of the National Council on Alcoholism.

Other signs Dr. Cloud looks for: "Any irresponsible behavior or general loss of efficiency, chronic lateness, prolonged lunch hours and leaving early on Friday." He says that "the typical pattern of Monday absences and physical symptoms like tremors and sallow complexion come later—when we see a man at that stage, it's late."

Surprisingly, even though companies are on the watch for alcoholics, the average employed alcoholic isn't discovered until he has had a drinking problem for 10 years, one study said.

Once discovered, the drunk is usually turned over to a company doctor and an "employee alcoholism counselor," which is a new specialty at many major companies. The hardest problem for these doctors and counselors is getting the employee to admit he's an alcoholic. "Sure I drink, but I can control it," the man often says. Or, "I don't have a drinking problem. My problem is paying the rent."

After that barrier is broken, most companies with formal rehabilitation programs follow a common pattern of treatment. They generally insist on a thorough physical examination, with hospitalization in alcoholic wards if the case is severe. Almost invariably, the employee is urged to join Alcoholics Anonymous for group therapy, with other AA members at the company taking him to the first few meetings. North American Rockwell sponsors AA meetings on company premises, and other companies, such as Equitable, give time off to attend meetings outside the office.

Corporate specialists also enlist the assistance of community resources, including church groups, public clinics, welfare agencies and social workers. The companies sometimes arrange loans to help solve financial crises, which all alcoholics seem to have. "I've never known an alcoholic who wasn't in debt," says one doctor who works with alcoholics, "and that includes two company presidents with incomes of over \$100,000 a year."

"When a man has lost his house and his family, is living in his car in the parking lot and has had his paycheck garnished, he needs more than a lecture," says one employee alcoholism counselor.

Some companies also insist that a worker take medicine, frequently a drug called Antabuse that remains dormant in the body until the person drinks alcohol. Then he gets violently ill. "My ears burned, the veins on my hands stood out and my heart jumped out

like this," recalls one reformed alcoholic, holding his hands six inches in front of his chest. "Then my legs got rubbery and I went down."

But making sure workers take the drug is difficult. Some companies insist the workers take the pill each day in the presence of a supervisor or company nurse. Even that isn't foolproof. Frank Marsh, chairman of the United Auto Workers alcoholic committee at a Fisher Body plant here, says that some workers try to pass off other, similar pills as Antabuse.

But once a worker is on the way to kicking his habit, he is usually grateful for the help he has been given. Don Harris is the alcoholism counselor at Buckeye Steel Castings here, and he has a Spartan office by the plant gate where workers periodically stop in to see him. (Workers wouldn't come to a fancy office with a receptionist, he says.) He sees lots to encourage him.

On one recent day, a gold-shirted man in his 40s came in with a big smile and a firm handshake. He had just come out of 14 days in a hospital's alcoholic ward, the longest period in recent years that he had gone without a drink. He felt great, he said, and he was confident that, with the help of Alcoholics Anonymous, he could whip his problem. A father dropped by to say he had been sober for 30 days.

Indeed, big companies say they have a startling success rate of 55% to 70% in returning problem drinkers to sobriety. This is far higher than the recovery ratios at hospitals and treatment centers for alcoholics, but doctors say there is a reason.

Explains Dr. Gordon M. Hemmett of Eastman Kodak Co.: "Alcoholics need some sort of crisis to break through the wall of denial that they have a drinking problem. Threat of job loss is a very potent means of creating a crisis for the purpose of getting the alcoholic's attention." And once the worker recognizes his problem, doctors say, a company has effective leverage in that he either must cooperate in rehabilitation or be fired.

#### HOW ALCOHOLIC BEVERAGES DAMAGE BRAIN, LIVER, AND HEART

(By Dr. Melvin H. Knisely, professor of anatomy, Medical University of South Carolina)

Medical research carried out by Doctors Herbert A. Moskowitz, Raymond C. Pennington and Melvin H. Knisely of the Medical University of South Carolina at Charleston have shown how alcoholic beverages damage the brain, liver and heart. For over 50 years specialists in the study of the brain have been known that at autopsy persons who have consumed alcohol show moderate to extensive brain damage. Damage to the liver and the heart caused by alcohol is also well documented in research publications.

The late Professor Courville of the Los Angeles County Hospital brought together the details of medical knowledge about the damage found in the brains of alcoholics, in a book which should be in every public library of the world. The book is entitled "The Effect of Alcohol on the Nervous System of Man." Published by San Lucas Press 1966. Microscopic studies of every part of the brain of moderate to severe alcoholics have shown that every part, the cerebrum which has to do with thinking, the cerebellum which has to do with muscular coordination and balancing, and even the peripheral nerves show significant damage.

In many such brains smaller or larger percentages of the brain cells are gone. Also and most significant, some of the cells which survive are badly damaged. After early childhood the human body does not make any new brain cells. Nerve cells once gone are never replaced. The studies at South Carolina show one series of steps whereby alcohol damages and kills nerve cells.

It must be remembered that the internal cells of the body can receive oxygen only by



having them brought to them by the red cells which are carried in the circulating blood. Nerve cells live beside capillaries through which blood is pumped. These capillaries ordinarily are so narrow that the red blood cells have to pass through in single file. In healthy people who have not had alcohol red cells are separate from each other and are carried easily and rapidly in single file through the capillaries. Each red cell brings in its load of oxygen. The blood flows rapidly enough through the capillaries to supply those nerve cells living near the upstream end of the capillaries all along them and those near the downstream end.

Upon the ingestion of alcohol chemical reactions are set up which change the outer surface of the red cells making them sticky to each other, and the red cells then stick together in wads which are much too large to go through the narrow arterioles and capillaries easily. The South Carolina investigators studied 30 adult humans (13 females, 17 males) by focussing microscopes into the small blood vessels in the side of the white of the eye of each, and simultaneously taking a sample of the blood from the arm with which to measure the concentration of the alcohol in the blood. The alcohol concentrations found in the subjects ranged from 0 to 328 milligrams per 100 c.c. of blood. These 30 people were periodic drunks brought to the hospital less or more intoxicated. Every intoxicated person who came to the hospital during a 17 month period was so studied. When the data was brought together it was found that with increased concentration of alcohol in the blood the sizes of the wads of red cells progressively increased and rates of flow of blood through all small vessels progressively slowed down. With the higher concentration of alcohol in the blood and the more severe reduction in the flow rates, vessels began to be plugged and increasing numbers were plugged so that no more blood flowed through each plugged vessel. Hence no oxygen could enter. With the extreme upper concentration of alcohol in the blood (225 and 328 milligrams per 100cc.) some small vessels were ruptured, producing microscopic hemorrhages into the neighboring tissues of the eye. The blood coming to the side of the eye is a strategically valid sample of the thoroughly mixed blood coming from the heart, hence we know that the same types of wads of blood cells are being carried into the blood vessels of the brain, spinal cord and nerves.

Brain cells, also called nerve cells or neurones, need a continuous supply of oxygen. Psychiatrists, Clinical Neurologists and Neurophysiologists have known at least since 1935 that lack of oxygen kills neurones. If the oxygen supply to a neurone is shut off for as little as 3 to 5 minutes the neurone quits functioning and in a few more minutes is permanently dead and later breaks down chemically and disappears from the nervous system. Remaining fragments of the neurone may be eaten by special cells which ordinarily eat bacteria. Microscopically the brains of moderate to severe drinkers show scattered nerve cell losses. Sometimes rather large areas have most all of the nerve cells gone. This can be so severe that at autopsy areas of the brain (the convolutions) are visibly shrunken which can be easily seen the moment the brain is exposed to view.

The microscopic observations carried out by Moskow, Pennington and Knisely, which showed that in the intoxicated person very small vessels could be plugged by wads of red cells sticking together shows how the ingestion of alcohol by plugging small vessels directly causes the anoxia which kills the nerve cells. (It must be remembered that oxygen can come to the nerve cells only through the capillaries which therefore must never be plugged.

By a complicated chemical engineering analysis carried out by Dr. Dan Reneau of the Louisiana Polytechnic Institute at Ruston, Louisiana and Dr. Duane Bruley of Clemson University, Clemson, South Carolina, who work with Dr. Knisely, computer calculation has shown that anoxic areas (small areas of tissue without oxygen) develop between the venous ends of the capillaries when the rate of blood flow is slowed down. Vessels need not be plugged to give tissue anoxia. This is most important for it means that some nerve cells are deprived of oxygen even though their neighboring capillaries are not plugged.

Chemical engineering mathematical computer analyses have shown that we can expect that similar minute anoxic volumes of tissue develop in the liver around the central veins of lobules and in the heart around the small veins which drain the heart muscle fiber fascicles. Enormous numbers of these minute volumes of anoxic tissues of liver and heart provide a seemingly satisfactory explanation for at least part of the damage the drinking of alcoholic beverages does to liver and heart muscles.

#### HEALTH—ALCOHOLISM GROWING

(By Dr. T. R. Van Dellen)

Alcoholism, one of our most pressing medical problems, ranks high as a cause of disability and death. For every heavy drinker there are approximately five other people who suffer, including employers, wives, husbands, friends, parents, and children. Do not underestimate the problem, as 5 million Americans are now or are on their way toward becoming alcoholics.

Alcoholism is now the fourth most common cause of death. Statistics such as these are difficult to evaluate because the condition is seldom listed on death certificates. Too much liquor contributes to many physical conditions including liver trouble (cirrhosis), stomach ailments, heart disease, and a variety of nervous system disorders. In many instances, booze is the main culprit in bringing on death from these maladies.

Untreated alcoholism shortens the life span by 12 years. Furthermore, alcohol is implicated in 50 per cent of all fatal accidents. This includes deaths on our highways. Many drunks step off the curb and are killed by motorists. Studies show that 40 per cent of pedestrian fatalities had high blood alcohol levels when injured.

The suicide rate of alcoholics is 58 times that of the normal population. Many of these people also are addicted to sleeping pills. Alcohol is said to be the most common cause of death from fire. The victim has had one too many and decides to smoke his last cigarette (and it is) in bed or on the couch.

Only 5 per cent of confirmed alcoholics live on skid row. The others do the best they can and may hold a job for many years. Alcoholism among women is said to be rising. The pantry drinker may escape detection for decades, especially if she does not have an outside job.

[From the Washington Star, Jan. 11, 1970]

#### THE WOMAN ALCOHOLIC IS THE HIDDEN ALCOHOLIC

(By Dee Wedemeyer)

New York.—After years of drinking behind closed doors, having excuses made for her "nerves," protected until she quietly drank herself to death, the woman alcoholic is coming out into the open.

In some cases, she's just doing her drinking publicly, but more and more she's seeking help and discovering she's not alone. The National Council on Alcoholism estimates there are more than one million women alcoholics in the United States.

Alcoholics Anonymous says that about one in four of its members are women.

"Today there are probably as many women

alcoholics as men," said Harvey Fiske of the National Council on Alcoholism. "And they may be doing more damage and be even further away from help than men. We are doing a great deal for men in industry but we are not even touching women."

#### DOUBLE STANDARD

Ironically, at a time when women are drinking publicly more than ever before, the old double standard for women still makes people hesitant to label women as alcoholic, Fiske said.

"We don't like to think of women as drunks," said Fiske. "We don't want anyone but the mother taking care of the children. We don't think of women on skid row. That's because they aren't there. I'll tell you where they are. They are behind the picket fence, behind the picture window. The woman alcoholic is basically the hidden alcoholic."

Getting women to admit they are alcoholics is sometimes not as difficult as getting their husbands to admit their wives are, Fiske said.

One Cincinnati, Ohio, man told his wife she could call Alcoholics Anonymous "over my dead body" and then was surprised when in a drunken stupor, she tried to kill him. A Philadelphia, whose wife had lost her driver's license for drunken driving, instead of submitting her for treatment, hired a chauffeur.

"Women aren't on skid row because they have husbands paying the bills," Fiske said.

Typically, a husband's first reaction to his wife's alcoholism is to hide or throw away the liquor supply, an action easily overcome by women who have been known to keep secret liquor caches in perfume bottles. One woman kept her Scotch in a steam iron, another put bottles in a toilet water tank.

Women also can count on having drinks bought for them in bars, said Mrs. Marty Mann, founder of the National Council on Alcoholism and a recovered alcoholic for 30 years.

"I used to say if I had a quarter I could drink all day," Mrs. Mann said. "The quarter was for my first beer."

Experts say treating women is no different than treating men, but there are less than a dozen \* \* \*. During that time, he can lose his job, his family, his financial resources. A woman at home all day has more time to devote to drinking and can hit bottom faster, often with her resources still intact.

The damage a woman can do to her family during that time, however, is immeasurable. Two statistics stand out—51 percent of alcoholics are children of alcoholics; 50 percent of juvenile delinquents are from alcoholic homes.

"Very often if the father is coming home drunk, the mother can keep it from the children, but if mother's tipping all day, their inner stability is shattered," said Mrs. Mann. "They don't know how she is going to be. They won't bring other children home."

#### TYPICAL ALCOHOLIC

Mrs. Mann describes a typical woman alcoholic as "someone who begins to get into trouble in her late 20s or early 30s. She still has small children. She had a career and gave it up after the first child was born. Her husband travels a lot."

The reasons women say they drink run the gamut—to ease boredom, to overcome a sense of inferiority or inadequacy, to help cope with problems, to face a social situation.

"I drank as a tranquilizer for my husband's drinking," said Tilly E., the divorced mother of three, a housekeeper from a Philadelphia suburb.

"I started drinking when I was 15 in school uniform. Later when my husband, a naval officer, was away, the cocktail became more and more important. Navy life is very social," said Pamela A., a pretty, 32-year-old divorcee.

Others gave tales of real human tragedies. "If there's anything tangible that is re-

sponsible, it was in 1961 when my mother died of cancer," said Irene M., a Washington widow whose husband died seven years later of the same disease, followed by the death of her brother-in-law and suicide of her sister.

At 51, she's attractive. She lives alone in a Connecticut Avenue apartment where she said, "It's the loneliness that gets you the most."

Since January, 1969, she's been in and out of hospitals and detoxification clinics nine times for periods of five days to two weeks. Now, she's just completed five days in a D.C. detoxification center and 28 days of extensive therapy at Chit Chat Farms in Warnersville, Pa.

For the first time, she's begun to see her drinking not as a moral weakness but as an addiction. She was guilt-ridden with memories of a strict Baptist upbringing and her husband's death-bed plea not to drink.

She can't remember how she lost control of her drinking. As a young married couple, she and her husband, a meat manager, began having two cocktails before dinner. She began having drinks before special events, drinks before cocktail parties, drinks after dinner.

She began lying to herself, saying she could take it or leave it. She made promises to cut down and was frightened when she couldn't keep the promises. She made small alibis for being late for work, missing appointments. She began to believe the lies, was indignant if questioned.

She has now stopped drinking and wants to return to Washington, look for a job and stay sober. With tears in her large brown eyes, she doubts her ability to do it.

"They tell me apprehension is normal but I'm not just apprehensive. I'm scared to death. It's much too overwhelming to think about not drinking for the rest of my life, but just for 24 hours I think I can. I hope I can."

#### A NOTE OF APPRECIATION

### HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. STEIGER of Arizona. Mr. Speaker, I believe a special note of thanks is due to the members of the Arizona State Association of Four-Wheel Drive Clubs for their tremendous efforts in cleaning up several heavily littered areas of Arizona. These people spent days of back-breaking labor removing tons of trash which has accumulated along our roads.

The clubs participating in this worthy endeavor were the Buckeye Four Wheelers and their helpers, Boy Scout Troop 193; the Flagstaff Four Wheelers in collaboration with employees of the Cocino National Forest; the Creepy Crawlers 4WD Club helped out by 14 members of the All-Indian Boy Scout Troop; the Four by Four Scouters of Scottsdale who combined forces with Boy Scout Troop 442; the Phoenix Four Wheelers; the Phoenix Jeep Club together with Boy Scout Troop 264; the Mesa Four Wheelers; the Wickenburg Four Wheelers in conjunction with the Wickenburg Sports Club and the local Boy and Girl Scout Troops and the local 4-H Club; the Yuma Four Wheelers and Yuma Trail Blazers; and also participating in this ambitious undertaking were the Tucson Four Wheelers.

I cannot adequately express my appreciation to all the people who made this drive the success it was. We are proud of these hard working citizens who have done much to restore and maintain the natural beauty of our State. Their efforts are to be applauded, their example is a great one.

#### MODERN LITTLE RED HEN

### HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I wish to include a new version of the story of the Little Red Hen, which I think deserves wide attention:

#### MODERN LITTLE RED HEN

One of our readers sent us a modern version of the Little Red Hen which was printed in the *Waltburg, Wash., Times*, which received it from a western Washington reader, who said the capitalistic author was unknown. The "mod" version reads:

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 duck. "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 compensation," 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 working that's discrimination," said the goose.

"Then I will," said the little red hen—and she did.

She baked five loaves of 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 want 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 flunk," screamed the goose. "Equal rights," grunted the pig.

They hurriedly painted picket signs and marched around the little red hen, singing, "We shall overcome." And they did.

For when the owner 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," said the little red hen.

"Exactly," the wise owner said. "That's the wonderful free enterprise system: anybody 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 owner. Here you give four loaves to your suffering neighbors."

And they all lived happily ever after, including the little red hen, who smiled and clucked, "I am grateful. I am grateful."

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

#### WORLD WAR I PENSION DUE

### HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. WHALLEY. Mr. Speaker, the Stars and Stripes-The National Tribune of January 29, 1970, has published an excellent editorial on why veterans of World War I should receive a pension.

This paper, which was established in 1877, is the recognized representative of all veterans and their families.

I commend this article to the attention of my colleagues:

#### WORLD WAR I PENSION DUE

Over recent months The Stars and Stripes-The National Tribune has received an increasing flow of letters from World War I veterans setting forth their financial plight, and crying for relief through enactment of a pension. A study of general facts concerning this block of veterans throws light on their unhappy situation.

Today World War I veterans are around 75 years of age. Most of them have reached that level in their lives where they have had to retire because of age or for the reason that younger men were hired to take over the jobs they held. Their income channel has dried up.

Veterans of 1918 did not have the education level of veterans of today, and with it the opportunity to be more successful in life. It is probably safe to assume that most 1918 men in uniform had on the average less than a seventh grade education.

When Uncle Sam discharged them in 1919-20 he gave them \$60.00, which seemed like a windfall. They had entered service to fight, and promptly got out when the war was won. Career service was in the mind of very few of them. They were happy to shed their uniforms, and head home from the discharge centers with \$60.00 unexpected money in their pockets.

With the shutdown of shipyards and munitions plants, jobs vanished. Many a World War I man found himself in a rough going economy in the early twenties and in a worse one when the stock market crash came in 1929, followed by the depression years. Need, hard, cold, desperate need prompted many of them to ask for a war service bonus. A few thousand hitchhiked and rode the "rods" across the land to Washington in what became known as the bonus march. Men with guns and bayonets drove them out of the mudflats of Anacostia when their presence became too unpleasant for members of the Congress and the President to bear.

Discouraged and despondent, the marchers



headed back to the corners of the country from which they had come. A later Congress re-assessed the pleas for a bonus, and came up with one that based on length of service gave an average of some \$800.00 to those who had been in the war.

Quite a contrast this figure is with around \$5,000 that is available to men stepping out of uniform today and wishing to continue their schooling. Along with it, job training in many fields is available. The training and education that many of these current veterans are getting can not but lead them to financial success in life.

The World War I veterans do not begrudge this generosity to later veterans. They are too old to head for school and job training. But many of them would find a way of making ends nearly meet if they had a pension of around \$100 a month.

Stars and Stripes feels they should have an unrestricted pension of some modest amount. Some 120 billion dollars has been given away in foreign aid, and other billions spent in domestic projects, much of it needlessly. We have a feeling that the time is ripe for the dwindling numbers of men of 1918 to unite in a push for a pension.

We have a feeling that a substantial number of senators and representatives must be aware of the fact that the World War I veteran has enjoyed the least of any veterans in the way of reward for his service.

#### DR. CHUNG-MING WONG COMES TO WASHINGTON

#### HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. WOLD. Mr. Speaker, increasing attention is being paid to the environmental problems which face mankind and, in particular, to those who live in highly developed affluent nations such as the United States. Most often these problems are conceived in terms of pollution or degradation.

There is, however, a problem associated with the ecological balance of nature that is basically a matter of supply and demand although it is compounded by man's pollution.

It is: Where are we to obtain enough clean water to meet the demands of an expanding population which is making increasingly large individual demands upon what is becoming a relatively scarce resource—water.

The average American of today will personally pollute 3 million gallons of water in his lifetime, and industry and agriculture will use 10 times that amount in his behalf. If all the water on the globe were fresh and potable, it would not constitute such a problem, but 99.4 percent of this vast supply is salt water or glacier ice, and the remainder is not always distributed where man needs it.

Today, therefore, I would call the attention of this body to a man who is doing something about the problems.

He is Dr. Chung-ming Wong, Director of the Office of Saline Water. Many already know him as the man responsible for the engineering and development of the first American reentry vehicle heat shield—vital to the U.S. space program.

I am confident that Dr. Wong will be just as successful in coming up with

practical and economical ways of converting salt and brackish water to fresh. This is vital not just for the day when 300 million persons will live in the United States, but for today. The current need is already attested by a survey which reports 3.5 million people in 1,150 communities in the United States use water which is defined as saline. Millions of acres of potentially fertile land are lost to cultivation because of a shortage of fresh water or the presence of brackish and salted water.

One of the communities whose residents utilize water classified as saline is in my district, the great State of Wyoming. I am pleased to report that the Office of Saline Water, with the cooperation of the citizens and public leaders of that community, are moving along with an experimental program that may provide valuable new information on how to economically solve the problem.

The Office will move three experimental water desalting plants into the community in the near future. These plants utilizing a reverse osmosis process have a combined capacity of 7,500 gallons a day.

This will not solve all the community's water needs, but it will help. Even more important, it will contribute greatly to the knowledge necessary for application of the method on a large scale.

It should also contribute valuable knowledge as to whether the reverse osmosis process of saline water conversion can be economically successful and compete with other water sources.

Dr. Wong has taken a sincere personal interest in the water problems of Gillette, Wyo.—and those of the Nation and the world. The Nation is fortunate to have his enthusiasm, talent, and intellect as we search for a better environment for all our citizens.

Mr. Speaker, I insert an article entitled "Dr. Wong Comes to Washington" written for the magazine *Presbyterian Life* by Donovan Kelly in the *Record* with my remarks:

#### DR. WONG COMES TO WASHINGTON

(By Donovan Kelly)

What does a good Presbyterian need to become a good bureaucrat in Washington? There are some political and technical qualifications that help:

For instance, he should be the head of some active political group, such as the ten-thousand-member Professional Citizens for Nixon/Agnew.

He should also be a prominent member of a minority group, preferably one that is not too well represented in Washington, like perhaps the quarter-million Chinese Americans.

If he is going to work in a scientific bureau, such as the Office of Saline Water, he should have an academic background that is adequate enough to impress Congress and to quiet critics. Degrees in mechanical engineering from Purdue, in business administration from Harvard, studies in human relations at the University of California, and a Ph.D. in physics from Columbia University should be more than adequate.

He also should have some administrative experience to go along with his academic background; twenty-five years of such experience would be more than enough, especially if he contributed directly to the success of the Apollo space program.

Finally, he should have a touch of something like charisma that makes people under his command take to him and work hard

for him. As proof that he has the touch, he might, for example, have been elected "Best Professor" for four consecutive years at the University of Bridgeport in Connecticut.

All of these qualifications and more Dr. Chung-ming Wong brings to the Office of Saline Water as its new director. The "more" is what strikes the visitor when talking to Dr. Wong.

Dr. Wong might be mistaken for the genial owner-host of a Chinese restaurant; at least he smiles more than one might expect of a bureaucrat. But the people running in and out of his office are undeniably bent on government business. (While I awaited my turn, Dr. Wong himself dashed out several times to give me more of the background material I had already read; he reminded me of the harried mother in a house full of kids, who doesn't hear a youngster protest that he has already been scrubbed three times.) The smile, the nod of greeting, and the friendly solicitousness Dr. Wong expresses tend to give him a veneer of gentleness. But the more he talks, the more steel he reveals.

On his appointment as director of the Office of Saline Water: "I am honored by the assignment and by the great future it offers me. I intend to run this office with an honest and sincere attitude; I must be honest because I don't have a good memory to cover previous lies with more lies."

On his guidelines for his new staff: "If we work together and go forward together happily, and bring forth the best of every individual and the highest degree of cooperation, I promise you that you will win my respect. Please bear in mind as our guideline. 'Do unto others as you like others to do unto you.'"

On temporarily leaving his family behind in California while he came to Washington: "It is God's will and my duty that I serve my country." (When Dr. Wong says "God" in his throaty Chinese way, the word explodes like a German exclamation.) "It was not easy to leave my family, but I needed time to learn my job. I was happy to stay a bachelor for a time, but now, after two months in Washington, I need my family to give strength and to help me meet friends. I need friends very dearly and for this my wife, Irene Kia-Yu, will be an asset."

Once before, and for a much longer time, Dr. Wong knew the loneliness of being separated from his family. Although he is technically a fourth-generation American, his father, Tong Wong (one of the three founders of the Chinatown Presbyterian Church in San Francisco), returned to China to serve in Sun Yat-sen's Republic of China government. Tong Wong eventually became vice-president under Sun Yat-sen, but he gave up his American citizenship in the process. His son was born in Hong Kong forty-nine years ago, a citizen of China.

So it was as a Chinese that Dr. Wong came to the United States in 1947, after he had served as a lieutenant in the air force of Nationalist China. Because the immigration quota was filled, he was forced to leave his wife behind in Shanghai. Two days after he left, their first child, a daughter, was born. Dr. Wong did not see his daughter or his wife for nine long years.

"It was a very hard time," says Dr. Wong. "I kept myself very busy by taking on three full-time jobs—working in industry during the day, teaching three nights a week, and doing all my research on the weekends." Then he adds, with another smile, "Since I neither gamble, smoke, or drink, there was nothing left for me to do but work."

"Finally, with the help of Congress, to whom I am most grateful, I was able to bring my family over." Dr. Wong also expresses gratitude for the host of Presbyterians who helped him during that hard period; they include a missionary couple the Reverend and Mrs. M. Gardner Tewksbury; and the Reverend Donn D. Moomaw, pastor of Dr.

Wong's home church, Bel Air Presbyterian in Los Angeles. ("Mr. Moomaw has a funny name," said Dr. Chung-ming Wong. "Let me check the spelling.")

Despite his varied background, Dr. Wong admits that none of his previous experience specifically involved converting salt water to fresh, the research and engineering function of the Office of Saline Water. "But the desalting process involves nothing more than using heat energy and heat transfer efficiently, subjects I've taught and worked with for twenty-five years."

What may be more important is that his previous jobs taught him how to work with and use his staff people efficiently. "For example, on my aerospace projects we used a system methodology," Dr. Wong explains. "We concentrated our staff and resources on the one or two approaches that looked most promising in solving a particular problem rather than on attempting to investigate a great number of approaches." Using this methodology, Dr. Wong was responsible for the engineering and development of the first American reentry-vehicle heat-shield, a basic step leading to the Apollo moon landings.

Dr. Wong plans to use the same methodology to engineer a breakthrough in the technology of converting saline water to fresh. "I expect to have concrete, practical results in two years rather than in the ten years originally planned. And I am not given to making overoptimistic predictions and promises."

Results couldn't come any too soon for the millions of people who are waiting for a practical method of turning their salty-water supplies into usable fresh water. One survey reports that in the United States alone, 3.5 million people in 1,150 communities use water which is defined as saline, that is, containing a salt concentration of more than one thousand parts per million. The U.S. Public Health Service recommends a maximum of no more than five hundred parts per million. Some hardy people can drink as much as two thousand parts per million, but any concentration over the Public Health Service minimum is harmful to many crops. Thus a poor-quality, saline water-supply limits the economic growth of many areas of the country and of the world. If desalting technology could be improved to the point where large quantities of desalted water could be produced as cheaply as natural fresh water, then vast areas of the world would get a much-needed boost in their economies.

Seeing more than just dollar signs, President Eisenhower and former Atomic Energy Commission Chairman Lewis L. Strauss envisioned the large-scale desalinization of seawater through the use of atomic energy as the key to peace in the Middle East.

Explaining the Eisenhower-Strauss plan, the late President said: "The purpose of the plan is not only to bring large arid regions into production and to supply useful work for hundreds of thousands of people, but also, we hope, to promote peace in a deeply troubled area of the world through a new co-operative venture among nations. I am optimistic enough to believe that the proposal when implemented—as it is sure to be some day—may very well succeed in bringing stability to a region where endless political negotiations have failed . . . I can think of no scientific success that would equal [the development of atomic desalting technology] in its boon to mankind."

As if improving living standards and helping to maintain peace weren't reasons enough for existence of the Office of Saline Water, there is a third: we may not be running out of water, but we are running out of usable fresh water.

There are about 326 million cubic miles of water on the earth, but somewhat more than 99.4 percent of this vast supply is tied up as salt water and glacier ice. This still leaves

a very large supply of fresh water, but it is a limited supply, and one that is not always distributed when and where man wants it. In the United States, demands on this limited supply are increasing at the rate of twenty-five thousand gallons per minute, and pollution has already made much of the natural supply unusable. Without some help from technology, the point will one day be reached when our faucets will run dry.

Desalting saline water is not a new solution to water shortages. Aristotle has owned a patent on a simple and workable distillation process since the fourth century B.C. Where the needs are critical for even small supplies of fresh water, any workable method will still do, no matter how expensive it is. The goal of the Office of Saline Water is to develop economical methods for converting saline water into fresh water—the emphasis is on the economics. To be feasible economically, fresh water made from saline water must cost as little as water from conventional sources.

Since the early 1950s, the cost of desalting seawater has dropped from about five dollars per thousand gallons to one dollar, and the cost of desalting brackish (water with less salt than seawater, though still undrinkable) groundwater to as low as forty cents per thousand gallons. In the next ten years, the cost of desalting seawater should drop to between twenty-five and fifty cents per thousand gallons, about what we are paying now to gather, convey, and distribute water in many of our large cities. Thus the day may be near when desalted water can compete with conventional water supplies.

To bring that day closer, Dr. Wong and his staff of 135, with an annual budget of \$25 million, will use system methodology to concentrate on two methods of desalinization.

For desalting large quantities of seawater, they will concentrate on a method that combines heat and flash distillation. Heat distillation is a refinement of Aristotle's basic method of boiling seawater and condensing the steam to produce the pure "distilled water" still used in automobile batteries and steam irons. The Office of Saline Water has improved the efficiency of the heat-distillation process by hooking a chain of distilling units together so that the steam produced in one will heat the incoming seawater in the next. The cold seawater condenses the steam and in turn is heated through several units until most of the heat energy added in the first unit is recovered. The process has been further improved by the use of flash distillation. If the pressure in the distilling unit is lowered enough, some of the seawater will boil instantly, or "flash," at a lower temperature than is normal. By progressively reducing the pressures in the chain of distilling units, seawater is made to boil at lower and lower temperatures.

For desalting smaller quantities of the better-quality brackish groundwater, the Office of Saline Water will concentrate on improving a method of reverse osmosis. Osmosis is the process by which a semipermeable membrane, such as the skin of plant roots, will admit slightly mineralized water to pass through the membrane on one side but will not allow the mineralized plant juices to flow out the opposite side. Under normal conditions, the membrane allows only a one-way flow of fresh water to the salt-water side, as if there were a pressure pushing the fresh water. In reverse osmosis, pressure is applied to the salt-water side of the membrane and the process is reversed. Fresh water in the salt water is pushed through the membrane, leaving most of the minerals.

"We are going to concentrate on these two methods of desalting," says Dr. Wong. "but we are not going to make the common bureaucratic mistake of just refining what has been done before. Rather, we will tackle research and development projects that pri-

vate industry finds too risky or too expensive. I'm looking for more than just steady progress; I want quantum jumps."

In the long list of the world's problems, one single item, even a basic necessity such as "enough fresh water of good quality," can easily be overlooked or ignored. But with more and more people demanding more and more fresh water—per capita use of water in the United States increased 15 percent in the first half of this decade alone—and with more people demanding that water from a limited freshwater supply, the problem of freshwater shortages seems likely to become more acute. Dr. Wong appears to be the right man to lead the Office of Saline Water in making the quantum jumps of developing efficient methods of desalting water to slacken the world's growing thirst.

#### SPEECH OF SENATOR TALMADGE AT ADAS YESHURON SYNAGOGUE, AUGUSTA, GA.

#### HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. STEPHENS. Mr. Speaker, on January 4, 1970, the Honorable HERMAN E. TALMADGE, distinguished Senator from the State of Georgia, delivered the keynote address at a testimonial dinner of Adas Yeshurun Synagogue in Augusta, Ga. A copy of Senator TALMADGE's remarks was sent to me by my good friend Mr. Maurice Steinberg of Augusta. In sending a copy of this speech to me, Mr. Steinberg stated that Senator TALMADGE presented a very clear analysis of the situation in the Middle East. I agree and recommend the reading of the remarks of Senator TALMADGE:

#### REMARKS OF SENATOR TALMADGE

I am honored indeed to share this important occasion with you.

I know all of you are very proud of this moment, as you have every right to be. I congratulate you on your outstanding record of service and on the splendid work you are doing in this community.

And I join you tonight in paying tribute to two of your most outstanding members—Abe Fogel and Hill Silver—who have distinguished themselves by a combined total of some 75 years of service and leadership.

Abe Fogel and Hill Silver have been in the forefront of all your endeavors. They have provided inspiration, hard work, and energy and have given of themselves above and beyond the call of duty. They have served not only this community, but the city of Augusta and the entire State of Georgia.

It is a pleasure tonight to offer them my heartfelt congratulations for a job well done.

Three years ago, at this time of year, Israel and Syria were about to begin a series of meetings to discuss intrusions into Israeli territory by Syrian-based commandos.

The meetings accomplished little, if anything. The Syrian delegation persisted in using the talks for verbal attacks against the Israelis.

The situation got worse. A few months after the meetings ended early in 1967, Syria increased its support of the commando aggressions against Israel and the Israelis were forced to defend themselves in major air battles in April of that year.

The events of April were an ominous prelude to what took place in the Middle East in May and June of 1967.

I need not recount the details of the war



of June 1967. All of us, indeed the whole world, lived through those trying days in anxiety and consternation. We all know the results. It was perhaps one of the shortest conflicts in the grim history of warfare. But it was probably one of history's most significant and dramatic wars.

When the last of the Arab armies capitulated and accepted the United Nations ceasefire, we received this news with joy and relief. We believed the crisis had passed. The war was over and a time of peace could begin.

How wrong we were!

Instead of a time of peace and order, we saw the beginning of another stalemate of intransigence. There came more talking, more threats, and finally even more violence. Following the war in 1949, after the war of 1956 and again after the war of 1967, the instigators still were not satisfied to end hostilities. Instead, they preferred to continue the confrontation on other battlegrounds. They prosecuted a battle of words and a war of terror.

Arabs have rejected the peace conference in favor of verbal sabre rattling. They spurn negotiations in favor of terrorism and ambush.

So, the war of 1967 has not ended. The battle goes on in the daily exchanges and the incidents that have come to characterize the Arab-Israeli conflict.

The Secretary General of the United Nations has suggested that the war has entered a new phase—that of limited war. He has also said that the cease-fire along the Suez Canal has been so continually violated that it is no longer a cease-fire. . . . It is in fact a condition of hostility.

Virtually everyday, there are incidents along the Jordan River, in the Jordan valley, and the Bait Shan Valley . . . that maim and kill, not just the soldiers who are trained and prepared for war, but innocent civilians as well.

On the Golan Heights, an area that was a Syrian shooting gallery for 20 years that is now under Israeli control, there are an increasing number of raids and incidents perpetrated against the Israelis by commandos and their tutors, the Syrian army. Moreover, the war has extended to the Lebanese-Israeli border . . . an area that had known relative peace for 20 years.

Within Israel, the people are plagued by the so-called Freedom Fighters, or the Resistance, or the Army of Liberation—whatever name they wish to call themselves. But the name that best seems to fit is the one used by Israel. They are Terrorists, and they are a threat to every citizen of Israel. You are all painfully familiar with incidents of the past three years.

A bomb in the Hebrew University cafeteria. Several bombs in the main bus depot of Tel Aviv.

A car rigged like a mammoth time bomb in the market of Jerusalem.

Hand grenades thrown into the tomb of Abraham.

All these and more are designed and executed with the simple but direct purpose of killing Israeli citizens.

These Terrorists have even taken their brand of warfare outside the Middle East and gone into international airports of the world . . . Athens, Zurich, Rome, and the hijackings of Damascus and Algiers.

Terrorists have attacked Israeli establishments in Europe. They have attempted to intercept Israeli statesmen in South America. They have tried to intimidate Israelis and other people of the world in major cities all across the globe, including some in the United States.

These acts, and the open threats of future acts of the same nature are not warfare. They are savage and barbaric gangsterism of the lowest kind.

It is only natural that Israel has not remained silent or inactive through these attacks. If the nation and the people of Israel did nothing to answer aggressions against their homes and their lives, I would have serious doubt about their good sense and their fortitude. I have never had to entertain such doubts, for Israel strikes back. The retaliatory raids against the commando bases and against the training camps and staging areas of the Arab countries are the only form of preventive warfare open to Israel. Out of necessity, Israel has demonstrated to the Egyptians that they are as vulnerable as the Israelis to hit-and-run warfare.

A major factor in the continuing hostilities of the Middle East is the replacement of arms. The Soviet Union apparently has no qualms against furnishing arms to the Arab states and the Terrorists, and in providing an unlimited number of technicians and military advisers for training Arab armies and guerrillas.

In my judgment, at some day in the future, the Soviets will call in those I.O.U.'s. The next obvious step is for the Soviet Union to furnish economic and political advisers as well . . . and the Arabs may wake up some morning to find they are no longer in control of their own national destiny.

United States interest in the Middle East . . . expressed both verbally and through the presence of the Sixth Fleet in the Mediterranean . . . acts as a constant reminder to the Communists that the Free World is not willing to allow the Middle East to fall under the influence of the Soviet Bloc.

As for American involvement in the so-called arms race, our course should be extremely clear to everyone. We must continue to insure a balance in the arms situation. That means that the United States is obliged to furnish whatever weaponry is necessary for the defense of Israel, if such weaponry is not available through any other source.

Inasmuch as the French have apparently decided to cast their lot with the Arab nations, the United States should provide the jet aircraft needed by Israel for its defense.

But we are going to have to go further than just reaffirming United States interest in the Middle East through the availability of arms for Israel. The United States must make it clear in every possible way that this nation will not tolerate . . . will not abide . . . will not condone . . . and will not allow the death of the State of Israel.

We cannot straddle the international fence on this issue. In the interest of democracy and decency, we have to be committed to the continued life and prosperity of Israel as a free and sovereign nation.

This brings us to what the United States is prepared to do and what it should do to find a peaceful settlement and to insure that it will not be violated and brushed aside at the whim of the Arab countries.

The first step is to insist upon a direct, face-to-face negotiation of a peace settlement. Neither we, nor any other nation, can impose a peace on the nations of the Middle East. That peace must come from the nations themselves.

All the talks and conferences between the various powers, and through the United Nations, cannot act as a substitute for an Arab-Israeli peace conference. All the many suggestions of guidelines and recommendations, formulas or international mediators cannot replace the absolute necessity of a peace treaty, signed by the Arabs on the one hand, and the Israelis on the other.

I also question the validity of beginning a search for compromises or territorial concessions even before the primary parties in the conflict . . . all the Arab governments . . . have agreed to negotiate. Such an effort is, in fact, counter-productive. As long as there are all these suggested "peace plans" floating around, the Arabs can use their rejection of

one clause or another to delay the inevitable fact that sooner or later they are going to have to sit across the table from the Israelis and settle their own problems.

This is why I disagree with the recent statement by the Secretary of State that a line should be drawn in the Sinai region prior to any meeting between the State of Israel and Arab leaders.

It had the effect of serving notice to the Arab governments that the United States was committed to that line . . . and therefore undercut any negotiating that might have emerged at a peace conference.

If the Israelis offered anything less than the American line in the Sinai, the Arabs have only to point to the statement by Mr. Rogers and say, "We will start negotiating with that line." And that line only. In effect, we disarm Israel statesmen in any diplomatic exchange they may have attempted.

It has also become apparent who makes the policies for the Arab nations. Within days after the Secretary's speech in Washington in December, a delegation was on its way from Cairo to Moscow. This was supposed to be a hasty trip to discuss trade and more arms shipments. No doubt arms were discussed. But it seems to me that the Egyptian delegation was running to Moscow to ask what to do next in light of the change in American policy.

The idea that Israel would be able to find secure borders in the Sinai area is as uncertain as the wind that sweeps that barren desert.

A quick review of the history of 1948, 1956, and 1967 would demonstrate the insecurity of the boundary line in the Sinai which Mr. Rogers stated was the most appropriate border between the Egyptians and the Israelis.

I also find it difficult to accept the reasoning behind the several proposals that have been advanced on the unified city of Jerusalem. It is bewildering to me how the city can remain in its present status, that is under Israeli administration, and still be jointly controlled by Israel and another government. Either it will remain an Israeli city or it will not.

I do agree that free access for all religious pilgrims, no matter what their nationality or what their confession, is a necessity. But thus far, I am not convinced that such a condition does not already exist. Jews, Christians, and Muslims, regardless of their denominational differences or disagreements, are going to Jerusalem, to all the holy places, to pray and to worship as their consciences dictate. Until one faith or one sect cannot enjoy that freedom, I see no reason to change the status of the city of Jerusalem.

It is ironic indeed that the city of peace and the land of peace should not have peace. But we are involved in a time of the unreasonable and the illogical.

One day, Arab terrorist organizations say that their future aim for what they call Palestine is to create a federation of Arabs and Israelis, of Christians, Muslims and Jews. The next day, they say that their aim is to rid the land of all Jews. The Arabs meet at Cairo and other capitals to reaffirm that they will seek a political solution to the Middle East tangle. And then, leaders of the Arab states make speeches calling for total war and a military solution.

In one breath, the Arabs state that the real enemy is imperialism . . . a foreign power controlling their land and their lives. And the next moment, they run to the Communists for guidance . . . surrendering their independence to a political force which they claim is contradictory to their religion.

They see only what they want to see. And they cannot see the Soviet imperialism that threatens their nation and the freedom of every man, woman, and child on earth.

Arabs say that the Jew is his brother, and then they sneak into the home of their

brother and plant a bomb that leaves him crippled or dead. It is a tragic situation. Israel faces two enemies . . . Arab soldiers and the vacuum of reason in the Arab mind.

On three occasions in the past two decades, the Israelis have proven that they are a match and more for the Arab soldier. Heavily armed and mobilized Arab armies have fallen before the brilliance and the determination of the Israeli defense forces.

During those same 20 years, the Israelis have remained steadfast in their quest for a reasonable peace . . . in spite of the worst kind of adversity, continuous harassment, and almost unbearable pressure from the outside.

It is incumbent upon all of us, as citizens of the United States and as citizens of the Free World, to give the Israeli people all the moral, intellectual, and material support they need in this quest.

Israel does not want war. She desires peace. She wants only to be left to live and grow in freedom.

I hope that we—as a nation which pursues the same course of freedom and democratic government—will continue to do everything possible to help her attain this goal.

#### COST OF BUYING A HOME VAULTS SKYWARD

**HON. JOHN M. ZWACH**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. ZWACH. Mr. Speaker, a shortage of adequate housing is one of the weaknesses of America, especially countryside America where urban housing projects have not reached.

But at today's high interest rates, building a new home is a questionable project, economically.

Recently, I read an editorial written by Gordon Duenow in the Little Falls Daily Transcript in our Minnesota Sixth Congressional District.

Mr. Duenow graphically illustrates what high interest rates are doing to homebuilding costs.

Mr. Speaker, with your permission, I herewith include Editor Duenow's editorial in the RECORD and recommend its reading to all of my colleagues:

#### COST OF BUYING A HOME VAULTS SKYWARD

Action taken last week by the Federal Housing Administration (FHA) and the Veterans Administration (VA) increasing the interest rate for home loans was a "shocker" to many. While it may help to "ease the money market" for mortgages as the announcement claimed, it won't help ease the path for those who want to buy a home of their own. In fact, there won't be very many persons in Little Falls who will be able to take advantage of this "easier money" as they just can't afford the monthly payments. This is especially the case for those trying to buy their first home and don't have a large down payment.

We wonder how many realize what an extra per cent of interest amounts to on the purchase of a \$20,000 home—and there are few today which can be built for that amount.

For instance, a person buying a \$20,000 home with four per cent interest money would pay \$29,088 for the house over a 20-year period. If the mortgage was spread out over a 25-year period, the total cost would be \$31,670. A \$20,000 mortgage at four per

cent over a 30-year period would bring the cost up to \$34,474.

With the addition of other built-in charges on FHA loans, the interest rate now in effect of 8½ per cent could easily total nine per cent.

Using nine per cent interest on a \$20,000 mortgage, we find that a home at this price would cost a total of \$43,187 over a 20-year period—or \$14,099 more than the same mortgage for the same number of years at four per cent interest.

If the payments for a 20-year mortgage were too high, the prospective home-owner possibly would require 25 years to repay the debt. This would bring the total cost for a \$20,000 mortgage to \$50,332—or \$18,662 more than it would have cost at four per cent interest. Cost for a \$20,000 mortgage over a 30-year period would be \$57,933—or \$23,559 more than if the rate had been four per cent.

When you divide the figures listed by 240, 300 or 360 months it can easily be seen that the market for home buyers is considerably reduced. There just aren't many around here with that kind of money to spend for a home.

And these figures don't include one cent for insurance or taxes which add a considerable amount to the monthly payment.

Unless the government steps in with some kind of a program to help people become home owners, the "easing" of the money market won't help at all in making it possible to buy a home.

#### A BLOW AGAINST INFLATION

**HON. BARBER B. CONABLE, JR.**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. CONABLE. Mr. Speaker, all of us are concerned about the harmful effects which inflation has in particular on those elderly people who are retired on fixed incomes. As with all our national problems there is some contribution which every citizen can make to improve inflationary conditions in the country, and there has recently been called to my attention the efforts of Mr. Gerry Simmons, a barbershop proprietor in my area at Brockport, N.Y., who has found a way in which he can provide some assistance for the elderly in the fight against inflation. This was brought to my attention in a letter from one of the customers of this barbershop, Mr. Robert Pritchard of Brockport. The letter is as follows:

DEAR CONGRESSMAN CONABLE: I enjoy your newsletter and the comments you have on inflation and economic conditions in particular. For this reason I pass on an item which is part of the sign listing prices in Gerry Simmons' Barber Shop in Brockport Plaza, Rts. 19 and 31A. It reads "Over 65 Haircut—\$2.00." The regular price is \$2.50.

Simmons explains that, "these are the people who built the country. Now inflation blows the American dream for them. Perhaps they get a pack of cigars with the extra fifty cents, and the quality of life goes up."

I thought you might be interested in using this to make a point. Perhaps the idea will spread; it could be more useful than the Federal Reserve Board.

Sincerely,

BOB PRITCHARD.

It has been said that the course of our economy is based on thousands and thousands of decisions by individual

businessmen and customers, as well as government, corporations, labor, and financial institutions. I am sure Mr. Simmons' decision is the kind we all would like to see emulated.

#### ADULT PROBATION IN RURAL TEXAS

**HON. J. J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PICKLE. Mr. Speaker, 1 year later, we are in a position to begin analysis of the Texas adult probation project, a pilot program to test the applicability of expanding into rural areas the professional probation services from the center-core urban area.

This unique project has a simple design; to take the rehabilitation services into areas where the people need the help, into areas where help was nonexistent until the program was initiated.

Too, this is a joint Federal-local partnership using funds from the Safe Streets Act.

Judge Terry L. Jacks of the 22d Judicial District in Texas sums up the program a year later in the January issue of the Texas Bar Journal. Judge Jacks is eminently qualified to make the analysis. He has served with great distinction on the district court since 1964. Prior to that time, he was county attorney of Hays County for 10 years, coming from a most successful private law practice in San Marcos.

At this time, Mr. Speaker, I would like to reprint his analysis in the RECORD:

#### AN EXPERIMENT IN CRIMINAL CORRECTION

(By Terry L. Jacks)

The Texas Adult Probation Project is a pilot project designed to test the feasibility of extending professional probation services from an urban area into adjacent rural areas.<sup>1</sup> Another facet of the project is to test and experiment with the use of volunteers and sub-professionals as assistants to professional probation officers. The geographical area of the project is Travis County and five counties in the 22nd Judicial District—Comal, Hays, Caldwell, Fayette, and Austin.

The project is unique in that it functions in the rural areas where probation services were generally lacking. It is probably because of this unique feature that inquires have come from over the state and nation concerning the function and problems and the measure of success experienced in the project. This paper concerns experiences in the rural counties where professional probation services were non-existent before the introduction of the project.

#### PROBATION BEFORE THE PROJECT

Before 1967, there were no professional probationary services of any kind in the 22nd Judicial District; still probationary sentences were frequently granted.<sup>2</sup> The sentences were generally the result of plea bargaining between the defendant and the state; and frequently the arresting officer and the victim of the crime participated in the bargaining process. When probation was granted, there was little or no supervision of the probationer, other than the requirement that he report to the court twice a year, pay his court

Footnotes at end of article.



costs and make restitution or reparation. On occasion a follow-up was made to collect court costs, restitution or reparation and much of the time such a follow-up was not successful. The probationer was responsible to no official for his whereabouts and no official was responsible for keeping a record on whether he did or did not report as directed.

Under such circumstances it is common knowledge that the part of the probationary sentence specifying semi-annual reports to the court was not regarded as an absolute condition of continuing probationary status. Indeed, it was probable that the probationer would not be seen again officially unless he became involved in a serious crime and it was brought to the attention of the law enforcement officials. Except for payment of court costs, restitution and reparation, probation was very much the same as the suspended sentence.

In 1967, an experiment with a limited use of volunteers was begun in one rural county. The probationers were required to report to the court on the first Saturday morning of each month for group counseling by the volunteers.<sup>2</sup> This procedure seemed to add an essential element to the probated sentence and would probably have been continued and expanded to other counties in the district if an opportunity had not arisen to replace it with a plan that seemed to promise a greater measure of success.

#### PROBATION UNDER THE PROJECT

The Texas Adult Probation Project began in fact in April of 1968, when professional probation officers first became available in the rural areas. The major functions of the project were to prepare pre-sentence reports on each guilty defendant where punishment was to be fixed by the court<sup>3</sup> and to provide supervision of probationers.

Professional probation services injected a new and different concept of criminal correction in the courts in rural areas. The use of the pre-sentence report involved the police, the attorneys and all interested court officials, most of whom had little or no experience with such reports, or their use by the courts. The supervision of probationers involved the use of citizen groups, volunteers and sub-professional probation technicians, most of whom were unfamiliar with the functions of the police, the courts and the probation officer.

For effective use of the pre-sentence report and supervision of probationers, it became essential that the volunteers, subprofessional probation technicians, police, defense attorneys, prosecutors and court officials all understand the objectives of criminal correction and proposed techniques for accomplishing the objectives.

It goes without saying that some opposition to such an innovative project can be anticipated, particularly in a period in which many urge more severe punishment as a solution for the increase in crime rates. Considerable thought and effort were given to the introduction of the project to the community. Major emphasis was given to the orientation of the law enforcement team. In some cases a well-established citizens discussed probationary concepts with an official before the project was presented formally by a colleague on the local level.

The economic advantages of probation over incarceration proved with greatest frequency to elicit most favorable responses. Perhaps it is unfortunate that this should be true, for this society can clearly afford to finance the most efficient system of law enforcement and justice that it can devise, but the economic advantage of probation as compared with incarceration is an established fact.<sup>4</sup> The economic argument has gained a measure of support for the project from many whose basic tenets in penology make

it inevitable that they are less than sanguine in anticipating the results of the project.

#### ATTORNEYS AND PROJECT OBJECTIVES

A few days before the project began to function, a letter was sent to practicing attorneys in the counties involved.<sup>5</sup> The attorneys were invited to respond to certain relevant questions concerning probation generally. Also, they were referred to materials on probation and sentencing that were placed in each county library.

Most of attorneys responded, some in writing and some orally. Though the responses were helpful, they revealed a unanimity of opinion only on the desirability of retaining the plea bargain as a practical instrument in the criminal process. Some respondents declined to offer suggestions because of previous lack of experience with a court in which a professional probation officer and the pre-sentence report were used. The replies as a whole gave evidence of open-mindedness on the part of the attorneys. The principal benefit of this series of communications was probably the stimulation to constructive thinking. Subsequent events give evidence that the active bar has responded favorably in fact to the project.<sup>6</sup>

The mechanics of using a pre-sentence report was a question that needed to be resolved. When should the report be made—before the plea of guilty or after the verdict of guilty has been returned? The custom in some jurisdictions is to make the pre-sentence report before a plea is made or verdict returned; and if the report did not recommend probation or, if for any reason, the punishment recommended was unacceptable to the defendant, he could demand a jury.

After some thought and discussion among the judges, lawyers, and probation officers, it was resolved to adopt the alternate pattern of requesting the report after a verdict of guilty.<sup>7</sup> At this point in the proceeding, the case is now recessed and a date set for hearing evidence on punishment and consideration of the report. This procedure, apparently used with success by other courts in the nation, appears well adapted to the needs posed by the project. The prime objective for providing a pre-sentence report in every case where punishment is fixed by the court has emerged here.

Experience in the project has presented no serious problem in connection with the preparation and use of the pre-sentence report. Although no serious problems have been presented, the pre-sentence report and its use continue to be a source of much debate among legal scholars and many questions raised have not been answered.<sup>8</sup> It is submitted that the matter of punishment is still a critical stage of an adversary proceeding and extreme care and adequate safeguards should be employed when the pre-sentence report is used.

Plea bargaining is a major part of the judicial process generally and it was thought by some members of the bar that plea bargaining would not be adaptable with the pre-sentence report and the recommendations of the probation officer. Although experience with the use of the report and recommendations has, in fact, tended to reduce the negotiations for guilty pleas, the incidence of guilty pleas has not been perceptibly diminished. The parties apparently are more willing to leave the matter of punishment with the court if it is guided by a non-partisan probation officer.

#### COMMUNITY INVOLVEMENT

The project needed wide community interest and support if it were to attract competent volunteers and accomplish desired goals. In order to gain such interest and support, an Advisory Council of civic leaders from a cross section of economic and ethnic groups was organized. The Council was instructed as

to the goals and the problems and challenges that were to be expected. Generally, keen interest was shown by most individuals, but actual involvement in the project was not as enthusiastic as was hoped. However, there is reason to believe that the information gained by the Council members will be passed on to the community as recruitment of volunteers continues. The Advisory Council, collectively and as individuals is an important factor in creating a climate whereby the project is rendered more acceptable to court officers who are working with the project.

The volunteers are recruited from service organizations, religious organizations, Alcoholics Anonymous, university sociology departments and others who are concerned with the welfare of people, believe they can be led to change their behavior patterns and are motivated to become involved with those who need to be changed. Some of the volunteers are ex-offenders who have successfully rehabilitated themselves both with and without the aid of supervision. These ex-offenders have been quite effective in group counseling sessions.

The volunteer serves in a variety of ways and may be what Judge Keith Leenhouts calls "that inspirational personality who is ten feet tall that walks across the pages of the history" of the offender who may not have had much hope for a better life.

The volunteers have been of considerable assistance to the probation officer in gathering material for the pre-sentence report. They are sometimes particularly effective when conferring with the victim of a crime and frequently establish a better rapport with the guilty defendant than a paid professional can.

Some volunteers have come from sociology departments of a university with majors or minors in a related subject. The university administrators have cooperated by giving credit for participation by students as interns in the sociology field. At the end of a semester, the students have written papers about their work with adult probation and some have written pre-sentence reports as a term paper. Perhaps a far-reaching contribution has been recruiting candidates for the criminal correction field as a career.<sup>9</sup>

The volunteers are urged to attend training sessions where they are given orientation about the functions of the police, the courts and other officials. They become familiar with abnormal behavior and character disorders in individuals and are taught some of the basic techniques in counseling groups and individuals.

#### PROBATION TECHNICIANS

One of the goals of the project is to experiment in the use in criminal corrections of sub-professionals from poverty-stricken neighborhoods. These sub-professionals are called Probation Technicians. Their principal qualifications are personal integrity and an ability to establish good relationships with probationers and the community at large. One ex-offender who served time in the Texas Department of Corrections who has rehabilitated himself was employed as a technician. He is particularly effective with some young offenders. All applicants for employment as technicians were interviewed, screened and chosen by members of the Advisory Council and the probation officer.

The use of the technician is probably the unique feature of the project, particularly the personal development of these sub-professionals. The use of such persons in criminal corrections could be an important sociological breakthrough and is being studied carefully by professionals in the correctional field.

In addition to performing a myriad of details for the probation officer, the technician renders a needed service in relating the probation services to the poverty-stricken community and relating that community at-

Footnotes at end of article.

titude to the court and law enforcement personnel.

In the preparation of the pre-sentence report he is especially apt in understanding the true attitude of the offender and the attitude of the defendant's family toward the defendant. His value to the program in this jurisdiction is greatly enhanced if he is fluent with Spanish and English.

#### CONCLUSION

The function of the project for over a year has brought both additional responsibilities and has produced extra dividends.

Now in its second year, the project is beginning to highlight some dividends as compensation for the myriad problems posed by the program. Most everyone involved identifies the problems—recruitment and training of personnel, competition for office space in crowded courthouses, and additional duties imposed on the peace officer, the jailer, the prosecutor and the court. Assured dividends may be evident only to the more perceptive. Chief among them is a new access of moral support for the law enforcement team. The volunteers have become familiar with the problems that the court and the law enforcement team face. They have related these problems to the communities and they help bring a new attitude into the courthouse. As they look over the shoulders of the clerks, jailers, peace officers, prosecutors and judges, they unwittingly induce more exacting standards of efficiency. As they try to rationalize the roles performed by public officials, the roles become more rational and relevant to the persons performing them.

Has the Adult Probation Project been a success in the rural areas? It is too early to give a final answer. Only an extended period of experimentation will demonstrate whether a probationary system similar to this one can make a valued contribution to communities willing to make the effort such a program requires. A most important feature is that it has moved a part of criminal correction to the community where the criminal was spawned and nurtured. This is as it should be.

#### FOOTNOTES

<sup>1</sup> The project was funded by initial grants from the Office of Law Enforcement Assistance, has been supplemented by grants from the Moody Foundation and Hogg Foundation and is presently being funded through the Texas Criminal Justice Council. The project is being administered by the Adult Probation Department of Travis County and The Law School Foundation of the University of Texas.

<sup>2</sup> The term "probation" may mean different things to different people. Indeed, it may mean different things to different judges. Probationary sentences may be considered by the court for a variety of reasons, among such reasons are: (1) a means of surveillance to assist law enforcement officers to keep the proverbial hammer over the head of the probationer; (2) a rehabilitative process to accomplish one of the objectives of the Penal Code "to reform the offender"; (3) an "act of Grace to one convicted of crime"; and (4) a convenient method to "let him off on probation." Probabilities are that most of the bench and bar have participated in more than one of these concepts of probation. Still, the term is used by professionals and the public as though it is understood by all to mean the same thing.

<sup>3</sup> The volunteers were from the Job Corps, Travis County Probation Department, Alcoholics Anonymous and concerned ex-offenders. The judge took no part in these counseling sessions other than to be seen by the persons in attendance. If a probationer was absent without excuse, an order was issued for his immediate arrest. The defaulter was generally held in jail over the weekend. This had a stabilizing effect on the other probationers. There were few defaulters even as the number of participants increased several fold within a few months.

<sup>4</sup> The pre-sentence report is said to be the "keystone to good probation services" and in addition to use by the court and the probation officer in supervision of probationers, a copy of such report may be sent to the Texas Department of Corrections when an offender is committed to that institution. The report contains a social history, character references, a prior criminal record and other background materials whereby a rehabilitation program can be implemented at the same time institutionalization begins. Without such materials, the rehabilitation program may be delayed sixty or ninety days until such materials can be gathered by the staff of TDC.

<sup>5</sup> 13 Crime and Delinquency 174 (1967); also a Report by the President's Commission on Law Enforcement and Administration of Justice—Corrections 159.

<sup>6</sup> The attorneys were encouraged to make suggestions and observations for the administration of the project, to comment on philosophy of probation generally and on the mechanics and problems in the use of the pre-sentence report.

<sup>7</sup> American Bar Association Project on Minimum Standards for Criminal Justice—Standards Relating to Sentencing Alternatives and Procedures 208 (hereinafter cited as ABA Standards Sentencing Alternatives).

<sup>8</sup> In this jurisdiction the report is authorized by the Texas Code of Criminal Procedure Annotated, Art. 42.12, Sec. 4.

<sup>9</sup> ABA Standards—Sentencing Alternatives 214.

<sup>10</sup> One of the project goals was to find new effective community resources and additional correctional manpower to meet the growing need in the field of criminal corrections.

#### H.R. 13055—TO PROVIDE SURVIVORS' BENEFITS TO THE FAMILIES OF POLICE AND FIREMEN KILLED IN THE LINE OF DUTY

#### HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. SYMINGTON. Mr. Speaker, last Friday, January 23, Detective James Boevingloh was killed in the line of duty in University City, which is part of my home district in St. Louis County. Officer Boevingloh, who lived in University City with his wife and three children, was the second police officer in the past 2 months to be killed while on duty in that community.

This incident underscores H.R. 13055, which I cosponsored last year, and which would extend survivors' benefits to the families of all policemen and firemen killed in the line of duty. Under present law, Federal benefits are only provided for the families of officers killed while enforcing Federal law; and the benefits are reduced by amounts received from the local government. H.R. 13055 would provide Federal benefits to policemen and firemen totally disabled, and to the families of those officers killed in the line of duty, whether or not a specific Federal criminal law is violated.

It is my understanding that the administration opposes this legislation, perhaps on budgetary grounds, or because it would operate in the area reserved for local or State responsibility. I would hope the administration would reconsider its position. Nothing has been

made more manifest today than the fact that effective law enforcement transcends State and local boundaries. We are a people of great mobility. The criminal who shoots a policeman in St. Louis County may have just arrived from Chicago. Likewise, the would-be victim who is protected by Missouri police or firemen may just be traveling from Los Angeles to New York.

We have had brought home to us that law enforcement and public safety are national problems. When any public safety officer in the land loses his life in the line of duty, he does so in the service of the Nation. Thus, when any law is broken the Nation suffers; when an officer dies upholding it, the Nation grieves. It can express its pride, grief and gratitude by reassuring the bereaved family that this country, which pleads for public safety, is not indifferent to the tragic loss of those who die defending it.

#### KEEL-LAYING OF THE U.S.S. "CALIFORNIA"

#### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HOSMER. Mr. Speaker, as a Californian and a member of the Joint Committee on Atomic Energy, it was my pleasure to attend the keel-laying ceremonies for the Nation's newest nuclear-powered surface ship the U.S.S. *California*, last Friday at Newport News, Va.

We were all especially proud that the U.S.S. *California* will be the first frigate to bear the name of a State. With the recent decommissioning of the U.S.S. *New Jersey* and the demise of the battleship as an active part of our fleet, the frigate becomes the bearer of the State names.

Participating in the ceremonies were three very close friends of mine—our former colleague, Defense Secretary Melvin Laird; the first lady of another colleague, Mrs. Virginia Lipscomb; and Vice Adm. H. G. Rickover, who has done so much for his country in the field of nuclear ships.

I am including in the RECORD the prepared remarks of Secretary Laird and Admiral Rickover, who had the pleasure of introducing Mrs. Lipscomb. Their remarks follow:

ADDRESS BY THE HONORABLE MELVIN R. LAIRD, SECRETARY OF DEFENSE, AT KEEL LAYING CEREMONIES OF THE U.S.S. "CALIFORNIA", NEWPORT NEWS, VA., JANUARY 23, 1970

It is a great pleasure to participate in this historic ceremony.

And it is indeed historic. Because we do much more here today than simply lay the keel of another warship. That act in itself, of course, is always a significant and impressive one.

What we do today is to begin a vitally needed and continuing program. We are building nuclear-powered frigates for the Navy of the 70's, the 80's and the 90's.

The *California* will be the first such ship of seven which have been authorized by the Congress. When speaking of the *California*, we can use the word "class" in two senses, for this ship will have "class," and she will



be the first nuclear-powered "class" surface ship. This is an indication of how far we have come in the intricate technology of nuclear marine engineering. She will incorporate in her nearly 600 feet and 10,000 tons all the lessons learned from the worldwide operations of her nuclear-powered predecessors, *Bainbridge*, and *Truxton*. She will also incorporate the engineering know-how inherited from the seasoned power plants of the *Carrier Enterprise*, the *Cruiser Long Beach*, and several score of successful submarines.

She will be a significant step forward from her elder sisters. The *California* will be equipped with anti-submarine, anti-air, and anti-surface weapons. These will enable her to operate, either independently or in concert with other units, in any or all of those roles.

As an escort to the nuclear aircraft carriers of the present and future, *California* and her successors will greatly extend the range of attack carrier striking forces.

The additional radius of action which *California* and her successors will provide to naval forces will be of great value to the defense of our country and our allies. This is particularly important as we face the inescapable reality of a growing Soviet Navy expanding its seapower around the world. The Soviet Navy is now second in power only to our own.

As we make major reductions in the Defense budget, we must guard against impairing our research and development programs and endangering a ship modernization program that is vitally needed as we face the challenge of the 1970's.

Today's ceremony has historical significance in another sense because of the name of this ship.

As many of you know, the law requires that all U.S. Navy battleships be named for the states of our Union. However, with the recent decommissioning of the *New Jersey*, there is no active battleship in our fleet. The realities of modern naval conflict preclude the building of any more of those great old warriors. As a result, the mantle of the largest surface combatant ships now being constructed—exclusive of aircraft carriers—falls on the nuclear frigate.

And *California* is the first of these to carry the proud name of one of our states.

I think the choice of the name of our most populous state to set this new precedent is especially fortunate. California is the home state of our President. It is also the home state of the gracious lady who will today authenticate the laying of this keel. That lady, Mrs. Glen Lipscomb, is the wife of a great Congressman who deserves the nation's gratitude for his effective advocacy of a strong and efficient defense force.

The choice of the name, *California*, has even more significance. *California* will be the sixth commissioned warship of the U.S. Navy to bear that name since the propeller-driven *California* of a century ago. The last *California*, for twenty years a fleet flagship, recovered from her wounds at Pearl Harbor to earn seven battle stars in the Pacific.

On an occasion like this, recognition is due to many far-sighted people who can see in today's ceremony one fruit of their labors to provide nuclear propulsion to the fleet. Among them are the late Admiral Chester Nimitz, who authorized the start on the *Nautilus*; Vice Admiral Hyman Rickover, the dynamic exponent of nuclear accomplishment in the Navy; Admiral Arleigh Burke, who with Vice Admiral William Raborn, put together the *Polaris* system; and the current Chief of Naval Operations, Admiral Thomas Moorer, who has persuasively acclaimed the advantages of nuclear power in the surface fleet.

I congratulate all those whose varied skills and talents have brought us to the mile-

stone we reach as we lay the keel of this ship—particularly the management and workers of the Newport News Shipbuilding and Drydock Company.

I congratulate the Navy and its able Secretary, John Chafee.

May the new *California* follow in the distinguished tradition of her namesakes. May she proudly take her place in the force that exists so that free men may live in peace.

INTRODUCTION OF MRS. GLENARD P. LIPSCOMB, LOS ANGELES, CALIF., BY VICE ADM. H. G. RICKOVER, USN, ON THE OCCASION OF THE KEEL LAYING OF THE NUCLEAR FRIGATE CALIFORNIA, AT NEWPORT NEWS SHIPBUILDING AND DRY DOCK COMPANY, NEWPORT NEWS, VA., JANUARY 23, 1970

I have the privilege and pleasure of introducing a most gracious lady from California who has the leading role in the ceremony for which we are assembled.

We are honored by her presence—a woman who has devoted her adult life to being a partner and an helpmeet of one of the great members of our House of Representatives—a patriot, a statesman, a gentleman, a dedicated American: Congressman Glenard P. Lipscomb.

Virginia Lipscomb was born in Binghamton, New York but moved to California as a child. She attended Belmont High School in Los Angeles where she met her husband.

The Lipscombs have two daughters: Diane, who will assist her mother in the ceremony today, and Joyce who lives in California.

In 1947 Congressman Lipscomb was elected to the California State Legislature where he served until elected to Congress in 1953. As is typical of Congressional wives, Mrs. Lipscomb campaigned actively with her husband and has remained close to his Congressional activities. In addition, she has devoted considerable time to Red Cross work and to the Florence Crittenton Home for unwed mothers of Washington, D.C. She is an active member of the Congressional Club and has served as its Vice President.

Congressman Lipscomb could not be with us today. I cherish his friendship; I know of no finer gentleman. He has the spirit of compassion and understanding; he inspires one. No words can express the energy and the wisdom he has devoted to his country.

Nine consecutive terms in the House speak eloquently of his success. Since 1958 he has served on the powerful House Appropriations Committee which appropriates money to operate the Federal Government. He is ranking Republican Member of its Defense Subcommittee and serves on the Subcommittee handling appropriations for the Departments of State, Justice, Commerce, the Federal Judiciary and related agencies. In addition he is the ranking Minority Member of the Committee on House Administration. He is a Member of the Joint Senate-House Committee on Printing. Since 1959 he has also been Chairman of the California Republican Delegation in Congress.

His success can be measured by his accomplishments and by the high esteem and great affection he holds among his Congressional colleagues. His keen intellect and diligent research have resulted in better programs for America, especially America of the future. His voice is a steady one—a voice of decency, of conservatism, of patriotism. He renders great service to his District, to his State and to the Nation.

It has been my privilege to know him for many years; to know how much he has helped the Naval Nuclear Program. He has had a great impact upon me because of the force of his character, the quality of his mind, his integrity. He is forthright, without guile, outspoken in his convictions, strong in his faith and love of country. He consistently speaks and fights for what he believes to be right. It has been a great comfort to me to be able to go to so fine a man

for his help and kindly advice I am grateful that our Congress has a man like Congressman Lipscomb, who has done so much for the United States. It is only through the intense efforts of such men that our form of Government can be preserved.

I have always admired and appreciated his concern and tenderness for his wife—who has contributed so much to his accomplishments.

Ladies and gentlemen, it is with a deep sense of pride that I introduce to you Glenard Lipscomb's lifelong partner, Virginia Lipscomb. She honors the Navy and the State of California by authenticating the keel of this ship which will bear the name of her great state.

## THE NATIONAL ASSOCIATION OF LIFE UNDERWRITERS, UNIFYING AND BUILDING OUR NATION

### HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. GALIFIANAKIS. Mr. Speaker, the National Association of Life Underwriters, headquartered here in Washington, D.C., has a membership of 103,000 life insurance agents, general agents, and managers. It is an effective organization concerned with the well-being of those who own and sell life insurance and with improving the quality of American life.

The elected president of the national association this year is Raymond E. King, Jr., CLU of Charlotte, N.C., who is a general agent for Lincoln National Life Insurance Co., and a civic and political leader in North Carolina. Mr. King is devoting much of his presidential term to addressing life underwriter and business groups throughout the country. He is telling the uses and advantages of life insurance, encouraging the practice of individual thrift and self-reliance, urging the continued professionalism of the life insurance salesman and, perhaps above all, calling on his associates and his business to fulfill the highest responsibilities of good citizenship.

It is most rewarding to note the leadership of the business community, as exemplified by individual life insurance salesmen and the National Association of Life Underwriters, in unifying and building our Nation.

Because there is so much of merit in Mr. King's comments, I take opportunity to place in the CONGRESSIONAL RECORD an extract of an address he recently delivered to the District of Columbia Association of Life Underwriters:

#### ADDRESS BY RAYMOND E. KING

There is evidence that we in America enjoy the highest standard of living that the world has ever known because of a free competitive economic system, which among other things, makes possible the creative art of selling. Every warehouse and storage bin would soon be filled to capacity were it not for the salesman of America who create a demand and a desire for services and products and bridge the gap between needs and their fulfillment.

It's not the industrial capacity of this nation that makes us great, as important as that is. Absolutely essential is salesmanship that brings products and buyers together in rewarding relationship. I sincerely

believe that one of the great differences between the Communist countries of the world and the free enterprise system of America is the fact that the Communist countries have no salesmen and, of course, we have.

We in life insurance are living today in great times, in record selling times. We are lucky that we are part of this tremendous forward thrust in our great and growing business. Naturally, there are frustrations and vexations. We suffer the problems of growth, of inflation, of rapid and complex change. Let us not feel sorry for ourselves. Let's stop criticizing ourselves and each other. Let us stop worrying and wondering what the future holds for our country, our business and our jobs. Instead, let us do something about making it a still better future and tell people what we're doing in a forceful and positive way. Let all segments of this great business join hands and rededicate themselves to unselfish principles that are for the benefit of all people.

Someone said many years ago, I know not whom, "upon the plains of hesitation bleach the bones of countless millions who, when they had victory in their grasp, sat down to wait, and waiting they died." This generation of Americans can not be guilty of bleaching its bones upon the plains of hesitation. A similar responsibility falls on the life insurance business. It must not only fulfill its thrift and security mission, but also take leadership in all things that are for the public good.

We are living today in a changing society. We live in a time of great affluence but of national uneasiness. Because life insurance is a business that is intimately concerned with everything that affects people, we are most definitely involved in the struggle of this generation to adjust to the demands and the tensions of the space age.

We cannot stand on the sidelines any longer in the never-ending struggle to make the promise of America come true for all our citizens regardless of race, religion, or station in life.

We cannot afford longer to stand by indifferently while our great cities decay and our physical environment becomes polluted almost beyond redemption.

In short, with our business and professional progress has come a responsibility of understanding, empathy, and leadership that we must accept in our community. We must accept as leaders in our industry our responsibility to build good products, good men, and a good world. We must work hard, think big, and have a dream.

The involvement of the life insurance industry with the general welfare is graphically illustrated by our concern with the state of the economy and the quality of life in our infected, slum-ridden metropolitan areas. The squalor and degradation of the life of millions who live in slums of our great metropolitan centers demand the attention of our business. The commitment of two billion dollars by our industry to improve housing conditions and create jobs in the problem areas is absolute proof that this great business has recognized its responsibility and is acting accordingly.

We are a country with grave problems; but I feel these problems are no more grave or no greater than they have been many times before in our history. There is much to be confident and reassured about in America if enough of us concern ourselves with purposes and if that concern is deep and compassionate, unsoftened by arrogance or hostility to other people or delusions of superiority or notions of greatness.

Critics of the life insurance industry claim that ours was a status-quo industry, resisting changes except those imposed by external forces. But things have really changed during the past 20 years, and particularly in the last decade. Our industry is no longer satisfied simply to adapt to the changes in its en-

vironment. Rather, it is actively seeking to shape its own destiny through innovations in management and administrative techniques, new products, and new marketing methods. Above all, it is trying to be relevant and responsible as a corporate citizen.

The truth of the matter is we have changed . . . and are continuing to change. As a consequence, we are one of the great growth industries of the world today. And while we are making these changes, I believe we are fulfilling our commitment to assume a rightful share of responsibility to make this a better world for all people. "Some people measure their lives by days and years, others by heartthrobs, passions, and tears. But the truest measure under the sun is, what in your lifetime for others you've done."

## DR. WONG COMES TO WASHINGTON

### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HOSMER. Mr. Speaker, few men who have met him have failed to be impressed with the dynamic personality and enthusiasm of Dr. Chung-ming Wong, the new Director of the Interior Department's Office of Saline Water.

A recent article in *Presbyterian Life* magazine has captured the spirit of this man. It traces his career from his birth in China through his appointment last year to head up the Nation's desalting program.

I enjoyed reading the article and would like to share it with others by having it inserted in the *RECORD*. The article follows:

[From *Presbyterian Life* magazine, Jan. 1, 1970]

DR. WONG COMES TO WASHINGTON  
(By Donovan Kelly)

What does a good Presbyterian need to become a good bureaucrat in Washington? There are some political and technical qualifications that help:

For instance, he should be the head of some active political group, such as the ten-thousand-member Professional Citizens for Nixon/Agnew.

He should also be a prominent member of a minority group, preferably one that is not too well represented in Washington, like perhaps the quarter-million Chinese Americans.

If he is going to work in a scientific bureau, such as the Office of Saline Water, he should have an academic background that is adequate enough to impress Congress and to quiet critics. Degrees in mechanical engineering from Purdue, in business administration from Harvard, studies in human relations at the University of California, and a Ph.D. in physics from Columbia University should be more than adequate.

He also should have some administrative experience to go along with his academic background; twenty-five years of such experience would be more than enough, especially if he contributed directly to the success of the Apollo space program.

Finally, he should have a touch of something like charisma that makes people under his command take to him and work hard for him. As proof that he has the touch, he might, for example, have been elected "Best Professor" for four consecutive years at the University of Bridgeport in Connecticut.

All of these qualifications and more Dr. Chung-ming Wong brings to the Office of

Saline Water as its new director. The "more" is what strikes the visitor when talking to Dr. Wong.

Dr. Wong might be mistaken for the genial owner-host of a Chinese restaurant; at least he smiles more than one might expect of a bureaucrat. But the people running in and out of his office are undeniably bent on government business. (While I awaited my turn, Dr. Wong himself dashed out several times to give me more of the background material I had already read; he reminded me of the harried mother in a house full of kids, who doesn't hear a youngster protest that he has already been scrubbed three times.) The smile, the nod of greeting, and the friendly solicitousness Dr. Wong expresses tend to give him a veneer of gentleness. But the more he talks, the more steel he reveals.

On his appointment as director of the Office of Saline Water: "I am honored by the assignment and by the great future it offers me. I intend to run this office with an honest and sincere attitude; I must be honest because I don't have a good memory to cover previous lies with more lies."

On his guidelines for his new staff: "If we work together and go forward together happily, and bring forth the best of every individual and the highest degree of co-operation, I promise you that you will win my respect. Please bear in mind as our guideline: 'Do unto others as you like others to do unto you.'"

On temporarily leaving his family behind in California while he came to Washington: "It is God's will and my duty that I serve my country." (When Dr. Wong says "God" in his throaty Chinese way, the word explodes like a German exclamation.) "It was not easy to leave my family, but I needed time to learn my job. I was happy to stay a bachelor for a time, but now, after two months in Washington, I need my family to give strength and to help me meet friends. I need friends very dearly and for this my wife, Irene Kia-Yu, will be an asset."

Once before, and for a much longer time, Dr. Wong knew the loneliness of being separated from his family. Although he is technically a fourth-generation American, his father, Tong Wong (one of the three founders of the Chinatown Presbyterian Church in San Francisco), returned to China to serve in Sun Yat-sen's Republic of China government. Tong Wong eventually became vice-president under Sun Yat-sen, but he gave up his American citizenship in the process. His son was born in Hong Kong forty-nine years ago, a citizen of China.

So it was as a Chinese that Dr. Wong came to the United States in 1947, after he had served as a lieutenant in the air force of Nationalist China. Because the immigration quota was filled, he was forced to leave his wife behind in Shanghai. Two days after he left, their first child, a daughter, was born. Dr. Wong did not see his daughter or his wife for nine long years.

"It was a very hard time," says Dr. Wong. "I kept myself very busy by taking on three full-time jobs—working in industry during the day, teaching three nights a week, and doing all my research on the weekends." Then he adds, with another smile, "Since I neither gamble, smoke, or drink, there was nothing left for me to do but work."

"Finally, with the help of Congress, to whom I am most grateful, I was able to bring my family over." Dr. Wong also expresses gratitude for the host of Presbyterians who helped him during that hard period: they include a missionary couple, the Reverend and Mrs. M. Gardner Tewksbury; and the Reverend Donn D. Moomaw, pastor of Dr. Wong's home church, Bel Air Presbyterian in Los Angeles. ("Mr. Moomaw has a funny name," said Dr. Chung-ming Wong. "Let me check the spelling.")

Despite his varied background, Dr. Wong admits that none of his previous experience



specifically involved converting salt water to fresh, the research and engineering function of the Office of Saline Water. "But the desalting process involves nothing more than using heat energy and heat transfer efficiency, subjects I've taught and worked with for twenty-five years."

What may be more important is that his previous jobs taught him how to work with and use his staff people efficiently. "For example, on my aerospace projects we used a system methodology," Dr. Wong explains. "We concentrated our staff and resources on the one or two approaches that looked most promising in solving a particular problem rather than on attempting to investigate a great number of approaches." Using this methodology, Dr. Wong was responsible for the engineering and development of the first American reentry-vehicle heat-shield, a basic step leading to the Apollo moon landings.

Dr. Wong plans to use the same methodology to engineer a breakthrough in the technology of converting saline water to fresh. "I expect to have concrete, practical results in two years rather than in the ten years originally planned. And I am not given to making overoptimistic predictions and promises."

Results couldn't come any too soon for the millions of people who are waiting for a practical method of turning their salty-water supplies into usable fresh water. One survey reports that in the United States alone, 3.5 million people in 1,150 communities use water which is defined as saline, that is, containing a salt concentration of more than one thousand parts per million. The U.S. Public Health Service recommends a maximum of no more than five hundred parts per million. Some hardy people can drink as much as two thousand parts per million, but any concentration over the Public Health Service minimum is harmful to many manufacturing processes and to many crops. Thus a poor-quality, saline water-supply limits the economic growth of many areas of the country and of the world. If desalting technology could be improved to the point where large quantities of desalted water could be produced as cheaply as natural fresh water, then vast areas of the world would get a much-needed boost in their economies.

Seeing more than just dollar signs, President Eisenhower and former Atomic Energy Commission Chairman Lewis L. Strauss envisioned the large-scale desalination of seawater through the use of atomic energy as the key to peace in the Middle East.

Explaining the Eisenhower-Strauss plan, the late President said: "The purpose of the plan is not only to bring large arid regions into production and to supply useful work for hundreds of thousands of people, but also, we hope, to promote peace in a deeply troubled area of the world through a new cooperative venture among nations. I am optimistic enough to believe that the proposal when implemented—as it is sure to be some day—may very well succeed in bringing stability to a region where endless political negotiations have failed . . . I can think of no scientific success that would equal [the development of atomic desalting technology] in its boon to mankind."

As if improving living standards and helping to maintain peace weren't reasons enough for existence of the Office of Saline Water, there is a third: we may not be running out of water, but we are running out of usable fresh water.

There are about 326 million cubic miles of water on the earth, but somewhat more than 99.4 percent of this vast supply is tied up as salt water and glacier ice. This still leaves a very large supply of fresh water, but it is a limited supply, and one that is not always distributed when and where man wants it. In the United States, demands on this limited supply are increasing at the rate of twenty-five thousand gallons per minute, and

pollution has already made much of the natural supply unusable. Without some help from technology, the point will one day be reached when our faucets will run dry.

Desalting saline water is not a new solution to water shortages. Aristotle has owned a patent on a simple and workable distillation process since the fourth century B.C. Where the needs are critical for even small supplies of fresh water, any workable method will still do, no matter how expensive it is. The goal of the Office of Saline Water is to develop economical methods for converting saline water into fresh water—the emphasis is on the economics. To be feasible economically, fresh water made from saline water must cost as little as water from conventional sources.

Since the early 1950s, the cost of desalting seawater has dropped from about five dollars per thousand gallons to one dollar, and the cost of desalting brackish (water with less salt than seawater, though still undrinkable) groundwater to as low as forty cents per thousand gallons. In the next ten years, the cost of desalting seawater should drop to between twenty-five and fifty cents per thousand gallons, about what we are paying now to gather, convey, and distribute water in many of our large cities. Thus the day may be near when desalted water can compete with conventional water supplies.

To bring that day closer, Dr. Wong and his staff of 135, with an annual budget of \$25 million, will use system methodology to concentrate on two methods of desalination.

For desalting large quantities of seawater, they will concentrate on a method that combines heat and flash distillation. Heat distillation is a refinement of Aristotle's basic method of boiling seawater and condensing the steam to produce the pure "distilled water" still used in automobile batteries and steam irons. The Office of Saline Water has improved the efficiency of the heat-distillation process by hooking a chain of distilling units together so that the steam produced in one will heat the incoming seawater in the next. The cold seawater condenses the steam and in turn is heated by the steam. The process is repeated through several units until most of the heat energy added in the first unit is recovered. The process has been further improved by the use of flash distillation. If the pressure in the distilling unit is lowered enough, some of the seawater will boil instantly, or "flash," at a lower temperature than is normal. By progressively reducing the pressures in the chain of distilling units, seawater is made to boil at lower and lower temperatures.

For desalting smaller quantities of the better-quality brackish ground-water, the Office of Saline Water will concentrate on improving a method of reverse osmosis. Osmosis is the process by which a semipermeable membrane, such as the skin of plant roots, will admit slightly mineralized water to pass through the membrane on one side but will not allow the mineralized plant juices to flow out the opposite side. Under normal conditions, the membrane allows only a one-way flow of fresh water to the salt-water side, as if there were a pressure pushing the fresh water. In reverse osmosis, pressure is applied to the salt-water side of the membrane and the process is reversed. Fresh water in the salt water is pushed through the membrane, leaving most of the minerals.

"We are going to concentrate on these two methods of desalting," says Dr. Wong, "but we are not going to make the common bureaucratic mistake of just refining what has been done before. Rather, we will tackle research and development projects that private industry finds too risky or too expensive. I'm looking for more than just steady progress; I want quantum jumps."

In the long list of the world's problems, one single item, even a basic necessity such as "enough fresh water of good quality," can

easily be overlooked or ignored. But with more and more people demanding more and more fresh water—per capita use of water in the United States increased 15 percent in the first half of this decade alone—and with more people demanding that water from a limited freshwater supply, the problem of freshwater shortages seems likely to become more acute. Dr. Wong appears to be the right man to lead the Office of Saline Water in making the quantum jumps of developing efficient methods of desalting water to slacken the world's growing thirst.

## PREVENTIVE DETENTION

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HUNGATE. Mr. Speaker, I thought that the following two articles on the subject of preventive detention would be of concern and interest to my colleagues:

[From Trial magazine, December-January 1969-70]

#### PREVENTIVE DETENTION: SOCIAL THREAT

(By Alan M. Dershowitz)

President Nixon recently proposed that Congress enact a preventive detention statute under which "dangerous hardcore recidivists could be held in temporary pre-trial detention when they have been charged with crime and when their continued pre-trial release presents a continued danger to the community."

The conditions giving rise to this call for preventive detention are not difficult to understand. A person suspected of committing a crime cannot stand trial on the day of his arrest; he must be given time to consult with his lawyer and prepare a defense.

Although this should rarely take more than a few days, the delay between arrest and trial has been growing, until it is now almost as long as two years in some cities and a year in most other cities.

This is the consequence primarily of our unwillingness to pay for needed increases in judicial machinery.

At the same time there has been a growing sensitivity to the plight of the indigent accused, who are unable to raise even modest bail; this is reflected in a 1966 bail reform law which authorizes federal judges to release most defendants without requiring money bail. The net result of bail reform and increased delays in court has been that more criminal defendants spend more time out on the street awaiting their trials than ever before.

This has led to an increase—or at least the appearance of an increase—in the number of crimes committed by some of these defendants between arrest and trial.

And so, in an effort to stem this tide of increasing crime, many political leaders, including as diverse in views as Roman Hruska and Joseph Tydings, have focused their attention on the defendant awaiting trial for the crime he is accused of.

The slogan "crime in the streets" has found its first political victim.

The proponents of preventive detention hope thereby to identify and isolate those defendants awaiting trial who account for, at least in part, the apparently high incidence of serious crime.

The opponents of preventive detention, a heterogeneous group including not only the American Civil Liberties Union but also Senator Ervin of North Carolina, maintain that, under our system of criminal justice,

which is characterized by "the presumption of innocence," conviction for a past crime is the only legitimate basis for confinement. They are fearful that acceptance of this "novel" approach to crime prevention might be an opening wedge leading to widespread confinement of persons suspected, on the basis of untested predictions, of dangerous propensities.

For example, a recent decision of the United States Court of Appeals for the District of Columbia held a vagrancy statute unconstitutional on the ground that "statistical likelihood" of a particular person's or group's engaging in criminality "is not permissible as an all-out substitute for proof of individual guilt."

But "statistical likelihood"—gross and impersonal as that sounds—is all we ever have, whether we are predicting the future or reconstructing the past. When we establish rules for convicting the guilty, we do not require certainty; we only require that guilt be proved "beyond a reasonable doubt." And that means that we are willing to tolerate the conviction of some innocent suspects in order to assure the confinement of a vastly larger number of guilty criminals.

We insist that the statistical likelihood of guilt be very high: "better ten guilty men go free than one innocent man be wrongly condemned." But we do not—nor could we insist on certainty; to do so would result in immobility.

What difference is there between imprisoning a man for past crimes on the basis of "statistical likelihood" and detaining him to prevent future crimes on the same kind of less-than-certain information?

The important difference may not be so much one of principle, as it is one of degree. The available evidence suggests that our system of determining past guilt results in the erroneous conviction of relatively few innocent people.<sup>1</sup> We really do seem to practice what we preach about preferring the acquittal of guilty men over the conviction of innocent men.

But the indications are that any system of predicting future crimes would result in a vastly larger number of erroneous confinements—that is, confinements of persons predicted to engage in violent crime who would not, in fact, do so.

Indeed, all the experience with predicting violent conduct suggests that in order to spot a significant proportion of future violent criminals, we would have to reverse the traditional maxim of the criminal law and adopt a philosophy that it is "better to confine ten people who would not commit predicted crimes, than to release one who would."

It should not be surprising to learn that predictions of the kind relied upon by the proponents of preventive detention are likely to be unreliable. Predictions of human conduct are difficult to make, for man is a complex entity and the world he inhabits is full of unexpected occurrences.

Predictions of rare human events are even more difficult. And predictions of rare events occurring within a short span of time are the most difficult of all. Acts of violence by persons released while awaiting trial are relatively rare events (though more frequent among certain categories of suspects), and the relevant time span is short. Accordingly, the kind of predictions under consideration begin with heavy odds against their accuracy. A predictor could spot and imprison a large number of persons who would actually commit acts of violence only if he is also willing to imprison a very much larger number of defendants who would not, in fact, engage in violence if released.

This brings me to an obvious fact that is often overlooked in evaluating the accuracy of predictions. In order that the evaluation

be fair, there must be information about both sides; we must not only know how many crimes committed by defendants out on bail were prevented; we must also know how many defendants were erroneously imprisoned.

Either of these alone tells you very little. It is no trick at all to spot a very high percentage of defendants who would commit acts of violence while awaiting trial; you simply predict that all or almost all will do so. (Of course, the number of erroneous confinements would be extraordinarily high, but most or all of the crimes would have been prevented.)

Conversely, it is easy to avoid erroneous confinements if that is your only aim: simply predict that few or none of the defendants will engage in violence pending trial. (In that case, you would prevent very few, if any, of the potential crimes, but the number of erroneous confinements would be minimal or non-existent.)

The difficult task is to select a category which includes the largest number of defendants who would commit violent crimes and the smallest possible number who would not. If it were possible to select a category which included all those and only those, who commit such crimes, there would be little problem. But since this is impossible, a choice must be made.

It must be decided how many defendants we should be willing to confine erroneously in order to prevent how many acts of violence. This will in turn depend on the nature of the violence to be prevented and the duration of the contemplated confinement: we should be willing to tolerate fewer erroneous confinements to prevent predicted purse-snatching than predicted murder; and fewer again if the trial is a year off than if it can be over within two weeks of the arrest.

Another reason why predictions of the future are less reliable than reconstructions of the past concerns the processes by which human beings make decisions.

Participants in judicial decisionmaking—lawyers, judges, even jurors—have some sense of what it means to decide whether a specifically charged act probably was or probably was not committed. The participants bring to their decisions some basis for sorting out the relevant from the irrelevant, the believable from the incredible, the significant from the trivial. And this basis—though often rough and intuitive—is far more than the judge is likely to bring to the process of predicting the future.

It is true that all judgments about human events, whether past or future, rest upon a superstructure of assumptions about how people behave; all decision-making requires a theory.

What I am suggesting is that participants in the judicial process are better equipped by their experience to construct and employ theories about what probably occurred in the past than theories about what is likely to occur in the future. Put another way, we are all historians, but few of us are scientists. Perhaps Lewis Carroll's Queen had a "memory" that worked equally well both ways: she remembered "things that happened the week after next" even better than things that happened yesterday. But Alice spoke for most of us when she said that her memory "only works one way . . . I can't remember things before they happen."

The most serious danger inherent in any system of preventive detention is that it always seems to be working well, even when it is performing dismally; this is so because it is the nature of any system of preventive detention to display its meager successes in preventing crime while it hides its frequent errors. This has been demonstrated in other areas where detention rests on predictions of dangerousness. One such area—which I have studied in detail and about which I have written elsewhere<sup>2</sup>—is the confinement of

the mentally ill on the basis of psychiatric predictions of injurious conduct.

It has long been assumed that these psychiatric predictions are reasonably accurate; that patients who are diagnosed as dangerous would have engaged in seriously harmful conduct had they not been confined. The accuracy of these predictions has never been systematically tested, since patients predicted to be dangerous are confined and thus do not have the opportunity to demonstrate that they would not have committed the predicted act if they were at liberty.

Accordingly, the psychiatrist almost never learns about his erroneous predictions of violence. But he almost always learns about his erroneous predictions of non-violence—often from newspaper headlines announcing the crime. The fact that the errors of underestimating the possibilities of violence are more visible than errors of overestimating inclines the psychiatrist—whether consciously or unconsciously—to err on the side of confining rather than of releasing. His *modus operandi* becomes: When in doubt, don't let him out.

Recently the accuracy of psychiatric predictions has been called into considerable question. A decision of the United States Supreme Court in 1966, *Baxstrom v. Herald*,<sup>3</sup> resulted in freeing many mentally ill persons predicted to be dangerous. Grave fear was expressed for the safety of the community. But follow-up studies now indicate that the predictions of violence were grossly exaggerated, and that very few of the patients have done what the psychiatrists predicted they would do if released. Similar studies in Baltimore support this end of extreme over-prediction.

The same phenomenon is likely to plague efforts to predict violence pending trial if a preventive detention statute is now enacted. Judges, like psychiatrists, will rarely learn about their erroneous predictions of violence; for those defendants, being confined, will not have an opportunity to demonstrate that they would not have committed the predicted crime. But every time a judge makes an erroneous prediction of non-violence—every time he decides to release someone who then does commit a violent act—he learns about his "mistake" swiftly and dramatically.

Thus, if a statute is enacted authorizing pre-trial preventive detention on the basis of judicial predictions of violence, we will never know how many defendants are being erroneously confined. And as more and more information is accumulated, most of it concerning defendants who were erroneously released, judges will keep expanding the category of defendants to be detained.

There is evidence that this is already being done by some judges today. During its recent hearings, the Senate Subcommittee on Constitutional Rights considered a study of decisions of two trial judges in the District of Columbia on pre-trial release and detention; one judge routinely, if unlawfully, detained all suspects whom he regarded as "bad risks"; the other judge routinely released most suspects. Over the period studied, the "tough" judge detained, about half the defendants who came before him (144 out of 285); while the "lenient" judge detained only about one fifth (46 out of 226). Of those released by the tough judge, twelve were charged with offenses—either felonies or misdemeanors—while awaiting trial; while of those released by the lenient judge, sixteen were accused of such offenses.

In other words, in order to prevent about four more crimes (some of them misdemeanors), the tough judge had to confine almost a hundred more defendants. Moreover, of the 144 persons detained by the tough judge, thirty-six subsequently had their cases dismissed and another "large percentage of them" were acquitted. Most of the

Footnotes at end of article.



defendants in this latter group were therefore the victims of a compounded legal error: not only did they not commit the predicted crimes; they were not even guilty—so the process determined—of the past crime with which they stood charged.

Now it may be that eventually criteria for confinement can be refined to the point where such errors are minimized. Perhaps the high rate of violent crime by certain categories of released defendants will permit a high degree of crime prevention without too many erroneous confinements. It is claimed, for example, that a very high percentage of defendants charged with armed robbery in the District of Columbia—some place the figure as high as 34%, others as low as 11%—commit new felonies while awaiting trial. But if a statute were to be enacted now authorizing the confinement of all persons awaiting trial who, on the basis of specified criteria, were predicted to commit violent crimes, then the development of such refined criteria would be seriously retarded.

It must never be forgotten that many years of experience administering an untested system will not always increase the accuracy of that system. Many years of experience are often only one year of experience repeated many times. The unknown mistake of the past becomes the foundation for a confident, but erroneous, prediction of the future. This was demonstrated many years ago, in a famous "experiment" conducted by the Harvard psychologist Thorndike, who had a student throw darts repeatedly at a board to test the thesis that aim improves with experience. But he blindfolded the student and never told him when he hit or missed the target. Needless to say, his aim did not improve with "experience." Nor would the accuracy of judicial predictions necessarily improve simply as a result of judges spending more and more years meting out preventive detention without any accurate way to test their predictions.

The time is not yet ripe for resolving definitively by legislation the dilemma of pre-trial preventive detention. We have just begun to understand what the problem is but we do not yet have enough information to know what the optimal solutions are. We have not even tried other—less drastic amelioratives, such as speedier trials, more supervision for released defendants, and perhaps even increased penalties for crimes committed while out on bail.

If such solutions were tried, the problem of crimes committed by released defendants might become a very small one indeed. What must be avoided is a simple solution that freezes knowledge at its existing low state. And this is precisely what would occur if Congress now enacted a statute authorizing confinement of all defendants predicted to commit acts of violence while awaiting trial. What must be encouraged is an approach that is tentative; that continues to gather information; and that is in the nature of an experiment.

What I suggest is that any proposed criteria for confinement be tested to determine how accurate—or inaccurate—they are in predicting violence. This could be done in a number of ways. Judges might be asked to apply the criteria being tested—for example, those in the statute proposed by Senator Tydings<sup>5</sup>—and to predict on the basis of those criteria which defendants awaiting trial would engage in violent crimes. All of the defendants would then be released, even those who the judges think should be detained.

Careful studies should then be conducted to determine how accurate the judges were in their predictions. There is, however, a serious problem with this kind of test. If the judges know that everyone will be released and their actions observed, they might be extremely cautious about predicting violence,

more cautious than if they knew that the predicted criminals would be safely confined.

This suggests a variation which would increase the accuracy of the test, but at a substantial cost in human liberty. The judges would again decide who should be detained on the basis of the criteria being tested, but, this time, only some—say half—of those selected for detention would be randomly released and observed. The other half would be detained. This suggestion is not free of difficulties either, for the status of experimentation under the law is far from clear. But I am confident that a workable and constitutional approach can be devised.<sup>6</sup> Then we can see how many of these defendants would, in fact, fulfill the predictions.

What we learn about our ability to predict may be discouraging to those who advocate preventive detention. But it is far better to know the discouraging truth than to build a house—especially one with bars—on untested assumptions.

Would preventive detention reduce recidivism? The answer is probably "yes"; a system of preventive detention might well reduce recidivism (at least in the short run). But that answer is a misleading half-truth. The cost of any such system—in terms of unnecessary confinement—would be extremely high; too high, in my view, to justify preventive detention.

#### FOOTNOTES

<sup>1</sup> That there are occasional tragic convictions of innocent men was well documented many years ago in Edwin M. Borchard's *Convicting the Innocent* (Yale, 1932), and more recently in Jerome and Barbara Frank's *Not Guilty* (Gollanez, 1957), but as Borchard observed: there are still "about nine cases of unjust acquittal to one case of unjust conviction . . ." (p. 407). And as Frank warned: "The horrors portrayed in this book, however, should induce no belief that most convicts are guiltless. On the whole our system works fairly and most men in prison are almost surely guilty." (p. 38).

<sup>2</sup> E.g., Dershowitz, "The Psychiatrist's Power in Civil Commitment," *Psychology Today*, (February, 1969), p. 43.

<sup>3</sup> 383 U.S. 107 (1966).

<sup>4</sup> See Rapoport, *The Clinical Evaluation of the Dangerousness of the Mentally Ill* (Thomas, 1967).

<sup>5</sup> Tydings would permit confinement if the defendant is charged with any of the following: (1) armed robbery of a related offense; (2) a felony involving serious bodily harm committed while the defendant was out on bail; (3) a felony involving serious bodily harm where the government alleges that if released he will inflict such harm or pose, because of his prior pattern of conduct, a substantial danger to others or the community.

<sup>6</sup> Perhaps the proposed criteria for confinement could first be tested on records of past cases before they are applied—even experimentally—to live defendants. This could be done by giving to judges the past records of defendants, some of whom did and some of whom did not commit crimes while out on bail; they would then be asked to "predict"—or more accurately, postdict—which defendants fall into which category.

#### PREVENTIVE DETENTION: PUBLIC SAFEGUARD (By Jack Landau, Director)

Professor Alan Dershowitz has expressed his opposition to the enactment of a statute "authorizing confinement of all defendants predicted to commit acts of violence while awaiting trial." The principal basis for his opposition is the lack of sufficient information available to judges for such a prediction.

Rather than take what he considers the present unwarranted high risk of detaining defendants who will not, if released, commit such acts of violence, the Professor recom-

mends other solutions: speedier trials, more supervision of defendants on release, and increased penalties for crimes committed on release.

These solutions are all sound, and steps are being taken to effectuate them.

For example, in the District of Columbia, where the Bail Reform Act of 1966 has had its greatest impact, a proposal has been submitted to the Congress for a complete reorganization of the local courts. The proposal calls for (1) a large increase in the number of judges, (2) readjustment of their salaries and tenure, and (3) the most modern administrative techniques to permit the local court system to administer criminal justice more fairly, expeditiously and effectively.

The Administration has also proposed an expansion of the District of Columbia Bail Agency for the express purpose of enabling it to provide more supervision of defendants released prior to trial. Finally the proposed amendments to the Bail Reform Act of 1966 include a provision for increased penalties for crimes committed while on pre-trial release.

Assuming no delays caused by court congestion, however, with preliminary motions, hearings, discovery, grand jury presentation, lineups, preparation of transcripts, conducting of scientific tests, assembling of evidence, etc., trials cannot reasonably be expected within less than 30 to 60 days following arrest. The bail agency, even with increased manpower, cannot provide 24-hour per day supervision. The prospect of increased penalties for a crime committed while on pre-trial release will deter some, not all.

Thus, even were the other solutions proposed by Professor Dershowitz to become legislative and administrative realities—and absence of court delay is certainly a long way off—society still would be confronted with the prospective pre-trial release of some defendants whom reason, experience, and available but limited data strongly indicate would commit additional serious crimes prior to trial.

It is also important to note, as a practical matter, that a defendant charged by strong evidence with a serious crime for which he is likely to go to jail if convicted, has no interest in a speedy trial within 30 to 60 days as long as he is on pre-trial release. Delay in trial means delay in confinement and also the ever-increasing possibility that the prosecution will lose its witnesses. With the endless number of different kinds of pre-trial motions available, a defendant, who wishes to do, can, with the aid of skilled counsel, easily postpone the trial for months.

Thus the speedy trial panacea advocated by opponents of pre-trial detention is in reality no panacea at all. Viewed in this regard, the proposed amendments to the Bail Act encourage speedy trial by requiring trials of detained defendants within 60 days. Detention beyond 60 days is permitted only if caused by the defendant. The onus of delay and continued pre-trial detention, accordingly, is placed squarely on the defendant, where it rightfully belongs.

Nor is it adequate to try to implement the professor's solutions and, as he suggests, at the same time conduct studies to obtain "refined criteria" which will enable judges to predict with scientific accuracy propensities for criminal activity. First, the crime problem now is too acute to permit delay, and second, the information necessary for the development of such "refined criteria" is not available now, nor will it be available in the foreseeable future.

Professor Dershowitz incorrectly tends to equate rearrest while on pre-trial release with commission of crime on such release. This ignores the unfortunate reality of crime control.

Recent surveys demonstrate that only about 50% of serious crime is reported to the police. Furthermore, for the major crimes

included in the FBI Crime Index, the police in Washington, D.C., make arrests in under 20%, a figure commensurate with arrest rates in other large cities. Thus, police make arrests in less than 10% of committed crime; those who commit crime on bail are rarely apprehended. This low arrest rate forecloses the possibility of precise documentation of crime by specified individuals on pre-trial release and also the consequent development of scientifically refined criteria, since the identity of those responsible for over 90% of committed crime, including those on pre-trial release, remains unknown.

Moreover, a study of the characteristics (assuming they exist) of those rearrested while on pre-trial release is likely to produce misleading or completely inaccurate predictive criteria, particularly if the study assumes that those rearrested are the most dangerous. It may well be that many of those not rearrested are actually more dangerous but smart enough not to get caught.

With such a low arrest rate of 10%, there simply is no way of knowing whether those rearrested after pre-trial release, who would have to be the prime subjects of any study, are truly representative of the class of arrested.

The impossibility of developing statistical evidence which permits predictability with precise mathematical accuracy leaves only two options: either release all defendants prior to trial no matter how clearly dangerous, or detain the most dangerous defendants, as is the practice in the law, on the insight and experience of trial judges applying appropriate, relevant statutory guidelines. The Administration has chosen the latter.

The proposed bail amendment for pre-trial detention does not thrust upon the courts a responsibility for predicting future conduct not heretofore exercised. Courts have regularly predicted the dangerousness or likelihood of flight of all defendants charged with capital crimes in setting conditions of release, some of which purposefully resulted in detention. Indeed when the Bill of Rights was ratified, most violent felonies were capital crimes and therefore detention of defendants charged with such crimes was routinely allowed.

Even today, courts in ostensibly considering likelihood of flight, *sub rosa* consider dangerousness, and in setting conditions of release which defendants cannot meet do so without the procedural safeguards provided for in the proposed amendments, amendments which face the issue of dangerousness squarely and openly. Courts have also committed to institutions on grounds of dangerousness the mentally ill, sexual psychopaths, and narcotics addicts, among others.

Never have they had statistical evidence to guide them and rarely, if ever, have they had a statute which imposes on them as strict a set of procedural and substantive guidelines as the Administration's proposed statute permitting pre-trial detention.

It is this strict set of guidelines which should control what Professor Dershowitz fears would be the tendency of judges to detain more defendants than necessary to protect themselves against the adverse publicity from crimes solved by the arrest of persons released on bail. For, even granting the existence of such a tendency, the specific findings required by the proposed bill before a judge can order detention, together with supporting reasons, reviewable on appeal, should prevent unwarranted detention.

To support his expectation of the tendency, Professor Dershowitz argues that psychiatrists have in the past diagnosed as dangerous and committed many more mentally ill persons than necessary to protect themselves from similar adverse publicity. It must be recognized that, notwithstanding the absence of evidence, some mentally ill should be held as dangerous.

In the same vein, some defendants in criminal cases should be confined prior to trial and the Administration's proposed legislation contains procedural safeguards to limit such detention to those whose release would expose society to an unwarranted high risk of serious violent crime.

Contrary to the fear of Professor Dershowitz, the proposed bill does not apply to all defendants in criminal cases but only to those defendants charged with serious violent felonies: (1) narcotics addicts, or (2) those previously convicted of a violent felony or on bail for a serious violent felony or charged with crimes such as robbery and rape, which by their very nature are not likely to be one-shot affairs.

Moreover, before a judge can detain such a defendant for a period not to exceed 60 days, he must make two additional findings.

First, he must conclude that no other available condition of release—including all those but money bond available under the Bail Reform Act of 1966—will reasonably assure the safety of the community. In other words, pre-trial detention is plainly a remedy of absolute last resort.

Second, he must find at a hearing at which the defendant is present and represented by counsel, a substantial probability that the defendant committed the crime charged—a provision designed both to eliminate so far as possible the detention of the innocent and to provide a firm basis for a finding of continuing dangerousness. (There is no more reliable evidence of future criminal dangerousness than a dangerous felony committed in the immediate past.)

And as a further safeguard, the courts are required to give reasons for their conclusions.

Obviously pre-trial detention of such a limited number of defendants will not afford a cure-all for the present intolerable crime rate. Nor, as explained above, does the Administration consider it as such. Rather, it is one of many reasonable steps which, together with the other solutions recommended by Professor Dershowitz, society can and should take in its attempt to protect itself from the incursions of crime.

#### TED KACZMAREK AWARDED ARMY MEDAL IN VIETNAM

#### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Theodore Kaczmarek, a fine young man from Maryland, was recently awarded the Army Commendation Medal for meritorious duty in Vietnam. I wish to commend his courage by including the following article in the RECORD:

#### TED KACZMAREK AWARDED ARMY MEDAL IN VIETNAM

Specialist 4 Theodore Kaczmarek, son of Mr. & Mrs. Ralph Poland of 1617 Four Georges Court, has been awarded the Army Commendation Medal by the secretary of the Army for meritorious duty in Vietnam.

Kaczmarek, now 19, is a graduate of Patterson Park High School & he was employed at Eastern Stainless Steel Co. before entering the Army in 1967.

A member of the 1st Battalion, First Infantry Division, Kaczmarek's citation read in part:

"He distinguished himself by exceptionally meritorious service in support of Allied counter-insurgency. He astutely surmounted extremely adverse conditions to obtain consistently superior results."

#### ABOLITION OF PRIVATE SCHOOLS?

#### HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. COLMER. Mr. Speaker, the people of my State, as well as the people of many other States, are very much concerned, saddened, and sometimes downright angered about the acts of the Congress and the decisions of the Supreme Court in the matter of dealing with their most precious possessions—their children. While many acts of regimentation of their lives have been sources of irritation, nothing has concerned the parents of our children as has the extent to which the Congress and the courts have gone in dealing with their children. I think I can truthfully state that both the white parents as well as the black ones in many instances strongly resent the arbitrary and cruel action that has been taken in forcing the integration of children in our public schools.

Of course, one of the most objectionable directives has been to require the busing of their children great distances from their neighborhood schools to some other school across town—in some instances, up to 4 or 5 miles—to insure that the schools are thoroughly integrated. Again, it is difficult for them to understand, as it is for me, why, under our form of government, a child or parent is not permitted to choose their own school under the freedom-of-choice formula. One wonders whether the liberties of the people under our much prized form of government are to be completely destroyed and where it will all end. Mr. Speaker, witness the action of an Oklahoma Federal judge threatening to jail a 14-year-old boy because he refuses to attend a certain integrated junior high school, even though his parents were responsible for his actions.

In this connection, the courts now seem to be headed toward the abolition of private schools. Certainly, this is the implication of a decision by three Federal judges here in Washington who rendered a decision denying tax exemptions to certain private schools in Mississippi.

Columnist James J. Kilpatrick has written a very interesting and, I think, a very proper article on this subject which appeared in the January 20, 1970, issue of the Evening Star. I hope that not only will the three judges who rendered this decision, but the Supreme Court itself, read Mr. Kilpatrick's article and answer for themselves the questions that he raises. I certainly agree with him that action must be taken to undo this ruling.

Mr. Kilpatrick's article follows.

#### CONGRESS MUST UNDO PRIVATE-SCHOOLS RULING

(By James J. Kilpatrick)

The decision by three federal judges here in Washington, denying tax exemption to certain private schools in Mississippi, comes as one more intolerable judicial usurpation of power. The action cannot be condoned; and it must be swiftly undone by the Congress.

The law could not be more clear. Under



Section 501(c) (3) of the Tax Code, a non-profit organization is exempt from federal taxes if it is organized and operated exclusively for religious, charitable, scientific, literary "or educational" purposes, provided only that it stays out of lobbying and politics. Roughly 50,000 such institutions have qualified formally for the cumulative list of exempt organizations maintained by the Internal Revenue Service.

These exempt organizations include institutions that are all black, all white, all Christian, and all Jew. Until the moment of this autocratic court decree, the act of Congress prevailed: It was necessary to ask only if the institution in question met the requirements of law. If so, it qualified automatically, and gifts to such institutions became deductible in computing one's income tax.

The effect of last week's injunction is to elevate the whims, caprices and obsessions of federal judges to a level never contemplated under our form of government. If a drastic change were to be made in the interpretation of Section 501 (c) (3), such a change might first be the prerogative of the commissioner of Internal Revenue. No commissioner ever has sought such power. More precisely, such a change involves a profound question of legislative policy: It is the business of Congress. And in its recent comprehensive revisions of the Tax Code, Congress made no move whatever to limit tax exemptions to racially integrated institutions only.

Why did the three judges rule as they did? I do not challenge their sincerity, integrity or competence. Doubtless they felt they were following dutifully upon the obsessions of their masters, the Supreme Court of the United States. The high court repeatedly has commanded integration now, integration everywhere, integration without regard to law, common sense, or the Constitution.

Make no mistake: This profoundly complex question of public affairs has come fully under the sway of a judicial oligarchy. It might be possible, through ordinary political processes, to remove or to reverse a commissioner of Internal Revenue. It still is possible to elect a House and Senate that will insist upon a "Whitten amendment" positively to prohibit the busing of pupils and the closing of schools under the Civil Rights Act. But the judges are unreachable.

In a free country, it ought to be possible for parents in Mississippi, or anywhere else, to set up any kind of educational institutions they please, and to be entitled to the same privileges, immunities, and benefits of all other parents. If they choose to educate their children in factories, Sunday schools, private homes, or pup tents, subject merely to the general police powers of the state, this is—or was—their right.

No longer. Last week's decree was deliberately punitive, deliberately calculated to achieve a certain sociological end regarded by the judges as desirable. The decree, to repeat, is part of a pattern. In Atlanta, parents by the thousands have petitioned the judges for relief from arbitrary action. In Oklahoma City, a federal judge has threatened to jail a 14-year-old boy and his parents if the boy refuses to attend a certain integrated junior high. The high court itself, in royal disdain for practical problems of the real world, last week insisted on a Feb. 1 deadline for the integration of 300,000 children in five Deep South states.

It is just as Plato said. "The people always have some champion whom they set over them and nurse into greatness. . . . This and no other is the root from which a tyrant springs; when he first appears, he is a protector." So with the high court. An acquiescent people, having surrendered their liberties to the judges in what seemed a good cause, have watered the roots. We harvest tyranny now.

## STATE OF THE UNION MESSAGE

### HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. QUILLEN. Mr. Speaker, not enough has been said about the President's state of the Union address of last Thursday.

Many in the Congress had high praise for the President's speech and rightly so.

Now we find that praise echoed in the press throughout the Nation. Typical of the editorials lauding the President is the one from the Nashville Banner:

[From the Nashville Banner, Jan. 23, 1970]  
STATE OF THE UNION MESSAGE WAS NIXON AT HIS BEST

A President "must lead," said Richard M. Nixon during the 1968 campaign. The Presidency, he added, "is a place where priorities are set and goals established. A President must tell the people what cannot be done immediately as well as what can be done."

He did that yesterday. It was his first State of the Union address as such—having made no such inventory at the outset of his term, and electing to base it on the year in office just concluded; with the pattern of events clarified by closer acquaintance, and legislative requirements charted with this precise orientation in mind as a prime objective. In terms of accounting he touched all bases.

That the President knows the subject and deals in facts is evident to any who has watched his press conferences—noting frank and factual answers to pertinent questions. With equal frankness and informed judgment, processing pertinent disclosures and recommendations on the broad field of domestic and foreign policy distilled into yesterday's message, he lived up to the standards of a Chief Executive with trust in the people keeping faith with the people.

He does not sugar-coat bitter facts such as policy frustration, business unfinished—and objectives not quite achieved. Neither does he seek to exaggerate missions accomplished. As a Chief Executive sensitive to the necessity of team work, he does not berate, accuse, and recriminate. His references to congressional footdragging, or to legislative excesses in some cases, were a reminder of mutual responsibility in areas of national interest where that interest assuredly outweighs considerations of partisanship.

The President is not on the defensive respecting the problems candidly surveyed—the bulk of those problems, foreign and domestic, inherited with no solution a year ago in sight. He has come to grips with most of them, as in the case of his administration's war on crime; and, as another notable case, the steps taken by realistic address on taxes and spending, to reverse the ruinous course of government-induced inflation. He spelled that out in terms of red ink in the added amount of \$47 billion incurred by predecessors in the '60s.

He has not hesitated to confront realistically the problems, multifold, of air and stream pollution—an outline, studiously determined, of what can be done toward improving the environment. It was a recognition that there is no miracle in sight to undo overnight the damages of decades; but it also stressed the essential of an intelligent start.

To finance adequately the war on crime, and to provide the facilities for cleansing the environment, he advocated enlarged appropriations.

The setting of priorities is essential, too—to establish not only the order of importance, but the order of call on resources for these several programs. One other thing distinguishes Richard M. Nixon from his immediate predecessors. Though he knows that the matters thus faced as responsibilities DO entail expenditures, he also knows that Treasury outpourings are not in themselves an answer to everything. As a matter of fact, he is well aware that the fiscal irresponsibility of the latter aberration has through the years vastly compounded the nation's most devastating present threat. Thus it is that he has admonished again of the urgent necessity to fight inflation by getting and keeping the public budget under control.

For that he has supplied initiative—and leadership; backed with veto powers on excessive spending for use if necessary.

On the cherished objective of world peace he also stressed the mutual responsibility.

"I would be the last to suggest that the road to peace is not difficult and dangerous, but I believe our new policies have contributed to the prospect that America may have the best chance since World War II to enjoy a generation of uninterrupted peace. That chance will be enormously increased if we continue to have a relationship between Congress and the Executive in which, despite differences in detail, where the security of America and the peace of mankind are concerned, we act not as Republicans or Democrats—but as Americans."

In three domestic areas he called for legislative priorities:

"We cannot delay longer in accomplishing a total reform of our welfare system. When a system penalizes work, breaks up homes and robs recipients of dignity, there is no alternative to abolishing that system and adopting in its place the program of income support, job training and work incentives which I recommended to Congress last year."

"The time has come to assess and reform all of our institutions of government at the federal, state and local level. It is time for a new federalism, in which, after 190 years of power flowing from the people and local and state governments to Washington, it will begin to flow from Washington back to the states and to the people."

"We must adopt reforms which will expand the range of opportunities for all Americans. We can fulfill the American dream only when each person has a fair chance to fulfill his own dreams. This means equal voting rights, equal employment opportunity and new opportunities for expanded ownership. In order to be secure in their human rights, people need access to property rights."

Thus did the Chief Executive address himself to the life and welfare of every citizen, irrespective of race, creed or color; pledging enlightened efforts for national progress, peace and prosperity, not only for the year but for the decade ahead.

It was a State of the Union message ranking with the greatest of state papers.

It was President Richard M. Nixon at his best.

## WORD OF ENCOURAGEMENT FROM GRATEFUL CONSTITUENTS

### HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. DEVINE. Mr. Speaker, occasionally the Members receive a word of encouragement from grateful constituents,

and this week such an expression crossed my desk.

I cannot identify the author of the following; however, I would urge all Members to read it, and, indeed adopt the philosophy:

The world today needs men who believe that this is a good world and who will work to make it a better one; men to whom honesty is not a policy but their normal state of being; whose consciences respond to right and truth with the steadiness of the needle to the pole; men who have the courage of their convictions and dare to proclaim them though the heavens totter and the earth yawns; men who prefer honor to wealth, truth to sophistry, kindness to covetousness, modesty to vaingloriousness, service to recognition, humility to grandeur, usefulness to reward, men who know their places and fill them; who have found their business in life and attend to it; who neither lie, shirk, dodge nor meddle; who have a definite aim, go straight for it, master details, and treat failures as stepping-stones to success; men who dare to think for themselves, to drink out of their own wells and to eat their own sweet bread earned by the toil of willing hands and brains; men who surrounded by barnacles, bores, busybodies, croakers, fanatics, knaves, pests, triflers and wisecracks, manage to maintain faith in God, in the high destiny of the human race, and an indestructible sense of humor.

Further, Mr. Speaker, in the same vein, Josiah Gilbert Holland is credited with "God Give Us Men," as follows:

GOD GIVE US MEN!

(By Josiah Gilbert Holland)

God give us men! A time like this demands  
Strong minds, great hearts, true faith and  
ready hands;  
Men whom the lust of office does not kill;  
Men whom the spoils of office cannot buy;  
Men who possess opinions and a will;  
Men who have honor; men who will not  
lie;  
Men who can stand before a demagogue  
And damn his treacherous flatteries with-  
out winking!  
Tall men, sun-crowned, who live about the  
fog  
In public duty, and in private thinking;  
For while the rabble, with their thumb-worn  
creeds  
Their large professions and their little  
deeds,  
Mingle in selfish strife, lo! Freedom weeps,  
Wrong rules the land and waiting Justice  
sleeps.

#### COURAGE DESPITE CANCER

### HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. NICHOLS. Mr. Speaker, every Member of this House has, I am certain, been touched with the brave and courageous way a resident of his district has fought against some crippling disease. I experienced this recently when the football coach at a high school in Wadley, Ala., lost his fight against cancer. While I did not know Carter Mays personally, I found the story of how he carried on his duties to the very end most inspiring, and I would like to share it with my colleagues:

[From the Birmingham News, Jan. 15, 1970]

CANCER CLAIMS CARTER MAYS: WADLEY SAYS A SAD GOODBYE TO COURAGEOUS FOOTBALL COACH

(By Ben Cook)

WADLEY.—It was a quiet, football-type day in Wadley, Ala., Wednesday afternoon.

The clear blue sky capped a brilliant sunny afternoon that saw traces of last week's freeze melting slowly into eternity.

Down around city hall a few people shuffled about the sidewalks of this sleepy little Alabama town that sits so quietly on the side of Highway 77, just 46 miles south of Talladega.

But Wadley was quieter than usual this beautiful January day. For that afternoon, Carter Mays, one of the town's most beloved citizens was laid to rest on a little hillside only a few hundred yards from the football field and school that he loved so deeply.

Cancer was the culprit and the townfolk of Wadley felt the greatest sorrow and loss.

The First Baptist Church overflowed with those who came to pay lasting, not last, respects. The service was presided over by Rev. John Christian, a man who at times, drove the team bus for the Carter Mays-coached Wadley Bulldogs football team.

The active pallbearers were six of the Wadley football players and honorary pallbearers included the entire team and the present day coaching staff.

Mays, a graduate of Jacksonville State University, came to Wadley courting in 1963 and wound up not only with a wife but a coaching job. He became head basketball coach and assistant football coach after only one meeting with Wadley principal W. Z. Hassell.

After only a year and a half he left for a coaching job in Georgia before returning to Alabama to coach in the Sand Mountain area.

"Then one night he called me and wanted to come back to Wadley," remembered Hassell Wednesday afternoon. "I rehired him on the phone."

"Carter picked up where he left off," he continued. "He was a strict disciplinarian both in the classroom and on the football field."

"He could get by with it," Hassell said, "because kids liked him and they sensed that he was trying to help them."

This time, however, Mays was the head football coach. His first year the Bulldogs posted an average 4-4-0 season but better things were coming for the football team.

Then in June of 1968 while serving as a pallbearer in a relative's funeral, Carter felt a sting on the bottom of his foot and, after a checkup a few days later, the doctor cut into what he thought was an ordinary tumor. It wasn't.

It was discovered that Carter Mays had cancer and his left leg was amputated.

But he was back on the job for pre-season football in July coaching on crutches with the help of his newly hired assistant, Mike Langley.

He spent the 1968 season on crutches while leading Wadley to an 8-1 record. He conducted spring practice in 1969 before discovering just after the school year that the cancer doctors thought they had controlled had spread throughout his body.

"He was terribly sick," Hassell said. "But he never gave up hope. We put him on sick leave at the beginning of the last school year but after 14 days we had to dismiss him and hire Langley as the head coach."

But Carter Mays was not to miss a Wadley football game. An ambulance brought him to every game and he sat in his wheelchair and watched the Bulldogs continue to win in the tradition he had set forth one year earlier.

"He sort of gave us inspiration to play

harder," said halfback Craig Elliot, a senior who spent two years under coach Mays.

"I remember once against Reeltown I was not sure about which defense to call so I looked over to him and he would always shout out and let me know."

Carter Mays watched his last Wadley football game from the ambulance, too weak to even sit in his wheelchair. Monday he died at the age of 30 ending a long and courageous struggle.

Wednesday the town of Wadley took time out to say goodbye to one of its biggest supporters and dearest friends.

His wife Millie, his three-and-a-half year old daughter Salina, and almost the entire Wadley population of 400 attended the service in the First Baptist Church.

He had asked to be buried near the school and so, as the late afternoon sun sank behind the deserted Wadley football field just a few hundred yards away, Carter Mays was buried in the little graveyard that overlooks Wadley High School.

The townspeople finally drifted off into the evening and Wadley settled down to another wintry night.

But none would ever forget this still, quiet Wednesday afternoon.

A day when the entire town combined saying thanks with saying goodbye near the football field, where the only sound was the quiet of many memories.

#### PEANUTS

### HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. O'NEAL of Georgia. Mr. Speaker, since only 16 Members of Congress represent districts in which peanuts are grown, there is much misunderstanding about this valuable commodity which is the basis of the country's most popular sandwich.

There are many Members, for instance, who think peanuts grow on trees. Even those who know that they are not really nuts but legumes, which grow underground, still labor under the misconception that they form on the roots of the plant, like a potato or tuber.

The peanut story is interesting. It is especially well told in the latest issue of *Oklahoma Today*, in an article by Melba Daniel.

With apologies to my Oklahoma colleagues for "stealing" it so that it might be shared with all readers of the CONGRESSIONAL RECORD, I offer it at this time:

#### THE PEANUT VENDOR

If your concept of the peanut vendor is the classic one of a mustachioed man colorfully garbed, wearing a pointed hat, with a grind organ and a monkey on a leash, you'd never recognize him. For this fellow may be driving a pick-up truck. He may be wearing western jeans and a broad brimmed sombrero or drillers boots.

When he gets out of the pick-up, he carries no leash, but he may be carrying a rope with which to secure his irrigation hook-up to the truck for he must tow that monster apparatus to its next location where it will spray its liquid sunshine over another several acres.

Or you might see him delivering his crop to Anadarko, Holdenville or Wetumka. This



fellow is the real peanut vendor and he sells more peanuts in one season than the man with the monkey sold in his entire life.

There are some 7,000 such men in Oklahoma and they move into the production line-up, following closely behind wheat and cotton, occupying third place in total cash income of all crops produced in Oklahoma. Farming has never offered men guaranteed riches. There is always a considerable element of risk, but with an increase of 10,000 tons over the record crop of 1967, the value of the 1968 peanut crop was placed at more than 26.5 million dollars.

Used to be that anything low in price or insignificant was bought for "peanuts." But those days are gone forever. Peanuts are big business today—big business and big cash. In the past decade, they have nearly doubled in sales as a cash crop. Peanuts produce the highest gross income per acre of any field crop grown in Oklahoma and Oklahoma ranks sixth in peanut acres in the nation. The peanut farmer occupies this position in the market by design, not accident. Take a look at the image of today's Oklahoma peanut farmer. He is an educated, responsible man who actually spends from sixty to eighty hours a week in the field during planting and harvest. He keeps abreast of current developments, attends meetings, demonstrations, field days and reads articles on peanut production. He studies the soil, and sinks his savings into the ground.

After he has harvested his crop, he does not go into hibernation until spring. He plants cover crops of rye, vetch or wheat to build organic matter and protect his land from erosion. He checks and repairs his equipment, has his soil tested and remedies any faults, and makes arrangements for planting seed. He prepares the soil with fertilizers, with chemicals to control weeds and insects, mixing some into the soil before planting and some he sprays on from airplane, helicopter or tractor.

Ideally planted in sandy soil, peanuts grow where water flows and irrigation is becoming more popular every year. Having planted between May 20 and June 4, the grower usually starts irrigating about July 15 and continues until the middle of September. His water comes from creeks, flood control structures, farm ponds and wells.

There is more than one way of irrigating. Many still use pipes they move by hand but many are changing to the wheel move, a labor saving system. It has a motor and rolls from one area to another without the farmer having to move joints. The peanut plant uses about one-fourth inch of water a day and he tries to cover each area every seven days.

The peanut (*hypogaea arachis*) is not a nut but a relative of the bean and pea. The plant bears many small yellow blossoms which look like tiny butterflies. They wilt, angle down into the earth like geometric figures, and develop pegs of ovaries. The peanuts evolve on these and are formed underground.

These little goobers got their start a lot farther south than Dixie. When the Spanish reached South America in the early days of Conquest, they discovered peanuts. They shipped some home with the rest of their loot and later carried good supplies when they went raiding in Africa. There the sturdy little globe-trotters flourished, finally coming to the New World as one of the staple foods served on slave ships. Goobers? That's "ground nuts" in African.

George Washington Carver, in his agricultural revolution, made more than 300 products from peanuts. Peanuts traditionally have been used for nibbling, by everyone. They are fed to pigeons by old men, nibbled at the ball park, in peanut butter by boys and girls, etc.

Peanuts contain no cholesterol but comprise as much muscle building protein as

an equal amount of good cooked hamburger or cheddar cheese, seven times as much protein as milk, twice as much as the same weight of cottage cheese or fresh eggs. About two-thirds of the peanuts produced are used in edible products—chiefly peanut butter, candy, salted or roasted in the shell, served in various dishes at school lunch programs and ground into meal.

The remaining third is first crushed for the rich oil. The peanut contains more edible oil per ton than any other commercially grown crop. The uses for this oil include salad oils, dressings, margarine, vegetable shortening, and for packing fish. Low grades of the oil are used for making everything from machine oil to soap, cosmetics and even nitroglycerine. After the oil has been removed, the solids that remain are processed to make glue and textile fiber. Nothing of the peanut is wasted. The remaining residue is moistened and baked into peanut "cakes." These "cakes" make a valuable fertilizer, and cattle food. Even the shells are ground and used for making plastics and soil conditioners. Farmers use the peanut vines, shells, and the thin skins to feed their stocks. An acre of peanut plants yields about a ton of hay.

The peanut's versatility shows up even in the pharmaceutical world. Researchers report that flu vaccine which gives immunity for only one season may soon be replaced by a vaccine containing refined peanut oil that appears to provide protection for several years. The Merck Institute for Therapeutic Research has been testing this theory for seven years and is now seeking a license to make it available commercially.

Probably more All-American than apple pie, peanut butter outranks all other spreads as the favorite sandwich "fixings" for children. Although peanuts had been ground and mixed with honey or cocoa in South America for centuries, peanut butter as a North American food was apparently invented independently in 1890, by a St. Louis physician seeking an easily digested, high-protein food for some of his patients. Friends and relatives of the patients found they liked the new "health food" so well that by the early 1920's it had become a staple food throughout the nation. Now nearly one-fourth of all peanut butter is made from peanuts grown by Oklahoma farmers.

There was a time—and not so long ago either—when a peanut farmer was just another farmer, and cultivation was the crude "dig, polestack and trash" method. That's all changed, but he still has his problems. Life would be much simpler if he could forecast the weather and had x-ray eyes. It is important that the peanut plant be in the ground long enough to permit maximum yields to be reached through proper maturity before the fall frost. Peanuts continue to produce until stopped by the fall freeze, therefore, the longer the farmer can wait to harvest, the greater his yield.

Careful attention must be given to each part of the harvesting and drying process to prevent deterioration of quality. Today, a peanut digger, with flat-running blades clips the tap root just below the pod zone, lifts the peanuts from the ground and drops them in the row—digging, shaking and placing in windrows all in one operation. The inverter digger even drops them with the peanuts in an upright position. The peanuts dry in the windrow two or three days, then a combine picks the nuts off the vine, discards the vine (to be later baled for hay) and drops the peanuts in a bin. When the bin is full, it dumps them into a truck.

They are then hauled to a warehouse, where with more shaking and blowing the peanuts are cleaned and dried in carefully controlled conditions. There are a number of on-farm dryers, but the bulk of artificial drying is done by commercial dryers. When the peanuts are dry, a monstrous ma-

chine hovers over each load and plunges its long arm down into them, taking random samples for grading.

It takes money, equipment, and technical know-how to grow peanuts profitably. It is estimated that the total cost of raising 25.5 acres of peanuts is \$2,682.75, not counting the necessary equipment. Important peanut research is being carried on at research stations located near Fort Cobb, at Oklahoma State University, and the University of Tulsa.

The lowly goober pea which spends its growing life underground, finally meeting the light of day when it is harvested, receives the attention it so richly deserves at annual festivals honoring the peanut and the peanut farmer. Caddo County, Bryan County, and Hughes County all have annual peanut festivals and an annual Farmer's Field Day is sponsored in Madill.

The peanut vendor with the monkey had a decided nostalgic charm. Unfortunately he is disappearing, being replaced by vending machines. The Oklahoma Peanut Vendor, too, has outlived old-fashioned farming methods. He is a fascinating example of the resourcefulness that characterizes modern-day farming.

## SAD PERFORMANCE

### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. HELSTOSKI. Mr. Speaker, the House of Representatives has accepted the specious veto message dangled before it by the President in regard to the HEW appropriations bill. It was a sad performance on the part of the House.

Talking in platitudes, as is usual with the President, he shouted to the four corners of the Nation that the appropriations bill adopted by the Congress was inflationary. His laments about inflation are not unusual for him.

He just talks and talks and does nothing meaningful about inflation. In fact, during his administration we have seen inflation grow, grow, and grow. He wanted to cut Government spending to help brake inflation. The Congress agreed and went along with him by reducing his budget for the current fiscal year by \$5.6 billion.

In so doing, Congress restructured his budget by cutting expenditures in areas where cuts could best be borne. At the same time, it upped his requests for education and health by about 6 percent. All thinking people must agree that the Federal Government cannot be cheap or picayune about the education and health of our people. Even the President on occasion has clearly stated these are areas of Federal spending that we cannot afford to use the meat-ax approach on if many of the Nation's ills are to be corrected and cured.

So, in vetoing the necessary appropriations for education and health the President used the meat-ax approach under the guise of fighting inflation. Once again the President has reversed his field. We all know that is not unusual for him.

But more important than his reversal is the fact that the President is not fight-

ing inflation or cutting Government expenditures by his veto. He is just shifting the scenery.

Programs of education and health will be carried out by the States and municipalities without the Federal Government paying its fair share of the costs. Because of the Presidential veto, and the action of the House in sustaining it, the States and municipalities will be forced to dig deeper and deeper into the pockets of those they tax through the means available to them; and, in New Jersey, the great burden will fall on the already overburdened property taxpayers.

Through his veto the President has not taken a step to fight inflation. He is just shifting the costs from the Federal Government to State and local governments and virtually requesting them to put bigger tax bites on their people.

The American people have been given a fast shuffle by the President as he desperately tries to head off criticism because of his failure to halt or even brake inflation.

#### A BILL TO AMEND PUBLIC LAWS 815 AND 874

**HON. DAVE MARTIN**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. MARTIN. Mr. Speaker, I am today reintroducing a bill I first introduced in September of 1963 and again in January 1966 which would amend Public Laws 815 and 874 in order to bring them more in line with their original purpose.

I went back and researched the history of this program very carefully and have studied all of the hearings since the initial one in 1950. Proposed amendments to this legislation have been recommended at various times by Commissioners of Education who have served under both Republican and Democratic Presidents in testifying before the House Education and Labor Committee.

These laws had their genesis in late 1949 and early 1950 when the Subcommittee on Education of the House Education and Labor Committee conducted extensive hearings all across the country, the printed record of which extends to some 2,400 pages. In the report of that committee, it was stated that—

Federal assistance as called for in these recommendations is restricted to meeting the Federal responsibility only in these affected school districts; it is not intended to provide assistance that would be available under proposals for general Federal aid.

Over the years since 1950, however, due largely to various amendments, the program has become a kind of general aid to education, "under a poor formula" as one authority put it. While I would be opposed to a Federal program of general aid to education on principle, if we are to have such a program it should be drawn up, introduced, and debated on its own merits. It should not be foisted off on this Congress and on the public by hacking

up, amending, and distorting a bill designed to meet a limited and specific problem. It is with an eye toward eliminating some of the more serious inequities and unjustifiable provisions of these laws that I am proposing the following changes.

#### ELIMINATE ONE-HALF OF NATIONAL AVERAGE CONTRIBUTION RATE

First of all, my bill would eliminate the one-half of national contribution rate as an alternative basis for computing the "local contribution rate." At present, the local school district can use as its "local contribution rate" any one of three different figures—the amount spent per pupil from local revenue sources in "generally comparable" school districts within the State, one-half of the State average per pupil cost, or one-half of the national average per pupil cost in the continental United States.

This latter alternative should be eliminated since—

Such a rate bears no reasonable relation to the revenue losses or financial burdens occasioned for a particular school district by Federal property tax exemption. Its effect, indeed, is a Federal payment of the full cost per "A" category pupil to many school districts which receive in addition substantial State aid for these same pupils. (Statement of Francis Keppel, Commissioner of Education before the Select Subcommittee on Education, House Committee on Education and Labor, Apr. 2, 1963.)

The original purpose behind the one-half of national average contribution rate was to make the payments to school districts throughout the Nation more nearly equal. Before the amendment, there was a very wide discrepancy among payments to school districts in different States. This was due to the fact that Federal payments were based on local contribution rates, and in States where the State contribution to education was high, the local rates were low, and vice versa. It was felt by many to be inequitable for a State which contributed highly to education to be penalized by the terms of the act. Again, however, the present act is being confused with a program of general Federal aid to education.

As was said by Elliot L. Richardson, Assistant Secretary of Health, Education, and Welfare in 1958:

The relevant measure is that amount which will put the school district in the same situation as other school districts in the State.

The purpose of Public Laws 815 and 874 is to alleviate the burden caused by Federal activities; its purpose is not to equalize the quality of American education or to provide a gratuitous boon to fortunate school districts.

#### REDUCTION OF PAYMENTS FOR 3(B) "OUT" CHILDREN

The second change would provide that, in a situation where the parents work on tax-exempt Federal property but live in a school district other than the district in which the property is located, payment for each child would be reduced from 50 to 25 percent of the local contribution rate. Under the exist-

ing laws, all B category pupils are compensated for at the 50-percent rate, whether the Federal property is located within or without the district of residence. Yet, it is obvious that the burden is greater in the one case than in the other.

When both the Federal property and the residence are in the same school district—the B "in" pupil—school revenue per B pupil is cut one-half which comes from the residential property. On the other hand, when the Federal property is located outside the district of residence, there is no reduction due to Federal tax exemption. In many States, however, the contribution to local school districts from State tax funds is fairly substantial. Tax-exempt Federal property located anywhere in the State would reduce this State contribution to the local district. To compensate for this reduction, this bill does not entirely eliminate payments for B "out" pupils, but rather provides that they will be compensated for at a rate of 25 percent of the local contribution rate.

In addition, if payments were reduced when the Federal installation is not in the school district, there would be an incentive to consolidate school districts, a procedure generally supported by educators and others who have concerned themselves with the problems of the American school system.

#### THREE-PERCENT ABSORPTION REQUIREMENT

A third change would revive the 3-percent absorption requirement. In Public Law 874, as it stood in 1951, it was provided that the school district should absorb a number of federally connected students equal to 3 percent of average daily attendance, the theory being that the Federal installation brings certain benefits to the district which should offset to a certain extent the burden caused by the federally connected pupils. Implementation of this provision was postponed for a year in order to give the local school districts time to prepare for its effects. Yet, when it came time to put this section of the law into effect, the opposition of school district superintendents throughout the country was loud and vocal, since it would, of course, cut down, or in some cases eliminate, their allotment. As a result, the provision was again postponed and eventually eliminated. In its place, it was provided that there should be a 3-percent eligibility rather than an absorption requirement. Thus, a school district would receive payment for all federally connected pupils as soon as their number reached 3 percent of all pupils in average daily attendance. This provision is both inequitable in its effect and unjustifiable in terms of the original purpose of the laws. It is inequitable in that a district which has 3-percent federally connected pupils is compensated for all of them, while a district with 2.99 percent receives no help at all. What has been done, in effect, is to eliminate the absorption requirement in some cases and retain it in others. If the absorption requirement were revived, this inequitable situation would be remedied.



The provision is unjustifiable, since it fails to take into account the benefits which a Federal installation brings to a community. In the words of M. L. Reese, county manager, Montgomery County, Md., testifying in 1958 before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare:

The loss of assessable base resulting from incoming Federal installations is, to a great extent, offset by a general tendency of stimulation to local commerce and area property values.

Reviving the 3-percent absorption requirement would recognize these benefits.

#### ELIMINATION OF PAYMENTS UNDER PUBLIC LAW 874 WHEN PRESCRIBED ELIGIBILITY CONDITIONS ARE NOT MET

A further provision of my bill would eliminate the so-called Purtell amendment. This amendment, approved in 1958, provided that a school district that has met the 3-percent—or 6-percent—eligibility requirement in any year but fails to meet the requirement in the next 2 succeeding years is still eligible for payment for the actual number of federally connected children in average daily attendance in the school district the first year, and for 50 percent of such payment the second year. This is designed to lessen the strain on the school budget which would result from a sudden elimination of Federal funds. With a 3-percent absorption requirement substituted for the present 3-percent eligibility requirement, such a phasing out would, of course, no longer be necessary. The school district would only be receiving payments for those students in excess of 3 percent, not for all students or for none as at present.

Yet, even if the 3-percent eligibility requirement were to be continued, the Purtell amendment could not be justified. According to L. G. Derthick, Commissioner of Education, testifying on June 9, 1959, before the Subcommittee on Education of the House Committee on Education and Labor:

This amendment is manifestly discriminatory as respects a school district which barely meets the 3-percent condition of eligibility in a given year and barely fails to meet that condition in a subsequent year, as against another school district which barely fails to meet such eligibility condition in either year.

#### Furthermore:

Such phasing out of Federal payment is unnecessary since Section 3(f) of the law permits a one-year continuance of payments in the case of a decrease in the number of Federally-connected children for which a school district had reasonably prepared in anticipation of eligibility for Federal payment when such decrease is due to a cessation in Federal activities. (Statement of Francis Keppel, Commissioner of Education, before the Select Subcommittee on Education, House Committee on Education and Labor, April 2, 1963.)

Thus, the Federal Government would aid the local school district only when the need is a direct Federal responsibility. Again, it should be remembered

that this is not a general Federal aid to education program based on need, but, rather, it is a limited program to fulfill a specific Federal responsibility.

#### TO PREVENT THE REDUCTION OF STATE PAYMENT TO IMPACTED SCHOOL DISTRICTS

Finally, there are a number of States that reduce the local school district's entitlement from State funds when these local districts receive aid under the impacted areas program. The State of California is the best example of this. Under California law, 60 percent of the funds received by the local school districts under Public Law 874 are considered to be "local resources." Since the State contribution to the local school district is based on the local resources of the district, this provision has the effect of cutting down the State contribution to the local district by an amount equal to 60 percent of their entitlement under Public Law 874. As a result, the Federal Government is not only aiding the impacted school district, but may be providing a form of general aid to education in the State if the State funds that would have been available to the impacted school districts, if they had received no Federal payments, are used for other education purposes in the State.

My bill provides that Public Law 874 payments to the local school district are to be reduced by an amount equal to the reduction in the State entitlement. The State would thus be deterred from reducing its payment to federally impacted school districts.

I firmly believe that if these changes in the impacted areas legislation are adopted, a long step will have been taken toward making these laws both more equitable and more in line with their original purpose.

#### IMPORTS THREATEN TEXTILE INDUSTRY

#### HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. NICHOLS. Mr. Speaker, one of the problems facing the textile industry in Alabama and throughout the Nation is the growing number of imports from other nations. Many mills in my State have had to severely reduce both the number of employees and the number of hours of operation because of this problem. An outstanding spokesman for the textile industry, President Craig Smith of Avondale Mills, has written a timely editorial which appeared in his company's newspaper. I include the editorial from the Avondale Sun in the RECORD at this point:

MR. PRESIDENT, PLEASE DON'T FALL INTO A JAPANESE TRAP

President Nixon, during his campaign for the Presidency, sent a telegram to Republican members of the Congress in which he spoke of "the impact of dramatically increasing imports on the 2.4-million people di-

rectly employed in the nation's textile and apparel industries and countless additional thousands involved directly or indirectly in related activity."

In the same telegram, the President also said: "As President, my policy will be to rectify this unfair development and to assure prompt action to effectively administer the existing Long-Term International Cotton Textile Arrangement. Also, I will promptly take the steps necessary to extend the concept of international trade agreements to all other textile articles involving wool, man-made fibers and blends."

Since Mr. Nixon was elected President, he has publicly reaffirmed his intention to deal constructively with the textile import problem. I have complete confidence that he intends to do what he said he would do. During the past year, however, nothing has been done and the situation has worsened.

The imports which are doing the most damage to our industry, and which hold the threat of the most serious future damage, are coming from Japan. The booming Japanese economy has caused a labor shortage. Their rich textile industry is now building textile mills in other low-wage countries of Asia, Africa, and Central and South America. They expect to add a major part of this production to the flood of imports now coming to this country from their own country. Every yard of these textiles comes to the United States for one reason, and one reason only: They are made by people who are paid a wage which, by a wide margin, is illegal in the United States.

The Japanese completely rebuffed Secretary of Commerce Stans when he asked them to agree to some reasonable restraints. Now, because they are afraid the Congress may take action, the Japanese have indicated that they might be willing to discuss restraints on selected textile items. If our Government falls into this trap, the result will be worse than nothing. It will be worse than nothing because such an agreement will lead the public to think that the problem has been helped when it hasn't.

Most mills, here and abroad, can manufacture a range of fabrics and yarns. Suppose, for example, the Japanese should agree to restraints on the import of print cloths. They could then proceed to disrupt the sheeting market. American mills making sheeting would be forced off that fabric. The former sheeting mills would try to make something else, maybe print cloths. Whatever they were forced into, the effect on the American industry would continue to be disastrous. Unless limitations on specific textile items also include reasonable limitations on total textile imports, the specific restraints are worthless. They are worse than worthless. They are a snare and a delusion.

#### MAN'S INHUMANITY TO MAN—HOW LONG?

#### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 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 1,400 American prisoners of war and their families.

How long?

DOMESTIC OIL INDUSTRY APPEALS  
TO PRESIDENT

## HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. EDMONDSON. Mr. Speaker, a dark cloud of unknown destructive force is hanging over America's oil industry in the form of the report of the Cabinet Task Force on Oil Import Controls. The task force has completed a lengthy study of our present oil import control program—a program which has worked well for years in maintaining a stable supply of petroleum in the United States while guaranteeing some measure of health to the domestic industry.

The task force has submitted its report to the President, and, apparently, to selected members of the press, because its provisions have been generally reported in the press, although I know of no one who personally has seen a copy. If the press accounts are correct, implementation of the report's recommendations would be ruinous to our domestic industry.

The case for the domestic industry was stated logically and eloquently by the Independent Oil Producers and Land Owners Association of Indiana, Illinois and Kentucky, Inc., in an open letter to the President carried as a full-page advertisement in the Washington Post of January 20, 1970.

Mr. Speaker, I would like to have this open letter appear in the Record, and I hope all of my colleagues, whichever side of the issue they represent, take note of this strongly stated case.

The open letter follows:

TO OUR PRESIDENT, RICHARD M. NIXON  
EVANSVILLE, IND.

Volumes of testimony have been presented to your Task Force on Oil Imports. You have received hundreds of letters and telegrams. All generally following the same line of thought.

We the Independent Oil Producers and Refiners from America's heartland, Indiana, Illinois, and Kentucky, take this opportunity of calling the attention of yourself and the American oil consumer to a few facts and realities which others have probably heretofore not had the temerity to face.

Some forces and influences have, knowingly or otherwise, falsely misled the American laborer, labor unions, the public generally, and now are making misleading representations to yourself, after having intimidated Congress with a vote threat. Many Senators and Representatives have been so beset with pressure from these sources that they have already adopted tax measures very detrimental to us. They are now pressing for a lifting of limitations on crude oil imports and for tariffs.

Why? They try to convince the public and laboring man that it would mean cheaper gasoline for his automobile. There was never a greater fallacy.

Premium gasoline today sells out of the refinery at 12c to 13c per gallon, depending on location. This includes our expenditure of untold millions looking for oil, wildcatting if you please, with 80 to 90% of our attempts to find being failures; it includes our cost of drilling production wells when once a discovery is made and a large percent of discoveries prove to be financial failures in the end; it includes the cost of completion

of wells; equipping wells; treating the crude; transporting crude to the refineries; the cost of refining; the cost of blending and treating with additives and the cost of storage. For all these costs and many others incidental and not enumerated, the producers and refiners receive 12 to 13c per gallon for high grade gasoline.

Sure, the consumer pays over 40c per gallon. Why? In Indiana for example, and it is typical, 12c per gallon is immediately added for taxes. This equals the cost of search and discovery, production and refining. Next the jobber adds his cost. After that, the retailer adds his margins. We in the aggregate who do the lion's share of work and spend most of the money, receive 12 to 13c per gallon. Yet, the Independent producer and refiner in particular have become the whipping boys. Tax benefits which helped furnish capital for wildcatting, drilling and production have been repealed in part. The gospel is preached that if import limitations are removed or greatly relaxed, crude oil will go down as much as \$1 per barrel. It may temporarily. They say gasoline would reduce 2c per gallon, this too would be temporary at the most. Do not forget, gasoline leaves the refinery now at only 12 to 13c per gallon. You pay over 40c per gallon, but the great bulk of this money does not go to us as they would lead you to believe. Is anyone so naive as to think that if crude were reduced \$1 per barrel, that the 2c reduction in the price of gasoline would ever reach the consumer except temporarily. The odds are heavy that from the beginning it would be absorbed somewhere along the line. The governments themselves are already talking of raising the tax on gasoline 2c per gallon or more. Labor leaders who have been misled into putting pressure on their Senators and Representatives must further realize that wildcatting, production and refining employs thousands of men and women.

The wildcatter, producer and refiner receive scarcely any more for their product than they did during World War II and all the years subsequent. The loud proclamation of inflation has not found its way to them.

So bad has the financial squeeze and threat of an uncertain future become that hundreds of drilling rigs have been and are being scrapped and stacked; drilling crews have and are finding their way into other industry and more leave the oil fields and refineries every day because of the pending governmental threat to our industry; stripper wells are being plugged; wildcatting and production have and are losing their incentive. We operate on a narrow margin now and the lifting of import limitations, thus lowering the price of crude, will destroy us. We are not the "fat cat" of the industry as we so often hear. If any of this breed of cat exists, we do not know where they are and at best they would be the relics of an already bygone age. More properly, we could be called the "alley cats" if anyone desires to characterize us with a feline expression.

Consumption of petroleum has now exceeded 14,000,000 barrels per day. We are without a doubt an importing nation, such importing must be orderly and with restraint commensurate with the need. We cannot become a wholly importing nation of petroleum. This not only from the standpoint of national security as we so frequently hear, but also from the standpoint of peace. If we are destroyed as an industry, many large international producers (there are some exceptions) and the governments of those countries from whence comes so-called cheap crude, would jump to the opportunity and crude would no longer be cheap. Foreign cartels and monopolies, over which our government would have no control, would rapidly develop and the American consumer could soon look forward to the day when he would pay 80¢ to \$1.00 per gallon for gasoline,

as they did in Europe for many years and still do in many parts of the world. No, neither would we have petroleum for defense. Alaska is still conjecture and myth, far away, and presently and for many years to come, impractical to many parts of the United States.

Natural gas shortage is already being widely discussed. This because gas in the past has been discovered by the oil wildcatter largely by accident and not design. Gas price itself made drilling for it unattractive. When wildcatting for oil ceases, gas discovery will cease. Transportation of gas by tanker from foreign lands would cause it to be priced beyond the reach of most of us.

How will those in labor who are helping destroy us feel when that day arrives? How will the Senators and Representatives, wherever they may be, who have helped destroy us feel when that day arrives?

America can only survive by keeping a strong domestic producing and refining industry. The domestic search for oil must continue. The lifting of important limitations will be the death of American wildcatting and production. By the same token such could well be the death of America. To say the least, it would mean economic disaster to the petroleum consuming public.

We are small people but it is we who have traditionally found over 80% of America's new oil. We are not rich people but we know how to find oil and have the guts to try if we can be allowed to have just enough money to do so.

We are pleased that some major international oil companies have seen fit recently to come forward and declare that the Independent Oil Producer and the Independent Refiner must be preserved for the welfare of our nation and its Petroleum Industry.

We, the Independent Producer, cannot subsist on \$2.50 or even \$3.00 crude oil based on acceptable gravity. At such prices, we simply must quit the business of search and production. This is not argumentative but an economic statement of fact.

Mr. President, you alone can save us as an industry and to you we appeal for the opportunity to continue our work and help you save America as an economically independent and secure nation.

Respectfully,  
THE INDEPENDENT OIL PRODUCERS  
AND LAND OWNERS ASSOCIATION  
OF INDIANA, ILLINOIS AND KENTUCKY, INC.,  
D. F. McKEITHAN,

President.

LOOK WHO'S CRITICIZING  
INFLATION

## HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HUNT. Mr. Speaker, as many here know, the chairman of the Democratic National Committee, Fred Harris, is adept at having it both ways.

Most will recall when he was demanding instant withdrawal from Vietnam and at the same time warning that the Republicans would be held responsible if such a withdrawal resulted in defeat.

Nobody involved in the tax bill of last year can forget how the national chairman weaseled on the oil depletion allowance. As a self-professed liberal, he ran squarely into the fact that oil is vital to the economy of his home State.

Nobody has ever seen any evidence, either, that the national chairman has in the past taken any active step in



fighting crime. But now he wants to make the rising crime rate, brought on by 8 years of Democratic permissiveness, an issue in this year's election.

And finally, the national chairman, bless his thrifty soul, is suddenly against inflation, an interesting switch since his party's economic policies and irresponsible spending are the major cause of that inflation.

Mr. Speaker, the Democratic national chairman apparently thinks he can fool enough of the people enough of the time to help his party in this election year. That may be so, but he is having a tough time fooling the newspapers in his home State. This is an editorial from the Daily Oklahoman, which I submit now for the RECORD.

The editorial asks the pertinent question, which I doubt that the Democratic national chairman can answer.

Where in the Democratic Congress is there any convincing evidence that the Spartan austerity necessary to control the runaway budget can be found?

The editorial follows:

[From the Daily Oklahoman, Jan. 16, 1970]

LOOK WHO IS CRITICIZING INFLATION

(By E. K. Gaylord)

It's too much to expect a rational discussion of governmental finance within a political context, but the Democrats plainly are trying to have it both ways in making inflation their top election issue.

Speaking in his role as party chairman, Oklahoma's Sen. Fred Harris is condemning both the inflation and the Nixon administration's efforts to cope with it.

He draws a bead on the administration's monetary policy and says the resulting high interest rates are hampering rather than helping the fight against inflation. He points to the effect these high interest rates are having on the cost of carrying the national debt.

It's true that rising interest costs affect the federal government along with everybody else, and an increasing portion of the huge national debt is going into high-interest short-term paper because of the unrealistically low rates Congress prescribed for the government's long-term securities. It's true also that interest payments are mandatory and thus are part of a lengthening list of "uncontrollable" items in the budget.

But the basic reason for the higher federal interest burden is the towering growth of the debt itself. Its constant enlargement is attributable to an almost uninterrupted succession of deficits dating back to the New Deal. The responsibility for all this deficit financing rests almost wholly on Democratic administrations.

When President Eisenhower bowed out, the old administrative budget then in use was less than \$100 billion and the national debt was something over \$284 billion. During the Kennedy-Johnson years, federal spending more than doubled to \$200 billion as reckoned under the new "unified" budget which includes the receipts and disbursements of the various federal trust funds supporting social security and other governmental functions. The debt had grown to \$370 billion.

With this mushrooming growth of the debt, the cost of carrying it was bound to rise. Moreover, investors didn't need to be told that the dollar's future purchasing power would diminish drastically if the government continued to accumulate debt during the ensuing 10 years at the rate it had accumulated debt during the Kennedy-Johnson years. With that certainly in view, they demanded rates of interest that promised to

yield not only a reasonable immediate return but compensation as well for the dollar's anticipated future loss of purchasing power.

President Johnson's ill-starred effort to have both guns and butter resulted in a tremendous \$25 billion deficit in fiscal 1968. Even at a modest 3 per cent, the interest increase attributable to that single deficit would have added three quarters of a billion annually to the cost of carrying the debt.

In embracing what he calls the new populism, Sen. Harris indicates that the Democrats will campaign for easier money. But monetary ease unaccompanied by extreme fiscal restraint would result predictably in a new inflationary surge comparable to the one resulting from President Johnson's guns-and-butter budgets.

Where in the Democratic Congress is there any convincing evidence that the Spartan austerity necessary to control the runaway budget will be found? When all the political posturing and shouting has subsided, it will be a miracle if any real savings emerge in a federal spending rate now exceeding \$200 billion.

#### THE ARMS TRADE—PART X

### HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. COUGHLIN. Mr. Speaker, on December 2 of last year, I, along with 29 of my colleagues, introduced a resolution calling on the President to seek ways to curtail and control the \$5 billion yearly international trade in conventional weapons of war.

The need for international agreements to control this trade, for the airing of problems the trade creates, and for curbing the failures of our own military aid program has never been more evident. Nearly every day since we introduced our resolution there has been a leading article in the press detailing some provocative act involving the transfer of military equipment from one country to another. Since I and many others believe that it is in our national interest to bring some semblance of order to this field, I thought it might be helpful to my colleagues if the significant arms transactions and developments which have occurred or which have come to light since last December 2—a mere 2 months ago—were noted for the RECORD.

For a start, the U.S. Senate in mid-December overruled its own Foreign Relations Committee by voting to remove all restrictions on military aid to the Greek military dictatorship. In the same month, the Saudi Arabian Government, largely armed by the United States and Great Britain, decided to resume military aid to the Yemeni Royalists, thus reviving the near-dormant Yemeni civil war.

Also in December, it was revealed that Japan's heavy military buildup—largely encouraged by the United States—was frightening some of our Asian allies; that West Germany's largest military aircraft manufacturer, Vereinigte Flugtechnische Werke, plans to merge with Fokker, Holland's largest military aircraft manufacturer, in order to "be in a much better position to compete worldwide"; and that West Germany was, in

addition, developing a modern arms industry whose end products will soon find their way into the world's arms markets.

Also in December, the House of Representatives approved plans to sell \$54.4 million worth of F-4 Phantom jet fighter-bombers to Nationalist China. The Senate and, later, the House-Senate conference, however, rejected the scheme. Yet, in spite of this deadlock, Taiwan still got its jets: Namely, 18 F-104 Starfighters taken from United States "excess stocks." Apparently "excess" equipment such as this can be exported quite freely by the Defense Department without the need for prior approval from Congress.

In the last 8 weeks we have also learned that the Soviet Union plans to continue supplying arms to Castro; that France has broken its own embargo against belligerents in the 1967 6-day war by selling weapons and munitions to Iraq; and that another flaw was found in the U.S. Air Force's F-111 swing-wing attack jet fighter-bomber which has resulted in all F-111's in our arsenal being grounded indefinitely. It must be recalled that our Government, in its haste to improve its balance of payments, sold this aircraft to two of our most loyal allies, Britain and Australia. Our first sale so strained Britain's Exchequer that it contributed to the devaluation of the pound in 1967, and our other sale to Australia has already provoked several parliamentary inquiries seeking to find out why the Australian Government has been putting its financial resources to such poor use.

Furthermore, the State Department also published a study during this period which said, in effect, that arms embargoes generally fail to alter the embargoed country's policies. One possible reason the State Department could reach such a conclusion is that for at least the last 25 years embargoes placed on a country by the United States are invariably broken by the U.S. Government itself. For example, in 1965 the United States broke its own embargo against Pakistan and India less than 1 month after it was imposed. We also broke our arms embargo against the current Greek regime—before the Senate voted to remove all restrictions—and, technically, we have broken the 1963 United Nations embargo, which we supposedly support, against supplying arms to South Africa.

I cite these instances here not so much to question whether they are right or wrong, but rather to illustrate the crazy-quilt pattern of our policy.

But all these events and revelations are, in a sense, minor compared to the two big stories of the month, specifically the French-Israel "Gunboat Affair" and Libya's fevered arms buildup. Both stories have received widespread coverage in the press and I only wish to add a few thoughts of my own here.

As for the gunboat affair, Mr. Speaker, I believe Israel should have these boats and any other equipment she might need to defend herself. What bothers me in this instance is France's behavior and, by extension, the behavior of all arms suppliers in the world. It is clear that the French arms embargo against belliger-

ents in the 6-day war has been a sham from the start—see above; and that, like other countries, she is quite willing to break any embargo she imposes in order to make an arms sale. If, however, the Pompidou government was, in fact, ignorant of the affair from the start, as it claims it was, then we can only conclude that the entire arms trade is far more out of control, far more capable of provoking large-scale violence and conflict, than we ever dared think.

As for Libya, she is currently embarking on an estimated \$500 million arms buildup. Libya recently canceled many of the arms contracts she had with her old suppliers, Britain and the United States. Into the void has stepped none other than France, which just this month concluded several deals whereby Libya will buy—for a sum of money estimated in excess of the canceled American and British contracts—no less than 100—I repeat, 100—of France's latest jet fighters, including supersonic Mirages.

Mr. Speaker, Libya's air force in 1966—the latest year for which figures are available—numbered no more than 30 planes all told: Transports, trainers, light observation aircraft, and helicopters. Recently it received 10 U.S. F-5 freedom-fighter jets, three of which have already been destroyed by incompetent Libyan pilots. Somehow, France and Libya would like us now to believe that increasing the size of the Libyan air force by 300 percent with one of the most sophisticated jet aircraft in the world is a wise and prudent move.

France also claims that it has received a promise from Libya that the planes will not be reexported for use in the continuing Arab-Israeli conflict. This promise, I am convinced will be broken within 6 months after the first planes are delivered. To what possible use will the Libyans put these planes? Their borders are not threatened. Who will fly them? They have no properly trained pilots. Who will maintain them? They have no trained mechanics. I am convinced that these planes will end up being flown by Egyptian or Syrian pilots, or other mercenaries, against Israel.

Mr. Speaker, all this activity over the last 8 weeks emphasizes anew the need for the great powers, with the United States leading the way, to seek a large reduction in and increased control over the international trade in conventional arms. Again, I ask that the President of the United States do everything he can to bring some semblance of order to this field.

In these same weeks, many observers and publications have cited the madness of the current international trade in arms. Below are listed some of the more noteworthy instances:

First. In December 1969, the Stockholm International Peace Research Institute began distributing its first annual "Yearbook of World Armaments and Disarmament, 1968-69."

Second. Look magazine, in its December 2, 1969, issue, published an article which dealt in part with the arms trade entitled "The Wars in Your Future," by Senator J. WILLIAM FULBRIGHT.

Third. The January 1970 issue of Foreign Affairs carried an article entitled,

"Dilemmas of the Arms Trade," by Geoffrey Kemp, one of the world's foremost authorities on the arms trade.

Fourth. The January 1970 issue of Washington Monthly magazine carried a cover story on the arms trade entitled "American Arms Abroad," by George Thayer.

Fifth. On January 1, 1970, His Holiness, the Pope, gave a speech on world peace in which he called attention to the many powerful nations who have established their own economic stability by trading arms to poor countries lacking plows, schools, and hospitals.

Sixth. Roscoe and Geoffrey Drummond wrote a column published on January 2, 1970, entitled "The Shocking Costs of World Arms Race."

Seventh. The January 19, 1970, issue of Time magazine carried an article entitled "The Armorers of Araby."

## CATFISH FARMING NEW MONEY CROP

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. O'NEAL of Georgia. Mr. Speaker, the flavor, texture, and general quality of the true Georgia channel catfish is almost beyond comparison. When attempting to compare it with the ordinary catfish, it is like comparing the light from the headlight of a giant locomotive with the feeble glow of a firefly.

And, Mr. Speaker, the catfish are coming because recent discoveries and developments in the breeding of these catfish in captivity is bringing a new money crop our way.

Hopefully, we will be able to share them with the world through franchise restaurants.

In the meantime, I want my colleagues to have the opportunity of reading a fine article in the Market Bulletin, published by the Georgia Department of Agriculture, Tommy Irvin, Commissioner.

The article follows:

### CATFISH FARMING NEW MONEY CROP

(NOTE.—This article was compiled from information obtained from the following sources: "A Synopsis of Catfish Farming, U. of Ga., College of Agriculture Experiment Station; "Catfish, the Coming Crop," October 1969 Monsanto Magazine; Report of the Committee of One To Study Catfish Farming at Skidaway, Senator Roscoe Dean; and Catfish Farming, An Agricultural Enterprise, U.S.D.A. Soil Conservation Service.)

The lowly, big-mouthed, bewhiskered lunker known as the catfish is being discovered as a major food crop and money-maker for Georgia farmers. And the new raised, fed, and coddled cat is tasty and not so lowly as his older brothers.

Many people, especially in the South, have been enjoying catfish and hushpuppy suppers for years, but only recently have the possibilities of mass producing and processing the catfish been considered.

### ECONOMICALLY IMPORTANT

Channel catfish farming is becoming an important element in the economy of several southern and midwestern states.

The state of Georgia is in a strategic location to take advantage of the demand for catfish that now far outstrips the supply.

### GEORGIA WELL SUITED

The climate, topography and other production factors are ideal in Georgia for commercial catfish production. At the present time, less than 300 acres are under production in Georgia (excluding fish-out ponds) but there exists an estimated 15,000 acres that could be converted to commercial catfish production.

It was in the early 1900's that the culture of channel catfish began. But today, in Georgia, there are still only 16 commercial producers of catfish. The fledgling industry is, however, catching on fast.

### NEW POPULARITY

There are several reasons for the new popularity of catfish as a farm enterprise. One is the consumer demand. Companies have expressed interest in franchising catfish restaurants as well as making fresh fillet and frozen dinners available.

Another reason is often land unsuited for any other type of farming lends itself well to catfish.

And too, there is the return on your investment. (See chart accompanying this article.)

### FARMING FOR FISH

A farmer generally selects that land which is best suited for the crop he wishes to plant. The same principle should hold true for the fish farmer when he selects a pond site. If there is any question whether a site is suitable the county agent or Soil Conservation Service technician should be consulted.

Good quality water is essential for successful channel catfish farming. A deep well or spring is usually the best source of water, but a stream may be used.

### UTILIZE TOPOGRAPHY

The 16 channel catfish producers in Georgia all minimize construction cost by utilizing the natural topography of their land. The biggest problem encountered by producers using older ponds was the lack of harvest basins.

Channel catfish feed on plants, animals and bottom mud, but they can and are being trained to accept pelleted feed.

### RESEARCH

There is presently research being done in Georgia on catfish culture at Skidaway Institute of Oceanography, located on Skidaway Island, near Savannah.

The main goal of this research is to develop a system of rearing catfish in intensively stocked round tanks as opposed to the conventional pond culture method.

Further research in this area may help the catfish industry to develop as has the poultry industry by utilizing little land for big production.

Southerners have taught people from other parts of the country and world to enjoy many foods. Perhaps the catfish and hushpuppy supper will soon be as popular as southern fried chicken.

### PER-ACRE RETURNS FROM FISH AND AGRICULTURAL CROPS

Crop	Gross returns per acre	Net returns per acre
Rice	\$191.25	\$107.70
Soybeans (irrigated)	70.50	31.25
Soybeans (nonirrigated)	56.40	26.50
Oats	35.00	17.50
Catfish (intensive)	450.00	150.00
Catfish (fingerlings)	1,000.00	500.00
Golden shiners	307.00	200.00
Fathead minnows	300.00	200.00
Goldfish	1,000.00	500.00
Fee fishing (catfish)	1,000.00	350.00

Source: Meyer, Fred P., D. Leroy Gray, William P. Mathis, J. Mayo Martin, and B. R. Wells, "Production and Returns From the Commercial Production of Fish in Arkansas During 1966," University of Arkansas Agricultural Extension Service, 1967.



MARY SWITZER: WELFARE, WORK,  
AND WISDOM

## HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PUCINSKI. Miss Mary Switzer, head of the U.S. Department of Health, Education, and Welfare's Social and Rehabilitation Service, has announced her retirement after 48 years of Government service.

Mary Switzer is truly one of the most outstanding women of our time and certainly of the Federal Government. After a long and illustrious career in various agencies of Government, she has brought to her present position those rare administrative attributes recognized nationally by both the Federal Government and private agencies: Integrity, honesty, an eleemosynary character, all wrapped in hard work and wisdom.

Although we will miss the rare qualities and abilities of Miss Switzer, we wish her the best of everything in her retirement years and take comfort in the fact that she will continue her work in a private capacity as vice president of the World Rehabilitation Fund.

Mr. Speaker, I would like to place in the RECORD today the excellent tribute paid to Miss Switzer written by Mary Wiegiers of the Washington Post.

The article follows:

MARY SWITZER: WELFARE, WORK AND WISDOM  
(By Mary Wiegiers)

Since Mary Switzer "came to Washington with the Harding gang," eight Presidents have come and gone.

Through all those administrations, Mary Switzer was making a steady climb from a clerk's post in the U.S. Treasury Department to the job she holds today as head of the U.S. Department of Health, Education and Welfare's Social and Rehabilitation Service.

The SRS is an agency organized in 1967 with Miss Switzer as its first head. It combines welfare and social service programs with a total annual budget exceeding \$8 billion, and distributes funds to the needy, disabled, children and the aged. It also makes Miss Switzer the executive with the largest administrative responsibility of any woman in government.

Now at the age of 69, the tough-minded bureaucrat with the Boston accent is retiring. HEW Secretary Robert Finch announced yesterday that he is accepting her resignation "with regret," to be effective in mid-February.

As the announcement was being released, the gray-haired, sparkling-eyed Miss Switzer sat at a conference table outside her office and talked about her 48 years of government service.

She reflected on the future of the welfare program, and the landmark decision which merged welfare, rehabilitation and social services and what it could mean.

She recalled highlights from her career, the jobs she didn't get, the ones she did—like becoming the first person to organize a bacteriological and chemical warfare program, and the first to head federal programs for rehabilitation of the disadvantaged.

The beginning, she recalled, was pretty inauspicious. "I came in at the bottom as a junior economist in the division of statistics in the Treasury Department. If there's one thing I have no gift for, it's research." On the day the Graf Zeppelin flew over Washington, she was fired. But the Treasury Department

is "paternalistic" and took her back as a mimeograph operator.

That first setback didn't last long. By 1928, Mary Switzer was handling press intelligence for the Secretary of the Treasury. By 1934 she was assistant to the assistant secretary, who supervised the Public Health Service.

In '39, when the Public Health Service was transferred to the Federal Security Agency, forerunner of HEW, Miss Switzer became assistant to the administrator. During the war, she managed the Procurement and Assignment Services for Physicians, Dentists, Sanitary Engineers and Nurses. For her work she received the President's Certificate of Merit, the first of many honors.

She also organized a research program on bacteriological and chemical warfare. "I had to do it because, strangely enough in today's light, the Army and Navy wouldn't do it. They thought it was contrary to the Geneva Convention. I've often thought how terrible it was, that I did that though I didn't know. I don't see much difference between one weapon and another, though on the scale they're doing it today, it's unnecessary and unreal. Anyway we developed some good medical information valuable to researchers later on, so I suppose some good came out of it."

In 1950, Miss Switzer became head of the federal-state program for the rehabilitation of the disabled. Thirteen years later, she was made commissioner of the vocational rehabilitation administration, when HEW Secretary Anthony Celebrezze thought that rehabilitation ought to be co-equal with welfare. In 1967, Secretary John Gardner sold her on the idea of merging the two areas and she was appointed head.

That merging, she felt, was an important and wise step. What she'd like to see now is a merging of services for the individual on the local level.

"The next five years are years that need the thrust in the field to get much closer interaction of these services in the community." She would like to see the individual get medical needs, welfare assistance, disability training, and so on, all in the same place, and with all the bureaus working together.

"There has to be a willingness to give up sovereignty on everybody's part to give people what they have to have. There must be decentralization of authority to regions. This big government has to have some glue—has to put things together."

The SRS, she believes, is the part of HEW that is concerned about the individual. "It's like a southern mansion with three pillars. There's health on one side, education on the other and us in the middle."

"Health and education deal mainly with institutions. And sometimes the institutionalized structure stops before they ever see a person. SRS reaches down to the individual."

"One of the most exciting exposures to involvement was with the National Welfare Rights Organization people. During the Poor People's march, we met with them or their representatives every day for a month."

"The greatest eye opener of that was the difficulty they had getting something done on the local level."

Miss Switzer lives in Alexandria and has made it a point to take part in community affairs there. "It's essential if you have a job like mine, where you are telling people what to do in the communities. It's one thing to tell people what to do, but to do it yourself is to find out how difficult it really is."

"In the Rehabilitation Administration, I had every letter of complaint followed up immediately. Now I've adopted that program in welfare, but I've found the welfare people are not as responsive. I suppose after years in the field they become kind of tough."

On the welfare program, Mary Switzer is a firm believer that "people shouldn't get something for nothing. I think we made the

biggest mistake when we saw the welfare load growing, when we didn't emphasize work."

She added that work must be made dignified and meaningful again, as it's not been "in this age of permissiveness."

"I think that one good part about Mr. Nixon's welfare program is that it doesn't put a premium on breaking up homes." In the past, she explained, a man didn't work if, for instance, he had a wife and three children, because he could get more money for his family by deserting them and letting them get welfare.

"I don't see anything else that will change the present psychology of not minding dependency, except to make it more attractive to be employed."

Miss Switzer, herself, is going to continue to be employed after her retirement. On Dec. 2, she was elected vice president of the World Rehabilitation Fund, and when she leaves government service in February, she'll set up an office at 1 Dupont Circle for the fund.

She'll also work with the Association of schools for Allied Health Professions in Washington.

"But if I want to take a day off, I'll be able to. When I feel like cooking my spiced gooseberry preserves and yellow tomato preserves, I can."

Her HEW office is filled with more than 40 awards she has received, among them the Albert Lasker award and the National Civil Service award. Sixteen colleges have given her honorary degrees. She is the first woman to serve on the board of directors of Georgetown University, and the first woman to be appointed trustee of Assumption College.

Miss Switzer was born in Newton, Mass. Her parents came from Ireland. About the one disappointment in her life was that she didn't become assistant director of the mint, a job she badly wanted at the time. "Nellie Tayloe Ross was director then, and she said no. She didn't want another woman around her. When I think of what a dead end that job would have been . . ." said Miss Switzer, her voice trailing off.

## BIPARTISAN MAJORITY OF HOUSE OF REPRESENTATIVES SIGN DEC- ARATION IN SUPPORT OF PEACE IN THE MIDDLE EAST

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. CELLER. Mr. Speaker, 228 Members of the House of Representatives, both Republicans and Democrats, have signed a declaration in support of peace in the Middle East. The text of the declaration and the names of the signatories follow:

## DECLARATION IN SUPPORT OF PEACE IN THE MIDDLE EAST

We, the undersigned Members of the United States Congress, declare: A just and lasting peace in the Middle East is essential to world peace.

The parties to the conflict must be parties to the peace achieved by means of direct, unhampered negotiations. We emphasize these significant points of policy to reaffirm our support for the democratic State of Israel which has unremittably appealed for peace for the past 21 years. Our declaration of friendship for the State of Israel is consistent with the uninterrupted support given by every American President and the Congress of the United States since the establishment of the State of Israel.

It is not in the interest of the United States or in the service of world peace to create the impression that Israel will be left defenseless in face of the continuing flow of sophisticated offensive armaments to the Arab nations supplied by the Soviet Union and other sources. We thus adhere to the principle that the deterrent strength of Israel must not be impaired. This is essential to prevent full-scale war in the Middle East.

All the people of the Middle East have a common goal in striving to wipe out the scourges of disease, poverty, illiteracy and to meet together in good faith to achieve peace and turn their swords into ploughshares.

Abbott, Watkins M. (Va.)  
 Adams, Brock (Wash.)  
 Addabbo, Joseph P. (N.Y.)  
 Albert, Carl (Okla.)  
 Alexander, Bill (Ark.)  
 Anderson, Glenn M. (Calif.)  
 Annunzio, Frank (Ill.)  
 Ashley, Thomas L. (Ohio)  
 Aspinall, Wayne N. (Colo.)  
 Baring, Walter S. (Nev.)  
 Barrett, William A. (Pa.)  
 Beall, J. Glenn, Jr. (Md.)  
 Bell, Alphonzo (Calif.)  
 Beville, Tom (Ala.)  
 Biaggi, Mario (N.Y.)  
 Biester, Edward G., Jr. (Pa.)  
 Bingham, Jonathan B. (N.Y.)  
 Blanton, Ray (Tenn.)  
 Blatnik, John A. (Minn.)  
 Boggs, Hale (La.)  
 Boland, Edward P. (Mass.)  
 Bolling, Richard (Mo.)  
 Brademas, John (Ind.)  
 Brasco, Frank J. (N.Y.)  
 Brock, W. E. (Bill) (Tenn.)  
 Broomfield, William S. (Mich.)  
 Brown, George E., Jr. (Calif.)  
 Broyhill, Joel T. (Va.)  
 Buchanan, John (Ala.)  
 Burke, James A. (Mass.)  
 Burton, Phillip (Calif.)  
 Button, Daniel E. (N.Y.)  
 Byrne, James A. (Pa.)  
 Cabell, Earle (Tex.)  
 Carey, Hugh L. (N.Y.)  
 Casey, Bob (Tex.)  
 Cederberg, Elford A. (Mich.)  
 Celler, Emanuel (N.Y.)  
 Chisholm, Shirley (N.Y.)  
 Clark, Frank M. (Pa.)  
 Cohelan, Jeffery (Calif.)  
 Collier, Harold R. (Ill.)  
 Conable, Barber B., Jr. (N.Y.)  
 Conte, Silvio O. (Mass.)  
 Conyers, John, Jr. (Mich.)  
 Corman, James C. (Calif.)  
 Coughlin, R. Lawrence (Pa.)  
 Cowger, William O. (Ky.)  
 Cramer, William C. (Fla.)  
 Cunningham, Glenn (Nebr.)  
 Daddario, Emilio Q. (Conn.)  
 Daniels, Dominick V. (N.J.)  
 Davis, John W. (Ga.)  
 Delaney, James J. (N.Y.)  
 Denney, Robert V. (Nebr.)  
 Dent, John H. (Pa.)  
 Devine, Samuel L. (Ohio)  
 Dingell, John D. (Mich.)  
 Donohue, Harold D. (Mass.)  
 Dorn, Wm. Jennings Bryan (S.C.)  
 Downing, Thomas N. (Va.)  
 Dulski, Thaddeus J. (N.Y.)  
 Duncan, John J. (Tenn.)  
 Dwyer, Florence P. (N.J.)  
 Edmondson, Ed (Okla.)  
 Edwards, Don (Calif.)  
 Edwards, Edwin W. (La.)  
 Ellberg, Joshua (Pa.)  
 Eshleman, Edwin D. (Pa.)  
 Fallon, George H. (Md.)  
 Farbstern, Leonard (N.Y.)  
 Fawcett, Dante B. (Fla.)  
 Feighan, Michael A. (Ohio)  
 Fish, Hamilton, Jr. (N.Y.)

Fisher, O. C. (Tex.)  
 Flood, Daniel J. (Pa.)  
 Flowers, Walter (Ala.)  
 Foley, Thomas S. (Wash.)  
 Ford, Gerald R. (Mich.)  
 Ford, William D. (Mich.)  
 Fraser, Donald M. (Minn.)  
 Friedel, Samuel N. (Md.)  
 Fulton, James G. (Pa.)  
 Fulton, Richard (Tenn.)  
 Galifianakis, Nick (N.C.)  
 Gallagher, Cornelius E. (N.J.)  
 Garmatz, Edward A. (Md.)  
 Gaydos, Joseph M. (Pa.)  
 Gettys, Tom S. (S.C.)  
 Gialmo, Robert N. (Conn.)  
 Gibbons, Sam (Fla.)  
 Gilbert, Jacob H. (N.Y.)  
 Green, William J. (Pa.)  
 Griffiths, Martha W. (Mich.)  
 Grover, James R., Jr. (N.Y.)  
 Gubser, Charles S. (Calif.)  
 Gude, Gilbert (Md.)  
 Hagan, G. Elliott (Ga.)  
 Halpern, Seymour (N.Y.)  
 Hanley, James M. (N.Y.)  
 Hanna, Richard T. (Calif.)  
 Harvey, James (Mich.)  
 Hays, Wayne L. (Ohio)  
 Hechler, Ken (W. Va.)  
 Helstoski, Henry (N.J.)  
 Hicks, Floyd V. (Wash.)  
 Hogan, Lawrence J. (Md.)  
 Hollifield, Chet (Calif.)  
 Horton, Frank (N.Y.)  
 Howard, James J. (N.J.)  
 Hull, W. R., Jr. (Mo.)  
 Hungate, William L. (Mo.)  
 Hunt, John E. (N.J.)  
 Hutchinson, Edward (Mich.)  
 Johnson, Albert W. (Pa.)  
 Johnson, Harold T. (Calif.)  
 Jonas, Charles Raper (N.C.)  
 Jones, Ed (Tenn.)  
 Karth, Joseph E. (Minn.)  
 Kastenmeier, Robert W. (Wis.)  
 King, Carleton J. (N.Y.)  
 Koch, Edward I. (N.Y.)  
 Kuykendall, Dan (Tenn.)  
 Kyros, Peter N. (Maine)  
 Landrum, Phil M. (Ga.)  
 Langen, Odin (Minn.)  
 Leggett, Robert L. (Calif.)  
 Long, Clarence D. (Md.)  
 Lowenstein, Allard K. (N.Y.)  
 Lukens, Donald E. (Ohio)  
 McCarthy, Richard D. (N.Y.)  
 McClory, Robert (Ill.)  
 McCloskey, Paul N., Jr. (Calif.)  
 McCormack, John W. (Mass.)  
 McDade, Joseph M. (Pa.)  
 McDonald, Jack H. (Mich.)  
 McFall, John J. (Calif.)  
 McKneally, Martin B. (N.Y.)  
 Macdonald, Torbert H. (Mass.)  
 MacGregor, Clark (Minn.)  
 Madden, Ray J. (Ind.)  
 Meeds, Lloyd (Wash.)  
 Meskill, Thomas J. (Conn.)  
 Mikva, Abner J. (Ill.)  
 Miller, George P. (Calif.)  
 Minish, Joseph G. (N.J.)  
 Mink, Patsy T. (Hawaii)  
 Moorhead, William S. (Pa.)  
 Morgan, Thomas E. (Pa.)  
 Morse, F. Bradford (Mass.)  
 Mosher, Charles A. (Ohio)  
 Murphy, John M. (N.Y.)  
 Murphy, William T. (Ill.)  
 Nelsen, Ancher (Minn.)  
 Nix, Robert N. C. (Pa.)  
 O'Hara, James G. (Mich.)  
 O'Neill, Thomas P., Jr. (Mass.)  
 Ottinger, Richard L. (N.Y.)  
 Passman, Otto E. (La.)  
 Patten, Edward J. (N.J.)  
 Pelly, Thomas M. (Wash.)  
 Pepper, Claude (Fla.)  
 Perkins, Carl D. (Ky.)  
 Philbin, Philip J. (Mass.)

Pickle, J. J. (Tex.)  
 Pike, Otis G. (N.Y.)  
 Podell, Bertram L. (N.Y.)  
 Pollock, Howard W. (Alaska)  
 Price, Melvin (Ill.)  
 Pucinski, Roman C. (Ill.)  
 Quile, Albert H. (Minn.)  
 Quillen, James H. (Tenn.)  
 Randall, William J. (Mo.)  
 Rees, Thomas M. (Calif.)  
 Reuss, Henry S. (Wis.)  
 Rhodes, John J. (Ariz.)  
 Riegle, Donald W., Jr. (Mich.)  
 Robison, Howard W. (N.Y.)  
 Rodino, Peter W., Jr. (N.J.)  
 Roe, Robert A. (N.J.)  
 Rogers, Byron G. (Colo.)  
 Rooney, Fred B. (Pa.)  
 Rooney, John J. (N.Y.)  
 Rosenthal, Benjamin S. (N.Y.)  
 Roth, William V. (Del.)  
 Roudebush, Richard L. (Ind.)  
 Roybal, Edward R. (Calif.)  
 Ryan, William F. (N.Y.)  
 St. Germain, Fernand J. (R.I.)  
 St. Onge, William L. (Conn.)  
 Sandman, Charles W., Jr. (N.J.)  
 Saylor, John P. (Pa.)  
 Scheuer, James H. (N.Y.)  
 Schneebeli, Herman T. (Pa.)  
 Shriver, Garner E. (Kans.)  
 Sikes, Robert L. F. (Fla.)  
 Sisk, B. F. (Calif.)  
 Slack, John M. (W. Va.)  
 Smith, Henry P., III (N.Y.)  
 Stokes, Louis (Ohio)  
 Stratton, Samuel S. (N.Y.)  
 Stubblefield, Frank A. (Ky.)  
 Teague, Charles M. (Calif.)  
 Thompson, Fletcher (Ga.)  
 Thompson, Frank, Jr. (N.J.)  
 Tiernan, Robert O. (R.I.)  
 Tunney, John V. (Calif.)  
 Udall, Morris K. (Ariz.)  
 Utt, James B. (Calif.)  
 Vanik, Charles A. (Ohio)  
 Vigorito, Joseph P. (Pa.)  
 Waggoner, Joe D., Jr. (La.)  
 Waldie, Jerome R. (Calif.)  
 Watkins, G. Robert (Pa.)  
 Watts, John C. (Ky.)  
 Weicker, Lowell P., Jr. (Conn.)  
 Whalen, Charles W., Jr. (Ohio)  
 White, Richard C. (Tex.)  
 Whitehurst, G. William (Va.)  
 Widnall, William B. (N.J.)  
 Williams, Lawrence G. (Pa.)  
 Wilson, Bob (Calif.)  
 Wolff, Lester L. (N.Y.)  
 Wright, Jim (Tex.)  
 Wyder, John W. (N.Y.)  
 Wyman, Louis C. (N.H.)  
 Yates, Sidney R. (Ill.)  
 Yatton, Gus (Pa.)

## TWO OUT OF THREE SUPPORT NIXON ON VIETNAM

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. LANDGREBE. Mr. Speaker, the Gallup poll continues to show that the President has a high level of public support for his policies in Vietnam.

It is clear from the poll that most Americans continue to prefer a just and honorable peace and are opposed to any withdrawal that would see the United States failing to live up to its commitments.

The poll, which appeared in the Washington Post today, follows:



**THE GALLUP POLL: TWO OUT OF THREE  
SUPPORT NIXON ON VIETNAM**  
(By George Gallup)

PRINCETON, N.J.—Support for President Nixon's Vietnam policies is holding firm, with 65 percent of Americans interviewed in the latest Gallup survey saying they approve of the way he is handling the situation.

Disapproval comes from 24 percent, while another 11 percent do not express an opinion.

Interviewing for the latest survey, in which 1460 adults were reached in personal interviews, was conducted Jan. 16-19. The previous survey on the subject, conducted Nov. 14-17 following the President's Nov. 3 speech to the nation on Vietnam, produced the closely comparable approval rating of 64 percent.

The approval ratings given the President in the January and November surveys represent his highest scores to date.

President Nixon's announcements of troop withdrawals have won him considerable support. In addition, Americans for the most part feel he is doing everything he can to bring about an early end to the war. However, the high vote of approval currently accorded him does not necessarily represent total endorsement of his Vietnam policies.

A recent Gallup survey showed 41 percent of people interviewed in favor of the immediate withdrawal of all troops or their withdrawal by the end of the current year. Another 11 percent favored sending more troops to Vietnam and stepping up the fighting, while 40 percent said that troops should be withdrawn at a rate commensurate with South Vietnam's ability to take over the fighting.

Following is the question asked in the current survey in approximately 300 localities across the nation:

Do you approve or disapprove of the way President Nixon is handling the situation in Vietnam?

(In percent)

	Approve	Disapprove	No opinion
Latest.....	65	24	11
November <sup>1</sup> .....	64	25	11
October.....	58	32	10
September (late).....	52	32	16
September (middle).....	45	40	15
August.....	54	28	18
July.....	53	30	17
June.....	52	24	24
May.....	48	27	25
April.....	44	24	32
March.....	44	26	30

<sup>1</sup> November 3 Vietnam speech.

Most likely to express approval are men, persons with a college background, respondents who are 30 years of age and older, persons living in the Midwest or South and Republicans.

**SPECTRUM CONGESTION**

**HON. WILLIAM L. HUNGATE**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HUNGATE. Mr. Speaker, land-mobile radio communications have become increasingly important to small businesses and services throughout our Nation. Fair allocation of the radiofrequency spectrum must be made to meet their needs. I believe my colleagues will be interested in the following analysis of the controversial Stanford research report on spectrum congestion:

**SRI REPORT ANALYSIS: AN EXAMINATION AND APPRAISAL OF THE CONTROVERSIAL STANFORD RESEARCH REPORT ON SPECTRUM CONGESTION**  
Stanford Research Institute complicated rather than simplified the FCC's problems with *A Study of Land Mobile Spectrum Utilization*.

The SRI report can be stated succinctly. By monitoring all land mobile channels SRI has found some frequencies occupied the majority of the time while other available frequencies appear to be used only a small percentage of the time. By moving some licensees from heavily used channels to lightly used channels, the time of occupancy can be distributed evenly among all channels. Thus, says SRI, congestion will be relieved. This reasoning appears straightforward and easily acceptable.

The positive tone of the report will create pressures for the FCC to solve land mobile congestion within the Stanford framework. Policy makers may assume reallocation of spectrum for land mobile can be avoided or deferred indefinitely.

Before jumping on the SRI bandwagon, or under it, one should be aware of three caveats. First, the spectrum management proposals advanced by SRI would sharply increase the FCC's annual budget requirements, perhaps to double today's levels. Second, the complex computerized management system required to implement this proposal could take three to five years to develop. Thus, given budget approval in 1971, the FCC might not produce its first results until 1976.

Third, SRI recognizes this system could be merely a temporary means of stemming "today's critically congested spectrum in the New York City region," and, "tomorrow's certain congestion in other cities."

While the importance of these factors varies with partisan position in the spectrum controversy, the scientific value of SRI's effort deserves independent judgment.

This critique attempts to answer two questions regarding SRI's approach to the problem:

1. Is even distribution of the occupancy of land mobile channels achievable or practical?

2. Are all 1,854 land mobile channels available for assignment in a given region to complete the redistribution of users?

**MALDISTRIBUTION A MALADY?**

SRI uses the term "maldistribution" to mean that land mobile channels, bands and services do not have an equal level of occupancy, i.e., time in which the channel was monitored to be in use. The 247,000,000 data bits accumulated by SRI are sufficient evidence of variations in distribution. Before characterization of this inconsistency as "maldistribution", it must be proven or assumed that even distribution is the correct or best state.

It is important to recognize that SRI assumes rather than proves this point perhaps ignoring pertinent factors which justify variable channel occupancy. Can a fire channel even occupied during normal periods be useful when a fire occurs? Should a police frequency used for stake-out periods and surveillance have the same occupancy as a general police dispatch channel? Should occupancy of a taxicab channel be reduced (to obtain even occupancy) although this service operates efficiently with over 100% occupancy?

These and many similar questions arise to challenge the SRI assumption that equalized occupancy is meritorious. Can occupancy be simplified to consider only one level for public safety and another for other land mobile users? Can power level and special use restrictions be eliminated or ignored?

SRI may not have reached an improper conclusion, but it has not probed sufficiently to justify its position on equalized occupancy or to characterize existing conditions as a malady.

**ARE 1,854 LAND MOBILE CHANNELS AVAILABLE?**

Another SRI assumption akin to the "maldistribution" idea is that all 1,854 land mobile channels are "available" for user redistribution in any urban area. SRI thus reasons that occupancy levels on all land mobile channels should be equalized to eliminate congestion. By using 1,854 "available" land mobile channels to redistribute users for even occupancy, congestion will be relieved.

For this reasoning to be valid SRI must demonstrate that all 1,854 channels are "available" and any current deviations represent improper spectrum management.

SRI must eliminate five "causes of maldistribution" in order to provide "availability" of all 1,854 channels:

**Low Band Procedures**—SRI assumes that FCC rules regarding the geographical allocation plan for low band (30-54 MHz) channels preclude their use in the urban area. Ergo, change the procedure on low band assignment and the low band channels are available.

**Comment:** SRI should have determined if reasons other than FCC procedures limit the use of low band frequencies in the urban environment. If urban noise, buildings and terrain factors would limit or preclude use of low band channels in the city, these channels cannot be considered part of the available pool.

**Excessive Coverage**—SRI notes that the "excessive coverage" of systems outside the urban area precludes use of these channels in the urban area. Providing coverage control, says SRI, will make these channels available for reassignment in the urban area.

**Comment:** The term "excessive coverage" is never defined, and only one reference suggests how SRI determines excessive coverage. (Final Report, Part A, pgs. 40-41.)

The assumption is made that when a channel not assigned in Manhattan was monitored with significant peak and average occupancy it "indicates that the coverage areas of some of these systems were excessive."

As an example of the type of situation which could fall under this concept of excessive coverage, a 150 MHz band system with 100 foot base antenna height and 60 watts RF power provides a nominal base-to-mobile range of 15 miles, certainly not excessive. The appearance of excessive coverage results from SRI's monitoring location—in its Manhattan test—790 feet above ground. From this vantage point SRI would monitor our hypothetical station's transmissions at a distance of 50 miles. Rather than excessive coverage, this factor should be considered as a limitation to any monitoring procedure which does not consider all transmitters out to the horizon.

**Unassigned Tertiaries**—SRI identifies many unassigned "tertiary" frequencies with low occupancy within the urban area. SRI considers these tertiary channels available as part of the 1,854 channels.

**Comment:** It does not appear that SRI takes cognizance of the accumulated evidence that, at present day state-of-art, physical separation between adjacent channels (30 KHz) and (15 KHz) tertiary frequencies is required to preclude mutually destructive interference.

**Only US Designators**—SRI does appropriately describe a variable channel loading factor in stations licensed for use within the continental United States. The extent of this practice is not sufficient to create a severe problem in any one locale.

**Grossly Different Occupancy Patterns in**

**450 MHz (split channel) Base and Mobile Segments**—SRI notes that monitoring establishes a relatively high rate of occupancy for base station frequencies while there is little or no occupancy on the mobile frequencies. SRI suggests diversion of a quantity of channels from mobile to base usage, increasing their availability for the redistribution process.

Comment: Logic should have warned the SRI research team that something was "rotten in Manhattan." The 450 MHz split channels are generally used for mobile relay operation. A base station frequency such as 462.275 is paired with mobile frequency 467.275. The mobile relay station rebroadcasts mobile transmissions on the base station frequency. A control station receives the mobile's message on the base frequency, responding on the mobile frequency. Again this message is rebroadcast by the relay station. In other words, in the majority of 450 MHz split channel systems the base station transmission is a rebroadcast of a mobile frequency transmission. Alternate system design would place all base and mobile transmitters on the base frequency. The disproportionate occupancy rates developed by SRI's monitoring should have been an immediate warning that the monitoring system was not adequate to receive all mobile or control station transmissions.

It should be remembered that the majority of 450 MHz mobile equipment has a power output of from 15-18 watts rather than the 30 watts assumed in the SRI detection model. In all bands, portable, industrial, motorcycle, handcarried and low-powered mobile equipment with 3-10 watts output are common.

There is no way to duplicate the time and circumstances under which these data were developed. It is impossible to determine the extent to which similar errors in the probability model or the actual monitoring may have affected the data base. The data probably shows less channel utilization than actually occurred.

SRI's exploration of these five "causes of maldistribution" is insufficient to justify a conclusion that considerably greater channel availability can be achieved through improved spectrum management techniques, monitoring, occupancy equalizing, etc.

Further comment on the details of the study can be expected from serious students of spectrum utilization and professional frequency coordinators. This general critique should not foreclose detailed, service-by-service investigation.

Despite its faults, this study is significant. Its shortcomings illustrate the constraints imposed by a limited objective. Its strength rests on a pioneer effort to develop new data for frequency management.

The limited study objective—develop concepts for frequency assignment procedures "that would significantly improve the utilization of the radio spectrum assigned to the land mobile services"—reduces the value to the study. This objective forces SRI to assume significant improvement was possible and that no additional spectrum space would be made available to land mobile.

At the same time SRI has pointedly established that congestion does in fact exist, and that block allocations and standardization of radio channels and radio equipment should be continued.

It is important to note that Stanford says, "... the study did not consider the question of additional spectrum space for the land mobile services. . . ."

SRI goes on to hypothesize that a national policy of extensive exploitation of all aspects of land mobile, "would necessitate freeing blocks of VHF and UHF spectrum from other uses and allocating them to the land mobile services."

A national policy encouraging full scale use of mobile radio is not achievable with the system proposed by Stanford Research Institute. Considering the technical deficiencies noted earlier, it is unlikely the SRI proposal can achieve its limited goal of providing temporary relief from congestion.

Additionally, the cost and time frame to implement these proposals defeat their intended purpose of providing interim relief for congestion.

Thus, on serious analysis it is evident that *A Study of Land Mobile Utilization* fails to provide a ready answer to the spectrum problem.

## THE NCAA—MASTER OR SERVANT?

### HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. GIAIMO. Mr. Speaker, earlier this week our colleague, the gentleman from Illinois (Mr. MICHEL) and I introduced House Resolution 802, which calls for the creation of a Select House Committee to conduct a thorough investigation of the National Collegiate Athletic Association. We intend to reintroduce this resolution on Monday, February 2, and we urge all those who care about the future of intercollegiate athletics in this country to join us at that time.

Mr. Speaker, no one can deny the value of amateur athletics in America as a builder of men and as a bridge to better understanding among the peoples of the world. How often have we seen the disadvantaged young man or woman achieve success through athletic ability and desire? How often have we seen our schools and our communities forget their inner divisions and differences to unite in support of athletic teams? How often have we said, while watching the Olympic Games or the U.S.-U.S.S.R. track meet, for instance, "How wonderful it would be if all people could live in the atmosphere of respect and friendship in which these athletes compete?"

The foundation of amateur athletics in the United States is, of course, the college campus. It is here that the athlete may receive his finest training and face his greatest athletic challenges. It is here that Olympic champions are developed. Most importantly, it is here that athletes learn lessons that will help them all through their lives.

Unfortunately, intercollegiate athletics have become "big business" in certain places. This has resulted all too often in a multitude of evils; recruiting infractions, illegal payments to athletes, exploitation of stars, commercialism, and a general athletic overemphasis have occurred more and more frequently in recent years. In light of this, an organization such as the NCAA is needed in order to oversee athletics and punish those who violate the standards of amateurism and fair play.

With this power, Mr. Speaker, the NCAA can exert tremendous influence on its member colleges and universities. Its punitive actions can have an overwhelming effect on the financial condition and overall morale of these institutions.

Recent developments have caused many people to question whether the NCAA is using its power properly and fairly. I am concerned because the NCAA has seemingly forgotten that the primary purpose of intercollegiate athletics is the betterment of the individual athletes and their schools.

The recent case of Jack Langer, a basketball player at Yale University, involves an apparently arbitrary refusal by the NCAA to sanction the basketball tournament of the Maccabiah Games in Israel, despite the fact that the tournament is sanctioned by the International Olympic Committee and the fact that similar amateur tournaments held during the summer have received NCAA approval. It also involves the placing of Yale on athletic probation for 2 years; a punishment many consider unusually severe and one which is normally reserved for schools found guilty of much more serious infractions.

An even more disturbing development is the continuing feud between the NCAA and the Amateur Athletic Union. While I do not propose to take sides in this dispute, it has become obvious that this struggle has hindered many of our finest athletes and threatened our participation in international athletic events. All too often, these organizations have used individual athletes as the pawns in a game of power politics.

Because of these and other questions, the gentleman from Illinois (Mr. MICHEL) and I have decided that all aspects of NCAA operations should be examined. We want to insure that this powerful organization continues to operate as the servant of its member colleges and universities, not as their master.

Considering the power of the NCAA in the realm of intercollegiate athletics, the large part athletics play in our system of higher education, and the importance of higher education in the future of this country, we believe that an investigation is warranted. We trust that our colleagues will agree.

As an example of recent criticism of the NCAA's action in the Langer case, I wish to include an editorial from the New Haven Register and a column from the Connecticut Jewish Ledger at this point in the RECORD:

[From the New Haven (Conn.) Register, Jan. 24, 1970]

#### THE CRUDE CRITERION OF THE NCAA

While it punishes Yale University for protecting the interests of its students, the National Collegiate Athletic Association tolerates commercialism in college athletics and permits inexcusable exploitation of college sports stars.

What a mockery for the NCAA to place Yale on probation for allowing one of its basketball players to perform during the summer in the respected Maccabiah Games in Israel when it ignores appalling overemphasis on sports at other colleges.

Yale insists that its athletes live up to academic standards. But Texas University allowed its quarterback, James Street, to continue playing though he did not keep up with his studies while the Longhorns' team became the so-called No. 1 team in the nation.

After the season was over, the Texas star dropped all his courses six days before final examinations. Texas U. officials frankly ad-



mit the Street fell behind because of the pressure of the Arkansas and Notre Dame games.

The NCAA surprised no one by voting to permit colleges to play an 11th football game—one more than has been permitted. One would think the wear-and-tear of ten games of football is more than enough for a college student, but an eleventh game will provide money for college treasures and make the NCAA a bigger deal, so why should the NCAA object?

Yale athletic director DeLaney Kiphuth justifiably protests that the NCAA is treating Yale, by imposing two-year probation, as though it were one of those institutions that subsidizes athletes who can't read and write and gives them cars and other aid not permitted under the NCAA constitution.

Not-so-fine distinctions are disregarded when the NCAA cracks down on colleges that do not join in its power struggle against the AAU.

[From the Connecticut Jewish Ledger,  
Jan. 22, 1970]

A MATTER OF PRINCIPLE  
(By Berthold Gaster)

Much has been written in recent days about what the N.C.A.A. has tried to do to Yale. We say "tried to do," because we firmly believe that the men of principle who make Yale's athletic policies will be around long after the shortsighted moguls of the N.C.A.A. sports dictatorship have left the scene.

Putting Yale on two years' probation for playing Jack Langer because he competed in the Maccabiah Games without N.C.A.A. sanction was strictly a power play in the N.C.A.A.-A.A.U. war we have mentioned in recent columns. It was the kind of punishment reserved for schools found guilty of serious infractions in recruiting, in illegal payments to athletes, and so forth.

It is not an easy thing for Yale—whose outstanding swimming teams are thus barred from major competition—to stand by its guns. But it is doing so unflinchingly and with the support of the other Ivy League schools.

The fact that the N.C.A.A. picked on the Maccabiah Games in Israel—which are sanctioned by the International Olympic Committee—is puzzling. And seven American Jewish basketball players were forced to withdraw from our team in the "Games" before Langer—with Yale's full encouragement—decided to ignore the senseless N.C.A.A. ban.

And why the Maccabiah Games? Why Israel? We intend to find out and will report back to readers of this column.

RICHARD A. SHAFTER

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. RODINO. Mr. Speaker, I was deeply saddened to learn of the passing last Thursday of an old and dear friend of mine, Richard Shafter, of Belleville, N.J. Mr. Shafter was a native of Berlin, Germany, who came to the United States after World War I and worked as a reporter for several newspapers in New Jersey, Michigan, and New York. In 1949 he joined the public relations department of CARE, Inc., the overseas aid agency in New York, and was a vice president of the CARE employees union.

Dick Shafter was a man whose lofty ideals provided me with a great source

of inspiration over the years, and whose wise counsel was gratefully taken. He was a person who cared deeply for his fellow man, and though there is little that one can say to ease his family's sorrow, I know that they can take consolation in the sure knowledge that Dick's compassion and dedicated service touched all who knew him, and made all our lives more meaningful.

SUCCESSFUL LOCAL EFFORT COMBATS WATER POLLUTION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, last November I spoke before this body about the success of the Cedar Creek Restoration Council and one man in particular, Del Cook, in cleaning up a stream which runs through my district.

I received so many requests for more detailed information on how the council accomplished its task that I asked the secretary of the council, John Hazelwood, to prepare a historical report on the council's activities.

This report and the notes of sample meetings of the council should become required reading for all who want to do something about water pollution. It was no easy task and the job is still not over. But it can be done.

I would like to include the report as part of my remarks at this point:

HISTORICAL REPORT OF CEDAR CREEK  
RESTORATION COUNCIL, INC.

INTRODUCTION

The Cedar Creek Restoration Council is a private citizen's group formed in 1964 and incorporated in 1965 for the purpose of restoring Cedar Creek which is a 32-mile navigable stream running from Little Cedar Lake in a generally easterly direction to a confluence with the Milwaukee River east of Cedarburg and south of Grafton, Wisconsin. The Cedar Creek Restoration Council recently has been subject to favorable publicity in the Milwaukee Journal for its successful effort in restoring Cedar Creek to a level of purity so that at the large majority of the stream, full-bodied human contact is considered safe.

The author of this report is John Hazelwood, Secretary of the Cedar Creek Restoration Council. This report was specifically requested by William Steiger, M.C.

FORMATION

The Council was formed in October, 1964 for the express purpose to restore and clean up the Creek. Earlier in that year, there had been two large fish kills allegedly originating from a canning source in Jackson, Wisconsin. The Village of Jackson is about one-third of the way downstream along the 32-mile Creek.

The chief protagonist in the fight for a cleaner stream was and is Delbert J. Cook, Chairman of the Council. He, along with interested people from 4-H groups, Boy Scouts, "conservationists" and certain influential private citizens, formed the Council. There were about a dozen "key" people.

Additionally, and very importantly, the State of Wisconsin had a water pollution control committee at the time of formation which was of enormous help. Also, the South-eastern Regional Planning Commission gave

the Council a certain liaison with other local groups who were interested in clean water.

Most of the key people in the Council came from the Cedarburg-Grafton area, about 65%-70% of the way downstream. Additionally, small groups from Big and Little Cedar Lake rallied to the Council's cause in an effort to keep their own two lakes clean.

The Wisconsin State Pollution Control Committee designated a technical adviser to the group—the regional engineer assigned to the area of Wisconsin which contains Cedar Creek. This technical adviser, Floyd Stantz, set up four basic water quality tests to determine progress of the Council's effectiveness in fighting the stream's pollution.

Floyd Stantz and Delbert Cook personally confronted known polluters with remarkable success. Both persons have strong personalities. Stantz was promoted to a different district in 1968 and was replaced by Thomas Kroehn a softer dealing man. The change in personnel was concurrent with reorganization of Wisconsin's natural resources administration. The State's Water Pollution Control Committee at that time had less enforcement powers than the comparable agency, the Environmental Protection Division, does today and yet was more successful in the opinion of the Cedar Creek Restoration Council.

ANNUAL SURVEY

Each year the Council organized a survey of the entire Creek from its origin, including both Big and Little Cedar Lakes, to the Milwaukee River. Up to 50 people (Boy Scouts, adults, etc.) paddled or walked down assigned stretches of the Creek noting possible pollution sources, deteriorating conditions and natural and man-made hindrances to navigation.

CITY OF CEDARBURG CLEAN-UP

Beginning in June of 1966, the Cedar Creek Restoration Council at the invitation of the Cedarburg Park Board and with the help of all citizens' groups and area schools and Explorer and Boy Scout units inaugurated the first of four very successful clean-ups in the Cedar Creek within the city limits of Cedarburg. In 1966, enough debris was dragged out of the Creek to fill 26 city dump trucks. This debris consisted of everything from skeletons of cows to bed springs to rubber boots, etc. Of course, there was a great deal of clogged logs and natural material which became snagged in the Creek. In 1966, approximately 500 citizens of Cedarburg and the area worked to clean up the Creek. The only compensation for the co-operation was a free lunch supplied by the American Legion group and a "Certificate of Appreciation" given to each worker. Additionally, the City of Cedarburg's maintenance crews and the local power company used their equipment. Certain local businesses and the Fire and Police Department supplied other equipment to help drag things out of the Creek.

In 1967, 12 truckloads of debris were taken from the Creek pursuant to a similar clean-up project. In 1968 and 1969, additional truckloads were taken out. The total volunteers on the 1969 drive were 100.

It is the present hope of the Restoration Council that intensive clean-ups may not be required. Now the City of Cedarburg's maintenance crews, by keeping an eye on the Creek, can easily haul the debris out as it accumulates. This, in fact, is happening already as a result of accomplishments of Roger Butt, a vice president of the Cedar Creek Restoration Council and a city Park Board member.

One of the advantages of the annual clean-ups which might be lost is the community and school spirit that was created by it. Adults and school children could each do their part and participate in a tremen-

dous accomplishment for the community which each individually could enjoy.

A most active part was undertaken by Cedarburg Boy Scout Troop 3, under the leadership of the late scoutmaster "Mike" Neve. In surveys, stream improvement work and clean-up projects, members of Troop 3 were always in attendance in large numbers and great enthusiasm.

#### INDUSTRIAL PROBLEMS

Friendly persuasion was not Del and Floyd's calling card. Violators knew they were up against dedicated persons even though, procedurally, a violation could have stalled enforcement out a number of years. One of the first plants Del and Floyd approached was Justro Packing Co. in the Town of Cedarburg. The packing company processed livestock parts each day allowing the blood and the other waste to run into the stream due to a faulty settling lagoon. Despite the fact that there would be a considerable capital investment required, when confronted with the law and the facts, Justro Packing Co. operates what is now a very well-run treatment process. Periodic tests now show that water down the stream from Justro is acceptable. Justro took about one year to correct its violations. Justro employed about 20 people. The company is a subsidiary of Wisconsin Packing Company. The property is owned by Huiras and Gerold. Ralph Huiras is chairman of the Town of Cedarburg.

A national canning firm, Libby, McNeil & Libby, was dumping vegetable canning waste straight from its lagoon into the creek. It was never clearly established whether this was done intentionally or as a result of a "helpful" watchman or bad discharge valves from the holding lagoon. A large portion of the problem was solved by management putting a lock on the valve controlling the discharge into the creek, thereby preventing the watchman from turning the valve without management knowledge.

Libby, McNeil & Libby continues to be a substantial problem. In 1968, two significant fish kills resulted from a break in Libby's equipment and a direct discharge into the stream. Additionally, Libby attempted to put in a pickle brine spray irrigation system, which would have caused a large amount of brine to damage a wild life preserve near the creek and, in the event of any malfunction in the spray irrigation system, could have ruined the stream. Libby attempted to put this system in without getting a state permit and now, as a result of influences brought to bear by Del Cook and others on the state, may only use the spray irrigation system for the spraying of vegetable juices. A broken pipe from the system still can kill fish at any time as it did in 1968, but at least the wild life preserve, and the agricultural land, is safe from the effect of the brine.

Another national company, Kiekhaefer, in 1964, had oil-type discharges from both plants in the Cedarburg area. Water used for testing outboard motors which contained oil was dumped right into the creek causing a serious fire hazard and large buildups of muck. From the other plant a white plastic-like material for sealing out blow holes castings was discharged straight into the creek.

Substantial headway was made by Del and Floyd regarding the discharge of the white sealer. The plant manager simply assigned more men for maintenance of the equipment. Unfortunately, the oil discharge has not been corrected even though the State of Wisconsin has issued orders in 1968 requiring the plant to correct this violation. The company attempted to solve the oil discharge problem during the vacation period in July of 1969, but a strike and picket line prevented the maintenance men from coming in.

The fourth and last major industry along the creek was the Level Valley Dairy, a locally owned business. In 1952, the state had

issued orders under what was then known as the "voluntary program" in an attempt to get the dairy to correct its pollution.

Yet, at the first survey of the creek in 1965, problems were noted at the dairy, and, during the 1966 spring survey, council members noted large quantities of whey hanging on the rocks. It was completely untreated waste.

The Milwaukee Journal and Milwaukee Sentinel each wrote stories about this pollution. Floyd Stantz and Delbert Cook went out to see the owner of the Dairy who was furious over the unfavorable publicity and the suggestion that he should stop polluting the stream. At that time he had a septic tank that was plugged to capacity and overflowed into a small tributary that emptied into the creek. Nevertheless, now the Dairy has a primary and secondary treatment plant that works very well.

It may be interesting to note that the two locally owned companies completely corrected their system. The Council has not achieved total success with the two national concerns, although they are now under State orders for correction.

#### MUNICIPALITIES

There are two municipalities on Cedar Creek. Furthest upstream is the Village of Jackson whose sewage treatment plant was built in 1939 for 250 people. In 1960, it became overloaded with the sewage of 500 people.

The CCRC observed a high B.O.D. and fecal count in the creek downstream from Jackson. B.O.D. count (biological oxygen demand) is designed to measure the amount of oxygen needed in the decomposition of impurities within a liter of water at 21° centigrade; fecal coliform count is designed to measure the amount of bacteria in the water, which bacteria are derived from the intestinal tract of warm-blooded animals.

The State Division of Health tested the water downstream from the Jackson treatment plant, but thought "it wasn't so bad". The inspector, Oscar Egger, said that the Village was doing the best it could and refused to get tough with the Village. The Council, through statements in local papers and speeches made by Delbert Cook, put pressure on the Village. Finally, the Village President called in the State Division of Health for another test. After another six months, the State issued orders to the Village of Jackson, which then hired an engineer and designed a new treatment plant. Jackson is now waiting for State and/or Federal funds to build the new plant.

Needless to say, the local village will not or cannot put up the dollars to build it itself. The problem here is the State and local Government by once having granted funds to a certain municipality to perform the function that the municipality should have performed themselves, has set a precedent. Villages like Jackson simply now wait.

Jackson's present treatment plant is less than 60% effective. The net result is equivalent to 200 people (40% × 500) emptying their sewage directly into stream. The stream beneath the Jackson plant is in sad shape.

The City of Cedarburg, in 1956, built a new treatment plant to accommodate 20,000. Now 6,500 people live in Cedarburg, yet the plant is overloaded. The basic reason for this is the incredible increase in the amount of water used by people today and lack of provision for storm run-off.

Although the plant is extremely well run, it is only seventy to eighty per cent effective. Additional capital expenditures simply must be made for a proper plant.

Additionally, Cedarburg now has the problem of a storm sewer's by-pass system which causes raw sewage to run into the creek during a rainstorm.

It is fortunate for Cedar Creek that the Cedarburg treatment plant is almost at the

very end of the stream so that the pollutants running from the plant affect only a small portion of the creek but do affect a major portion of the Milwaukee River and eventually Lake Michigan. The attached map is misleading, and the treatment plant is located just before the confluence between the creek and the river.

#### DOMESTIC SEWERS AND SEPTIC SEEPAGE

At the present time, to the best of the Council's knowledge, there are no private domestic sources of sewage on the creek. As of now, domestic sources of sewage (e.g., the toilets flushing directly into the Creek or via faulty septic systems) have been corrected as a result of the efforts of Del Cook and his pressuring the State Division of Health and local authorities to do their jobs.

One of the most difficult problems involved was an extremely stubborn tavern owner who abused the creek in just about every way possible from building an illegal dam, to running raw sewage into the stream, and to wanting to build a dance hall in the conservancy District adjacent to Cedar Creek. Unfortunately, the tavern owner was misled by local politicians with whom he was "buddy-buddy" and reportedly ended up having to spend approximately \$12,000 to date in order to accomplish what he could have done with better judgment and better advice for substantially less than that amount. To obtain its goals here, the CCRC hired one of the leading municipal lawyers in the State in a show of strength to the Cedarburg Town Board and state officials. The ensuing legal action was effective.

Perhaps the greatest accomplishment of the CCRC has been the development on the part of property owners of a consciousness of clean water. The presence of an organization with definite vigilante characteristics has tended to encourage those people who would prefer not living on an open sewer to obey the golden rule. It is very tempting for a person living along the stream to be only concerned about the problems upstream and not downstream.

Attached to this report are copies of the meetings of the Executive Committee of the CCRC in January and February of this year with various representatives from the State of Wisconsin. The meetings discussed some lingering difficult problems along the creek, some of which have been solved through pressure applied by Delbert Cook on State officials to do their job.

#### FUTURE OF THE CCRC

The Council plans to remain active in policing Cedar Creek in the future. We feel we have tackled 90% of the problems and have solved them.

The Council will annually make a survey of the creek to spot obvious pollution problems and other conditions and report them to the State and respective local authorities. As in the past, the Council will "stay on the State officials' back" until they do the job they are supposed to do.

There is some question as to whether annual "clean-ups" will be conducted in the City of Cedarburg. The City of Cedarburg's maintenance department may be able to handle the job adequately as foreign materials occasionally get deposited and jammed up in the stream.

The Council will continue to take steps to remove illegal dams and cut trees obstructing navigation of the stream. We will work with local groups and conservationists to accomplish these goals.

#### SOME CONCLUSIONS

It is important to emphasize that the Cedar Creek Restoration Council accomplished its goals by spending about \$2900, including the production of a movie "Cedar Creek 1966—A Small Fight in a Big War", which cost about \$1,400.

The Council achieved much of its goals



only by constantly hounding state and local officials to do the jobs they are being paid for. The biggest problem in Wisconsin is not that there are inadequate laws to tackle the problems, but that the state and local officials do not enforce these laws.

As a result of accomplishments widely publicized, the Cedar Creek Restoration Council has assisted groups in other communities to organize similar programs. Restoration Councils were established in the Root River area and along the Milwaukee River watershed. Other communities which have taken steps toward organization are Fond du Lac, Appleton, Sheboygan, Racine, Fort Atkinson, Hartford, Kewaskum, West Bend, Waukesha, Berlin, etc.

The accomplishments of the Cedar Creek Restoration Council are dependent solely on the driving influence of its Chairman, Delbert Cook, who refused to compromise at the expense of water quality on the creek. As a result today, we have an amazingly clean creek. A copy of the latest state report is attached hereto. Fishing in the creek is reasonably good and improving. People who live along it are proud and are fixing up their stream banks, which are now a nice place to be. In fact, land values along the creek have quadrupled since the stream has overcome its reputation as being a "stinking creek" and has become a beautiful and wholesome waterway.

#### MINUTES OF SPECIAL MEETING OF EXECUTIVE COUNCIL OF CEDAR CREEK RESTORATION COUNCIL, INC., JANUARY 7, 1969

##### INTRODUCTION

A meeting of the Cedar Creek Restoration Council, Inc. Executive Committee was held at 7:30 p.m. at the Woods Hotel in Grafton. This meeting was called by the secretary at the request of the chairman in order to discuss certain specific problems that the Council has had, with Thomas G. Frangos of the State of Wisconsin Department of Natural Resources. He is the acting administrator of the Environmental Protection Division.

Mr. Frangos brought William Sayles, acting head of the Bureau of Water and Shore Land Management of the State Department of Natural Resources—Environmental Protection Division.

Besides various members of the Executive Committee present at the meeting, were representatives from the League of Woman Voters, Milwaukee Restoration Council, Town of Jackson, various schools, West Bend Sportsmen's Club and Daniel Boone Hunter's League.

Del Cook, chairman of the CCRC and chairman of the meeting, opened the meeting with general comments. He outlined the procedure of the meeting which would be first, to watch certain slides and then to follow the printed agenda. He noted that the state senator for the CCRC's district, Senator Ernest Kepler, requested that Frangos and Sayles make a note of the conditions discussed at the meeting and make recommendations for their solution and report them to him. A similar request was made in writing of the Secretary of the Council and Secretary of the meeting, John A. Hazelwood, by Ozaukee County Assemblyman Herbert Scholter.

##### INTRODUCTORY REMARKS

Cook noted that the Council had been in existence for four years and that many of the problems that were had four years ago regarding specific sources of pollution exist on the Creek today.

Cook noted that although there seemed to be adequate laws on the books, the administration and enforcement of the laws was extremely frustrating and complex. Our Council would be fussing with the same problem it was fussing with two or three years ago and one state agency would pass us on to another.

Cook said the purpose of this meeting was

to try to narrow the gap between a private citizen's group like the CCRC and the responsible state agencies.

Tom Frangos stated that he shared our frustrations in not being able to move fast enough as the result of legal requirements—statutory and court-made laws. He stated, however, that he believed his agency had most of the responsibility for the solution of our problem regarding the creek and was willing to talk about them at the meeting. He noted that he had held up our Council as a model citizen's group who had been able to get results in stream betterment. He also noted that one of the reasons for his being there with us was that he wanted to make sure that there was no credibility gap coming out of Madison and if the state agency had no way of solving the problem he was going to be quite frank about it.

Regarding the slides, Frangos stated that he didn't want to get into specifics and that it would be inappropriate for him to make judgments on the specific questions raised. He said he would be happy to report to Senator Kepler with the information requested but he would leave it up to the field man for the division to make judgments regarding what law applied to the specific case. In general, he would comment on the slides and other matters in an unspecific way and tell us which portions of the law generally applied and which do not.

Following these introductory remarks Cook showed about twenty-five slides showing the following items: typical homemade rubble dams put in for the purpose of creating a wading pool and skating, (people are not aware of the damage these dams do to the streams); up-rooted trees (including one on the Conservation Department's land) which trees blocked the stream flow; barbed wire fences crossing the creek in order to fence in cows; erosion of stream bank by livestock; John Blank's dump alongside of the creek; private out-fall and junk pile on the side of the creek by other individuals; before, during and after slides of the Cedarburg Power Plant's bank improvement; out-fall of Jackson sewage plant; out-fall from Kleckhefer plant; typical domestic out-fall in Cedarburg; algae coating on creek due to over-fertilization; creek showing recent fish kills as a result of oxygen demand material coming out of the Jackson area; workers working on creek clean-up (annual drive); bank showing farmer who used fieldstone to protect bank to prevent erosion; bank protection as a result of work done by clean-up volunteers; section of Covered Bridge Park in which big boulders from road excavation have been used to improve the bank; Oak Creek volunteers helping Cedarburg; crew which worked at creek survey.

Following the slides the meeting proceeded to the items on the agenda.

##### I. STREAM BED AND BANK DAMAGE

A. *Livestock*.—Cook explained that the Council was aware of the law which prevents cows from wandering off a farmer's land and required the farmers to fence that land area, but the problem with regard to the Creek was the running of fences across the Creek and the allowing of cows to wander back and forth through the Creek and destroy the bank. Cook pointed out that farmers in the Cedar Creek area had not reacted to the state's offer to provide cost sharing (50-80%) in order that the farmers build fences along the Creek to prevent the cows from walking into the Creek.

Bill Sayles commented that his regulatory agency was limited to the laws on the books and there was no law which prevented the pasturing of cows on a stream. Sayles stated that one means of solving the problem is to pave the bank where the cows are pastured, either with stable gravel or concrete—by this means creating a ford. Of course, the bank must be cut down gradually and the

paying put in. Work plans for such arrangements are available to the farmers from the state agency.

Cook stated that he felt that the state soil conservation should discuss this matter with the farmers involved. Cook noted that we could not understand why it was proper for a private property owner to butcher his bank with cows, but it is improper for another private property owner to build a beach on his land by placing materials on the bank and in the stream. Sayles' comment to this was that pasturing the cows is simply not illegal but the other is. He noted that in order to correct the problem that it would have to be a financial contribution to the land owners. One way of doing this problem is the leasing of land arrangement which other state agencies have done, or the taking of scenic easements in property as the highway commission has done.

Sayles noted that friendly persuasion was the best way of getting the job done, at the moment. Cook commented that friendly persuasion just doesn't get the job done and that it is impossible to educate people in this manner. Frangos commented that pure education is always a tough way to do things in this area but that generally speaking all state agents such as agricultural agents, resource development agents and ASCS agents were putting a concern for stream improvement into their various programs for discussion with departments and other figures.

Ollie Flick, the chairman of the Milwaukee River Restoration Council, stated that the cattle are seriously damaging the streams and that we might be 50 years too late in our attempt to correct the problem. He noted that talking to farmers about an expensive proposition such as fencing a stream or putting in a ford doesn't work and some legislation in this area just has to be passed. Sayles stated that regarding education in this type of area, in the past sportsmen's groups through an attorney have prepared legislation of this type. He noted that riparian rights were very important in this state and in many ways has made the state what it is.

Cook suggested that the Division of Environmental Protection pass regulations regarding stream bank fencing. They should do so under their general ability to have regulations for the protection of water quality. Frangos commented that the division has never done anything like this before but did not specifically state whether or not it could do this.

B. *Shore Land Filling and Dumping*.—The problem of filling and dumping within flood plane was generally discussed. Sayles noted that the division's jurisdiction only applied in the navigable stream and that the rest of the flood plane was covered by local zoning. Del stated that the problem with local zoning was that even though the Town of Cedarburg had excellent local zoning the Building Inspector and the owners were not aware of the requirements and that there was no enforcement of the regulations. Sayles noted that the state had no jurisdiction over the town ordinances and that the state statutes only give the state the right to enforce a county ordinance. Ozaukee County does not have a county zoning ordinance. Sayles noted that the town may have a more vigorous zoning than the county and in any event it is up to the town board to give the answer to any questions we would have or enforcement problems we would have in this area.

1. *John Blank's Dump*: Tom Kroehn, of the Division of Environmental Protection, noted that John Blank has put nothing in his dam for over the last 9 months. Cook stated that even after Blank received a recent letter from Tom regarding the use of dump materials for a fill that Blank was still using garbage. Cook stated that Blank used the garbage fill so that he could raise the level of land for the subdivision of his prop-

erty and since he was the chairman of the town dump he could easily get the materials from the dump.

2. Kilroy: Kilroy had a problem that his septic tank was overflowing and was seeping out onto his grass. He took fill from an excavation for a gas line and covered up the leakage. It was noted that now the overflow seeps underground in the Creek, rather than in a direct flow.

## II. NAVIGATION

A. *Man-made Dams and Islands*.—Collection of trash, junk, algae. Cook noted that man-made dams and islands were a serious problem to the streams for they collected trash, junk, algae, because the flush of the stream was impaired. Bill Sayles stated that the department would not allow the placement of these rubble dams when they had word of one in advance. The reason for this is that stream levels cannot be maintained and the dams become unmanageable. Sayles stated that when we knew of any illegal dams we should get the local warden who could make a follow-up investigation of the problem. Then if there wasn't a solution, he could arrest the land owner and turn the case over to the County District Attorney for prosecution.

2. Kilroy: Kilroy won't remove his dam because he says it makes the fishing better. The fact that it causes the deterioration of water quality is no concern to him. Cook stated that as far as we know he has no license to have this dam in place. The local warden and D.A. are following up on this matter.

Sayles and Frangos were quite clear in the procedure to follow: when we found a violation a department man should be called and he will make an investigation. He will try to get compliance but failing that he would bring in the local D.A. for prosecution. If the D.A. did not think the facts were sufficient to prosecute, of course, the D.A. could veto any further action. Frangos and Sayles noted it was difficult to get any compliance with the law after the obstruction had been in place for a long period of time. This was due to the fact there was a difficult question of proof as to how it got there in the first place.

3. Stone Island Near Cook's Property: Regarding the stone island near Cook's property, Tom Kroehn stated that Cook's neighbor now knows the dam is illegal but Kroehn doesn't know whether he's willing to do anything about it.

B. *Fallen Trees and Natural Debris*.—A land owner whose trees by natural causes fall into the stream is under no obligation to remove it. People who are using the stream for navigation purposes have a right to remove any obstruction. They can restore navigation to the stream. This information was given to us by Bill Sayles.

Sayles was uncertain as to whether wood could be stacked on the bank which had been cut out of the stream. It is possible that this could be trespass.

Cook noted the procedures the Council uses in getting land owners implied permission as a result of putting an ad in the paper that the Council is going to be cutting trees in certain areas and that anybody should object if they do not want the Council to do so.

C. *Fences*.—Sayles discussed the problem that the law requires an owner to fence in his cattle but a fence may not interfere with navigation. Cook pointed out that there are many fences illegally interfering with navigation on the Creek, but that farmers were, generally speaking, cooperative about placing them in such a way so as to minimize the danger to canoeists and others. It was noted that an illegal obstruction to a navigable stream can cause serious liability to the land owner.

## III. WATER WITHDRAWAL

A. General discussion was had regarding riparian rights and the rights of a land owner to use water for domestic purposes. Sayles said that riparian rights gave any property owner the right to use water flowing by his premises for human consumption—cattle—power. Toward the bottom of the list of his riparian rights are the use of water for agriculture. For any large scale use of water (such as a truck garden), the land owner must obtain a permit. Cook noted that the withdrawal of water from the streams was a serious problem since it had a low water mark of only 4.6 cu. ft. per second (equivalent to about thirty-five gallons per second flowed in the stream and that one of these small gasoline pumps can withdraw approximately one gallon of water per second from the stream.)

## IV. WATER QUALITY

1. Fehring Farm: On the Fehring farm there is a domestic outflow right into the Creek which Oscar Egger of the State Department of Health, has known about for over two years and will not issue the proper orders in order to get the problem solved.

2. Sherman Road and Cedar Creek: Again for two years Egger has known about the domestic outflow from his property and has done nothing effective to get compliance.

3. Roland Kison: Again for two years Egger has known about the domestic outflow from this property and has done nothing effective to get compliance.

4. Lemke's Tavern: This problem is now apparently corrected. It involved direct sewage and overflow of filter beds.

5. Cedar Creek Estates: Via underground tiles it is believed that sewage seeps into the creek. There is a 4,000-6,000 chloroform count in the water near Cedar Creek Estates. This matter should be studied in detail by the department.

6. Bridge at Highway I: Tom Kroehn said from the floor that he has investigated the problems at this point and has determined that it is not flowing from Ott's residence but from some other source and he can't figure it out.

7. Kilroy's Ditch: Again there is domestic discharge into a ditch which flows into the creek. It has been uncorrected and Oscar Egger has been informed of it.

8. Western Avenue: Four or five homes discharge into a storm sewer which flows directly in the creek. This problem is three years old and has not been corrected. State officials are aware of it and no help is given.

9. Kleckhefer Plant No. 2 and Plant No. 1: Oil flows from Plant No. 2 into the storm sewer. There is also a vast amount of discharge from Plant No. 1. The state has helped here and Kleckhefer is under state orders to correct these illegal discharges.

10. Hempleman's Tavern: There is domestic discharge here and there is no place for a septic system.

11. Covered Bridge: There are three homes near Covered Bridge without septic systems. Regarding the Department of Health and problems of direct pollution and septic run-offs, Frangos told us that the best our group can do is to try to correct it by keeping pressure on the Division of Health. Del pointed out to Frangos that the Division of Health just wasn't doing its job and it was seriously hurting the stream.

12. Libby, McNeil, Libby: Frangos briefly discussed the fact that the department was bringing judicial action against Libby, McNeil, Libby. As yet there has been no brine discharged into the creek and it is scheduled to come this spring. Cook discussed the two serious fish kills on the creek. He stated that in order to cause a fish kill of that magnitude something had to go wrong in either the Libby or the Jackson Municipal Plant. Nothing irregular happened at the Jackson Plant

and it appeared that Libby was the violator. Hazelwood stated that in his opinion the state should have done a much more extensive investigation for certain hear-say evidence had come to the executive committee of the CCRC and it was obvious that this evidence had not been discovered by the state investigating team. Hazelwood referred to the burst pipe on the Libby premises which fact Roger Butt verified.

Cook said he was concerned due to the fact that there wasn't even a serious letter written to Libby, McNeil & Libby following the investigation of the case.

## V. ENFORCEMENT

There was a brief discussion of the problems of having a six signature petition followed by a prosecution handled by the complaining witnesses in a pollution case. Frangos informed us that this was much too elaborate a procedure for us to follow and suggested that if we had proof of a violation of the law we should simply write a complaining letter to him stating what the violation was and a State Investigator would follow through. For example, regarding our rubble dams someone from the Division of Fish, Game & Law Enforcement would come and investigate the alleged violation and could write a report suggesting that the division itself take and instigate a proceeding.

Frangos said regarding enforcement, what is needed is someone at the local level who can make an immediate investigation of alleged sources of pollution and other illegal actions to destroy water quality. Frangos asked that we send in individual complaints on each one of the alleged violations and the department would then proceed to investigate.

The meeting was adjourned.

JOHN A. HAZELWOOD,  
Secretary.

## MINUTES OF SPECIAL MEETING OF EXECUTIVE COUNCIL CEDAR CREEK RESTORATION COUNCIL, INC., FEBRUARY 13, 1969

A meeting of the Cedar Creek Restoration Council Executive Committee was held at 8:00 p.m. at the Cedarburg State Bank in Cedarburg. This meeting was called by the Secretary at the request of the Chairman in order to hold a sequel to the January 7 meeting but this meeting being with representatives of the State Conservation Division, Fish Management Section, Division of Health, and Conservation Department.

The meeting was called to order by Delbert Cook, Chairman. A quorum was present. Present on the Executive Committee were Cook, Hazelwood, Held, Butt, and Hettis.

The first order on the agenda was the introduction of the state representatives present who were Bill Selvig of Horicon, Fish Manager; Oscar Egger, Division of Health, Fond du Lac; Charles E. Olson, Conservation Warden for Washington County; and Albert Wilke, Conservation Warden for Ozaukee County.

Then Delbert Cook proceeded to show a series of slides of Cedar Creek showing some of the problems now present on the creek and some of the problems which have been corrected.

Cook announced that there would be a creek clean-up on Saturday, February 8, 1969, relating to the removal of dead trees that were up-rooted and blocking navigation in the creek.

Cook announced that CCRC would cut only those trees which interfere with navigation. The healthy trees are left in place.

There was a question from the floor as to why we just don't leave the fallen trees in the creek because such fallen trees make good fish habitat. The answer was that junk and rubble close the stream and that we only take out trees which are seriously interfering with navigation and that have a lot



of branches and twigs which collect the junk and rubble. Other fallen trees are left in the stream for the benefit of the fish.

The fish manager from Horicon, Bill Selvig, stated that he agreed with our approach and he thought that we were using good judgment in this matter.

The meeting then turned to a discussion of bed and bank deterioration and deposits. Cook stated that the rubble dams which are placed in by individuals were permanently done to provide swimming holes, fishing holes, or skating ponds. Cook announced that the conservation warden for Ozaukee County, Al Wilke, has been a big help here. Cook also stated that Bill Sayles at the last meeting had told us those who wanted to navigate the stream should remove the obstruction and it was the intention of CCRC to find these dams in their spring survey and take steps toward removal of the dams sometime this summer.

Cook pointed out that a great deal of discretion must be used in taking out these rubble dams, for if too much of the dams were removed at once, too much of the bottom may be exposed leaving too little channel for the stream to run through. Cook stated that it was necessary to keep the stream navigable for unless it was navigable we would lose the benefits of a stream so identified.

The meeting then discussed the general problem of bank erosion from livestock.

The meeting then discussed fish stocking with Bill Selvig. Selvig announced that his predecessor's survey had indicated that stocking in the Cedar Creek area had questionable results. Nevertheless, he stated that we could privately develop fish for the creek as was done in the case of Green Lake. The way to do it was to build cement raceways and to raise the fish privately. As to this, we should ask him for details and get his help if any individuals wanted to do this.

Norman Huth of the Milwaukee County Conservation Alliance stated that if streams water quality and environment are all right there will be plenty of fish, and that in his opinion fish stocking was often unnecessary. Selvig agreed with this conclusion.

Albert Wilke stated that the planting of Northerns in the creek had been highly successful. Selvig earlier had pointed out that the planting of Rock Bass had not been suc-

cessful. However, Roger Butt pointed out that there were plenty of Rock Bass at Hy I.—undoubtedly as a result of the stocked fish moving downstream.

The next item discussed was the agricultural pollution and in particular animal pollution. Cook told this group there was a farm south of Mayfield which allowed the barnyard waste and duck waste to wash right out into the creek. A principle item here is the run off from the manure piles in a rainstorm which could then wash into a ditch and in turn into the creek. Egger told the meeting that the normal procedure in a situation like this was to send a letter to the farmer and encourage him to move his manure pile to higher ground and a different place so that the run off of the manure pile would not be directly going into the creek. Egger stated that such pollution was now really under the discretion of the Department of Resource (Environmental Protection Division). The meeting determined that we now should write Frangos a letter in the event we find such types of pollution.

Next item on the agenda was the domestic waste. Regarding the Kison property, Egger stated that he went out to see Rolan Kison last fall. Kison promised to fix the domestic discharge. Regarding the Fehring farm, Egger stated that he had sent a letter saying what had to be done. Egger stated that the procedure was that the town board was to take action and it was his policy to give the farmer all the reasonable time necessary for him to get the job done before pressing him further. Regarding Kilroy's sewage problem, Egger stated that he had not been there to check it out. Regarding the houses on Western Avenue in Cedarburg, Egger stated he wrote another letter but nothing has been done about it. Cook announced that Ralph Hulas, the Town Chairman of Cedarburg stated that the state wasn't pushing the matter so that the obvious solution of the problem—annexation of these properties into the city of Cedarburg sewer system would not be coming forthwith. Egger retorted by saying he was pushing the matter but he thought that perhaps the Environmental Protection Division was not pushing the matter.

The Conservation Warden, Al Wilke, stated that the wardens would be glad to help in

persuading such violators but they have to get the information of the violation before they are in a position to act.

Regarding Libby, McNeil, and Libby plant in Jackson, Conservation Warden Charles Olson stated that he recently thought he had a case against Libby, signed a complaint against that company, the case was set for trial in the middle of February, and the DA refused to prosecute. DA's name is Robert Kaufman and the lawyer for Libby, McNeil and Libby is the former DA of Jackson who used to be Kaufman's boss when Kaufman was assistant DA.

Town chairman of Jackson was at the meeting and stated that it was almost impossible for the town board to get compliance regarding pollution in small domestic outflow matters when a big giant like Libby gets away with major violations. He cited the recent fish kills as an excellent example and Libby's building of additional facilities without a permit.

Norm Huth of the Milwaukee County Conservation Alliance stated that in the event individuals on the CCRC are interested in pushing legislation we should contact him to utilize the Milwaukee County Conservation Alliance as a paid lobbyist in Madison. He acknowledged the fact that of course CCRC being a tax exempt organization couldn't lobby itself.

It was then announced that Assemblyman Herbert Schwolter of Ozaukee County was going to speak at the County Board Room in Port Washington Courthouse in the evening of February 17, 1969.

The meeting then briefly discussed the matter of insecticide pollution. The conservation wardens were asked the limit of their authority in investigating pollution cases and the wardens referred us to Section 29.288 and 29.29 of the Wisconsin Statutes. A copy of that law is attached hereto and is a part of the minutes.

Regarding local health officers, Cook announced that it was a tough job getting the local health officers to do their job with the exception of Roger Butt of Cedarburg who was extremely helpful and a member of the CCRC. The meeting then adjourned.

JOHN A. HAZELWOOD,  
Secretary.

## CEDAR CREEK STREAM SURVEY RESULTS

Aug. 13, 1968						Aug. 19, 1969					
	pH	B.O.D. mg./l	Tempera- ture, °C.	D.O. mg./l	Fecal coliform per 100/ml		pH	B.O.D. mg./l	Tempera- ture, °C.	D.O. mg./l	Fecal coliform 100/ml
CTH "NN" below Big Cedar Lake.....	8.4	<2	21½	8.1	210	June 18.....	8.2	3	23	6.5	75
Tn Rd. bridge below Little Cedar Lake.....	7.8	<2	21	6.4	1,000	July 17.....	7.3	3.7	17	4.0	180
Tn Rd. bridge-Vill. Cedar Creek.....	8.0	1.2	21	7.0	20	July 25.....	8.0	5	20	6.9	100
STH "60" below Mayfield.....	8.3	<2	20½	8.7	500	June 18.....	8.0	6.5	19	8.0	200
Sherman Rd. so. of Jackson.....	8.2	<2	20½	8.7	2,200	July 17.....	8.2	4.5	20	6.6	<10
						July 25.....	8.4	4.6	21	10.6	7900 MFCC
						June 18.....	8.1	1.5	19	9.1	7000 MFCC
Lagoon discharge (Libby, McN.Libby).....	7.4	160	18			July 25.....	7.8	1.2	21	7.4	700 FEC
						June 18.....					
						July 17.....	8.2	45	21		
						July 25.....	8.2	47	23		
STH "60" bridge above STP.....	8.1	9.2	21½	4.4	3,000	June 18.....	8.4	2.5	21	11.5	100
						July 17.....	8.4	1.8	20	12.5	83,000 MFCC
						July 25.....	8.1	<.8	19	8.3	21,000 MFCC
STP outfall Jackson.....	7.6	>16	20½			July 25.....	8.0	1.2	22	6.5	200 FEC
						June 18.....	7.8	42	16		
						July 17.....	7.8	27			
						July 25.....	7.6	23	20		
CTH "G" bridge.....	8.6	6.1	23	14.9	430	June 18.....	8.2	3	22	8.1	70
						July 17.....	8.1	6	20	8.1	200,000 MFCC
						July 25.....	7.8	4.9	19	6.9	26,000 MFCC
CTH "M" bridge.....	8.2	2.5	23	7.8	160	July 25.....	7.8	2.9	23	4.4	200 FEC
CTH "Y" bridge.....	8.1	2.5	23½	7.9	55		8.2	4.3	23	5.5	95
STH "143" bridge.....	8.1	1.2	23	7.3	25		8.1	4.3	25	6.1	140
Covered Bridge Park.....	8.6	<2.0	26	12.9	130		8.3	3.0	23	7.2	20
CTH "I" bridge.....	8.5	<2.0	24½	10.6	50		8.4	3.0	23	10.4	45
STH 60 bridge.....	8.6	<2.0	24	10.2	100		8.4	3.5	23	8.8	95
Iron Bridge Cedarburg.....	8.6	5.2	23	10.5	15		8.4	2.0	22	8.4	160
Storm sewer at Iron Bridge.....							8.2	3	25	4.6	60
Storm sewer at mill tail race.....	8.5	5	23								
CTH "T" bridge.....	9.0	<2	26½	17.4	600		8.3		26	17.5	75
STP outfall Cedarburg.....	7.7	36	21				8.4				
Bridge at Hamilton.....	8.0	1.7	24½	7.0	1300		8.0	3.5	23	6.3	800

Note: < indicates less than; > indicates greater than.

HEW VETO

**HON. HASTINGS KEITH**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. KEITH. Mr. Speaker, my decision to vote with those who are supporting President Nixon's veto of the HEW appropriations bill was unquestionably one of the most difficult decisions I have faced in this Congress.

I have in the past week listened and read to scores of meritorious arguments on both sides. I have met with and talked to dozens of school administrators, principals, and interested citizens as well as officials from HEW and other branches of the administration.

And in addition I have kept very much in mind the results of my most recent newsletter questionnaire, in which I asked my constituents to list their priorities for national action. The results of that poll I find to be of great significance, and of great relevance to this question. For education was ranked second in priority by my constituents—but inflation was rated first.

This, I think, is an accurate reflection of the national mood, and it was one of the prime factors in my decision to support the veto. I would not have done so, however, had not the President, in yesterday's message to the Congress, made promises that essential education programs will be continued and supported with adequate funds.

He has promised that "no school will need to be closed, no child need to have his education interrupted or impaired as a result of this veto action."

He has come out in favor of a guarantee that no school district, as a result of changes in the impacted school aid program, will have a school budget less than 95 percent of what it had in 1969.

He has promised, in short, to cut out the fat and leave the meat in this measure—and no one denies that there is a great deal of wasted money involved here, specifically in the impacted aid section of the bill.

Impacted aid funds serve a legitimate function when they go to towns that educate the children of our military men, who in many cases do not support the local schools through property taxes. This money, the President pledges, will continue largely unaltered.

Some of the impacted aid money, however—that goes for those who work at Federal installations—is not justifiable. Montgomery County, where I live while in Washington, collects thousands of dollars from Congressmen whose children are educated in this county where the schools are second to none. And yet much more deserving neighboring counties are hard-pressed to pay their teachers from the tax revenues of the relatively poorer residents who work in the private sector. Such a system is indefensible, as the President says, and I support his aim of removing these funds in a manner that causes the least possible hardship to any school district.

Presidents Eisenhower, Kennedy, and Johnson all saw the unfairness in this

kind of aid, and all tried to change it. Only now, with the pressures of inflation greater than ever before, has a President been able to succeed in challenging the pork-barrel aspects of this impacted area aid.

I wish that he had moved earlier to face up to the inequities involved here and in other programs. But no one can legitimately deny that parts of this program are unfair and inflationary—and that the inflationary spiral is just too devastating for us to be parochial in our interests.

The President has indicated his willingness to compromise, and so should we. For if we lose the battle against inflation, all Americans will be the losers—including our educational institutions. The cost of school construction, of equipment and supplies, as well as educators' salaries—all would suffer greatly by continued inflation.

In July, I voted in favor of this legislation. Since then, the price of living has risen 3 percent, and the economic picture has worsened. The President needs flexibility in controlling Government spending at this crucial time—and, as it stood, the HEW appropriation bill gave him none. The rigid mandatory spending provision was bad legislation that would have forced cutbacks in other areas.

Inflation is largely psychological. People who make management decisions still are thinking in terms of further inflation, because they are not yet convinced that this Congress has the courage to make the hard decisions necessary to stem the inflationary tide. This vote will be a clear signal to them—and to the world—that the United States is at last beginning to face up to the problem of inflation.

Out of this struggle over the veto has come a renewed realization of the needs and problems of our Nation's schools.

I am now looking forward to the proposals the President has promised to send to the Congress. His plans will certainly be subject to alteration, but I am confident that we will work out a program which will allow for greater flexibility, so that our resources can be allocated where they are most needed and so that the whole system of funding will be more equitable. This will enable us to enact legislation that will best serve my constituents and the national interest, serve our educational system, and even more importantly, our economy.

**JAYCEES CELEBRATE 50TH ANNIVERSARY****HON. HOWARD W. ROBISON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. ROBISON. Mr. Speaker, last week, the U.S. Jaycees celebrated their 50th anniversary. This event gives us all an excellent opportunity to salute the 300,000 young men in over 6,000 chapters throughout the Nation who are giving their time and talent to the service of their communities. A good many people

think of our time as a "selfish age" but the Jaycees prove otherwise through their wide-ranging activities. This fine group of interested citizens is making the kind of contributions today which will continue to profit communities for decades in the future.

In my own district, the Evening Press of Binghamton, N.Y., recently devoted a center supplement to the Jaycees and interviewed some of the local chapter presidents. Their comments sum up the worth of the Jaycees better than anything further I could add.

Frederick Doolittle, president of the Binghamton Jaycee chapter indicated that work in the health area was highlighted by his chapter this past year:

Last year the Binghamton Jaycees received an 11th Hour Award for our volunteer services at the Binghamton State Hospital.

The Binghamton Jaycees have accumulated about 1,600 man hours at the hospital running a record hop which is always well attended with as many as 150-200 patients.

This year we are coordinating a program of instruction to be offered to interested patients at the hospital in an attempt to offer some training in technical vocational areas which they might otherwise not be exposed to.

This project is chaired by Jaycee Joseph Kilmer, a Link employee.

John Checchia, president of the Endicott-Endwell chapter made this statement:

In this our 50th year we are pledged to bring Jaycees to the young men of our communities. They will be the second generation of Jaycees.

They will begin the next 50 years of community service.

Today with such problems as the population explosion, race relations, poverty, drug abuse and countless thousands of other problems which face us, the Jaycees stand ready to roll up their sleeves and step in to do what is necessary to solve these problems.

They are working to solve them now, but they can use more young men to meet the challenges of a rapidly changing world. So if you're a young man between the ages of 21 and 36 and you want to do something to help make this a better community, a better nation, a better world, then join the Jaycees today.

And Donald Bouchard, president of the Vestal chapter added:

Vestal joined the other Broome County Jaycees in supporting the auditorium issue and this effort continues. Talk of a new hospital has already stirred discussion and a plan of action forthcoming. Education is always of prime interest.

Another group of Vestal Jaycees devote their energy and enthusiasm to community service. In the past, much work has been done in Arnold Park. Continuing projects have been the Halloween parade, the town Christmas tree, the Christmas shopping tour, and Junior Champ.

Many other projects are under consideration such as a contest for naming the park at Five Corners and a traffic safety board to be placed there.

All Vestal Jaycees are interested in self improvement. The purpose of the Jaycee Organization is leadership training through community service.

All of these comments point out again something all of us who have followed Jaycees activities already knew—that



the local Jaycees are bettering their communities in positive ways all over the country. It is a pleasure to salute them; it is even a greater pleasure to wish them another 50 years of success.

### THE AMERICAN STAKE IN DEVELOPMENT

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. BINGHAM. Mr. Speaker, the Foreign Policy Association recently published a very useful booklet entitled "American Foreign Aid: Strategy for the 1970's." The author is the late Max F. Milliken, former director of the Center for International Studies at the Massachusetts Institute of Technology and a widely recognized scholar and expert on problems of foreign assistance and economic development.

While this publication contains many useful observations, I found the chapter entitled "The American Stake in Development" especially relevant to the issues faced by the Congress in the aid field. This chapter appears below, and I commend it to all readers of the RECORD, particularly those who may have doubts about the impact or the wisdom of continued American aid to foreign nations:

#### THE AMERICAN STAKE IN DEVELOPMENT

From the enunciation of the Truman Doctrine of aid to Greece and Turkey in 1947 to the present, it has been conventional to distinguish sharply between a hard-nosed concern with the United States national interest and a moral and humanitarian concern with poverty. In the writer's view, emphasis on this distinction has led to some distortion of the foreign aid-development problem. Analysts of the United States interest have often focused quite narrowly on the short-run impact of the international distribution of power on our security position. Recent changes in our perception of the forces at work in the world have rendered the cold war security arguments of a decade ago decreasingly persuasive.

Moreover, doubt has also been raised in some quarters as to the validity of United States intervention in the political and social affairs of other countries. This doubt has led us to focus our humanitarian concerns on the war on hunger and disease and to depoliticize the rhetoric of aid activities by shying away from discussions of the quality of political and social life abroad. Meanwhile, the force of our humanitarian motivation to help abroad has been weakened by the recognition of our crucial moral and welfare problems at home.

Our sense of disquiet about our activities in the underdeveloped world has been greatly increased by the feeling that pursuit of our alleged security interests through military assistance, counterinsurgency activities and even open warfare in Vietnam has been in sharp conflict with our professed moral concerns for people and their welfare, for open societies and for government by consent of the governed. Both at home and abroad a gap has been perceived between our actions in defense of our security interests and the rhetoric with which we define our moral purpose. We have at times supported regimes that are repressive, engaged in military programs that restrict rather than ex-

pand popular participation, and strengthened the resistance of some traditional regimes to the kinds of changes that social and political development in fact require.

#### RESOLVING OUR MORAL AND POLITICAL INTERESTS

One response to this gap is to urge, as some now do, that we cease our actions, which many no longer perceive as necessary, and that we abandon our rhetoric, which in view of past actions is no longer credible; that is, we are urged to withdraw or greatly reduce our activities in the underdeveloped world, concentrate on reconstructing our own society and suspend all but token efforts in the third world until we understand better the revolution of modernization that is in progress there.

The alternative to this response, and the one this writer would strongly support, is a reexamination in the light of an updated appraisal of the world situation and of both our national interests and our moral and humanitarian values, as a result of which most of the problem disappears. Properly understood, United States long-term security interests, economic interests, cultural and social interests, and historical moral concerns with the welfare of common men everywhere can be jointly advanced by the right kinds of policies toward low-income countries. There will, of course, continue to be conflicts in particular places and at particular times among our detailed objectives. We will have to live with these. We will have to tolerate for a long time to come a high level of instability and frequent outbreaks of local violence and political unrest in the underdeveloped world, which may impinge unfavorably on a number of our short-term interest. But over the next few decades we have a compelling interest, both national and moral, in the emergence of a compatible and congenial world environment.

#### U.S. SECURITY INTEREST

As a result of Vietnam, United States security policy toward the less-developed world has perhaps been more severely criticized than any other aspect of our foreign relations. Mutual security has been such an important component of past United States development efforts that any changes in the security rationale of our foreign aid program must be carefully reviewed. In the bipolar postwar world of the 1950's, as Europe stabilized politically and exhibited vigorous growth economically, both the United States and the Soviet Union came to look upon the underdeveloped world as an important—perhaps as the most important—arena of conflict between what was viewed as a monolithic international Communist movement and a reasonably cohesive free world. While even the largest of the underdeveloped countries did not then and does not now possess the resources to pose a serious, direct security threat to either of the superpowers, even a marginal addition of manpower and economic resources to one bloc was regarded as dangerous by the other. More important, it was believed that the shift of even a relatively small country would have symbolic and psychological consequences which might set off a chain of dangerous reactions. Whether this was a correct appraisal even then is not at issue here. It was widely enough held to have a significant impact on United States policy and in particular on the allocation of American military and economic aid.

Several developments of the past decade have changed this picture markedly. The first and most frequently noted is the fragmentation and dispersion of power among countries in both the Communist world and the free world. Fragmentation in both camps has meant that the capacity of each to control those believed to be its clients in the underdeveloped world has been greatly reduced. The Soviet move into Czechoslovakia in August 1968 reflected a rather desperate at-

tempt to retain control over a situation that was rapidly slipping away from the comfortable subservience of an earlier period. It is too soon to tell whether the attempt will succeed, but the developments that prompted the invasion are symptomatic of the trend away from bipolarity. Further, the psychological consequences of additions of states to either fragmenting group are now less clear and less serious.

Second, both Americans and Communists have discovered painfully that their supposed clients in the underdeveloped world are much more resistant to outside influence and much less subject to outside control than was once expected. In some cases, as with Fidel Castro of Cuba, Seku Touré of Guinea, Abdel Nasser of Egypt and Ayub Khan of Pakistan, the leadership, pursuing its nationalist objectives, has refused to follow dutifully the sponsor's line. In other cases, leaders regarded by one side or the other as potential clients have been unable to maintain their own positions of authority, as happened with Sukarno of Indonesia, Kwame Nkrumah of Ghana and Ngo Dinh Diem of South Vietnam. It is interesting to note that several autocratic and repressive leaders, whether of the left like Sukarno or the right like Rafael Leonidas Trujillo, were forced out of office by pressures for popular participation from elements of the population which a few decades ago would have been apathetic or powerless. Popular participation has sometimes been anarchic, has frequently produced conflict and has seldom been channeled in constructive directions. But it has been growing, and it has frequently thwarted Communist and traditional authoritarian efforts to control or suppress it.

#### THE END OF BIPOLARITY

The conclusion that increasingly emerges is that the "two-camps" model does not apply as we once thought it did. The United States, the Soviet Union and Communist China have experienced great difficulty manipulating their presumed clients; hence the security interests of each are much less likely to be affected by switches in the international posture of individual countries, particularly of the smaller ones, than was believed. This suggests that we can afford to take a much cooler view of particular threatened or actual shifts of leadership in individual underdeveloped countries, even when the shift is in a strongly leftist and anti-Western direction. There are likely to be many more such instabilities in the underdeveloped world over the next two or three decades, and we no longer have a cold-war case for rushing in on what appears to be the anti-Communist side of every struggle.

This change in our perception of the international environment does not mean that we no longer have any security interests in the third world. In the first place, there are a few cases like South Korea and Taiwan—and some would add South Vietnam—where we have commitments of such long standing that to retreat from them now would severely damage our reputation for reliability and constancy in our dealings with other countries.

Second, there are a number of larger underdeveloped countries each of which has the capacity over the next decade or two to acquire significant nuclear capabilities. None of these has the means in the foreseeable future to pose a direct threat to the United States. Nevertheless, the consequences of the deployment of nuclear weapons anywhere in the world are so unpredictable and the risks of even a slight chance of escalation are so perilous that it would seem urgent we do everything in our power to avoid the alienation of such countries from the international community. Economic development will not insure their coopera-

tive behavior, but great-power assistance in their development efforts, combined with an increased effectiveness of international peace-keeping machinery, will greatly reduce any risk that they will behave in internationally irresponsible ways.

Third, it is in our interest to reduce the level of tension and violence in the world, particularly between states. The fact that the outcome of a particular dispute might be of limited interest to us does not, of course, mean that we are indifferent to processes by which disputes are adjudicated to avoid violence. It does mean that in pursuing our security objectives in the third world we can and should place much greater stress on operating within and through the UN and other international organizations than we thought possible a decade ago. The effectiveness with which these international institutions can operate, however, will continue to depend on the extent, quality and cooperativeness of bilateral relations between each of the superpowers and the majority of states in the underdeveloped world. We can afford to be cool and avoid involvement on one side or the other in certain disputes, but we cannot afford to be indifferent or unconcerned.

#### THE LESSONS OF NATIONALISM

Similar considerations apply to our concern with internal stability and civil violence within the borders of underdeveloped states. Experience should have taught the United States and the Communist states that effective insurgency can seldom be generated from outside unless there are genuinely serious tensions and frustrations within the target country. We should also have learned that where such tensions exist, our active participation in countersubversive programs runs a serious risk of increasing rather than reducing these domestic tensions and frustrations. Again, this does not mean that we should be indifferent to the level of civil disorder or violence within countries of the underdeveloped world. The distinctions between internal disorder and external aggression, always obscure, are getting harder and harder to draw in an increasingly interdependent world. Whatever our degree of involvement in particular disputes, the danger that internal violence may spill over into the international arena will continue to be severe. While there is profound truth in the current cliché that we cannot and should not be the world's policeman, there is equal validity in the observation that we have a deep interest in helping to channel the changes that modernization inevitably brings toward orderly and constructive rather than violent and anarchic ends.

We may frequently be faced with a choice between long-term tension reduction and short-term stability. Modernization requires revolutionary change in the structure and distribution of power, and stabilization measures which inhibit or delay change may make an ultimately destructive explosion more likely. In these cases we should be much more relaxed about short-term instabilities and much more concerned about long-term tension reduction than we have been in the past.

This view of our long-term security interests implies that we should adopt somewhat different priorities than were inherent in our earlier cold war focus on short-run stability. Given this reinterpretation, our security interests are less likely to be in conflict with other economic and social goals. Because of changes in military technology, our security requirement for military and communications bases in the low-income world is no longer overriding, and history has largely destroyed whatever case there might have been for great-power competition in pursuit of loyal clients. Thus we can and should support those regimes in under-

developed countries that are dedicated to the economic development of their countries, to the diffusion of popular participation in decision-making and to the wider sharing of social and economic benefits, whatever their international political posture. More important, we need no longer support for security reasons regimes which are neither interested in these goals nor capable of promoting them.

#### AMERICA'S INTEREST IN ECONOMIC DEVELOPMENT

United States support for the economic development efforts of the low-income countries has, since 1947, been based in part on the notion that development is a worthy end in itself which deserves American attention and resources. It began with the notion, enunciated in the Point Four program of the Truman Administration, that a major requirement, in addition to an expanded flow of private capital, was for a transfer of American technical know-how. During the Eisenhower and early Kennedy administrations, we moved to a fuller recognition that in some countries substantial capital assistance was important. There followed a phase in which emphasis was placed on human and institutional development, and most recently the favored focus has been transferred to agriculture, nutrition, population control and education.

But the defenders of aid have always felt that they had to build their case on a presumed relation between economic development and other United States security and political goals. When the two-camps model was at the forefront of our foreign policy thinking, there was a presumption that if we could create a few showcases demonstrating how productive our system could be, this would discourage fence-sitting neutrals from opting for a Communist development strategy. As the two-camps model began to lose its persuasive force, the rationale for our aid was modified to a vaguer argument that economic development would bring with it a reduction of tensions and of the disposition to violence. The case was even made in some official and private statements that economic development by itself would result in an almost automatic growth of democratic institutions and a rapid spread of popular participation.

Unquestionably, some part of whatever disillusionment currently exists with our aid programs is attributable to these exaggerated expectations about both the speed and extent of the favorable effects of economic growth. Continued crises in the underdeveloped world have forced a recognition of the fact that the roots of conflict both within societies and between nations are often traceable to forces unrelated to economic conditions. Beyond this, economic growth itself, by shaking up the stable patterns and expectations of traditional society, may in the short run prove to be destabilizing. There have been cases like Stalin's Russia or pre-Castro Cuba in which substantial economic growth, as measured by the conventional indicators, has been accompanied by increased repression and autocratic measures. In other instances, the Middle East, for example, growth has provided resources for the more vigorous conduct of international conflict. One conclusion some observers would draw is that, since economic growth has so far failed to provide the miracle cure for third-world ills that some of its advocates had suggested, the case for devoting substantial United States attention and resources to it has been largely demolished.

#### A RATIONALE FOR AID

In the writer's view, this reaction goes much too far. While we badly need increased sophistication about the difficulties and limits of economic growth and its complex relation to our other long-run international

goals, development still deserves a high priority as an international objective of United States policy.

In the first place, the argument against aid leaves untouched the case for economic development as an end in itself. Most Americans would be ill at ease living in a world in which two-thirds of mankind does not have access to the most elementary material requirements of civilized life, especially if they feel the United States can do anything about it. The level of family income that the United States government defines as drawing the boundary between intolerable poverty and minimal access to basic necessities at home—about \$3,000 in most American communities—is five to ten times the average family income of most countries in the underdeveloped world. The least we can do in such an international environment is to devote a modest share of our resources and a more substantial amount of effort and energy to the promotion of economic growth in the underdeveloped world. Even the narrowest interpretation of our moral responsibility to the rest of the international human community—namely, to help combat hunger and permanently crippling malnutrition—would call for economic development assistance substantially larger than we are now supplying. In fact, many Americans would think our responsibilities are even broader. And, indeed, as will be explained later, significant nutritional improvements in most of the low-income world can be accomplished only in the context of vigorously expanding economic activity.

Our short-term foreign policy lenses have led us frequently, in the past, to write off too casually our long-term economic interest in the growth of the low-income economies. It is, of course, quite true that European markets, investment opportunities and sources of supply are at present quantitatively much more crucial to the welfare of the American economy than those of the underdeveloped world. Given the present levels of income in underdeveloped countries, opportunities are limited for mutually beneficial trade and investment. This is especially true in the poorer of the low-income countries. But if in the next 20 or 30 years per capita incomes in some of the larger of these countries were to double (a wholly achievable target), the world economic environment for the United States could be substantially improved. We have seen in parts of Latin America and most notably in Japan, now our second most important trading partner (after Canada), how rapid domestic growth can, in a decade or two, radically expand trading opportunities. If, on the other hand, economic growth stalls or is retarded in a large part of the third world, prospects for the expansion of trade, for access to new markets and investment opportunities, and even for international monetary stability are bleak. Even if third world growth rates are accelerated, an improved international economic climate is far from assured. Political disruption, restrictive practices and a breakdown of international cooperation would still be possible and would unquestionably occur at certain times in some places. But without growth these unhappy prospects are much more than possible—they are virtually assured.

#### U.S. INTERESTS IN SOCIAL AND CIVIC DEVELOPMENT

Our final interest in the modernization process revolves around our concern with the fuller participation of the common people of low-income countries in political, social and economic activities and with an atmosphere of freedom and opportunity. The dichotomy between national interests interpreted narrowly in power and security terms and humanitarian interests interpreted equally narrowly in terms of feeding and housing the



miserable has led to a neglect, both at home and abroad, of a rich dimension of our national purpose. This dimension has something to do with the spread of the idea of democracy, a word that has been identified by some with too narrow a range of peculiarly American institutional forms and has been used by others, as in the various people's democratic republics, to label societies in a way which violates its spirit. It also relates to what is sometimes called "political development," but this term has also acquired many inappropriate overtones. Congress has set forth our interest in social and civic development in provisions of the various foreign assistance acts, perhaps most notably in Title IX, Section 281, of the Foreign Assistance Act of 1966, which directs that "emphasis shall be placed on assuring maximum participation in the task of economic development on the part of the people of the developing countries, through the encouragement of democratic private and local governmental institutions."

This notion of expanded popular participation as an aspect of modernization has become increasingly important. Three elements in particular may be noted: (1) the element of broadened participation in decisions affecting the quality of life of the people, whether they be political, economic or social decisions; (2) increased opportunities for people to acquire and use productively the full range of modern skills, to participate in the psychologically satisfying processes of modernization; (3) the notion that there should be the widest possible participation in the distribution of the economic and social fruits of development by elements in the world's population.

American policy-makers and their colleagues abroad in both developed and underdeveloped societies are only beginning to gain some understanding of what this participatory dimension of our common goal requires. At a minimum, we are beginning to see that it demands a greatly enriched pattern of institutions for channeling creative energies in constructive rather than destructive directions. It requires rapid progress in education, a massive expansion of facilities for communication, transport and sources of energy. It requires greatly increased responsiveness by both governmental and private institutions at national, regional and local levels to the demands that popular participation generates. And it requires, if it is not to be disruptive, that a rough balance be struck among the economic and the social and civic priorities in the modernization process.

By accepting the goal of expanded popular participation, we broaden our moral and humanitarian objectives beyond the elimination of hunger, disease and material deprivation to a deeper concern with the widespread diffusion of fundamental human satisfactions. Most Americans share with many people abroad a faith that in the long run this multidimensional human development will greatly increase the prospects for a world of more open, more cooperative and more liberated societies. Interaction with such societies can enrich our own culture intellectually, aesthetically and socially, as well as economically. Those who would have us promote participatory goals more vigorously in the low-income countries, as Title IX of the Assistance Act of 1966 enjoins us to do, must recognize that in many traditional societies such goals have profoundly revolutionary implications. Their effective pursuit may well be resisted by present power holders who regard themselves as our friends. Where they are so resisted, we have little option but to keep our distance and wait for internal historical forces to change the situation. But where, as in an increasing number of countries, our help in social and civic development is sought,

there is much we can do in cooperation with the existing leadership to promote it.

In any case, we can be reasonably sure that in the underdeveloped world, as in our own cities, if the increasing demands for participation in the development process and in its benefits are not met for significant numbers of people, the prospects for an improved international environment during the rest of this century are slim indeed. To be sure, the resource base of low-income countries is likely to remain too small to permit even high levels of frustration and disaffection among them to pose any direct challenge to the physical security of the United States. But the possibility that the low-income world might splinter into a series of mutually hostile, closed societies with restricted human access and interchange must be viewed as a potential disaster. We should be willing, in our own interest, to devote substantial resources toward avoiding that disaster, whether it touches our consciences as members of the world community or not.

Fortunately, we have been moving in the last decade away from and not toward the world described by George Orwell in *Nineteen Eighty-Four*. Societies everywhere, including those in which totalitarianism appeared to be in the ascendancy ten years ago, are showing increasingly vigorous signs of decentralization and dispersion of influence. The troubles that low-income countries have been recently experiencing are ascribable more to their political and economic difficulties in effectively handling the growing demands for popular participation than to their attempts to suppress it. But with a slowing of growth and development, rather than an acceleration, this trend could easily be reversed.

#### ORCHESTRATING OUR LONG-RUN INTERESTS

That our long-run security interests, our interests in economic growth and our interest in social and civic development are strongly interconnected should have become apparent by now. We are increasingly recognizing that short-run stability in certain situations or the antirevolutionary bias of certain traditional leadership groups may be inconsistent with the growth of a more stable world environment in the long run, and that the latter is our true interest. This recognition changes not only our military assistance priorities but our economic assistance priorities as well.

Actually, if we look at the recent distribution of our economic aid resources, we are not likely to find that—apart from Vietnam, where our large economic aid program is closely related to a United States war effort—the altered appraisal of our security interests suggested here would change the distribution of funds very much. Ten years ago our economic aid was rather heavily concentrated in countries around the periphery of the Communist world, believed to be in danger of falling into the enemy camp. A number of our major aid recipients were countries which did not then look either economically or politically promising. The pattern has changed in the last decade in two respects. In the first place, both Latin America and Africa, each of which has been less menaced by threats of incipient Communist take-over than many Asian countries, have received a significantly larger share of our attention and resources. In the second place, several countries which received aid primarily on short-term security grounds a decade ago and which did not look economically or politically promising—South Korea, Taiwan, Pakistan and Turkey—have, in the last few years, exhibited an extraordinary acceleration in economic growth and a substantial rise in popular participation.

The fact that such a change in the rationale of our aid program would result, Vietnam aside, in only limited changes in existing priorities of attention does not mean that the change is unimportant, however. Alter-

ing our explicit rationale for doing the things we are now doing would help to resolve some popular and congressional doubts about the wisdom of our present course of action. It would also serve to alter the image held abroad of the objectives of the United States foreign policy.

To a confirmed skeptic, of course, concurrence between our long-term strategic interests and widespread economic and political development cannot be proved. Indeed, many historical instances of the failure of this relationship can be cited. Cuba was relatively prosperous when Castro took over, and while the Italian and German fascist aggressions followed severe economic depression, they were preceded by substantial histories of democratic development. Similar instances are bound to occur in the future whatever our posture.

#### BALANCING ECONOMIC GROWTH AND PARTICIPATION

Nevertheless, on balance, the prospects for a stable, orderly and cooperative international environment are substantially better if most of the underdeveloped world is prospering economically and exhibiting a widening range of civic participation. This is so partly because a leadership successfully coping with internal economic and political development problems is under less pressure to divert attention to foreign military adventure; and it is so partly because there will be fewer groups in the population whose economic or political frustrations threaten to explode into violent revolt.

There have been instances in the past in which substantial economic growth has not brought with it much improvement in the quality of life—in the opportunities for widened participation—for the bulk of the population. Economic growth has sometimes been confined to a limited sector of the economy and benefited a narrow class of the population, as in several of the oil-rich countries. Indeed, there are many circumstances in which pursuit of the goals of equitable distribution and widened participation in decision-making could slow the growth of the economy as a whole. These conflicts between equity and rapid growth are fundamental conflicts of values which must be resolved by the political process of the host country. Outside expertise can help formulate alternative policies, but the final choice is a domestic political responsibility.

Nevertheless, one conclusion is beyond serious question. In the very low-income countries, effective social and civic development is impossible in the absence of vigorous economic growth. While improvements in the quality of life of the average man involve much more than increases in his material standard of living—such items as more and better education, the acquisition of new skills, increased opportunities for social and economic mobility, an increased role in the making of social decisions—they also require resources and expenditures beyond the capacities of a subsistence economy. Nutrition, health, jobs, schools, roads, communications, governmental services cannot be supplied or equitably distributed at the levels of income and productivity presently characteristic of the bulk of low-income nations. Continued and accelerated economic growth is thus a *sine qua non* for the expanded range of goals which should be encompassed by future United States policy toward the third world. But the objective of economic growth must be pursued in the context of greatly expanded American and international attention to the requirements for broader effective popular participation in all its forms.

#### EXTENT AND LIMITS OF U.S. INFLUENCE

Before the question of whether or not United States foreign policy should continue to help promote economic, social and civic

development in the low-income countries can be answered affirmatively, two more questions must be posed. One concerns our capabilities to affect significantly the development of the low-income world, and the other concerns the willingness of the peoples and governments of that world to work with us toward these ends.

With respect to economic growth, the record of the past decade or so is conclusive. In the face of an unprecedented population expansion at a rate of 2 to 3 percent a year, the less-developed countries on which reliable statistics are available—and these constitute the bulk of those in the non-Communist world—have achieved an average rate of growth in per capita incomes of about 2 percent a year. Indeed, for the decade of the 1960's, it looks as though the average growth rate in the gross national product (GNP) of the underdeveloped countries as a group will be about 5 percent, which is approximately the same as that of the developed countries as a group and which meets the target set by the UN at the beginning of the decade. Because population growth has been a percentage point or so higher for underdeveloped than for developed countries, the per capita growth for the former has been correspondingly smaller. But these growth rates are much higher than these countries as a group have ever experienced before and, indeed, better than the United States and most of the other developed countries were able to sustain over comparable periods in their history of development.

The overall average in the underdeveloped world was high partly because of a few remarkable success stories—sustained per capita growth rates of over 6 percent a year in Taiwan, South Korea, Thailand, Mexico and Israel. Nonetheless, in the face of this impressive record, the widespread impression that the rate of development has been disappointing is puzzling. Some of the large countries, like India, did not meet the ambitious targets they set for themselves, but even India has grown much more rapidly in the last 20 years than ever before.

A significant fraction—a fifth to a sixth—of the investment throughout the less-developed world which made this growth possible was financed by foreign aid, supplied either bilaterally or through international institutions. In countries where United States aid has been concentrated, the fraction of investment financed by aid is much larger. In short, no serious doubt seems to have been raised by anyone who has carefully studied the problem that the aid contribution of the developed countries, constituting a relatively light burden on their economies, has made a substantial difference between stagnation and growth in many of the low-income countries.

#### AD FOR SOCIAL AND CIVIC DEVELOPMENT

Regarding American capabilities to help with social and civic development, we must be more modest. The institutional forms with which we are familiar are in many cases not well-suited to the circumstances of low-income countries. Beyond this, many of our own social, political and economic institutions are currently undergoing reexamination here at home. Nonetheless, our efforts in education, public administration, community development, local government, cooperatives and the development of transportation and communication have already had important effects on the quality of life in a number of developing countries and could have much more significant effects if we cooperated more actively with recipient governments in pursuing these goals.

This brings us to the second question—whether the less-developed countries would welcome a more active concern on our part with the other-than-strictly-economic problems of their development. They will not do so, in most cases, if they feel we are trying to export institutional arrangements which are

not performing well within our own society. On the other hand, the peoples and even the governments of many low-income countries share our interests in social and civic development. So long as we do not presume to have all the answers to precisely how their development is to be accomplished, they would doubtless welcome our advice. The charter of the Alliance for Progress underlined the noneconomic goals of development in Latin America with relatively little controversy. There is reason to believe that the same extension of the development concept might be welcomed elsewhere.

For our part, we must recognize that sometimes these goals can be as effectively promoted in single-party as in multiparty systems, in socialist as well as capitalist states, and that even states which call themselves Communist, like Yugoslavia and Czechoslovakia, have pushed some distance in the direction in which we are interested. The fact that Americans are now aware of their own problems with regard to restricted participation by elements of their own population should make discussion of these problems with foreigners easier rather than harder.

#### NEED FOR A DIVERSITY OF COUNTRY STRATEGIES

In concluding this discussion of the rationale for our concern with underdeveloped countries, it is important to emphasize the wide differences among them. They can be discussed as a group because they all share in one form or another a common concern, for the most part of recent origin, with the modernization process—economic, social, political and cultural. But they differ so radically in so many fundamental ways that the effort to design and legislate a common strategy for all is doomed to failure at the outset. They range in size from minisates like Guyana and Mauritius, with less than a million people each, to a subcontinental state like India, with over half a billion. They include still predominantly subsistence economies, like Somalia and Paraguay, and countries with thriving modern industrial sectors, like Brazil and Turkey. They include countries with ample foreign exchange resources, like Venezuela and Libya, and countries with chronic shortages of foreign exchange earnings, like Pakistan and Jordan.

The policies of these countries defy a simple classification along a spectrum of left to right or from dictatorship to democracy. Some countries have a strong sense of national integration, a common language and a long democratic tradition, like Chile, and others, like the Congo, are hardly yet countries at all. In some, power is held by a small elite, as in Liberia and Burma. In others, the regime is dedicated to expand popular participation, as in India and Tanzania. There are those in which United States influence and advice is eagerly sought, as in contemporary Indonesia, and others in which it is suspect, as in Cambodia. This is only an illustrative sampling of the range of country variation that must be taken into account in the design of United States and international policies. This diversity has profound implications for the organization and orchestration of the various instruments of United States and international policy to which we now turn.

#### SYMPOSIUM ON BALTIMORE METROPOLITAN TRANSPORTATION PROBLEMS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. LONG of Maryland. Mr. Speaker, on February 20 the Baltimore chapter of

the Society of Logistics Engineers is sponsoring a daylong symposium on Baltimore metropolitan transportation problems in the next decade. With today's congested transportation networks and the increasing prevalence of urban sprawl, it is important that we plan now to meet the needs of tomorrow. I should like to commend the Society of Logistics Engineers for their efforts to meet the challenges of the future. Since our newspapers in Baltimore have been on strike since early January, this fine symposium with its outstanding speakers has not received the publicity that it deserves. I should like to share with my colleagues the details of the conference by including the schedule for the day and information on the speakers in the CONGRESSIONAL RECORD:

#### SYSTEMS OF TRANSPORT, METROPOLITAN BALTIMORE, 1979

##### INTRODUCTION

The Society of Logistics Engineers is sponsoring a one day symposium at the Statler Hilton Hotel in Baltimore. The theme of this symposium is "Systems of Transport—Metropolitan Baltimore 1979". The city's road, rail, air, and sea transportation profiles and problems will be foretold for the era of Baltimore's two hundred fiftieth anniversary.

The Society of Logistics Engineers is a recognized professional group whose major concentration has been the technical logistical systems of the U.S. Department of Defense. Technologies learned in this experience are now being applied to the total field of logistics. Baltimore logistics problems are of great interest to the Baltimore Chapter of the Society of Logistics Engineers.

A systems engineering approach will be used to develop the overall presentation of the program. In this manner, the most relevant matters in the entire field of transport will be aired and discussed at the symposium. Recognized authorities associated with each of the transportation modes will make presentations reflecting the state of the art in this field, and what is envisioned as the problems of 1979. Preceptive discussions as to the technological progress toward meeting the 1979 challenges will be included.

At the end of the technical program, a panel composed of the speakers will be convened to discuss the interactions between the various modes of transport and to sum up the technological advances needed to keep pace with the ever increasing needs of a dynamic metropolitan area.

##### PROGRAM

- 8:30 a.m.: Registration.
- 9:00 a.m.: Convene symposium, J. L. Carpenter, General Chairman.
- 9:05 a.m.: Welcome, Honorable Thomas D'Alesandro, Mayor, Baltimore City
- 9:15 a.m.: Program introduction, G. Thomas Chambers, Chairman, Technical Activities.
- 9:25 a.m.: "General Transportation Survey and Forecasts," Edmund Rovner, Executive Assistant to the Governor (Heads Task Force Study—Maryland Department of Transportation).
- 9:50 a.m.: "Port Requirements," W. Gregory Halpin, Deputy Director, Maryland Port Authority.
- 10:15 a.m.: Coffee break.
- 10:30 a.m.: "Truck Terminals and Truck Routes," Albert Mascaro, General Manager, Maryland Motor Truck Association.
- 10:55 a.m.: "Railroads and Their Facilities," G. M. Leilich, Vice President, Operations, Western Maryland Railroad.
- 11:20 a.m.: "Maryland Air Transport," Alfred Lipin, delegate, Ann Arundel County.
- 11:45 a.m.: Luncheon, James M. Beggs, Under Secretary, U.S. Dept. of Transportation.
- 2:00 p.m.: "Road Network," Mr. David H.



Fisher, Chairman-Director, State Roads Commission of Maryland.

2:25 p.m.: "Urban Mass Transportation," Walter Addison, General Manager, Metropolitan Transit Authority.

2:50 p.m.: Coffee break.

3:05 p.m.: "A User Predicts," John N. Highfield, Distribution Manager, McCormick and Company, Inc.

3:30 p.m.: Panel discussion and question interval.

4:45 p.m.: Adjournment.

#### COMMITTEE

Chairman, J. L. Carpenter, Martin Marietta Corp.

Technical Activities, G. T. Chambers, Tate Technical Service, Inc.

Arrangements, F. R. Tucker, Westinghouse Electric Corp.

Public Relations, E. T. Kreiner, Tate Technologies, Inc.

Invitations, Dr. B. H. Wetzel, Westinghouse Electric Corp.

Registration, G. R. Levitt, Westinghouse Electric Corp.

Historian, G. N. Cowie, Tate Technical Service, Inc.

Finance, C. Daniels, Westinghouse Electric Corp.

#### INFORMATION ON SPEAKERS

James M. Beggs, U.S. Under Secretary of Transportation, will deliver the keynote address when transportation experts assemble February 20th for a day-long symposium on Baltimore metropolitan transportation needs and problems in the next decade.

The Baltimore Chapter of the Society of Logistics Engineers is sponsoring the symposium beginning at 8:30 A.M. in the Statler Hilton Hotel.

The event comes at a time when the Maryland General Assembly is considering legislation proposed by Governor Mandel to create a State Department of Transportation, which would coordinate planning and development of various modes of transportation for a unified state system.

Edmond F. Rovner, Chief of the Governor's Administrative Staff, will present an overview and forecast of Maryland's transportation system.

Other speakers will include W. Gregory Halpin, Deputy Director of the Maryland Port Authority; Albert Mascaro, General Manager of the Maryland Motor Truck Association; G. M. Lellich, Vice President of Operations for Western Maryland Railroad.

Also scheduled to speak is; David H. Fisher, Chairman-Director of the State Roads Commission; Walter Addison, General Manager of the Metropolitan Transit Authority, and John N. Highfield, Distribution Manager for McCormick and Company, Inc. Mr. Alfred Lipin will speak on Maryland's State Aviation.

At the conclusion of the presentations, a panel composed of the speakers will discuss relationships between the modes of transport and the technological advances needed to cope with the needs of the metropolitan area.

Mr. Beggs, the Under Secretary of the recently created federal Department of Transportation, will address a noon luncheon.

Edward T. Kreiner, Chairman of the Baltimore Chapter of the Society of Logistics Engineers, said its extensive experience with problems of military and space logistics is increasingly being applied to civilian problems.

"The technologies we have learned and applied for the U.S. Department of Defense can be of great value as the urban areas attempt to cope with truly massive problems of transportation," he said.

For Information Contact: Mr. E. T. Kreiner, Chairman, Society of Logistics Engineers, Baltimore, c/o Tate Technologies, Inc., 91 Aquahart Road, Glen Burnie, Maryland 21061; phone 301-768-3300.

## NEW LIFE FOR THE BROOKLYN NAVY YARD

### HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. ROONEY of New York. Mr. Speaker, 4 years ago when the Defense Department, in a misguided economy move, abandoned the Brooklyn Navy Yard, Brooklyn and the entire city of New York suffered a major economic and social blow. At that point many wrote off the navy yard and its people. We did not. The people of Brooklyn, their elected city and Federal representatives, and industry have been fighting continuously over that period to restore the navy yard site to its productive self. The fight has not been an easy one, but at last we have achieved a major victory in the campaign. It is not over yet, but I think the following release from the Department of Commerce shows the tremendous step forward that has been achieved.

Under permission heretofore unanimously granted, I include the release of the Secretary of Commerce, the Honorable Maurice H. Stans, at this point:

#### NEWS RELEASE BY MR. STANS

Seatrains Lines, Inc. has received approval from the Maritime Administration, U.S. Department of Commerce, for Federal loan guarantees of almost \$100 million, which will permit Seatrain's shipbuilding subsidiary to build two 230,000-ton tankers in the company's new shipyard at the former Brooklyn Navy Yard.

The guarantee consists of Federal ship mortgage insurance granted under Title XI of the Merchant Marine Act of 1936.

Details of the Government action were announced today by Secretary of Commerce Maurice H. Stans following a briefing of the project with Rep. John J. Rooney, Chairman of the House Appropriations Subcommittee, which has jurisdiction over the Maritime Administration, and in whose district the shipyard is located, and with New York Senators Jacob Javits and Charles Goodell.

The building of the ships will create a large number of job opportunities during the period of their construction. It is estimated that the construction will provide some 5,520 man-years of employment at the shipyard, with an equal number of man-years of employment among the various suppliers.

Stans said the guarantee would permit the start of the ships' construction possibly as early as this summer. The two ships will each be twice the size of the S.S. Manhattan, the largest tanker presently in the U.S. merchant fleet. The 115,000-ton Manhattan, also Seatrain-owned, recently became the first ship to successfully navigate the Northwest Passage to Alaska.

Mr. Stans said the Federal action was "an outstanding example of how the Maritime Administration and the Department of Commerce have been able to act emphatically in an area of vital national interest." The Seatrain subsidiary's facilities in the Brooklyn Navy Yard are financed in part by \$12 million in grants and loans from the Economic Development Administration of the Department of Commerce.

He noted that the importance the Government attributed to the Seatrain shipbuilding program was underscored by the size of the loan commitment, which is among the largest ever granted under the Title XI program.

The Administration's approval of the loan

guarantee advances two important goals, he said.

"The tanker building program will create a demand for new jobs in an area of large scale unemployment particularly among minority groups, and it will be a major benefit in developing skills that will insure greater employment opportunities for these groups. Construction of the two supertankers will also signal a move to bring substantial shipbuilding back into U.S. shipyards and to compete with giant supertanker shipbuilding programs currently under way in foreign ports." Mr. Stans said the giant ships will afford economies of scale to the oil industry which will also benefit the American consumer.

Cranes, steel assembly equipment and other facilities for the Seatrain shipyard are already on order and training of shipyard personnel is expected to begin shortly, Mr. Stans said. "We are hoping that the shipyard could begin cutting steel for the ships by late spring."

Representative Rooney said he was extremely pleased by the Seatrain-Maritime agreement. "It is a solid achievement for the Nation and its maritime industry, as well as for the company involved and for the thousands of people who will be a part of these ship constructions," he said.

## DRUG ABUSE A MAJOR PROBLEM

### HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. CHARLES H. WILSON. Mr. Speaker, as we move into the second session of the 91st Congress, most of the problems which we confronted during the past session remain with us, continuing to demand our thoughts and attention. One major problem is surely the continuing menace of drug abuse and narcotics traffic in the United States today.

I have pointed to the staggering increases in this area many times in the past, as I believe we must all be cognizant of the very real dangers which abused drugs and narcotics present to our society at all levels and especially among our most important resource, the young people of this country.

The unanimous passage last session of the landmark Drug Abuse Education Act of 1969 was, I think, an encouraging sign that the distinguished Members of this body are facing the serious challenges of excessive drug use and moving decisively to do something about it. I look forward to a widening effort in the months ahead to turn back the rising tide of drug abuse and narcotics traffic through concerted efforts at the Federal, State, and local levels.

I am convinced that we can effectively work together in the battle to rescue our citizens from the destructive and demoralizing forces of abused drugs and narcotics. Consequently, I am pleased to include at this point a recent resolution passed by the Los Angeles County Board of Supervisors concerning the extremely serious nature of drug abuse in this country. This unanimously passed resolution was authored by my good friend, Supervisor Kenneth Hahn, representing my own district area in Los Angeles County.

The resolution follows:

RESOLUTION OF BOARD OF SUPERVISORS,  
COUNTY OF LOS ANGELES

Whereas, Dr. Gerald A. Heldbreder, health officer of Los Angeles County—the most populous County in the nation—has declared there is a narcotics epidemic in Southern California; and

Whereas, last year in Los Angeles County there were 50,000 arrests for narcotics, 6,000 cases of drug overdose requiring hospitalization and 2,000 deaths; and

Whereas, the drug plague is spreading into every college and school campus, including junior high and high schools; and

Whereas, President Nixon should immediately enforce the law at the United States-Mexico border to stop the flow of drugs and should instruct the Department of Justice to investigate the drug manufacturers and pharmaceutical houses to see that drugs are not distributed into our schools;

Now, therefore, be it resolved by the Board of Supervisors of the County of Los Angeles that every state in the Union, the Congress and the President of the United States be urged to join in declaring an all-out war on narcotics—treating it as just as deadly a health plague as typhoid or malaria; and

Be it further resolved that the Clerk of the Board be instructed to send copies of this resolution to President Richard M. Nixon, Governors of all 50 states and all members of Congress.

STATE OF CALIFORNIA,  
County of Los Angeles, ss:

I, James S. Mize, Executive Officer and Clerk of the Board of Supervisors of the County of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the Original Minutes of Board Order No. 2 of January 22, 1970 on file in the office of the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

In witness whereof, I have hereunto set my hand and affixed the seal of the County of Los Angeles this 22nd day of January, 1970.

JAMES S. MIZE,

Executive Officer and Clerk of the Board  
of Supervisors of the County of Los  
Angeles.

THE OIL IMPORT REVISIONS POSE  
THREAT TO NATIONAL SECURITY

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. EDMONDSON. Mr. Speaker, I wish to commend the Oklahoma State Legislature on its recent enactment of House Concurrent Resolution 1037, expressing that body's opposition to weakening of the present oil-import control program.

I think the recommendations contained in House Concurrent Resolution 1037, coming as they are from responsible and knowledgeable public officials within a State closely related to one of our Nation's most important industries, should receive the most careful consideration of the President and members of his Oil-Import Task Force. It is my personal belief that continuation of the present quota system is absolutely necessary if we are to retain the adequate sources of fuel so vital to our national security and defense.

The legislature has provided each member of the Oklahoma congressional delegation with a copy of House Concurrent Resolution 1307, and has also sent a copy to President Nixon. I feel the recommendations of our State Legislators will also be of benefit to my colleagues here in the House, and I submit the text of House Concurrent Resolution 1037 for inclusion in the RECORD, as follows:

ENROLLED HOUSE CONCURRENT RESOLUTION  
No. 1037

A concurrent resolution expressing the opposition by the Oklahoma Legislature to any change in the oil import control program which would have the effect of placing direct Federal control on the price of crude oil or reduce price incentive; and directing distribution.

Whereas, the United States is dependent upon the State of Oklahoma, among other sources, for supplying its energy needs; and Whereas, the economy of the State of Oklahoma is heavily dependent upon the oil and gas industry which provides approximately seventy percent (70%) of the state's revenues, directly and indirectly; and

Whereas, a drop in the value of oil or gas would cause a heavy loss to the State of Oklahoma, where it is estimated that a per barrel price of Two Dollars and fifty cents (\$2.50) would cause a loss to the state of more than Two Hundred and Thirty Million Dollars (\$230,000,000.00).

Now, therefore be it resolved by the House of Representatives of the 2nd session of the 32nd Oklahoma Legislature, the Senate concurring therein:

SECTION 1. That the Legislature strongly opposes any change in the import control program which would have the effect of placing direct federal control on the price of crude oil or would reduce the price incentive for the search for needed domestic oil and gas reserves so vital to our national security.

SEC. 2. Copies of this Resolution, after consideration and enrollment, shall be distributed to President Nixon and the Members of the Oklahoma Congressional Delegation.

Adopted by the House of Representatives the 12th day of January, 1970.

REX PRIVETT,

Speaker of the House of Representatives.

Adopted by the Senate the 14th day of January 1, 1970.

FINIS SMITH,

President pro tempore of the Senate.

WE NEED A JOINT COMMITTEE ON  
ENVIRONMENTAL QUALITY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. BIAGGI. Mr. Speaker, I am pleased that the President, in his state of the Union message, put the fight against pollution at the top of his national agenda for action in the 1970's.

Truly the task is herculean. By no means is the \$10 billion that Mr. Nixon proposed for a "clean waters" program an overprojection of the amount of Federal aid that will be necessary if we are to cleanse our polluted waters that have long ago lost the ability to cleanse themselves. We will need much more money before we are through.

The innovative methods of financing these projects that the President hinted at must be implemented as soon as possible. We are presently confronted with a contaminated environment resplendent with such pollution problems as noise pollution, thermal pollution, chemical pollution, water and air pollution, and the problem of treating and disposing of our solid wastes.

Now it is time for the Congress to do its part to make this national effort possible. A concerted legislative attack against these problems can only be effective if we establish the legislative machinery in the House and Senate to deal solely with pollution problems and problems of the environment.

Last December I introduced a bill, H.R. 15342, which would establish a Joint Committee on Environmental Quality here in the Congress. I think this is an appropriate time to reappraise the value of such a joint committee since it is such a capable vehicle for carrying out the programs that the President outlined in his state of the Union message.

As you know, Mr. Speaker, until now various committees in the House and Senate have made a valiant effort to cope with pollution problems under their particular jurisdictions. However, this lack of sole jurisdiction has not enabled any one committee to deal with the problems of environmental quality as a cohesive whole.

We simply cannot continue to deal with the massive problems of pollution in a fragmented and sporadic manner. If we do, our programs will have the same medicinal value as a bandaid has for a broken arm.

A joint committee would be able to tackle these problems comprehensively. It could marshal the knowledge needed to cope with poisoned air, poisoned water, and poisoned land. The dynamic committee system is our best tool to investigate and suggest programs and plans on a national level.

Therefore, Mr. Speaker, I earnestly urge you and my colleagues in the House to begin a concerted attack against pollution by establishing a Joint Committee on Environmental Quality as soon as possible.

OUR FINNISH FELLOW-AMERICANS  
AND THEIR CONTRIBUTIONS TO  
AMERICA

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a very remarkable, interesting, and learned lecture on Finland's contributions to American civilization by His Excellency, Richard R. Seppala, one of Finland's greatest diplomats and leaders.

This brilliant lecture is extremely well done and it provides for all those who read it a very comprehensive understanding of the great debt we owe to



Finnish-Americans for their memorable contributions to American life, American freedom, and American civilization.

I am very proud and grateful to represent a district where there are so many upright, loyal, talented, industrious people of Finnish heritage, who through the years have so beneficially bestowed their rugged character, courage, loyalty, and industry upon our great free system and all its institutions.

These noble, dauntless people are Americans of the best type, and we are deeply indebted to them for their 300 years of faithful support and loyalty to the Western world and our great free Nation.

The lecture follows:

#### FINLAND'S CONTRIBUTION TO AMERICAN CIVILIZATION

A granite monument in Chester, Pennsylvania, and a memorial plaque on the opposite shore of the Delaware River at Finn's point, New Jersey, commemorate the arrival of the first Finnish pioneers on this continent more than 300 years ago.

As Finland was then a part of Sweden, the colony founded in 1638 was named New Sweden. From 1638 to 1654 the land along both shores of the Delaware was the colony's territory and a succession of ships brought additional settlers of which at least half were Finns. Many settlements developed along the river. One was on the present site of Philadelphia and was called "Sauna", a Finnish word meaning Finnish steam bath or bath house. From earliest times the Finnish settlers have always built saunas first, using them as temporary dwellings until a more spacious house was built. As the Finns were the first pioneers to settle where Philadelphia is now, it is not surprising that the place was once called Sauna.

Other Finnish settlements were called Finland and Upland and were at the site of what is now Chester, Pennsylvania. A sizeable colony of Finns settled in present-day New Jersey around what is still known as Finn's Point. The Finns built their log cabins and saunas like their forefathers in Finland had done for more than a thousand years. The log cabins became the pride and symbol of pioneer life as the Finnish sauna baths are today, becoming more and more popular in this country.

We learn from a history of this colony, published in 1702, that in the settlement called Finland, the Finns lived without fortifications, at peace with the Indians. Together with the Swedes, they founded the first town, built the first schools and roads, established the first courts and constructed the first churches in the Delaware Valley, and in so doing, made an important and lasting contribution to American civilization.

Although 16 years after its founding, the colony of New Sweden passed under Dutch rule and 8 years later to the British, the settlers remained and were even increased by newcomers. They retained their identity—linguistic, religious and cultural—but ultimately merged with the main stream of American nationality. The historical fact remains, however, that the Finns were one of the nationalities that helped to settle the original thirteen states of the Union, the others being the English, Dutch and Swedes. Even today, some old names in Pennsylvania and Delaware could be traced back to their Finnish origin. Only a few are found in history books, because history in those days was not so much written as it was made by the work and toll of these early settlers. Some of them, however, are still remembered like Long Finn or John Finn, who was maybe the first true rebel against the Colonial rule. But he lived too early and suffered for it.

John Morton, the man who cast the deciding vote in favor of the Declaration of Independence, was luckier. It seems that his great-grandfather was Martti Marttinen, born in Rautalampi, Finland in 1606. He came with his young son, Martti Marttinen, Junior, through Sweden to Delaware in 1641. Their name, Marttinen, was later changed many times in Swedish and British official records to Martenson, Marten, Martin, and finally Morton. What Morton, with the other "Founding Fathers", accomplished was foreseen many years earlier by another well-known Finn, the naturalist, Peter Kalm. He was son of a Finnish pastor and professor in the University of Turku, then the capital of Finland, traveled widely in America from 1748 to 1751 as the first investigator of plant and animal life here. This famous scientist prophesied: "If the French can be driven from the American continent and the Indians defeated, then the American colonies will fight Great Britain and win their independence".

After the death of the main promoter in Sweden of the Delaware colony, a Finnish nobleman named Klaus Fleming, and the passing of the settlement to the Dutch rule and some years later, to the British, interest in emigration to America faded in Finland and Sweden for a long time. Occasionally, Finnish sailors arriving at the ports of the North, South and West Coasts, would be found searching for their fortunes in the New World during the following century.

As a consequence of the Napoleonic wars in Europe, Finland was separated from Sweden and passed under the rule of Russian Czars in 1808. Then from 1830 to 1840, a considerable number of Finns immigrated to Alaska, which also belonged to Russia at the time. Alaska even had two Finnish governors; Admiral Etholen in 1840, and Captain Furuhjelm in 1859. A considerable amount of trade developed between Finland and Alaska and numerous Finnish ships transported goods and emigrants around Cape Horn to Alaska. Later, when Alaska was sold in 1867 to the United States, many Finns stayed on and settled, particularly around the Sitka. The descendants of these early Finns and those who came later, played an important part in the development of this territory, which now, a century later, has become the 50th state of the Union. The Finns in Alaska were not only early pioneers, hunters and fur traders, fishermen and gold diggers, but also administrators, mayors and officials who advanced law and order in this (at the time) faraway land.

#### LARGE NUMBER OF FINNS BEGIN ARRIVING

The great flow of emigration from Finland over the Atlantic began, however, in the latter part of the last century. In 1865, a group of 35 Finns arrived in upper Michigan. From then on, more and more came to Michigan and Minnesota where they found work in mines and iron furnaces, lumber camps and in agriculture. Some remained on the East Coast in New York and in the New England States where there are today several Finnish communities, particularly here in Massachusetts, Connecticut and Maine. Between 1871 and 1873 Finns were pushing their way to the furthestmost western points of the country; to Astoria, Oregon (where they have since held an important place as fishermen) and to the State of Washington. The depressions which occurred in the United States in the years 1873 and 1893 temporarily slowed down emigration from Finland. It increased later and reached its peak at the turn of the last century and continued to be high until the outbreak of the First World War and soon thereafter.

Finnish immigration to the United States remained, however, rather modest in comparison to that of many other European nationalities. The number of Finns in the United States—immigrants and second gen-

eration (one of the parents being a Finn)—never exceeded 150,000 in any given year according to the official American statistics. Several unofficial estimates included all people of Finnish origin who still knew Finnish or Swedish or who otherwise could be counted as Finns. These estimates vary between three and four hundred thousand as maximum on any given year. This is understandable if we take into account the fact that the total population of Finland was, at the turn of the century when immigration was at its highest, only about two and a half million, and today, when immigration has slowed down, four and a half million.

During these past decades, the Finns settled mainly in the middle east and northernmost states of the East and West Coasts as already indicated. In these areas, the immigrants toiled mainly in the mines, lumber camps and railway construction works, and later, as pioneers. It has been said that no nationality of comparable size dug more iron and other metals out of the earth of this country than the Finns.

As Finland is still today a country of forests, the Finnish immigrants were used to heavy forest work and carpentry of every kind. In this respect, professor Van Cleef from Ohio University writes about the Finns: "In efficiency in the mines, the Finns rank close to the top. They make good timbermen in the underground mines for they are reputed clever and ingenious with the axe and the log."

The majority of the Finnish immigrants came originally from agricultural life. It is not surprising, therefore, that they found their steps leading back to farm life in America.

It was the aim of most of those who began working in the mines and lumber camps to obtain homesteads or to buy farms as soon as they had the means to do so. They generally obtained 40 to 120 acres, often cut-over land in Michigan, filed for a homestead in Minnesota, or bought a run-down farm in western New York, Connecticut or elsewhere. Then they settled down to work and often cleared the stumpy land, acre after acre, making of these virgin or run-down lands flourishing farms. They were not only handy in tilling the soil, but they built their own homes, shod their own horses, and showed skill in different kinds of manual work. In the Scientific Monthly, May, 1923, professor Van Cleef writes that "the Finn is thrifty and independent. Both of these qualities are the consequence of his life upon the farm in his native country where isolation and the struggle against the odds of nature challenge the strongest and bravest of men. He has consequently developed a penchant for work, a tenacity of purpose, and a skill in farm management which may well be the envy of the peer of America's best farmers."

Most of these emigrants came here with little means to search for a better life or to earn money to return home and buy a farm. Therefore, the first generation, except in a few cases, could not start industries or commercial enterprises. From early times, however, the Finnish emigrants have been pioneers in establishing cooperatives in such fields as agriculture, dairy farming, retail stores, and insurance. It has been said that if two Finns meet they are either on their way to their cooperative or their sauna bath! Both these, even today, are most important; one to the economic and the other to their physical well-being! Thanks in part to these institutions in their life, many Finns from later generations have reached the top even in private business and industry. There are many outstanding engineers of Finnish descent and Finland has given this country several outstanding architects of which the Saarins—father and son—are the most famous. Our best living architect, Alvar Aal-

to, who last year received the Gold Medal of the Institute of American Architects, has been both lecturing and teaching in this country.

#### FINNS RICH IN FOLKLORE

Finns are an artistic race also, having one of the richest traditions in folklore and popular music. Since 1880, nearly every Finnish temperance and church society has had a choir, orchestra, or amateur theatre group. The American Journal of Folklore wrote in October, 1934: "The Finns in Minnesota have maintained much of the folk-lore of their homeland and have greatly enriched the musical life of the state." Finnish folk-lore had a special influence on Longfellow when he wrote "Hiawatha". He had read with great interest the German translation of the Finnish national epic, "Kalevala". Nathan Haskell Dole wrote in his introduction to "Hiawatha" in February, 1898: "But it is not extravagant to claim that just as Virgil imitated Homer, so Longfellow more or less consciously imitated the Suomi epic (Kalevala), nor does it detract from the value or interest of the poem."

In other artistic fields, as well, there has been a rich exchange between our countries to this day. Both Finnish-American and American choruses, orchestras and conductors have visited Finland as have similar Finnish groups, conductors, singers and actors visited this country. Our distinguished composer and conductor, Oskari Merikanto, visited this country in 1900 and many artists and conductors have followed since. In 1914 our famous composer, Jean Sibelius, made an extensive visit to this country, and not long afterwards, the conductor of the Minneapolis Symphony Orchestra, Mr. Oberhof, introduced the traditional presentations of Sibelius' music here.

In recent years, Finnish designers of furniture, glass, ceramics and textiles have had an important influence on contemporary American design and living as part of the recent Scandinavian revival in this country.

Physical education, gymnastics, wrestling and track and field sports were very popular in Finland at the time of the largest immigration to the United States. Therefore, it was only natural that young Finns in this country founded sports clubs which have given a valuable support even to American Olympic Teams. Particularly, Finnish long distance runners, who visited America (some settling here) have been an inspiration to the youth of this country. The most famous of these sportsmen is "the Flying Finn," Paavo Nurmi, who during the 1920's and 1930's held most world records on distances over a mile. Recently, Nurmi visited this country again as a sports veteran and was received by the President of the United States and welcomed by all sportsmen, particularly by those who remembered him from his days of glory.

Today, as American citizens, descendants of Finnish immigrants are university professors, educators, lawyers and others, have achieved success and high positions in business and industry. Although most of them no longer speak our language, they have their roots in Finland and form a firm link between our two countries. This bond, which was established by early settlers from Finland, has widened and strengthened since Finland became an independent country in 1917. The best known and most popular American in Finland from this time on, is President Herbert Hoover. It was mainly thanks to his support and insistence at the Paris Peace Conference that the Allied Government recognized our independence; and it was the relief action led by him after the First World War, that saved Finland from starvation in 1918. We are still paying the war debt which came out of this American action; but, as we are the only nation that paid our war debt from that time, the payments have been made available in the

form of scholarships for students and young scholars from both countries. Some Americans have gone to Finland to study but most of the funds have benefited Finnish youth wishing to study here. Thanks to these and other funds, about 100-150 of our young scholars study in American universities or other institutions each year, strengthening the cultural relations between our countries.

Soon after the First World War, permanent trade relations between Finland and the United States were established which were interrupted only by the last war. We export mainly paper, pulp, plywood, furs, ceramics and glassware and buy from this country machinery, grain, tobacco, chemicals and fruits. Our mutual trade is well balanced—about 50 million dollars annually each way. There is also an increasing tourist trade, which benefits both countries materially as well as culturally.

Political relations between Finland and the United States are traditionally friendly. Finland is a neutral country, like Sweden, maintaining good relations with both West and East. Finland's policy is to remain outside great power conflicts and today this is understood and accepted in the East as well as in the Western World. This was confirmed by President Kennedy when our President visited the United States in 1962, and again by President Johnson, when he, as Vice President, with Mrs. Johnson, visited Finland last year. Both of these visits were highpoints in the long tradition of friendship between our countries, the development of which I have tried to describe. There is an inscription on one of the many Finnish monuments in this country: "A strong will takes a man through gray granite stone." It is this will that has helped build both our nations, our civilizations and our freedom, which we shall defend, if necessary, with the same strong resolve.

#### UKRAINIAN INDEPENDENCE

### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 27, 1970

Mr. DULSKI. Mr. Speaker, this week marks the 52d anniversary of the short-lived independence of the Ukraine.

The observance could be much more significantly observed if the Congress approved creation of a Special Committee on Captive Nations as proposed for several years by myself and other Members of Congress.

My resolution was introduced nearly a year ago and is pending before the Committee on Rules. Such a special committee would make recommendations for assistance, and provide an important sounding board which would be of inestimable aid in boosting the morale and adamant position of these oppressed people.

This year's anniversary of Ukrainian independence is an occasion for redefining ourselves to assisting these people in every way possible in their valiant struggle.

The annual observance of Captive Nations Week, started in 1959, is an important step that has given continued inspiration to the 45 million oppressed people.

The drive for independence by the Ukrainians from Russian domination has surfaced appreciably in the past 5 years—a hopeful sign.

The Ukraine is the largest captive non-Russian nation in all of Eastern Europe. Interestingly, Russians have admitted that more than half of the population of U.S.S.R. is non-Russian.

I continue to be hopeful that the Rules Committee will hold hearings on the resolution to create the Special Committee on Captive Nations.

#### MIDDLE EAST POLICY

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. BIAGGI. Mr. Speaker, the recent turnaround in the President's Middle East policy proposal was a cogent indication that this administration sometimes heeds the call for international justice made by concerned legislators and millions of citizens of our Nation.

It is also an indication that we in the House have a rightful role in the establishment of foreign policy by the executive branch of our Government. To permit a unilateral implementation of such policy without legislative scrutiny is highly dangerous and could well lead this Nation down a path of tragedy and conflict.

I call upon my colleagues to take note of this role and ask them to exercise it more often—especially in situations of such crucial proportions as the Middle East crisis.

I also wish to commend my colleagues in the House whom I joined in speaking out against the Roger's proposal for a Mideast settlement. My own efforts in this regard were as direct and concise as I could possibly have made them and I offer, for the RECORD, copies of the letters I forwarded to the President and the Secretary of State on behalf of promoting justice to Israel.

Finally, I must express my satisfaction with the reaction we in the Congress have elicited from the administration in regard to the Arab-Israeli crisis. Hopefully, the Secretary and the President will see fit to maintain this course until an equitable solution is reached.

The letters follow:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., January 20, 1970.

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

DEAR MR. PRESIDENT: In the interest of lasting peace and co-existence in the Middle East, I would like to take this opportunity to urge you to reconsider your position on the settlement of the Middle East conflict as outlined by Secretary of State Rogers in his December 9, 1969 statement.

The concessions called for in this newest peace proposal offered by the United States are far too harsh on Israel. To move away from Israel now in search of a "middle of the road" policy in the Middle East can only serve to invite polarization and escalation on the part of the disputants.

I believe that the United States has a vital interest in the survival of Israel as a Nation in the Middle East. She is the last bastion of democracy in that part of the world.

Might I respectfully suggest that the wiser



way in the Mideast might be to seek an accommodation which would guarantee Israel's security instead of jeopardizing it, as the Rogers proposal does. Face-to-face negotiations between the parties involved in the conflict is the only just solution to a lasting peace settlement in the Middle East.

With kindest regards.

MARIO BIAGGI,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., January 19, 1970.

HON. WILLIAM P. ROGERS,  
Secretary, Department of State,  
Washington, D.C.

DEAR MR. SECRETARY: I would like to take this opportunity to express my deep concern over the new policy position on the Middle East that you outlined for this Nation in your December 9, 1969 statement.

Although the United States has traditionally had a proposal for peace in the Middle East, we have always recognized the right of the parties involved to iron out their differences in face-to-face negotiations. Your peace plan precludes this. It attempts to impose upon Israel an outside settlement of the terms of peace, which is totally inconsistent with our past statements on a Mid-east settlement.

France, Britain and Germany have all moved away from Israel. America remains her sole ally in a hostile world. Israel is the last bastion of democracy in the Middle East. To move away from her now in search of a "middle of the road" policy can only invite further polarization and escalation in that sector of the world. The wiser way, Mr. Secretary, would be to seek an accommodation which would guarantee Israel's security and contribute to the attainment of legitimate mutual goals as well.

The doctrine of "even handedness" can never apply where Israel is concerned. The United States has a vital interest in her survival and certainly a moral commitment to that end. I respectfully urge you to reconsider this new policy in the interest of lasting peace and co-existence in the Middle East.

Sincerely,

MARIO BIAGGI,  
Member of Congress.

#### YOUNG WORLD DEVELOPMENT PROGRAM

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PICKLE. Mr. Speaker, I support my colleague from across the aisle, Congressman FRED SCHWENGEL, to support the dedicated young people in the walks for development, which is sponsored by the American Freedom From Hunger Foundation.

I have a firsthand knowledge of the success of these untiring young people. Last year in Austin, Tex., they conducted a walk, carried off with support from community leaders and without any incident, in which they raised over \$7,000.

These people have created a dynamic force behind a simple purpose—to eliminate hunger. Perhaps the best hope offered is that the money is not handed out in blank-check fashion, rather a strict accounting procedure is followed and every penny is accounted for.

Granted, these young folks are activists, but they are bent on progress and not destruction. For example, the money raised in Austin was split for domestic and foreign use in projects selected by the young people themselves. They chose the St. John's Community Center in Austin and the Texas Partners for Alliance chapter in Peru.

I congratulate these foot-weary, big-hearted folks and offer them my encouragement.

#### CHARACTER EDUCATION PROGRAM LAUNCHED

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. FISHER. Mr. Speaker, a research project on character education is underway in the Northeast Independent School District in San Antonio. This is a most significant development, and will interest people throughout the country who are aware of the urgent need for more attention to be given to youngsters, particularly at the elementary and high school level.

This project is on the move. It is directed and supported by some very capable and dedicated people. A "Freedom's Code" was prepared by that group, and is an indicator of basic rules of conduct and morality which is being championed.

In order that all who are interested may have a better understanding of what is involved, I include an article which appeared on January 18, 1970, in the San Antonio Light. I also include a copy of "Freedom's Code."

The two inclusions follow:

#### NORTH EAST DISTRICT: CHARACTER EDUCATION PROGRAM LAUNCHED

(By Doris Wright)

The goal of educators is to educate, but few are interested only in imparting to children the knowledge found between the covers of textbooks.

Most are interested in developing character to go along with reading, writing and arithmetic.

Their goals are to uplift every child and turn each into adults who have the basic foundations of truth, honesty, courage, tolerance and other strengths of character.

#### PILOT SCHOOLS

A character education program has been launched in the North East Independent School District. Its pilot schools are Oak Grove and Walzem Elementary Schools.

The story of the success of the program so far is best told by a story which came from Jay Mulkey, character education project assistant, who last year taught the fifth grade at Walzem.

On the first day of school last year Mulkey saw sitting in his class the "holy terror" of the fourth grade, a boy whose IQ was slightly below average, who couldn't read and who had "a terrible attitude."

Mulkey treated him as if he were an "A" student. He listened when the boy talked; he encouraged him to study, subtly leading him through first second and third grade reading books. The boy thought he had the teacher fooled. No one ever thought he was smart before. No one had ever listened to him before.

#### NO FAILING

Mulkey conducted his class in ways that became the personification of character education. He allowed the brighter students help the slow ones. He gave no failing grades.

"I don't believe any child is a failure. I think the teacher should get the F if a child doesn't learn," Mulkey said.

The "holy terror" became the opposite of that and successfully completed the fifth grade with good grades and a new attitude toward himself.

The teaching of character in young children is often subtle, a part of the broader curriculum in which the positive attitude of the teacher enforces a program into which is fed the character-building elements of generosity, honesty, kindness, truthfulness.

The program begin in the first grade in the pilot schools and gradually increases in scope each year. Teachers do not tell students "You will be honest" or truthful or tolerant. They show by doing, by allowing open discussions, by listening to children, by allowing children to assume responsibility.

#### HELPED JANITOR

Children at Walzem last year went without lunches, sold newspapers and bottles and donated their allowances to help a janitor who broke a leg and was off the payroll for a time.

Writing has disappeared from restroom walls, fewer windows are broken, attendance is better, morale is higher.

The program is to be extended into other schools within the North East School District and in schools in East Central Harlandale, and Northside School Districts.

The concept of character education was first launched by Russell C. Hill, founder of The Children's Fund of San Antonio, who authored the "Freedom's Code" on which the program is based.

Hill established the fund in memory of one of his children who died. Later Hill enlisted the help of Ray S. Erlandson, who became president of The Children's Fund. The two sought to pilot the character education program in the North East School District. The plan was accepted by Billy Reagan, superintendent, and by Dr. M. G. Bowden, associate professor of elementary education at Trinity University, who agreed to train teachers for the pilot schools.

#### HAD \$500,000

In 1968 the Lilly Endowment, Inc., of Indianapolis endowed the project with \$300,000, to which The Children's Fund added \$60,000. With the assistance of Trinity and the North East School District, the project had about \$500,000 to develop materials and methods for teaching character and citizen responsibility in the schools.

Dr. James A. Forester was named director of the project. He is presently developing curriculum guides for the program which extend from the first through the twelfth grades.

Erlandson and Forester point out that San Antonio is becoming the center of character education. Forester has spoken to parent-teacher groups and has been requested to speak to groups in other states, in colleges and in other school districts.

#### SEEK GRANT

The Children's Fund has applied for a \$282,008 grant for elementary character education and \$285,959 for secondary school programs from the U.S. Department of Health, Education and Welfare.

Seminars for teachers will be conducted this year at Trinity University, the University of Texas at El Paso and at Butler University in Indianapolis.

Erlandson and Forester have been invited to the 18th annual Presidential Prayer Breakfast sponsored by members of the U.S. Senate and House of Representatives in Washington, D.C., on Feb. 5.

Erlandson, a strong supporter of the character education program, said, "You can't stop vandalism by putting in a burglar alarm system. This is really sound education. It isn't just a dream."

**FREEDOM'S CODE: THE STANDARDS OF INFORMED AND RESPONSIBLE MEN OF GOOD WILL**

Be Honest—Be Generous—Be Just—and Live Honorably among your Fellow Men—

Be Kind to Those who Live you Touch and Do your Fair Share to Help Those in Need—

Have Convictions and Courage and yet be Tolerant of Other People's Faults and Opinions—

Make Creditable Use of your Time and Talents and Provide Reasonable Security for Yourself and your Dependents—

Understand your Obligations as a Citizen and Fulfill Them Creditably—

Stand with Men of Good Will Everywhere for Truth and Be an Unyielding Defender of the Basic Human Rights that provide Freedom, Justice, and Equality for the People under an Honest Government of Law—

This is the Measure of a Good Life among Free Men—These are the Standards Men Must Live By to be Free.

**OUTSTANDING TEENAGER OF AMERICA**

**HON. M. G. (GENE) SNYDER**  
OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. SNYDER. Mr. Speaker, Mr. Steven Jaeger, of 111 West 31st Street in Covington, Ky., has recently been singled out for honors by two different groups. Steven resides in the Fourth Congressional District, which I have the pleasure of representing, and I thought it appropriate that he be given recognition here in the House of Representatives.

Steven was named an Outstanding Teenager of America for 1970—for his school—by the Outstanding Teenagers of America just recently, and as such is eligible for State and nationwide competition.

Also, the Washington Crossing Foundation, of Washington Crossing, Pa., in December selected Steven as an honorable mention winner in the third annual national Albert W. Hawkes Patriotic Essay Contest. The award carried a cash prize and certificate of recognition.

Sometimes many Americans have doubts about our younger generation. Steven Jaeger's essay serves to bolster my confidence that at least some of our young people are concerned and patriotic. I congratulate Steven for his achievements and patriotism. His essay follows:

WASHINGTON CROSSING FOUNDATION,  
Washington Crossing, Pa., Dec. 8, 1969.  
MR. STEVEN JAEGER,  
Covington, Ky.

DEAR STEVEN: The Trustees of the Washington Crossing Foundation are happy to enclose your check for \$25.00 as an Honorable Mention winner in the Third Annual National Albert W. Hawkes Patriotic Essay Contest.

We are also enclosing a copy of my book, *George Washington Crossed Here*, together with a program of our Award Ceremonies.

Thank you for your fine essay and for your interest in Washington Crossing State Park and the important event in our nation's history which is memorialized here.

Sincerely yours,

ANN HAWKES HUTTON,  
Chairman of the Board.

WHAT WAS THE "SPIRIT OF 1776" AND WILL IT STILL HAVE VALUE IN 1976?

(By Steven Jaeger)

The Spirit of 1776 is sewn deep into the heart of America. Perhaps today, in our troubled times, as American troops once again defend our homes on foreign soil and unrest looms on the streets of our own country, it might behoove us to take a better look at the true meaning of 1776. In so doing, let us pray to God that we may gain insight and guidance so that once again we may kindle the real meaning of what it means to be an American.

The years preceding 1776 had been spent in tyranny. Now the time had come to break the bands of a tyrannical leader and to establish new ideals. The people who had suffered under the stubborn rule of King George III wanted and needed independence. They possessed unanimity of purpose, concurrence of thought, and harmony of action. They were willing to give their lives so that others might be free. A spirit had been sweeping through the colonies for many years. Finally, in 1776, that spirit broke forth. Many values were exemplified by several valiant men such as Benjamin Franklin, Thomas Jefferson, and George Washington. Of these values, the most important was their desire for freedom.

In their hearts, as in ours today, the words "America" and "Freedom" remain synonymous. Visualize the word "America" and analyze each of its letters.

The capital "A" represents the great adventure—an adventure of creating a new nation of free people. This nation would become the symbol of freedom throughout the world.

The "m" could be the broad shoulders of the minutemen as they faced hardship and danger at the hands of a mighty British army in order to develop this young and fertile country. This young country was destined to become the most prosperous on the face of the earth. It was to grow into a large nation consisting of fifty states, existing side by side in peaceful coexistence.

The small letter "e" is the symbol of enthusiasm—a national state of mind needed to face a task as large as revolution. This state of mind has existed throughout the two-hundred year history of our country. From Valley Forge, through the sands of Normandy, and into the jungles of Vietnam, the people of this nation have answered their country's call because of their enthusiasm.

The letter "r" might picture a man with his right hand outstretched in friendliness to people of all races and nationalities who wish not only to share our many blessings, but also to contribute to the American dream. Because America is the "melting pot" of the world, we have become a nation rich in culture. This mixed culture helps deepen our understanding of each other. This understanding strengthens the framework of our country.

The letter "i" represents the individual citizen, so important to a republic, and above it is a halo, blessing man with the rights to life, liberty, and the pursuit of happiness.

The small "c" resembles a broken circle, and symbolizes thousands of American homes from which husbands, fathers, brothers, sons and daughters have gone forth—many never to return—because they considered the United States of America more dear than life itself. In the years to come, many more will be called upon to give the supreme sacrifice. They will answer this call with a sense

of pride, for they will be upholding their belief in freedom.

The last letter—a small "a"—could be a man kneeling with his head bowed in prayer, asking God for wisdom and guidance, in order that the true principles of a Christian Nation may not perish from this earth.

These seven ideals contained in the word "America" clearly outline the "Spirit of 1776." They put forth the various aspects of our dreams which have made this country great. Today, this spirit exists as it did in 1776.

Our true American Heritage has survived these many years and has served us well. It has made us a united people, a people willing to work for the advancement of all mankind. It is because of our heritage, a belief in the common man, and a belief in individualism, that enabled this country to first place its flag on the surface of the moon. This same spirit will be with us in 1976 and on into the next decade. We shall continue to exemplify the ideals of a free nation in the future. Our spirit of unity will serve as an example for freedom-loving men everywhere. We should all be eternally grateful for the foundation of our Heritage. It may some day prove to be the source from which the world and its people truly become one.

**OUTSTANDING TEENAGERS OF AMERICA,**  
Chicago, Ill.

DEAR STUDENT: Congratulations on having been selected by your school as an Outstanding Teenager of America for 1970.

You will receive an official certificate in recognition of this high honor in February. Having been selected in your school, you are automatically in competition for the title of your state's Outstanding Teenager for 1970. The winner of this state honor will receive a trophy, to be presented by your Governor.

Each of the fifty state winners will compete for one of the Two National Outstanding Teenagers of America awards. The recipients of these awards will each receive a \$1,000 college scholarship as well as recognition in national newspapers and magazines.

The state and national competitions will be judged from the biographical information submitted on the enclosed form. Please fill out this form completely and return immediately. Be assured, you are under no obligation whatsoever by participating in this program.

Your accomplishments will be featured, along with other Outstanding Teenagers of America, in an annual publication. This publication will be placed in libraries throughout the country.

The Outstanding Teenagers of America awards program is sponsored annually by the nonprofit Outstanding Americans Foundation. The enclosed brochure describes the program and introduces the 1969 national and state winners.

Congratulations again on receiving this honor. I will look forward to receiving your biographical information in the next two weeks.

Sincerely,

MORRIS DEES,  
Director.

**TOP INSURANCE AGENT**

**HON. MARTHA W. GRIFFITHS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mrs. GRIFFITHS. Mr. Speaker, Hugh McCann of the Detroit Free Press salutes a top insurance salesman. Naturally, I want you to observe that he points out



how much better women are than men.

The article follows:

TOP INSURANCE AGENT: SALESLADY AIRS  
SECRETS

(By Hugh McCann)

Don't ever let Dorothy Austell hear you say you don't believe in insurance.

By responding to challenges like she became the No. 1 "salesman" for the Pilot Life Insurance Co. in 1964 in the U.S., Puerto Rico and Western Europe, and Agent of the Year in 1967 for the North Carolina Underwriters Assn.

"You see," says Miss Austell, a pleasant-looking woman in her late forties with a honey-suckle-and mint julep accent, "a woman has a built-in radar that gives her a sensitivity to problems, and she has no hesitancy in giving solutions. We instinctively know what to say and when to say it."

It takes visceral fortitude to make such a declaration before the Detroit Association of Life Underwriters, a predominantly male-dominated organization. Yet Miss Austell, an ex-WAC from Raleigh, N.C., told them such "truths"—and more. And by invitation, no less.

"Men aren't organized as well as women," she continued. "They have a plan, all right, but they don't work at it like women. Men have a kind of a plateau that they work toward. They reach a point and they stay there."

"A woman just keeps on going. A man makes a sale and he sits around and talks about it for 10 days. I go out and make another sale. Women are much better than men at following up, at giving service."

Those gentlemen of the Detroit underwriters group who sat through this ego-dribbling were made privy to a few of this North Carolinian's trade secrets.

For example, when a prospective customer asks her: "Who do you work for? What company do you represent?" she invariably responds: "I work for you, my friend. I represent you."

And another: "Insurance isn't sold, it is bought."

And still another is her personal approach: she employs a part-time secretary to clip the Raleigh newspapers for every item pertaining to her policyholders.

The secret of success of Dorothy Bell Austell, former executive with the North Carolina agriculture department, is her consummate ability to combine personal warmth with an almost clinical directness.

You may disagree with her, but you can't get mad at her.

Her list of affiliations and offices held is as lengthy as a housewife's shopping list and is an indication of the drive and activity which has characterized her life.

When she was 16 months old, her father died, leaving her mother with six children. She worked her way through high school and college.

As a freshman at Shelby High School, she approached the manager of a Charles store in town and asked for a job selling ice cream. The ice cream counter in these stores, she recalls, were too high for her—I was a little shorty," she says—and he turned her down.

"If you build me a platform, I'll guarantee to sell you more ice cream than has ever been sold in any stores of the Charles chain."

He gave her the job.

In those days, she recalls, Gardner-Webb College did not have its own laundry and drycleaning facilities. This was done by a local firm in Bowling Springs and by another firm which came in across the border from South Carolina and made pick-ups on campus.

She sat on the steps of a campus building one day and watched the South Carolina man make his pick-ups. Then she approached

the local launderer and dry cleaner and proposed that if he cut her in for 10 percent, she would get him all the business on campus.

He agreed, and Dorothy Austell was in business—which meant getting all the business in the boys' dormitories. Years later (1964) the college chose her as one of the most outstanding of its 21,000 graduates.

More recently, she devised a key way of combatting the common objection of potential insurance customers: "I don't believe in insurance. I'm saving my money for my retirement."

She got the cooperation of six people, each of whom put \$50 into an insurance policy and \$50 into a savings account. At the end of one year, only one of the six had not touched his \$50. "The other five," she says, "had taken some of it out."

She uses this as demonstration of the relative stability of insurance as contrasted to savings. "I would say to a person: 'If you don't believe me, call up any one of these people. Here are their phone numbers.' You see, I already had got permission from them to use them as references."

Dorothy Austell has been associated with Pilot Life Insurance for 14 years. It is a national company (except for Michigan and New York) "in the top ten," she says.

Asked if she aspired eventually to some executive role in management, she replied: "I insure about 200 lives a year. That figures out to about two a week."

"I just want to do what I do and be what I am."

## THE PRESIDENCY AND TELEVISION

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. FRASER. Mr. Speaker, James Reston, writing in the New York Times this week, has questioned the President's use of the public air waves for partisan debate. Mr. Reston cogently delineates the twofold danger in indiscriminate use of public service air time: It violates the traditional doctrine of fairness; and it needlessly divides and frustrates the Congress as it seeks unity in the conduct of the Nation's difficult business.

"The Power of the Presidency and Television," which I include in the RECORD at this point, deserves thoughtful consideration by every Member:

WASHINGTON: THE POWER OF THE PRESIDENCY AND TELEVISION

(By James Reston)

WASHINGTON, January 27.—President Nixon has clearly decided to use the power of the Presidency, plus the power of network television, to combat his opponents in the Democratic-controlled Congress and presumably to establish a Republican Congress in November.

This is quite a combination and quite a gamble. Thoughtful observers here have wondered, ever since the inception of nation-wide television, what would happen if a determined President, who had both the will and the ability to use the networks effectively, really set out to exploit television for his political advantage.

President Eisenhower had the personality, the popularity, and the ability to use television in this way, but not the will. President Kennedy had the ability and the will to use it, but for some unexplained reason, was

afraid of what he called over-exposure. President Johnson had the will, but neither the personality nor the ability to use it effectively. But President Nixon, by going to the networks to veto the money bill for health, education and welfare, has indicated both a determination and ability to use it to appeal to the people over the head of the Congress to achieve his political objectives.

The possibilities and implications of this are worth a little reflection. The President has available in the White House a television studio hooked into the networks. This is necessary for great occasions of state or for emergencies, but it is also available to him whenever he has a major controversy with the Congress: for example, when he wants to explain his veto of the H.E.W. bill to the American people. After all, it would be rather awkward, even for Frank Stanton at CBS, to say no.

This, of course, is precisely what the President did in his H.E.W. controversy. He vetoed the bill on television with a flourish. He did not deliver a balanced Presidential presentation of the problem, but a one-sided, self-serving and even self-righteous argument for his veto. It was very effective and very misleading, and it raises questions far more important than the H.E.W. bill.

#### THE DOCTRINE OF "FAIRNESS"

What about the doctrine of "fairness," which Vice President Agnew was so concerned about not so long ago? How can Senators who oppose the President get "equal time" when they are talking to a half-empty chamber, while the President is arguing his case, from the majesty of the White House, before an audience of millions?

Beyond this, there is a more immediate problem. This is that the President is now by-passing or reaching beyond the Congress to the people, and this is his gamble. He is just going into his second year in the Presidency. He has indicated the outlines of his policy—welfare, taxes, crime, conservation, and all the rest—but his major proposals have not been voted into law.

#### THE POWER OF CONGRESS

They have to go through the Congress. The Congress is controlled by the Democrats. The Democrats are divided, with a cooperative saint as their leader in the Senate, and a weak and tired octogenarian, or thereabouts, as their leader in the House, and a liberal Senator from a conservative state as chairman of the Democratic National Committee.

In short, the Democrats are in deep trouble. But nothing will unify them more, or arouse their partisan dander, than a President who tries to ride over their majority by partisan television appeals to the people. This is a provocation to a partisan battle at a time when the country needs a little time and unity to put through many of the sensible programs the President has suggested.

#### THE PARTISAN FURIES

After the President's televised veto message, the partisan furies are rising. After proclaiming in his State of the Union Message that "what this nation needs is an example . . . of spiritual and moral leadership . . . which would inspire Young Americans with a sense of excitement . . ." Mr. Nixon, who has been talking about an era of quiet understanding at home, and of negotiation rather than confrontation abroad, has now gone to the television with a narrow political argument which is building up a real confrontation in a Democratic Congress, whose support he needs for the programs he says are essential to the nation.

It is very odd: a noble generous State of the Union Message one day, and a narrow party speech on television a few days later.

All this is a fairly good illustration of why there is so much distrust and cynicism in the country, particularly among the young, about American politics and politicians.

# INCREASE OF VOTER REGISTRATION AND PARTICIPATION ENCOURAGED

## HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. GIBBONS. Mr. Speaker, having heard so much of the "silent majority"—a term which has been in use quite a bit since the last general election—I decided to take a close look at this so-called "silent majority" in my own congressional district, the Sixth District of Florida.

I would like to insert in the RECORD those figures which I am sure you will agree point to the fact that the silent majority is indeed a very silent majority and in fact speaks not at all.

From the figures which I will enclose, you will see that in my congressional district, of those who were eligible to vote—namely, those over 21 years of age—only 49 percent voted in the U.S. Senate race in 1968. As a matter of fact, further study showed that there were over 70,000 who were eligible to vote that were not even registered.

I feel that we in Congress, as well as all elected representatives in our Government, have a responsibility to encourage increased voter registration and voter participation.

A cursory examination of the election rolls in most urban districts and those districts that have been affected by urban renewal, highway construction, and the closing of military installations, and so forth will show that these voter registration rolls are in great need of correction and revision. In this regard, I am cooperating with the supervisor of elections in my district in an effort to help update our voter rolls.

I will also introduce shortly legislation that will authorize supervisors of elections or officials who have the responsibility of maintaining voter registration rolls the right to free mailing privileges for the purpose of updating their lists when pertaining to Federal elections.

The right to vote in our society is a most precious one. We as Americans have not exercised this right, and I for one would like to do everything I possibly can in an effort to encourage the people of my district to register and to vote.

I would also like to include in the RECORD a copy of a letter I am sending to all registered voters in my district in conjunction with the effort the supervisor of elections and I are making in Hillsborough County, Fla. Also included is a copy of the card being used in the updating of our elections rolls:

### VOTER STATISTICS FOR GENERAL ELECTION OF 1968, SIXTH CONGRESSIONAL DISTRICT OF FLORIDA

1. Total vote in presidential election, 149,827.

Total figure represents 68% of registered voters.

Total figure represents 52% of those eligible to vote (over 21 years of age).

2. Total vote in senatorial election, 140,885.

Total figure represents 64% of registered voters.

Total figure represents 49% of those eligible to vote (over 21 years of age).

3. Total vote in congressional election, 132,754.

Total figure represents 61% of registered voters.

Total figure represents 46% of those eligible to vote (over 21 years of age).

4. Total number registered in Sixth District, 218,885.

5. Total population over 21 years of age in 6th District (those eligible to vote), 288,000.

6. 58% of population in Sixth Congressional District as of the 1968 election were over 21 years of age.

7. 69,115 who were eligible to vote were not registered in the 6th Congressional District.

### HOUSE OF REPRESENTATIVES,

Washington, D.C.

DEAR FRIEND: Like all Americans, I am sure you value your right to vote.

The voter registration rolls in Hillsborough County are in great need of updating.

In this regard, I am cooperating with Mr. Jim Fair, the Supervisor of Elections, who is required by law to correct and revise these lists on a periodic basis.

Enclosed you will find a card which is addressed to the Supervisor of Elections.

You should fill out this card and return it immediately.

While all matters pertaining to voter registration come entirely within the jurisdiction of the Supervisor's office, I am cooperating with him in this endeavor.

Sincerely,

SAM M. GIBBONS,

U.S. Congressman.

DEAR AMERICAN CITIZEN: Thousands haven't voted, and thousands have moved. Now, after over 15 years, the voter rolls are being corrected—thanks to the help of our Congressman.

Please do your part by advising your elections supervisor of changes. (Law requires it!) Your address changes can be made by mail, but any party or name changes must be made in person.

To stay registered to vote, please fill in this card and mail it now. If not returned in 30 days, law requires that your name be removed from voter rolls.

Your friend,

JIM FAIR,

Supervisor of Elections.

HILLSBOROUGH COUNTY, FLA.

### [Return card]

To vote mail this if legal residence is in County or if eligible to be elector.

By the map, I think this is my precinct number \_\_\_\_\_

OK as on card \_\_\_\_\_

(check above if no change)

If moved locally, fill in below:

I live at \_\_\_\_\_ (number, street)

If none, give legal description (City or post office) (can't live in post office box) (zip code).

If can't get mail at residence, give post office address and zip code.

Birthdate: \_\_\_\_\_

Signature might help \_\_\_\_\_

Phone number to voter \_\_\_\_\_

Can help: \_\_\_\_\_

Voter \_\_\_\_\_

Driver \_\_\_\_\_

Part-time \_\_\_\_\_  
Volunteer \_\_\_\_\_  
For pay \_\_\_\_\_

## "HIS MIGHTINESS" AND THE KEYSTONE COPS

### HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. MURPHY of New York. Mr. Speaker, on the day that President Nixon's veto of the Health and Education appropriations bill was upheld, Ted Lewis turned his erudite scalpel on the new White House palace guard—a \$23,000 waste of the taxpayers' money. In his ever-excellent "Capitol Stuff" column in the New York Daily News, Mr. Lewis deftly chips away at the President's yen for a self-styled "tight legion of white uniformed musketeers." I speak, of course, of the poor White House policemen who have been dandied up by the President in "student prince" uniforms at taxpayers' expense. It is ironic that the President can veto as inflationary a measure vitally affecting the welfare of American children, the American elderly, and the American sick, yet waste tax dollars on a palace guard.

Under the leave to extend my remarks in the RECORD, I include Mr. Lewis' column on "His Mightiness" and the Keystone Cops:

PALACE GUARD GETS NIXON A HORSE LAUGH  
(By Ted Lewis)

WASHINGTON, January 28.—President Nixon has the reputation of being a most smart politician. Lyndon Johnson once had that reputation, too, but he began to lose it quickly when he picked up two beagles by the ears.

What we are getting around to saying is that the real smart politicians are those guys who recognize the ingrained ability of voters to seize on a picky little issue and distort it into a big one which changes the whole shape of a national election.

Nixon has been around in politics long enough so that he should know that. For that very reason, he should have realized what troubles he was making for himself and his party by redecking for ceremonial occasions a cadre of White House policemen in garish white uniforms and vinyl caps.

Not even LBJ would have been so daring or insensitive to the risk of being laughed at, rather than with.

Sure, these prettified cops are going to be labeled the "palace guard." They look exactly like they were supposed to look—protectors of the throne of the mythical kingdom of Ruritania.

And to think that those elegantly overdressed guardians of 1600 Pennsylvania Ave. got their uniforms because a President who has very simple personal tastes (due to his Quaker background) thought the executive mansion required more pomp and panoply in the 1970s!

So, at last, perhaps, the nation is finally getting a glimpse of the real Nixon! He could not visualize himself as the leader on a white horse, but he could see himself in personal command on occasion, of a tight little legion of white uniformed musketeers.

How many votes will the Republican Party win or lose in the crucial November congressional election by the coup d'etat?



No Republican member of Congress would dare to admit it publicly and neither would GOP National Chairman Rogers Morton, but there is general agreement that the "great silent majority" is composed of stable citizens who want normalcy, not innovations of any kind.

So the chances are that with one sartorial decision, Nixon has made it harder to elect more Republicans this year at least.

This side of Nixon, nevertheless, reveals his ability to make a decision which he considers best for the country, even if his stand is not in response to public demand.

The fact is that Nixon has thrown his weight around the White House environs with considerable daring, if not political skill, since he took over a year ago. He did not ask for time before acting in that area, although he may well later regret he didn't.

With a minimum of ecclesiastical criticism, even from the Bible Belt, he has used the historic East Room of the mansion for church services on most Sunday mornings. The switching from one denomination to another was done gracefully, and there was more good political fallout than bad.

#### CORRESPONDENTS OUST THE BATHERS

Harry Truman got into great trouble with the arty set by having carpenters put a second-floor porch half way up the pillars on the south exposure. But, so far, Nixon had not been criticized significantly for boarding over the famous indoor swimming pool so the space may accommodate correspondents, not bathers.

On the other hand, there was much political fallout when, last November, barricades of buses were erected around the White House complex to protect the mansion from the Vietnam moratorium demonstrations. The youthful agitators were supposed to be unruly but were ruly instead, and the "banana republic" cordon around the "presidential palace" ended up being ridiculous, except in the opinion of Mrs. John Mitchell.

The attorney general's wife still thinks that the "liberal Communists" were a hairbreadth away from trying to seize the seat of government.

It should be pointed out that the elite corps of Nixon Keystone Cops in gaudy uniforms adds considerably to the "banana republic" flavor of the White House compound. But the idea that 1600 Pennsylvania Ave. might be better labeled the address of the "president's palace" is not really gaining hold, at least not significantly.

The same issue was threshed out when the republic started, with a lot of conservative patriots very much in favor of a palace tag.

#### SHOULD HE HAVE BEEN GEORGE?

Some members of the first Congress thought George Washington should have all sorts of royal titles. There was even a snide effort to pass the word that the father of our country at heart wanted to be addressed as "His Mightiness, the President of the United States and Protector of Their Liberties."

Washington, however, wanted dignity but no royal folderol. And Congress ended up with the same sentiments after pragmatic members reminded that the revolution was aimed at throwing off the yoke of "His Britannic Majesty."

Imagine calling President Nixon "His Mightiness!" On the other hand, a seed of suspicion has been planted that Nixon is up to something in the way of bringing the White House into the last third of the 20th century.

No president puts out \$23,000 of the taxpayers' money for a well-dressed palace guard while inflation is rampant unless he thinks that is one way to convince Congress and foreign heads of state where the power center of this government is located.

## IT IS GOOD ECONOMICS TO HIRE WOMEN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. PICKLE. Mr. Speaker, in Austin, Tex., there is a Federal-local partnership with the high principle—the elevation of women in society, the elimination of wasted woman-power, and the increased effectiveness of the Nation's economy.

Recently, at the invitation of Mayor Travis LaRue, Mrs. Elizabeth Duncan Koontz, Director of the Women's Bureau, U.S. Department of Labor, revealed some rather interesting facts. Accordingly, I ask to reprint the article written for the Sunday, January 25, Austin American Statesman by Miss Cynthia Joyce:

#### HIRING OF WOMEN "GOOD ECONOMICS" (By Cynthia Joyce)

"The most important point in favor of women having employment equality is that it is just economics," Mrs. Elizabeth Duncan Koontz, director of the Women's Bureau, U.S. Department of Labor, said today.

"Fifty-one per cent of our population is female and during the 70s that figure is going to increase," she said. "This is a largely untapped source of employment because of the negative status women hold in today's society."

Mrs. Koontz spoke to a press conference in the Speaker's Committee Room at the Capitol. She came to Austin in support of Mayor Travis LaRue's proclamation that a Mayor's Commission on the Status of Women is to be established here.

Mrs. Koontz said that many women do not work because they fear their husbands' disapproval. Others who do work are disillusioned because they are not paid as much as men who hold similar jobs, even when they are equally qualified. Still others, who are not well trained or educated, prefer to accept welfare.

"They have no chance," said Mrs. Koontz. "One-third of the families on welfare are headed by women and most of them are only capable of household employment. They cannot earn enough to support their families and that kind of work rarely includes health insurance." She said that welfare (because it includes free hospitalization and dental care) is an improvement.

Speaking of more highly trained and educated women, Mrs. Koontz said, "They contribute to the problem of discrimination because they act out the role prescribed by the middle-class Puritan ethic, that a woman's place is in the home, not in the business world."

"Even when they do work, they hold themselves back," she said. "They are afraid to compete, to outshine their male counterparts. This is the way they have been brought up."

Mrs. Koontz said that the only way to change this dependence to independence is for both male employers and their female employees to become more aware that women are capable.

Mrs. Koontz said that this could be done "by women joining forces. Agitation that has brought change has always come from the discriminated against," she said.

Such a joining of forces is the mayor's proposed commission on the status of women. At a dinner Saturday night at the Austin

Women's Club, attended by Mayor LaRue, Mrs. Koontz outlined the advantages of such a commission, these included:

Bringing women's problems to the community.

Narrowing issues to apply to local situations.

Having access to local officials such as the mayor and city council.

Being a rallying point for coordinating programs, presenting a united front in common goals and being a clearing house for information and ideas.

Being a channel of communication between local and state groups.

## A DEDICATED TEACHER'S RESPONSE TO THE CLASSROOM CHALLENGES OF OUR MODERN YOUTH

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. DONOHUE. Mr. Speaker, there is no greater challenge to American adulthood at all levels than the necessity of finding more persuasive and effective methods of inspiration to our restless and questioning youth, to recognize and accept the true and everlasting ideas and ideals upon which this country was founded, and without which it may not long endure.

In recognition and acceptance of this challenge, a distinguished and dedicated gentleman residing in my district, Mr. Arthur I. O'Brien, who has been a beloved teacher for nearly 40 years of his own personally inspiring life, has written a fascinating and instructive article about current teaching methods, with recommendations for new approaches as a compelling need to a compelling problem in today's society. I desire to include the article by Mr. Arthur I. O'Brien at this point, in order to contribute to the vastly wider reading and attention it so obviously merits:

#### NEW APPROACHES: A COMPELLING NEED TO A COMPELLING PROBLEM

Since college days when several "psych" courses pointed out the astonishing fact that it was primarily "C" students who went out from the "hallowed halls" and proceeded to "set the world on fire," or make a million dollars, or achieve some creative success somewhere between the two—only recent California and a few subsequent studies have attempted to explain this by identifying what they choose to label as the "creative" student. For this individual, whatever his description, the school format historically has held little real challenge and appeal, and "under-achievement" simply reflected a negative attitude.

It has not occurred to the "professional bulk" yet, but a complete overhaul is needed, not only in the curriculum, but its whole physical means of presentation, in order to "sell" these middle-of-the-groupers the idea of being "top bananas in the bunch" while sharing a school experience. Rather than wait on science, et al., to analyze the "complete child," why cannot educators be as practical as businessmen and come at the youngster from every possible selling angle? Certainly the profession has heard enough, ad nauseam, concerning "individual differ-

ences." The businessman has known that his customers, buying-wise, have differed almost infinitely, but this only heightened the challenge. Recall your car salesman with some of the best "pitches" in the selling game.

Our prospects in school are far more available because, unlike the visitors to the showroom, students are captive participants who must "drop out" to escape the tortures of their incarceration. Most changes or solicitations which the profession may initiate hopefully can only be for the better.

First, our whole curriculum must begin and end with the student—not with publishers, book salesmen, superintendents, department heads or teachers. This whole, complete change will not be easy to come by because, unlike the buying public and car salesmen, the student does not pay the school personnel's teaching and administrative salaries. Were we catering to the needs and senses of the student as completely as our selling profession does to its respective clientele, the present hue and cry as to our lack of educational efficiency perhaps would be reduced to a whisper and a whimper.

The writer, for eight years, has been working on a year's unit on, for lack of a better name, called "Computer Math." This material, gearing it properly for speed, is presently being enjoyed and assimilated by the very "slowest" of the present Ninth grade in a 2000-student, four-year high school. This is total reassessment and reorganization of material to link with the outside work arena of real activity, will take time and creative ingenuity to achieve.

Before leaving the curriculum side of the fence—the "victim" of the learning experience—may one horrible example of present practice be cited: reference is made to our national one-year course in American History. Ninety-nine per cent of our student personnel shut (or slam) their books in June with a sigh of great relief that never again will they have to revive this material. What a horrible commentary on a unique history not even second to the whole historic "run down" surrounding the twelve apostles!

Appealing to the various interest types of students, five or six tracks might be developed in this wealth of material; biographical, military-political, home economics, literary, art and crafts, educational, athletic—the successive time reference frame and sequence of national events would be a common backbone for all tracks. In high school, two tracks per year might be offered. It is certain that catering to the "buying interests" of the students would produce a June reaction of "Boy, I've got to give this 'American History bit' a lot of future time and attention: there's too much to be missed if I don't!"

Secondly, there is the whole matter of school surroundings, particularly the "cellular" or classroom environment, in its multi-physical aspects. For too many it has become more of a prison "cell" than a producing "organic cell" as found in the natural animal state. For the past months, the writer, in cooperation with Dick Stephens, Program Director for WKOX, Framingham, has been using specially selected and taped background music (tape recorder) to implement taking tests, study periods, starting in on next day work assignments, and even as background music to explanations of new math units as they are given meaning and sense by the teacher at the board.

The success of these experiments is based not only on Mr. Stephens' genius, but on the fact that 99% of the high school students do home assignments with some form of musical background reassurance in the same room. Studying is a "Lonesome George" undertaking at best, and the comforting stimulation of music, properly selected, does not

detract from cerebration but rather encourages it. It is an attempt to repel the coldness of a four-wall classroom to capture in part the friendly environs of a student's study nook at home.

A short multiple response questionnaire was given to the writer's five math classes (approximately 115 students). A summary of the results follows.

Of the hundred (plus one or two) who reacted to five questions, the vast majority took a definite stand on the positive effect which proper background music had on their production in the teaching-learning situations.

**Question I**—Dealt with what their home study set-up was. Only five declared "no music." Of course, three were not allowed to have any accompanying "sounds" at home at all. Ten seldom had music, while the rest of the group (approximately 100) had some form of background music; records, tapes, radio, stereo, etc.

**Question II**—"When taking a quiz in the classroom and the music is properly selected and tuned in, I find that:"

(a) 10 said "less inclined to think the effort a 'big deal.'"

(b) 17 responses "that test results should be better."

(c) 61 responses that "nerves were less tense."

(d) 67 responses that "I am in more of a relaxed mood."

(e) 6 responses "It distracts me from my test work."

(f) 46 responses "I feel more 'at home' conditions."

(g) 12 responses "no effect one way or the other."

**Question III**—"A musical background during teacher explanation and accompanying class discussion."

(a) 9 said of "little value" but this was the most controversial, as many had suggestions as to how it should be toned down as not to interfere with teacher's or students' voices.

(b) 61 said it "can be effective if held in quiet and reserved background."

(c) 55 said it had been "irritating" but most added that it had not been properly adjusted to be a quiet, unobtrusive background.

**Question IV**—"At end of period, when starting on advanced homework, background music."

(a) 59 said "it can be very stimulating and helpful."

(b) and (c) 13 said it didn't have any effect, could "take it or leave it."

(d) 60 stated "it had a friendly effect to remove tensions felt."

(e) 36 stated "it made one imagine he was in his own home study situation."

**Question V**—"Music is used today in many business offices, banks, supermarkets, factory areas, etc."

(a) 11 thought there might be "little opportunity to use in school learning situations." Of the eleven, five were negative, but the rest thought school administrative resistance would be too great.

(b) 73 thought "there might be wide and varied uses for music in our total school picture."

(c) 27 thought there "may be limited but important uses for the sounds of music in the schools."

(d) 11 thought "the difference in musical tastes too great to allow very much use."

Summing up, we must join together and attack this number one national problem on two broad fronts:

1. Within the classroom and total school environment, to relate it more directly to flesh and blood.

2. Within the student himself, by engaging every possible one of his sensory perceptions to attack, digest, and assimilate a curricu-

ulum which is continuously being related to an exciting, changing and challenging world just outside that classroom window and door, which are costing more to the taxpayer with each passing day!

Every attempt should, of course, be made to interest and excite the student through the usual classical intellectual channels but, as in the above, through sound and also through the other senses as well: sight, touch, and smell. One of the reasons our elementary teachers have been credited through the years with doing a better teaching job is, because through their personal touches, including decorations, plants, exhibits, etc., they have made the four-wall enclosure a situation of great interest and challenge to all the senses—not just the not-too-interesting (sometimes) sound of a teacher's voice, or cold words on a colder piece of paper.

Finally, even with all this important gadgetry added, nothing can ever replace the quiet, firm, kindly, human understanding personality of the dedicated teacher. It is sometimes frightening to think of, but the student can read a teacher's face, actions, and exterior behavior and in the first one or two classes can make a 99% accurate appraisal of what the "course" holds in future store for him.

Truly the changes—creatively for the greater good—that are in store for both education and religion in the next two decades are so great and far-reaching, so exciting and challenging, that the writer hopes for an additional twenty years of life in order to "not miss the first show!"

#### HOUSE ASSISTED DENVER OLYMPIC BID

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. BROTZMAN. Mr. Speaker, earlier today the House concurred with Senate Joint Resolution 131, which will enable the President officially to assure Olympic athletes of entry into the United States with a minimum of redtape.

I understand that the President may sign the resolution yet today.

In behalf of the people of Colorado I would like to express appreciation to this body for its expeditious handling of the resolution, for in so doing the House kept alive the bid of the city of Denver for the 1976 Winter Olympics, as well as that of the city of Los Angeles for the 1976 summer games.

Had this resolution not been brought to the floor and adopted, both of these bids would have been disqualified on February 5 by the International Olympic Committee, which is meeting next week in Switzerland.

My State, which has the finest skiing in the world, last year won the right to make the bid for the 1976 winter games for the United States. To site the games in Colorado would be particularly appropriate because not only is 1976 the U.S. bicentennial year, but it is Colorado's centennial year, as well.

The decision will be made next summer, and should Denver's bid be successful, it will be due in no small part to the action taken here today.



## THE PLASTIC JUNGLE

## HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. OLSEN. Mr. Speaker, at this time I would like to submit for the RECORD, an article on the unsolicited mailing of credit cards which I referred to in my previous statement before the House Post Office Committee. I believe that this informative article, written for the Montana Law Review by my good friend, Mr. Tom Kennedy, well expresses the pressing need for legislation to protect the rights of individual citizens from such practices.

The article follows:

## THE PLASTIC JUNGLE

## INTRODUCTION

Tony Benitez of Tampa, Florida was never able to use either of his unsolicited credit cards. One of his credit cards was a Master Charge card which he could have used to finance a trip to Europe or buy a new wardrobe. Tony is five years old and he can't sign his own name, although his credit rating is excellent according to the bank that mailed the credit cards to him.

Roger Gelpy of Marblehead, Massachusetts was able to use his unsolicited credit card. He bought a dollar tie after he had been turned down for a three hundred dollar loan. He is nine years old.

A Lima, New York widow didn't buy anything with her unsolicited credit card. She had never received it. Someone else used it and she received a bill for \$1,661. She is 96 years old and leaves her house once a month to cash her social security check of \$114.

The stealing as well as the mailing of unwanted and unsolicited credit cards is a big business. In Brooklyn, New York, according to testimony by District Attorney Eugene Gold before the Federal Trade Commission on September 9, 1969, twenty stolen credit cards were used to run up bills totaling \$175,000. An unsolicited credit card is easily used by organized crime because the person in whose name it is issued is unaware of its existence. Credit cards obtained through assaults are sent across the country for immediate use because the victim will realize immediately that his card has been stolen. In the case of a stolen unsolicited credit card, thieves may use it at leisure as it will take up to six weeks for the bills to arrive in the victim's mailbox.

The losses that occur as a result of the mailing of unsolicited credit cards to adolescents, alcoholics, bankrupts, and financially overburdened families are paid for by the general public in the form of higher prices.

Individuals cannot pass on the expense of resisting erroneous claims against them as a result of the fraudulent use of unsolicited credit cards.

What can a lawyer in Billings, or Butte, Missoula or Great Falls tell his client when he has been billed because of the fraudulent use of an unwanted and unsolicited credit card which he never received?

## LEGAL LIABILITY AND THE LOST CREDIT CARD

A lawyer can advise his client that his legal position is strong. He can say that even if he requested the credit card and had been using it before it was lost he would be liable for fraudulent use between the time of loss and the time of notification to the credit card company. Since he never received the unsolicited credit card and did not use it, he is not bound by the terms of any agreement which imposes any liability on him for fraudulent use. The credit card company will have to prove, if it brings suit, that the

card had been used by the defendant in order to show that he is bound by any of the contract terms associated with the use of the card. These terms are for the most part printed on the card. A comparison of the signatures on the charge slips with the actual signature of the client should clear the matter up.

In addition they may allege negligence on the part of the merchant for not obtaining proper identification.

The client could be advised that regardless of the abusive credit collection letters he has been receiving, credit card companies almost never bring such suits on the basis of unsolicited mailings as a matter of public relations and their poor legal position.

With this advice in mind, can the case file be closed with an exchange of correspondence between the lawyer and the credit card company. The answer is no.

## AGREE FOR THE LAW IS COSTLY

Estimates of collections on unpaid credit card debts without suit vary from 30% to 50%.

Financially responsible families would rather pay an unjust debt than have a lawsuit filed against them with the possibility of garnishment and/or a ruined credit rating, as well as possible difficulties resulting from telephone calls to the breadwinner's employer.

An average American family cannot afford the payment of legal fees in defending a lawsuit over an amount of money which may very well be less than the cost of a defense. A good credit rating is a matter of necessity in obtaining decent housing and, in the land of the automobile, transportation. Certainly no wage earner can afford the damage resulting from a garnishment which brings about the failure to meet monthly payments. Garnishments are the number one cause of bankruptcies.

We live in a cashless society in the midst of a credit explosion and we may even see the end of personal checks as a regular means of payment. The debtor, because he lives from check to check and from monthly payment to monthly payment, is not in fact able to refuse to pay even unjust bills. Thus the law has not been kept in balance between debtor and creditor rights.

## WHAT'S THE PROBLEM

American consumer debt stood at \$5 billion in 1945. Today consumer debt stands at \$118 billion and it is growing. The expansion of consumer debt has now reached some final stage with the mass mailings of millions of credit cards with no credit check of the addressees.

Credit card companies charge merchants from 4% to 7% in discounting credit card bills. The credit card customer pays a monthly interest rate of 1½% or 18% a year as a charge on the portion of his bill that is unpaid at the end of 30 days. Some credit card companies in addition charge their customers fees for membership and additional services. The merchant may raise his prices to compensate him for the 7% discount on his sales.

Many people derive an emotional satisfaction from credit card ownership. According to motivational research expert Dr. Ernest Dichter, the credit card is a "symbol of inexhaustible potency. . . . It gives its owner the wonderful feeling that he has Aladdin's omnipotence in thousands of famous restaurants, hotels and shops throughout the world, even though the chances are that he will never see the inside of a hundred of them."

According to the National Petroleum News of March 1967 (Page 92), "American business is creating credit faster than certain Roman emperors minted money." It seems that the flood of credit has created a cashless society, and at the same time easy credit for some items has led to limited credit for major

items such as housing, and harsh collection procedures have resulted in order for some creditors to be the first in line to be paid by the overcommitted debtor.

## THE CREDITOR'S WEAPONS

In the new cashless society creditors have protected themselves by the expansion of a computerized, highly organized and until now unregulated credit bureau system. With credit a necessity to consumers, and taking into account that one out of every five Americans moves each year, it is natural that this has come about. There is a vast need for credit information and it is sold like any other commodity.

Credit collection agencies have found a position of great power in the fact that almost every American is an employee in a highly industrialized society. The loss of a job is far more devastating to Americans than the payment of a bill, just or unjust. The use of "garnishments" has become a perfected weapon, since almost no consumer can safely fail to meet his monthly payments without facing financial disaster.

In order to redress the balance to some extent it is vital that new regulatory legislation be passed by the Congress and State legislatures. This has begun to happen.

## THE GARNISHMENT SANCTION

Since garnishment is one of the chief sanctions against debtors, and the threat of garnishment is a means of collection of disputed bills, it is important to note, in reference to claims resulting from the fraudulent use of unsolicited credit cards, Public Law 90-321, better known as the "Truth in Lending" Law.

Title III of the Act entitled "Restriction of Garnishment" applies federal regulations to all garnishment proceedings and sets up federal standards for future proceedings. This title will take effect on July 1, 1970 (Sec. 504).

The findings in section 301 of the Act stated that the unrestricted garnishment of compensation due for personal services encourages the making of predatory extensions of credit and that such extensions of credit divert money into excessive credit payments and thereby hinder the production and flow of goods in interstate commerce; that the application of garnishment as a creditor's remedy frequently results in loss of employment by the debtor; and the resulting disruption of employment, production and consumption constitutes a substantial burden on interstate commerce. Further, "the great disparities among the laws of the several states relating to garnishment have in effect destroyed the uniformity of the bankruptcy laws and frustrated the purposes thereof in many areas of the country."

The Secretary of Labor, through the Wage and Hour Division of the United States Department of Labor, shall enforce the provisions of the Act (Sec. 306).

Section 303 limits the amount of wages that can be garnished through a percentage figure and/or a mathematical formula based on the Federal Minimum Hourly Wage prescribed by the Fair Labor Standards Act of 1938.

Only 25% of the weekly wages of an employee would be subject to garnishment or the amount of disposable earnings for that week which exceeded thirty times the federal minimum hourly wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 in effect at the time the earnings are payable, whichever is less. If wages are other than weekly wages, the Secretary of Labor by regulation shall set up a formula that achieves the same result.

These restrictions do not apply to court orders for support, an order of any court in bankruptcy under Chapter xiii or any debt due for any state or federal tax. No court of the United States or of any state may

make or enforce any order or process in violation of this section.

Section 304 provides that no employer shall discharge an employee as the result of garnishment for one indebtedness, and willful violation of the section shall subject the employer to a fine of not more than \$1,000 or imprisonment for not more than one year, or both. State laws which are more restrictive shall not be annulled.

#### THE CREDIT BUREAU SANCTION

A reporter for the Columbia Broadcasting System, claiming to represent a non-existent firm, obtained credit reports on 10 individuals out of a random list of twenty names. His investigation was the basis of a televised report on credit bureaus, which generally claim that their information is kept confidential.

Credit bureaus have dossiers on 110 million Americans or almost the entire adult population of the United States. Most credit bureaus belong to the Associated Credit Bureaus of America, which has over 2,200 individual members serving 400,000 creditors in 36,000 communities. These credit bureaus issued 97 million credit reports in 1967. This information is freely transferable between the association's membership and the information is used for extensions of credit and employment purposes. Massachusetts and New Mexico passed statutes regulating credit bureaus in 1969. Until this year, the only state statute regulating credit bureau activities was one passed in Oklahoma in 1916 and that was inadequate.

Credit reports include such items as age, race, marital status, opinions of neighbors of personal habits as well as financial information. In addition information goes into credit reports and remains on file without being corrected or updated. Information is not evaluated and wholly false information has the same status as correct and relevant information.

Senator Proxmire in his explanation of S. 823, an amendment to the Consumer Protection Act, outlined seven problems and then gave seven solutions his amendment would provide. These are shown below by enumerated paragraphs with the proposed S. 823 solution in letter paragraphs.

1. Consumers do not know that they are being damaged by adverse credit reports.

(a) The bill provides that where a person is refused a loan, employment or insurance because of an adverse credit report, those who make the decision upon the written request of the disappointed applicant must disclose the name and address of the credit bureau from which they obtained the information. Present contracts between creditors and the bureaus forbid revealing the identity of the credit bureau. A person would then have the opportunity to correct misleading information in such credit files (Sec. 615).

2. A consumer is rarely given access to his own file, even if he knows the name of the credit bureau which has it on record.

(a) Under the Proxmire bill, S. 823, credit bureau reporting agencies must interview complaining consumers during normal business hours and on reasonable notice disclose all information in the consumer's file. A complaining consumer may bring one other person with him when he asks to examine his file. This could be helpful generally but especially so in poorer areas (Secs. 609-610).

3. Consumers have great difficulty in correcting inaccurate information.

(a) Debtors would, under S. 823, have the right to file explanatory information or to have incorrect or unverifiable information deleted as the result of the right to demand reinvestigation of allegations. Frivolous consumer statements need not be included (Sec. 611).

4. Information in credit files is not kept confidential.

(a) Those who request credit reports must certify as to the purpose for which they are requested and agree not to use the information for any other purpose. A person who obtained a credit report under false pretenses would be subject to a fine of up to \$5,000 or imprisonment up to one year, or both (Sec. 619).

5. Credit bureaus gather highly personal information based on the subjective opinions of others, whether or not such information is relevant to credit standing.

(a) Investigations of a personal nature must be revealed to the consumer as well as the nature and scope of such investigation, if he makes a written request. His right to make such a written request must also be disclosed to him (Sec. 615b).

6. Public record information such as arrests are not updated and do not show eventual disposal of cases.

(a) This problem will be solved upon passage of the Proxmire bill (S. 823) by the requirement that public records information be kept up to date. If this cannot be done, the consumer must be notified that an inquiry has been made and of the identity of the person to whom a report was sent. The consumer would then have the opportunity to have updated information forwarded to the inquirer and the file corrected (Sec. 613).

7. Old information on past credit deficiencies is not updated to show improved performance on any regular basis.

(a) Section 605 provides that obsolete information from official records such as suits and judgments, unpaid tax liens, records of arrest, indictment, conviction and matters such as accounts placed for collection or charged to profit and loss, shall not be made part of consumer reports beyond 7 years. In the case of bankruptcies the limit is 14 years (Sec. 605a). Section 605b provides that transactions involving more than a principal amount of \$50,000 or more, the underwriting of life insurance policies involving a principal amount of \$25,000 or more, or the employment of any individual whose yearly compensation amounts to more than \$20,000, is exempt from these restrictions.

#### MASS MAILING KEYS CREDIT CARD OPERATIONS

There are 300 million credit cards in use in the United States. About 1.5 million of these credit cards are stolen each year and the annual loss from fraudulent use has reached a figure of \$100 million.

In an article in the Christian Science Monitor, entitled "Mass Mailing Keys Credit Card Operations," dated November 4, 1969, it was noted that "In the past month, member banks of the New England Bankcard Association, Inc. (NEBA), have mailed over two million unsolicited Master Charge Cards to customers. This practice has also been common in other areas." With large mailings of this kind, it is inevitable that unsolicited credit cards are stolen.

The lead time given to thieves through the theft of unsolicited credit cards makes them valuable to them, not only in providing funds, but in providing identifications.

As a direct result of hearings held in the Postal Operations Subcommittee of the U.S. House of Representatives, Congressman Arnold Olsen introduced H.R. 15103, which provides for restricted conditions for the mailing of credit cards.

#### H.R. 15103

Section 4001 would be amended upon passage of the Olsen bill by adding credit cards to the category of nonmailable matter under subsection (b). Subsection (c) contains the exceptions to the mandate of Subsection (b).

Subsection (c) provides that credit cards may be mailed.

(1) by registered mail, return receipt requested, with restricted delivery to the person in whose name the card is drawn;

(2) in response to a written application; and

(3) the credit card bears a term on its surface, in eight point type, that liability for fraudulent use is assumed by the sender, unless the credit card bears a photograph and signature of the person in whose name the credit card is issued. In that case liability to the cardholder will be limited to \$50; and that

(4) the sender agrees to pay an additional charge for any mailing returned to him covering the cost to the Department of such return as established by the Postmaster General.

A criminal fine of \$1,000 per mailing of each nonmailable card is added as a sanction in Subsection (d). Subsection (e) provides that nonmailable matter under the bill may be seized and disposed of as the Postmaster General shall direct in postal regulations.

The Olsen bill is a combination of approaches, that are now before the Congress.

For example, Senator Proxmire's bill, S. 721, introduced for himself and Senators Dodd, Eagleton, Inouye, McGee, McIntyre, Mondale, Moss, Nelson, Yarbrough and Young of Ohio would amend section 103 of the Truth in Lending Act (82 Stat. 146).

It would limit the liability of the cardholder for unauthorized use of an unaccepted credit card (Sec. 132). An accepted credit card is defined, in what will be a new subsection (1) of section 103 of the Truth in Lending Act (82 Stat. 146), as "any credit card which the cardholder has requested in writing or has signed or used, or authorized another to use."

Also a "Renewal card shall be deemed to be accepted if it is issued within one year after a prior card has been paid for or used"; and "A new credit card issued in substitution for an accepted credit card as a result of a change in the corporate structure or ownership of a card issuer shall be deemed to be an accepted credit card."

Section 2(b) of S. 721 would be added to Section 105 of the Truth in Lending Act, and it would require that the Board of Governors of the Federal Reserve System shall prescribe regulations under which card issuers may issue credit cards not requested in writing by a prospective cardholder, in the matter of minimum credit standards for such prospective cardholders in order to limit overextension of credit by consumers and protect the financial stability of banks insured by the Federal Deposit Insurance Corporation.

#### H.R. 13244

This bill introduced by Congressman James Hanley, Democrat of New York, provides that unsolicited credit cards must be sent by registered mail restricted to addressee only and that otherwise the mailings of unsolicited credit cards would be a criminal offense, subject to penalties of not more than two years imprisonment and/or a fine of not less than \$1,000 or both.

#### H.R. 14346

This bill introduced by Congressman William Scott of Virginia, would bar unsolicited credit cards from the mail as being nonmailable. The criminal sanction in the Scott bill is a misdemeanor, with a maximum imprisonment of one year and a fine of not less than \$1,000, or both.

#### H.R. 14897

Congressman Glenn Cunningham, Republican of Nebraska, introduced H.R. 14897 which would require that all credit cards be forwarded by registered mail and bear the words on the envelope "credit card" or "unsolicited credit card—addressee may refuse" in the appropriate case.

#### OBJECTIONS

The Federal Reserve Board and the Credit Card industry object to all of these bills on the basis that there is no serious problem in-



involved in the mailing of unsolicited credit cards that cannot be corrected by better screening of mailing lists. They also maintain that the barring of unsolicited credit card mailings would prevent other credit card companies from entering the field because they cannot procure sufficient credit card holders to support a plan and solicit participation in a credit card plan by merchants unless large numbers of consumers have credit cards in their possession. A bank that attempted to obtain cardholders by forwarding credit card applications received less than a 1% response. The same bank found that by mailing unsolicited credit cards a 19% use rate was established within a few months.

The Olsen bill, H.R. 15103, and the Cunningham bill, H.R. 14897, are objected to because of the cost of sending all credit cards by registered mail. Registered mail in the case of credit cards would cost .80 per piece, and a restricted delivery requirement would cost an additional .50, a total of \$1.30 per credit card mailing.

#### THE OLSEN POSITION

Congressman Olsen and the authors of other bills are in agreement that unsolicited credit card mailings should in effect be barred from the mails because of the danger of theft. Credit cards are instant cash to persons who take them. They are sold, for instance, by criminals at rates from \$25 to \$500. In our larger cities apartment mail boxes are regularly rifled and some postal employees who have fallen into the hands of loan sharks are induced to pilfer mailed credit cards as repayment. The passage of credit cards through the postal system in locked mail bags with a limited number of individuals responsible for the entire process would cut down on the opportunity for such theft. A restricted delivery insures proof of receipt in the form of the cardholder's signature.

Cardholder liability for fraudulent use of credit cards should be restricted and in the case of unsolicited credit cards eliminated altogether. The main concern of credit card companies is that without some liability cardholders will be negligent about prompt notice to the issuer of the loss. While this is a consideration, a credit card carrying the photograph and signature of the cardholder would prevent much of the fraudulent use of such cards. Merchants would have to be grossly negligent to accept credit cards when they are being used by a third person. If a credit card company did perfect its credit cards so that the card itself identified the person seeking to make a purchase, it would seem reasonable that limited liability on the part of the cardholder be provided for in order to assure prompt notification of loss.

#### SUMMING UP

The ending of unsolicited mailings is the issue on which the Members of Congress who have introduced bills and the Federal Reserve Board, the banks and the credit card companies cannot agree.

Unsolicited credit card mailings are under attack in the state legislatures, before the Federal Trade Commission, and before committees of the Congress. Eleven states have already passed laws restricting unsolicited mailings and limiting liability for the fraudulent use of credit cards. Most states have enacted criminal statutes for fraudulent use of credit cards.

It is true that legislation banning unsolicited credit cards from the mail will stabilize the credit card industry insofar as new companies will find it difficult to enter the field. But the entry, beginning in 1966, of giant new bankcard operations has not resulted in competitive pricing or cost cutting on the part of credit card companies. Their charges for bills over 30 days are on the average 18 percent and that is attractive to those who enter the credit card business. The

consumer has seen no benefit in lowered costs of this form of credit. In fact, there is every indication it has raised the cost of maintaining his family's budget. He continues to pay 1½ percent a month on his credit card purchases and most people seem to stretch out such purchases beyond the "thirty days to reality" period. In fact, this is the source of the great profitability of credit card operations. In addition, the discounts charged merchants for the sale of bills run up under the credit card plans are significant and are as high as 7 percent. Moreover, the switching of funds from consumer loan investment and small business loans has the tendency to raise interest rates on funds remaining and available for those purposes.

The mailing of millions of unsolicited credit cards is a hard sell device that has been used to excess. The excesses of past operations do not justify continuing the same practices. What is more, building credit card operations on the basis of applications and the well thought out decisions of consumers to participate in one or two plans will cut down on ill considered impulse spending, which is inflationary.

The main opposition to curbs on the mailing of unsolicited credit cards comes from the banking industry and the Board of Governors of the Federal Reserve System. Bankcards are the latest arrivals in the credit card field. They are the "everything" cards and they have great competitive advantages over the more specialized credit card operations such as the airline companies and the oil companies who use credit cards as a selling device for their product; or the entertainment cards issued by the Diners Club and the American Express Company. Out of 300 million credit cards there are now 60 million bank credit cards in use. The future belongs to the bank credit cards because they seem to be more convenient. Half of all the banks in the United States now offer a charge plan, either as part of a larger operation or individually.

A Mr. Edward E. Bontema, president, Eastern States Bankcard Association, said in an Atlantic City Conference on Consumer Credit:

"By 1975 almost every bank depositor in the U.S. also will be a bankcharge card holder."

"This will result in a decline in the volume of checks handled by banks and at the same time reduce the number of operations needed to process checks."

"According to a Federal Reserve System survey nearly 20 billion checks were processed in 1967. It cost almost \$4 billion to process those checks through some 20 operations."

It may be easy to understand why the banks of this country are in a hurry to establish credit card plans. But although a soft sell through applications may take longer, it will probably take place nonetheless. Legislation which protects the consumer from liability for fraudulent loss and which provides for credit cards which in fact do accurately identify people are worth the trouble and time to the public. If the Olsen bill and bills like it delay the switch from checks to credit cards by protecting the consumer, it may be worth doing.

#### CONCLUSION

Technology has changed forever the American's way of borrowing and spending by the mass issuance of the credit card.

The law in the nature of things develops much more slowly than technology. Legislation balancing once more the rights and duties of individuals and organizations, debtors, and creditors, has developed very slowly. But the time has come for the passage of such legislation.

The Truth in Lending Law, the Proxmire bill on arbitrary credit reporting, and the Olsen bill limiting liability resulting from lost credit cards and the mass mailing of

unwanted credit, are all steps on a road toward protecting individual rights in a computer civilization.

This legislation and more like it must be enacted. The market place cannot become a lawless place where only the buyer has to beware. A computer civilization and the applied technology resulting therefrom will not reach its full promise if individuals do not share in that promise. A sense of fairness resulting from new rules in a new society is essential.

#### REFERENCES

1. England, "Mass Mailing Keys Credit Card Operation," *Christian Science Monitor*, November 4, 1969.

2. United Press Release, *Los Angeles Times*, October 23, 1969. See also England, *op. cit.*

"In the past month, member banks of the new England Bankcard Association, Inc. (NEBA) have mailed over two million unsolicited master charge cards to customers. This practice has been common in other areas."

"Robert C. Rier, President of NEBA, defends the practice. 'Each bank decided from their own accounts who would get cards,' he said of the operation here. 'We spent months and months to do the proper thing. In Chicago, they literally handed them out on the street.'"

Subcommittee staff study on Chicago incident. Testimony of Eric E. Bersten, professor of law, University of Iowa, before Subcommittee on Financial Institutions of the Committee on Banking and Currency, U.S. Senate, 90th Congress, October 10, 1968, pp. 90-128. Mrs. Betty Furness, Special Assistant to the President for Consumer Affairs, p. 63, October 10, p. 64 same committee.

The reference to Chicago by Mr. Rier, referred to the first mass mailing engaged in by American Banks of unsolicited credit cards. They picked the Christmas rush of 1966 to begin this practice. In addition, the Chicago banks are quite competitive and they all sought to build up the most massive lists possible in order to convince merchants that the credit plan individuals were trying to sell individual merchants was the best. Large numbers of cards were stolen. Credit cards were sent to children and the deceased and entire neighborhoods were flooded with the new bankcards from rival Chicago banks. One man received 18 credit cards from the same bank addressed to himself and three each of his sons, aged 9, 11 and 13. The Chicago banks had issued millions of credit cards during the height of the 1966 Christmas rush.

3. *New York Times*, November 26, 1969, "State Attorney General Louis J. Lefkowitz, reported another incident yesterday, which he said should dispel any doubt that the legislature should pass a law to prohibit the forwarding of unsolicited credit cards."

4. Testimony of Gold, Eugene F., District Attorney, Kings County, New York, Transcript of Federal Trade Commission Hearings, September 10, 1969, p. 76.

Testimony of Rotker, Seymour, Executive Assistant to District Attorney, Bronx County, New York at hearings before Subcommittee on Postal Operations, U.S. House of Representatives, October 19, 1969, p. 114, unpublished transcript.

5. Miraglia, "My \$10,000 Credit Card Binge," *Life*, October 26, 1959, p. 53. A 19 year old took a one month trip across the United States by means of an all purpose credit card. He purchased \$10,000 worth of goods and services, including U-Drive It cars, a silver mink coat for a girl friend, and a puppy for himself.

6. McDonald, "Credit Cards—Our Funny Money," *Detroit News*, November 4, 1969, p. 1.

7. Jackson, Royal E., Chief of the Bankruptcy Division, Administrative Office U.S. Courts, at Hearings before Subcommittee on Financial Institutions, Committee on Bank-

ing and Currency, U.S. Senate, October 9, 1968, p. 31 *et seq.*

8. *Ibid.*, p. 33.

9. McDonald, *op. cit.*, In San Francisco, California, Mrs. Lucille Vitorelo received a bill for \$368.78 from a department store. A credit card in her name, sent without her knowledge or request, was apparently stolen from the mails. The store threatened to sue her for the unpaid bill, her credit rating was damaged and she had to pay a lawyer \$175 to prove she was not liable.

10. If there is no contract placing liability for unauthorized purchases on one of the parties and if neither of the parties has been negligent or acted in bad faith, the credit card holder will not be liable even though he does not report the loss promptly. The only implied duty in the absence of a contract is to exercise due care in handling the card. *Thomas v. Central Charge Service, Inc.*, (1965 District of Columbia, Court of Appeals), 212 A2d 533, 15 ALR 3rd 1083, in which a judgment for the plaintiff was reversed.

The holder may be liable for fraudulent use if he authorizes a third party to make purchases and such a state of facts raises a jury question as to liability. *Jones Store Co. v. Kelly*, 225 Mo. App. 833, 36 S.W. 2d 681. (1931).

Under a contract for complete liability on the part of a cardholder prior to giving the issuing company notice of loss such terms may be enforced, according to a decision in New York in the case of *Texaco, Inc. v. Goldstein*, 34 Misc. 2d 751, 229 N.Y.S. 2d 51, aff'd 39 Misc. 2d 552, 241 N.Y.S. 2d 495. The facts of this case involved not only the contract term which placed complete liability for fraudulent use on the cardholder but the credit card was an oil company credit card which had no identification but a card number and the court took the position that only the cardholder could save the company from loss by prompt notice.

In *Union Oil Company v. Lull*, 220 Or 412, 349 P2d 243, 1960, the court relied on an analogy between a bank passbook where there is a duty by the issuer to ascertain the identity of the person presenting the passbook, even though a contract term existed which placed all liability for fraudulent use of the passbook on the holder, since the bank as an indemnitee has the duty of exercising reasonable care to protect the indemnitor.

On the other hand, a case involving a contract term placing all liability on the cardholder until surrender of the card was upheld in *Socony Mobil Oil Company v. Grief*, 10 App. Div. 2d 119, 197 N.Y.S. 2d 522 (1960).

The standard clause now used limits cardholder liability for fraudulent use until the card is surrendered or written notice is given the issuer that the card has been lost or stolen. Where a "hot list" of missing cards is issued by the credit card company and the merchant still accepts the card for credit, the contract between the merchant and the credit card company may require the merchant to assume liability. *Bergsten, v. "Credit Cards: Distributing Fraud Loss"*, 77 *Yale Law Journal*, 1418, 1420 (1968).

11. In *Humble Oil and Refining Company v. Waters* (1963) La App. 7, 159 S. 2d 408, the one whose negligence occasioned the loss must bear the loss. In this case a card was mailed as the result of a telephone request from a person claiming to be a cardholder who had lost her credit card and asking for a replacement. The replacement card was stolen from the cardholder's mailbox. The court held that it was negligent for the credit card company not to ascertain the identity of the caller and that the credit card had been obtained by fraudulent means, and the record of the case was devoid of any fault on the part of the holder.

12. Pollock, Earl E., Attorney, Midwest Bank Card System, Inc., Postal Operations Subcommittee Hearings, U.S. House of Rep-

resentatives, November 19, 1969, p. 153 *et seq.* Transcript.

13. The credit card transaction which we are discussing is new to the law and unique. It involves a credit card issuer, an honoring merchant who sells diverse products to cardholders. There is virtually no authority, judicial or statutory, that is controlling. The problems arising from the use of this device are discussed in *Fafy & McDonald 49 Calif. Law Review* 459, 465 (1960). In addition, legislation has been enacted in each state but relating only to criminal penalties for fraudulent use. Montana's statute is 94 R.C.M. 1823 through 94 R.C.M. 1830.

Staff Study, Postal Operations Subcommittee, U.S. House of Representatives. Filed, September 1969.

17. Meade, Robert L., Legislative Director, Office of Special Assistant to the President on Consumer Affairs, at Hearings before Subcommittee on Postal Operations, U.S. House of Representatives, November 19, 1969, p. 88 *et seq.* Mr. Meade also stated that credit card losses are over \$100 million a year, stolen credit cards sell in New York City for at least \$50 and that mail fraud cases involving stolen credit cards has risen over 700% in the last four years. According to a United Press International release the consumer debt of the United States has jumped from a figure of \$110 billion that Meade used on November 19, 1969 to a figure of \$118 billion as of December 4, 1969 according to end of October figures issued by the Federal Reserve System.

18. Patman, Wright, M.C., Chairman of the Banking and Currency Committee of the U.S. House of Representatives, before the Subcommittee on Postal Operations of the U.S. House of Representatives on October 29, 1969.

19. Brean, "Charge Plans Make Cash Unstylish," *Life*, June 1, 1959, p. 120 *et seq.*

20. "Credit Card Frauds: What You Need to Know About this Growing Danger," *National Petroleum News*, March 1967, p. 92.

21. Jackson, Royal E., Hearings on Bank Credit Card and Check Credit Plans before the Subcommittee on Financial Institutions, U.S. Senate, October 9, 1968, p. 33.

22. Proxmire, William, U.S. Senator, Statement on Senate Floor, *Congressional Record*, vol. 115, pt. 25, p. 33410.

23. Wattenberg and Scammon, "This U.S.A.", p. 112. (1960 Census Figures)

24. Lederberg, "Business Marketing Data Once Sold by Private Eye," *Washington Post*, August 2, 1969.

25. Wattenberg and Scammon, "This U.S.A.", p. 179 (1960 Census Figures)

26. 15 U.S.C. 1601, *et seq.*

27. 15 U.S.C. 1673.

28. 15 U.S.C. 1676.

29. 29 U.S.C. 201, *et seq.*

30. 15 U.S.C. 1673.

31. 15 U.S.C. 1675.

32. 18 U.S.C. 891.

33. 15 U.S.C. 1677.

34. Williams, Harrison, U.S. Senator. Remarks, *Congressional Record*, vol. 115, pt. 25, p. 33412.

35. Proxmire, William, U.S. Senator. Remarks, *Congressional Record*, vol. 115, pt. 25, p. 33409.

36. Massachusetts General Laws, Ch. 93, amended by addition of Sections 44-47, 1969. New Mexico, 50-18-2 through 6h 50-19-1, General Laws 1969, Ch. 259, Sec. 1.

Oklahoma, 24 Oklahoma 81 through 85, 1910.

37. Brenton, "The Privacy Invaders," p. 38, 43, 1964.

38. Proxmire, William, U.S. Senator, explanation of amendment to the Consumer Protection Credit Act, *Congressional Record*, vol. 115, pt. 25, pp. 33408-33411.

39. Dallos, "Fighting Credit Card Fraud," *Washington Post*, December 7, 1969, p. 1.

40. England, "Mass Mailing Keys Credit Card Operation," *Christian Science Monitor*, November 4, 1969.

41. Brimmer, Andrew F., Member of the Board of Governors of the Federal Reserve System, "New Horizons in Credit Card Banking", before Seattle Clearing House Association, September 23, 1969, p. 10.

42. Martin, William Mc., Jr., Chairman of the Board of Governors of the Federal Reserve System, Letter to Chairman Robert N. C. Nix, M.C., dated October 28, 1969.

43. McNeal, Edward J., Chairman of the Consumer Credit Issues Committee of the American Retail Federation, Proceedings Federal Trade Commission, Docket No. 215-20, pp. 185, 186. "The Marine Midland Trust Company of New York made a promotional mailing soliciting applications for credit cards, and received a return of .007, of a total mailing of 33,000. An unsolicited mailing to a control group of 731 indicated that 139, or about 19%, had been used within a 90-day period.

44. P.O.D. Notice 59, Domestic Postage Rates, Fees and Information, July 14, 1969.

45. United Press International, "Mafia Strikes Gold in Credit Cards," *St. Paul Sunday Pioneer Press*, November 26, 1967, p. 4.

Rotker, Seymour, Executive Assistant to the District Attorney, Bronx County, Bronx, N.Y., Credit Card Hearings, Postal Operations Subcommittee, U.S. House of Representatives, November 19, 1969, p. 138. Transcript.

46. United Press International, "Mafia Strikes Gold in Credit Cards," *St. Paul Sunday Pioneer Press*, November 26, 1967, p. 4. "Traditional 'shylocking' techniques are also being streamlined by the shift from cash demands to credit. When syndicate collectors need to pressure these days," said Huntel (former District Attorney, Queens County, New York City), "they'll collect their pound of flesh not by beating on his noggin but by getting his credit cards . . . and if he doesn't have one, they tell him 'Get one, get two, get three . . .'"

Cotter, William J., Chief Postal Inspector, Credit Card Hearings, Postal Operations Subcommittee, U.S. House of Representatives, November 19, 1969, p. 112. Transcript.

47. Cotter, William J., Chief Postal Inspector, Credit Card Hearings, Postal Operations Subcommittee, U.S. House of Representatives, November 19, 1969, pp. 113, 114. Transcript.

"From the enforcement standpoint, unsolicited credit cards present several problems to the Postal Inspection Service. As unsolicited mailings are promotional mailings, regardless of the extent of screening the mailing lists, address reliability is apt to be lower in comparison with credit cards mailed in response to an application. Wrong deliveries, forwarding and multiple handling increase the exposure of an unsolicited mailing to theft and loss."

"As unsolicited mailings are unwanted by some percentage of the addressees, perhaps as high as 75%, that percentage of a given mailing is needlessly exposed to loss or theft in postal transit and otherwise until the cards are either destroyed or returned to their issuer."

"The addressee of an unsolicited card, not anticipating it, usually finds out about its misuse when he receives an invoice, perhaps six weeks after the date of mailing. The delay in initiating the investigative process is an impediment to its success."

"Postal employees and others can usually spot unsolicited mailings and one inclined to theft will reckon an unsolicited mailing as a safer and more desirable target than regular customer mailings."

48. Pollock, Earl E., Attorney, Midwest Bank Card System, Inc. Credit Card Hearings, Postal Operations Subcommittee, U.S. House



of Representatives, November 19, 1969, p. 153 *et seq.* Transcript.

49. H.R. 15103, Subsection (c), is not impractical or futuristic. The Marine Midland Grace Trust Company of New York advertises a Master Charge Card with photograph and signature and has done so for several years. Advertisement, *New York Times*, December 9, 1969, p. 36. The advertisement read in part: "If you grow a mustache we'll give you a new card." "We have to." "We're the only bank in town that puts your picture on the back of a charge card." "At no cost to you."

50. State Statutes Limiting Liability in matters involving the fraudulent use of unsolicited credit cards. (Citations from Commerce Clearing House Service.)

#### Alaska

Sec. 06.05.209. Issue of credit cards. A bank is not prohibited from issuing unsolicited credit cards or other similar credit granting devices but the bank may not hold the customer liable for charges made on a credit card or other device before its acceptance by the customer. Before an unsolicited card is considered accepted by the customer, the customer shall execute and furnish to the bank a written statement of acceptance. (Sec. 06.05.209, as added by Laws 1969, S.B. No. 173, approved May 5, 1969, effective August 3, 1969)

#### California

Sec. 1718. (Definitions—Cardholder's liability limited.) (a) as used in this section: (1) "Credit Card" means any instrument or device, whether known as a credit card, credit plate, or by any other name, issued with or without fee by a card issuer for the use of the cardholder in obtaining money, goods, services, or anything else of value, either on credit or in consideration of an undertaking or guaranty by the issuer of the payment of a check drawn by the cardholder.

(2) "Accepted credit card" means any credit card which the cardholder requested in writing or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor or services on credit. A renewal credit card shall be deemed to be accepted if it is issued within one year after a prior card has been paid for or used. A credit card issued in connection with a merger, acquisition, or the like of card issuers or credit card services in substitution for an accepted credit card shall be deemed to be accepted credit card.

(3) "Card issuer" means the business organization or financial institution which issues a credit card, or its duly authorized agent.

(4) "Cardholder" means the person or organization identified on the face of a credit card to whom or for whose benefit the credit card is issued by a card issuer.

(5) "Unauthorized use" means a use of a credit card by a person, other than the cardholder, who does not have actual, implied, or apparent authority for such use and from which use the cardholder receives no benefit.

(b) The cardholder is not liable for any unauthorized use of a credit card which has not become an accepted credit card.

(c) If an accepted credit card is lost or stolen after the credit card has reached the cardholder, and the cardholder notifies the card issuer within a reasonable time by telephone, telegraph, letter, or any other reasonable means after discovery of the loss or theft or after the time in which a reasonable man in the exercise of ordinary care would have discovered the loss or theft, the cardholder is not liable for any unauthorized use of the credit card.

(d) This section applies only to credit cards originally issued or renewed on or after the effective date of this section. (Sec. 1718, as added by Laws 1969, A.B. No. 1763, Ch. 904, approved August 23, 1969, effective November 10, 1969.) Sec. 1719 (Disclosure of Charges). Whenever fees, charges, or penal-

ties are assessed against a cardholder for the use of a credit card, the card issuer shall separately state and label all such fees, charges and penalties.

The terms "credit card," "card issuer," and "cardholder" in this section shall have the same meaning as prescribed in Section 1718. (Sec. 1719, as added by Laws 1969, A.B. No. 1764, Ch. 905, approved August 23, 1969, effective November 10, 1969.)

#### Connecticut

Sec. 1 (Acts 1969, P.A. No. 136) (Distribution of unsolicited credit cards.)

(a) No person, company, partnership or corporation shall engage in the practice of mailing or the distribution in any form of any credit card, charge plate or any like instrument or device in any other person, firm or corporation unless such other person, firm or corporation has previously made a request therefor in writing or verbally.

(b) Any person, company, partnership or corporation which violates the provisions of subsection (a) of this act shall be fined not more than one hundred dollars for each card, plate, instrument or device so mailed or distributed.

(c) The provisions of this act shall not apply to the renewal of any credit card, charge plate or like instrument or device unless the recipient has previously indicated in writing his intention that such renewal not be effected nor shall it apply to the replacement of any such instrument or device by the issuer thereof during the period such instrument or device is in effect. (Approved May 15, 1969, effective January 1, 1970.)

#### Illinois

Credit Cards—Act of July 27, 1967.

Sec. 1 (Rev. Stat. 12½ Sec 381) Unsolicited credit cards—Liability to issuer—Burden of proof—Fees and costs.

(a) No person in whose name a credit card is issued without his having requested or applied for the card or for the extension of the credit or establishment of a charge account which that card evidences is liable to the issuer of the card for any purchases made or other amounts owing by a use of that card from which he or a member of his family or household derive no benefit unless he has indicated his acceptance of the card by signing or using the card or by permitting or authorizing use of the card by another. A mere failure to destroy or return an unsolicited card is not such an indication. As used in this Act, "credit card" has the meaning ascribed to it in Section 17-1 of the Criminal Code of 1961 (6381), except that it does not include a card issued by any telephone company that is subject to supervision or regulation by the Illinois Commerce Commission or other public authority.

(b) When an action is brought by an issuer against the person named on the card, the burden of proving the request, application, authorization, permission to use or benefit as set forth in Section 1 hereof shall be upon plaintiff if put in issue by defendant. In the event of judgment for defendant, the court shall allow defendant a reasonable attorney's fee, to be taxed as costs.

Sec. 2. (Rev. Stat. 12½ Sec 382) Requested or accepted credit cards—Liability to issuer—Burden of Proof—Fees and Costs.

(a) Notwithstanding that a person in whose name a credit card has been issued has requested or applied for such a card or has indicated his acceptance of an unsolicited credit card, as provided in Section 1 (6835) hereof, such person shall not be liable to the issuer of the card for any amount hereinafter set forth, resulting from a use of that card from which he or a member of his family or household derives no benefit or which he has not authorized or permitted:

Card without signature panel, \$25.00.

Card with a signature panel, \$75.00.

(b) When an action is brought by an issuer against the person named on a card,

issuance of which has been requested, applied for, solicited or accepted and defendant puts in issue any transaction arising from the use of such card, the burden of proving benefit, authorization, use or permission by defendant as to such transaction shall be upon plaintiff. In the event the defendant prevails with respect to any transaction so put in issue, the court may enter as a credit against any judgment for plaintiff, or as a judgment for defendant, a reasonable attorney's fee for services in connection with the transaction in respect of which the defendant prevails.

#### Maryland

Art. 83, Sec. 21B. (Unsolicited Credit Cards—Liability of Issuer—Renewals.)

When a credit card or card of identification for credit is issued to a person in the absence of a prior request or application for such card by that person or an authorized agent of that person, such card shall not be deemed to have been accepted until such person signifies acceptance in writing or uses such card to obtain credit. Until such acceptance takes place, the person issuing the card shall be presumed to have assumed the risk of loss, theft, or unauthorized use in any action against the person to whom the card is issued. The provisions of this section shall not be applicable to the cards issued to renew or replace existing cards originally applied for or accepted by the cardholder. (Sec. 21B, as added by Laws 1969, Ch. 252, approved April 23, 1969, effective July 1, 1969.)

#### Massachusetts

Chap. 255, Sec. 12E (Credit Cards—Cardholder Liability)

(Series of definitions. Relevant definitions)

"Accepted Credit Card", any credit card which the cardholder has requested in writing or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor or services on credit. A renewal credit card shall be deemed to be accepted if it is issued within one year after a prior card has been paid for or used. A credit card issued in connection with a merger, acquisition or the like of card issuers or credit card services in substitution for an accepted credit card shall be deemed to be an accepted credit card.

"A provision imposing liability on a cardholder for the unauthorized use of a credit card shall be effective only if the card is an accepted credit card, the liability imposed is not in excess of one hundred dollars, the card issuer gives adequate notice to the cardholder of the potential liability, the unauthorized use occurs before the cardholder has notified the card issuer of the loss or theft of the card or of any unauthorized use, and the card issuer has provided a method whereby the user of the credit card can be identified as the person authorized to use it, including without limitation a place on the card for the photo or signature of the holder.

"Except as hereinbefore provided, a cardholder incurs no liability from the unauthorized use of either an accepted or an unaccepted credit card." (Sec. 12E, as added by Laws 1968, Ch. 394, approved June 11, 1968, effective January 1, 1969, and applicable only to credit cards issued after the effective date.)

#### Minnesota

(Credit Card Liability)—Laws 1969, Ch. 1004. Approved June 6, 1969, effective June 7, 1969.

Sec. 2. (Unsolicited credit cards.) No person in whose name a credit card is issued shall be liable for any amount resulting from use of that card from which he or a member of his family or household derives no benefit unless he accepted the card by (1) signing or using the card, or (2) authorizing the use of the card by another. A mere

failure to destroy or return an unsolicited credit card is not such an acceptance.

#### New Mexico

(Credit Card Liability)—Laws 1969, Ch. 172.

Sec. 1. Unsolicited credit cards—Liability of issuer—Burden of proof—Attorney fee.

A. No person in whose name a credit card is issued is liable to the issuer of the credit card for any amount owing because of a use of the credit card if: (1) he did not apply for the credit card; or (2) he has not indicated his acceptance of the credit card; or (3) he or a member of his family or household desires no benefit from the use of the credit card. If the person named in the credit card has indicated his acceptance of the credit card by signing or using it or by permitting or authorizes another person to use it, he is liable to the issuer. The failure to destroy or return an unsolicited credit card is not an indication of acceptance.

B. In any action brought by the issuer against the person named in an unsolicited credit card, the burden of proving the application, authorization, permission to use or benefit is on the plaintiff if put in issue by the defendant. If the defendant prevails, the court shall award the defendant reasonable attorney fee. (Approved April 1, 1969, effective 12 o'clock noon, June 20, 1969.)

#### New York

General Business Law—Ch. 20, t. 29-A. Credit Cards.

Sec. 512. Limitations on liability for use of lost or stolen credit cards. A provision to impose liability on an obligor for the purchase or lease of property or service by use of a credit card after its loss or theft is only if it is conspicuously written or printed in a size at least equal to eight point bold type either on the card, or on a writing accompanying such a card when issued, or on a writing accompanying the card when issued or on the obligor's application for the card, and then only until written notice of the loss or theft is given to the issuer. Such a provision either in a credit card issued prior to the effective date of this article, or in a writing accompanying such a card when issued, or in the obligor's application for such a card is effective, on or after the effective date of this article, only if the issuer mails to the obligor, properly addressed, written notice of the provision conspicuously written or printed in a size at least equal to eight point bold type. Such a provision is effective only if the obligor has requested in writing the issuance of a credit card; the signature of the obligor or of a person authorized by him upon a sales slip or memorandum evidencing a purchase or lease of property or services by use of a credit card is the equivalent of the obligor's request in writing for the issuance of a new credit card and for the issuance of a new credit card to replace or renew a credit card previously issued to him.

#### North Dakota

Credit Cards. Enacted by Laws 1969, S.B. No. 345, approved March 17, 1969, effective July 1, 1969.

Sec. 1. Definition of credit cards and other terms and imposition of liability on cardholder.

4. "Accepted credit card" means any credit card which the cardholder has requested in writing or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor or services on credit. A renewal credit card shall be deemed to be accepted if it is issued one year after a prior card has been paid for or used. A credit card issued in connection with a merger, acquisition, or the like of card issuers or credit card services in substitution for an accepted credit card shall be deemed to be an accepted credit card.

7. "Unauthorized use" means a use of a credit card by a person other than the card-

holder who does not have actual, implied, or apparent authority for such use and from which the cardholder receives no benefit.

A provision imposing liability on a cardholder for the unauthorized use of a credit card shall be effective only if the card is an accepted credit card, the liability imposed is not in excess of one hundred dollars, the card issuer gives adequate notice to the cardholder of the potential liability, and the unauthorized use occurs before the cardholder has notified the card issuer of the loss or theft of the card or of any unauthorized use.

#### Ohio

Sec. 1319.01. (Unsolicited credit cards—Liability)

A cardholder who receives a credit card from an issuer, which such cardholder has not requested nor used, shall not be liable for any use made of such credit card which has not been authorized by such cardholder, unless such credit card is in replacement or renewal of a credit card previously requested or used by the cardholder. (Sec. 1319.01, as added by Laws 1969, S.B. No. 326, approved August 19, 1969, effective November 18, 1969.)

#### South Dakota

Laws 1968, H.B. No. 721, effective July 1, 1968.

Sec. 4. (Issuance—Unsolicited—Nonliability) No credit card shall be issued unless its issuance was requested nor shall any person who has not so solicited or has not accepted or utilized any unsolicited credit card be liable to the person who issued it or honored it for its misuse by others.

#### Wisconsin

Sec. 895.45. Exemption from civil liability for lost or stolen credit cards. Notwithstanding any provision contained on a credit card, no person shall incur civil liability for the fraudulent use of a credit card by another, as defined in Sec. 943.41 which was issued without the former's written application or acceptance therefor and which was used without the former's knowledge or consent. (Sec. 895.45, as enacted by Laws 1967, Ch. 155)

#### ATTORNEY GENERAL'S OPINION

Washington. 02. Credit Cards. The regulatory provisions of the Credit Card Disclosure Act pertaining to maximum service charges, collection of delinquency charges, disclosure, etc., that apply to retail charge agreements as defined by the Act apply to situations where the holder of a bank credit card used the card to purchase goods or services from a participating vendor. Opinion of Attorney General of Washington, (February 8, 1968.)

51. 94 R. C. M. 1823 through 94 R. C. M. 1830. Those provisions applying criminal sanctions to the fraudulent use of credit cards is typical of statutes now part of the law in almost every state.

52. Patman, Wright, M.C., Chairman of the House Banking and Currency Committee, in testimony before the Postal Operations Subcommittee of the U.S. House of Representatives, October 29, 1969, p. 9, referring to bank credit cards. "The bank is collecting 18% from the consumer and 7% from the merchant, or a total of 25% in the form of interest on discounts."

53. Gulian, Jerome R., Legislative Director, National Federation of Independent Business, in testimony before the Postal Operations Subcommittee, U.S. House of Representatives, November 19, 1969, p. 83. "While the example of the South Atlantic States shows up the most dramatically, there appears to be a relationship between bank interest rates to independent business, and the degree of acceptance of bank credit cards."

54. Martin, William Mc., Chairman of the Board of Governors, Federal Reserve System, in a letter to Chairman Robert N. C. Nix, M.C., Postal Operations Subcommittee, U.S. House of Representatives, dated October 28, 1969.

55. Bontema, Edward E., President of Eastern States Bankcard Association, in *Philadelphia Evening Bulletin*, October 30, 1969, p. 10.

#### AUSTIN OAKS AIDS IN HOUSING PROBLEM

#### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PICKLE. Mr. Speaker, more than a year ago we dedicated the Austin Oaks project, which has proven again to have been the forerunner of HUD's Operation Breakthrough.

Ten low-cost homes were built and the foundation was laid for the University of Texas to monitor the families with an eye toward comfort, utility, and expenses.

At the time of the first round contracts, HUD selected two of our builders in the Austin Oaks project in the list of some 35 finalists. From this list, HUD will select the first builders to construct the new low-cost housing using mass production techniques. Prior to awarding the contracts, HUD gained valuable user information directly from the Austin Oaks experiences.

Recently, the University of Texas held a conference on engineering and the problems of our urban society and again, Austin Oaks provided valuable insights as is explained in the following article from the University of Texas news and information service:

AUSTIN, TEX.—What The University of Texas is doing to help solve the nation's housing problems was described at a recent conference on "Engineering and the Problems of Our Urban Society."

Prof. J. Neil Thompson, director of the University's Balcones Research Center, reported more than 15 faculty members in engineering, psychology, architecture and business at UT Austin have been involved in active low-cost housing research. Their work is connected with Austin Oaks, begun in 1968 by UT Austin with a grant from the U.S. Department of Housing and Urban Development (HUD).

Austin Oaks consists of 10 low-cost houses of various designs and materials. The research deals not only with the buildings themselves, but the families that occupy them.

"Technologically, we in engineering at the University have been concerned with housing for over 25 years," Professor Thompson added, "but only recently have we become concerned with the total aspect."

Prof. Thompson pointed out that the national housing goal of a decent home and suitable living environment for every American family has been given as a goal of this country.

"But," he added, "the facts are that today there are 20 million Americans living in substandard housing."

"New family formations and demolition of existing housing generates a need for 2.1 million living units per year," Professor Thompson said. "Last year this country produced only 1.6 million units."

He listed as factors contributing to the inability to meet housing needs for present and future citizens: limited availability and high cost of land; high cost of labor and materials; high interest on loans; obsolete housing and building codes; zoning and



restrictive land use patterns; patterns of discrimination, and processing delays in the U.S. Department of Housing and Urban Development.

Professor Thompson said HUD is carrying out a program it calls "Operation Break-through," which is aimed at developing an approach to meet the nation's housing needs.

"If HUD can mobilize the resources of this country effectively it may achieve this goal of increasing production of houses and control of costs," he said.

"To utilize this ability effectively this country must create a working partnership of federal, state and local government, labor, industry, the financial community, home builders and the consumers," he emphasized.

Another speaker at the conference, Dr. Earnest F. Gloyna, director of UT Austin's Environmental Health Laboratories, talked about providing environmental quality.

"Obviously engineers are capable of planning and contributing to the social improvement, but we as engineers must develop a better understanding of the human element as a part of the problem," said Dr. Gloyna.

"When we talk about man, ecology, science and engineering, we must ask, can it be that man's requirements will change faster than it's possible to preserve our existing resources?"

Dr. Gloyna emphasized that environmentalists cannot avoid the question of cost or use of resources for beneficial purposes.

"Man shapes his own future, and acts as well, by what he does, as by what he fails to do," Dr. Gloyna said.

#### FUND FOR DENTAL CARE FOR RETURNING VETERANS INADEQUATE

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. TEAGUE of Texas. Mr. Speaker, I have previously advised my colleagues that the Committee on Veterans' Affairs is undertaking an investigation to determine whether the VA medical program is receiving enough funds and is properly staffed to deliver first-class medical care to our ex-servicemen. From the facts developed thus far, it appears that mammoth backlogs of applications by Vietnam veterans for dental exams and treatments exist at most VA facilities responsible for dental care.

A member of the Armed Forces when discharged may be eligible to receive dental treatment if the application for treatment is filed within 1 year after discharge or release from active duty. Due to an apparent shortage of dentists in the military services, many servicemen who are serving in Vietnam are not receiving proper dental care and are being told that the Veterans' Administration will fix their teeth after they are discharged. Last year over 1 million veterans were discharged from the armed services.

Mr. Speaker, about 75 percent of the applications being received for dental outpatient treatment by the VA today are from Vietnam veterans. A few days ago a typical complaint was brought to my attention by the mother of a Georgia veteran who felt that her son was not re-

ceiving proper treatment, and the excuse given was that the Atlanta VA hospital lacked funds to authorize the care.

A check of the situation, Mr. Speaker, indicated that she was right.

Atlanta has an excellent VA hospital and it is capable of delivering outstanding service to the veterans which it serves. However, this hospital, along with many others, is not being allocated sufficient funds to deliver prompt and proper medical and dental care. Since 1966, the applications for outpatient dental treatment has almost doubled. During the first 6 months of fiscal year 1970 almost 2,500 eligible Georgia veterans received dental treatments by their private dentists, costing about \$169,000 because VA dental staffs could not handle the huge workload. The Atlanta hospital's funds for the entire fiscal year for fee basis dental care are now almost exhausted and I understand that very few new treatment authorizations have been issued since October. Based on the workload for the first half of this fiscal year, it is estimated that almost 800 more cases will need treatment during the remaining months in fiscal year 1970 at the Atlanta hospital at a cost of over \$200,000. I have been advised that some cases at the Atlanta hospital have been awaiting treatment as far back as March of 1969.

Mr. Speaker, from what I have been able to determine, it appears that there is very little relief in sight for the Veterans' Administration to give returning Vietnam veterans prompt dental care. This is but one facet of the critical situation being revealed by our committee's investigation of underfunding and understaffing of the VA medical program. As soon as our investigation is completed, we will hold hearings and with the help of my colleagues in Congress, I hope that it will be possible to insist that a higher priority be given to the medical care program for our Nation's veterans.

Mr. Speaker, the letter from Mrs. Margy G. Robinson, mother of Vietnam veteran, Robert G. Robinson, of Lawrenceville, Ga., follows:

LAWRENCEVILLE, GA.,  
January 20, 1970.

Congressman OLIN E. TEAGUE,  
Chairman, Veterans Affairs Committee,  
Washington, D.C.

DEAR CONGRESSMAN TEAGUE: I would like to call to your attention a situation which I think should be corrected immediately.

My son returned from Vietnam last September. While there he had considerable trouble with one tooth and was told to wait until he got back to the States, that it would probably have to be crowned. On his return he made application for this dental work. After weeks of waiting to hear from V. A. I telephoned today and was told that Veterans Administration had no funds whatsoever to take care of dental work. She said they had thousands of claims pending and that she was unable to handle her office work because of the calls which she receives daily from veterans. She said many were writing their Congressmen and advised me to do so.

I am of the opinion that whatever is done now will be too late for my son, and his bill would amount to close to \$200. I do hope that something can be done soon, however, to help the thousands of other boys out. My son, like the others, has just gone to work, and after having to buy entire new outfits of clothing,

besides other immediate expenses, he just does not have this kind of money, but it means he will have to pay for this crown or have it extracted. The dentists at VA Out-Patient Clinic are booked for at least two months, so that is out of the question.

Our Government is spending too much money for other things and I certainly don't think Viet Nam veterans should be neglected.

Please see that something is done for these boys at once.

Respectfully yours,

MRS. MARY G. ROBINSON.

#### PRESIDENT NIXON'S VETO OF HEW BILL

### HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. TALCOTT. Mr. Speaker, the House of Representatives yesterday voted to not override the President's veto of the HEW appropriations bill for 1970, by a vote of 226 to 191. Only 139 "no" votes were needed to sustain the President's veto. Even more "no" votes could have been garnered if necessary.

Nevertheless this was a tremendous victory for President Nixon in his rather courageous effort to curb inflation.

Members of the Congress were subjected to the most energetic and expensive lobbying effort I have experienced since being elected to the Congress by the so-called education lobby.

I was disappointed in the techniques used by the education lobby. There was too much threatening, too many intentional misrepresentations, too little appreciation of other demands upon the U.S. taxpayer.

Generally, the mass media also was careless in their presentation of this issue and the facts. The media and the lobbyists tried to convey the idea that a veto, signed by the President and sustained by the Congress, would result in no appropriation for health, education, and welfare programs for 1970.

Actually, these programs already have been funded for 7 months of the fiscal year and another appropriations bill will be enacted and signed into law, or a continuing resolution will provide funds for these departments. Obviously, in our legislative process, some compromises must be made.

The debate over the veto should provide some light as well as heat. The column of Frank Mankiewicz and Tom Braden should be part of the debate. Their liberal credentials and Kennedy organization connections are well known.

I include their column from the Washington Post of January 27, 1970:

HILL DEBATE OVER VETO SHOULD FOCUS ON HEW BILL'S WASTEFUL DEFECTS

(By Frank Mankiewicz and Tom Braden)

It will be unfortunate if the debate over President Nixon's veto of the Health, Education and Welfare appropriation turns only on the issue of inflation. High HEW officials are anxious that the occasion be used to strike a major blow at what is wrong with our schools.

The President's veto is courageous, since it pits him against one of the nation's most powerful lobbies, and is risking the chance that he will be called "anti-education" by his own Silent Majority. But it will be even more courageous if Mr. Nixon chooses to tell the truth about this bill, which is that like much of the money we spend on education, it allocates resources to the wrong places and does little or nothing for our children, the quality of whose education seems to deteriorate in direct proportion to the money spent on it.

The HEW bill, asking for one billion more educational dollars than the President budgeted, is only part of what the government spends on education, but it reflects what is wrong with the whole.

\$400 million extra goes to so-called "impacted areas." These are school districts with a high percentage of federal employees. But only those who actually live on federal land penalize the local schools (they don't pay property taxes)—and they are too few to justify the windfall.

Thus in Fairfax County, Virginia, a booming Washington bedroom community, \$229,000 will go to school districts in lieu of taxes for federal employees who live on federal installations. But more than \$10 million will be paid for "off base" children, whose parents own property, pay taxes and contribute to the general business expansion.

A truly scandalous increase is \$200 million in funds for vocational education. A sounder move would have been to strike out the more than \$200 million already in the bill.

The vocational education program is the most entrenched of the school lobbies, dating back to the early years of the century, and consists largely of the purchase of shop equipment and the training of students for long-vanished jobs.

The increase in Title I funds is at least arguable, but even here, the President has sound reasons for a veto based on educational grounds. Title I money is supposed to be spent on the direct benefit of poor children. But in the South as well as the North, educational administrators have swindled the Congress and the taxpayers by withholding from these children ordinary expenditures that would otherwise be made. The result is that poor children get Title I money, middle class children in the same districts get the major share of funds raised by local taxes, and the only beneficiary is the property taxpayer.

Finally, liberals hot to override the Nixon veto will have to answer the argument that these extra funds are for the fiscal year that ends July 1. Thus they would have to be spent in three or four months. It is in order to prevent the inevitable mountain of slide projectors and band uniforms, that HEW officials support the veto and ask for an orderly study of how these funds could be profitably spent over twelve months instead.

But a measure of the pressures at work lies in a little-noticed cut put through by Congressmen who fear being savaged by the education complex. HEW had asked for \$25 million, to test whether intelligent people who knew their subject could teach their subject, without having to go through the dreary years of teacher education. This picks at the iron lock held by teachers colleges on the profession. The appropriation went out—fast.

The extra education money, in short, reinforces existing inadequacies in public education, fattens needless programs to appease powerful lobbies, acts as a bonanza to upper middle-class property taxpayers, and will be sold somehow as an "investment in America" by the people who otherwise think it wrong to waste public funds.

## A SEARING SYMBOL IN THE CAPITAL

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. O'NEILL of Massachusetts. Mr. Speaker, on April 5, 1968, I drove up Seventh Street and down 14th Street in Northwest Washington. What I saw was an element in a tragedy—what anger, frustration, sorrow, and years of unredeemed wrongs can produce.

Those streets today are not too different from their appearance 2 years ago. The litter has been cleared away, the smell of burning wood is gone, there are no soldiers on the streets, but the devastation, the hopelessness remain.

We are privileged to work in Washington—the public areas of this city are among the most beautiful in the world. But the private areas, where Washington's people live, are blocks of despair.

Martin Nolan, Washington Bureau Chief of the Boston Globe, has little patience for the rhetoric of "rebuilding cities" when those cities remain the stepchildren of the Federal Government. And Washington is the least favored, the most easily ignored.

I would like to share Mr. Nolan's article with my colleagues. Perhaps one of them might remind the President urban rebuilding is more than providing new uniforms for the White House Police. It follows:

### A SEARING SYMBOL IN THE CAPITAL

(By Martin F. Nolan)

WASHINGTON.—On April 5, 1968, George Neely, 18, left his home here to register for the draft.

He never returned. Instead, he died during the riots that swept Washington after the assassination of Martin Luther King Jr.

George Neely died in a fire that engulfed the G. C. Murphy Variety Store on 14th st. Police assumed the youth was looting the store when a Molotov cocktail struck.

Today, almost 22 months after the capital's inferno, the blackened hulk of G. C. Murphy's still stands, a monument of sorts to George Neely.

In fact, Murphy's is one of more than 30 burned-out stores on 14th st. a two-block stretch that remain as monuments to trauma, their twisted girders poorly camouflaged by plywood.

The people along 14th st. don't care for such monuments. Unemployed men lining up at a hiring hall on Harvard st. find only obscenities to describe the situation.

A middle-aged lady (who would not give her name to anyone who might be a cop) told of having to take a crosstown bus (32-cent fare and exact change only) to buy thumbtacks or a spool of thread.

This was the case until Woolworth's reopened a few months ago in a style called "riot renaissance"—mostly brick frontage.

Almost a year ago, on Jan. 31, 1969, President Nixon visited one of D.C.'s riot-torn neighborhoods at 7th and T sts. The visit was his first outside the White House and seemed symbolic.

He wanted to make the capital "a place of beauty, neighborliness and decency," Mr. Nixon said.

"I was shocked by the sight of those rotting, boarded-up structures barely 30 blocks

from the White House," he said two months later as he announced a clean-up program "to improve the physical environment and meet the needs of riot-troubled neighborhoods."

"This is a short-range, immediate effort," the President added.

There stands now at 7th and T a handbox-sized playground, flanked by a half-dozen burned-out stores and facing a dozen more. Much of 14th st. is still a boulevard of despair.

The President ordered \$9 million diverted from other projects of the Housing and Urban Development Dept. to clean up the riot areas of 20 American cities.

This was necessary, according to his urban affairs adviser, Daniel Patrick Moynihan, to keep city governments from "drifting away" from troublesome neighborhoods to "neighborhoods where people are easier to work with."

A year later, Moynihan agrees that the situation is still "a scandal, a disgrace." He blames the Federal anti-poverty program "which has financed 236 separate citizens groups in the Washington model cities area."

The groups have been battling among themselves and are unable to come up with a plan, Moynihan says.

Moynihan has toured the riot sections again with another presidential adviser, and commissioned another series of photographs of the conditions.

Introducing a photographic survey last year at the White House, President Nixon said, "This is a pictorial essay of the impotence of modern government at all levels . . . There could be no more searing symbol of governmental ability to act than those rubble-strewn lots and desolate decaying buildings."

So now, after a HUD grant of \$14.1 million to the 14th st. area, little has been done. In the D.C. government, the excuses almost outnumber the derelict buildings.

At the White House, the buck is passed back to the people—a neat piece of work, which blames the previous administration as well.

The buck-passing act is a "searing symbol" of the Nixon White House at work.

Any recent visits by the President to the site of his "short-range immediate effort" have gone unrecorded by the White House.

Perhaps Mr. Nixon's attention has "drifted away" to other subjects—the ABM, the SST, Judges Haynsworth and Carswell, or the style of Student Prince uniforms for the White House Police.

## DDT ACTION IN MICHIGAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent letter from the Honorable Ralph A. MacMullan, director of the department of natural resources of the State of Michigan, regarding DDT, together with enclosures sent by Dr. MacMullan to the U.S. Department of Agriculture, not only setting out the wise action of the State of Michigan with regard to DDT but also urging that the Department of Agriculture follow the same intelligent course of action.

The following letter sets out hazards of DDT and lack of benefit therefrom in



the light of other substances which can, in most instances, fully and satisfactorily substitute for DDT:

STATE OF MICHIGAN,  
DEPARTMENT OF NATURAL RESOURCES,  
Lansing, Mich., January 5, 1970.

Mr. HARRY W. HAYS,  
Director, Pesticides Regulation Division,  
Agricultural Research Service,  
U.S. Department of Agriculture,  
Washington, D.C.

DEAR Mr. HAYS: This statement is made in response to the "F. R. DDT Notice" published by the U.S. Department of Agriculture in the Federal Register for November 25, 1969. This notice announces "Proposed Cancellation of Registration" for "Economic Poisons Containing DDT for Certain Uses," briefly:

- (1) All uses on shade trees.
- (2) All uses on tobacco.
- (3) All home use except for disease vector control.
- (4) All aquatic use except for essential disease vector control.

The notice further indicates that the U.S. Department of Agriculture is considering cancellation of all other uses of DDT except those essential to protection of human health and welfare, and will continue only those uses for which there are no effective and safe substitutes.

I applaud the proposed withdrawal of the four classes of uses of DDT listed in the notice. They are long overdue. However, I deplore that the U.S. Department of Agriculture is only "considering" the withdrawal of the remaining uses. The evidence has been painfully clear for years that there is no excuse for continuing the use of environmental pollutants such as DDT.

The grounds for deregistering nearly all uses of DDT are readily available in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Under this act DDT clearly should be declared misbranded and therefore should be deregistered on the following grounds, quoted from FIFRA:

(1) Under Sec. 2z(2)(c) "If the labeling accompanying it does not contain directions for use which are necessary and if complied with adequate for the protection of the public";

(2) Under Sec. 2z(2)(d) "If the label does not contain a warning or caution statement which may be necessary and if complied with adequate to prevent injury to living man and other vertebrate animals, vegetation, and useful invertebrate animals"; and

(3) Under Sec. 2z(2)(g) "If, when used as directed or in accordance with commonly recognized practice it shall be injurious to living man or to other vertebrate animals, or vegetation except weeds, to which it is applied, or to the person applying such economic poison."

The evidence is overwhelming that DDT is causing harm to vertebrate and useful invertebrate animals. The evidence is not as strong with regard to living man, but there is strong evidence that DDT is a cancer-producing agent and that it is present in the tissue of all people. There is also evidence that DDT interferes with photosynthesis of oceanic phytoplankton. There seems to be no way that any labeling can prevent all this harm if DDT is used in large amounts out-of-doors. Therefore, under all three FIFRA clauses cited above, DDT should be declared misbranded.

Furthermore, there are "effective and safe" substitutes for DDT for nearly all registered uses. Agricultural Handbook No. 331, "Suggested Guide for the Use of Insecticides To Control Insects Affecting Crops, Livestock, Households, Stored Products, Forests, and Forest Products," published by the Agricultural Research Service and the Forest Service of the U.S. Department of Agriculture, for

nearly every use of DDT, mentions one or more substitute chemicals, usually non-persistent ones. Certainly these others would not be suggested if they were not also "effective and safe." This handbook states that there are other registered uses of insecticides than those suggested, so there are undoubtedly other alternatives to DDT than appear in the handbook.

I would strongly suggest that the U.S. Department of Agriculture follow the lead of the State of Michigan. On April 28, 1969, the Director of the Michigan Department of Agriculture issued a "Notice to Manufacturers, Distributors, and Registrants of Economic Poisons" (see attached copy) stating that the Michigan Commission of Agriculture had withdrawn approval of all registered uses for DDT, and that all DDT registrations were cancelled effective June 27, 1969. Provision was made for appeal. Following a hearing in June, 1969, the Commission of Agriculture cancelled all DDT registrations, effective midnight, June 27, 1969, with the following minor exceptions: "limited registration of DDT formulations for use by government agencies in the performance of their duties involving public health and by professional structural pest control operators for indoor control of house mice, bats, ecto-parasites of house mice, bats, and rats, and lice of humans."

This action prohibits DDT formulators and manufacturers from selling DDT for use in Michigan with the exceptions noted above. This action was taken on the basis of Section 2z (2) (g) of Act No. 297, Public Acts of 1949, as amended, State of Michigan, which is identical with the similarly identified clause in FIFRA cited earlier in this letter, and on the basis of a report from the Michigan Agricultural Experiment Station that pesticides less hazardous than DDT were now available and that they were not recommending further use of DDT. This report further stated that suitable alternatives had recently been found for the last uses of DDT in agriculture formerly recommended by the experiment station.

Similar action has been taken by the State of Massachusetts, and marked restrictions on the use or registration of DDT have been instituted recently in the states of Arizona, California, Massachusetts, Maine, and Wisconsin, and in Canada, Sweden, Denmark, and Hungary.

The Department of Agriculture "F. R. DDT Notice" dated November 20, 1969, has the unmitigated gall to cite the May 15, 1963, report of the President's Science Advisory Committee, entitled "Use of Pesticides," which recommended "an orderly reduction in the use of persistent pesticides with their elimination being the goal." DDT is one of these persistent pesticides. Why the U.S. Department of Agriculture has taken six years to even begin this "orderly reduction" of DDT defies the imagination—and taxes the patience—of concerned and informed scientists, ecologists, conservationists, and just plain, ordinary citizens the country over.

Current evidence warrants withdrawal of all registrations of DDT. If there are to be exceptions, let the manufacturers and users defend their use. If such exceptions are made, require them to have the unanimous approval of the Secretaries of the departments of Health, Education and Welfare, Agriculture, and Interior, as proposed by the recent HEW "Commission on Pesticides and their Relationship to Environmental Health," cited in your "F. R. DDT Notice." Finally, I urge you to proceed immediately into similar withdrawal of registrations on the same basis for all of the persistent, chlorinated hydrocarbon insecticides.

Sincerely,

RALPH A. MACMULLAN,  
Director.

#### NOTICE TO MANUFACTURERS, DISTRIBUTORS AND REGISTRANTS OF ECONOMIC POISONS

STATE OF MICHIGAN,  
DEPARTMENT OF AGRICULTURE,  
Lansing, Mich., April 28, 1969.

The Commission of Agriculture has withdrawn approval of all registered uses for DDT and has authorized the Director of Agriculture to refuse new applications for registration of DDT as provided in Section 4 of Act No. 297, Public Acts of 1949, as amended, and to implement the orderly cancellation of existing registrations of DDT as provided in Section 5 of the Act.

Approval of the use of DDT was withdrawn based on a report of the Michigan Agricultural Experiment Station that there are pesticides now available that are less hazardous to vertebrate animals and are not recommending further usage of DDT products at this time.

The Director has determined in view of recent findings of existing residue levels in wildlife environment, that these levels pose a serious potential hazard to vertebrate animals and therefore determines that all DDT products are misbranded by virtue of Section 2z (2) (g) of Act No. 297, Public Acts of 1949, as amended. Because of this decision, all registered products carrying DDT are cancelled effective 60 days from date of this notice.

Registrants desiring to appeal cancellation of an economic poisons registration may avail themselves of the appeal provisions of Section 5 of Act No. 297, Public Acts of 1949, as amended. The intent to appeal must be filed with the Director of Agriculture, Lewis Cass Building, Lansing, Michigan 48913, before May 28, 1969.

Copy of the Michigan economic poison law and copy of ruling R. 285.900 adopted under authority of the Administrative Procedures Act, No. 197, Public Acts of 1952, as amended, Procedure for Conducting Hearings Held by the Director of Agriculture, are enclosed for your information.

B. DALE BALL, Director.

#### POSITION ON H.R. 13111

#### HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. BROWN of Michigan. Mr. Speaker, in anticipation of the motion made yesterday to override the President's veto of H.R. 13111, a bill providing for appropriations for the Departments of Health, Education, and Welfare, Labor, and Office of Economic Opportunity, I prepared a statement of my position for use in connection with my responses to constituents regarding this issue.

In order that my colleagues and others may know the reasons I felt the motion should not prevail and that the President's position should be sustained, I am inserting at this point in the RECORD such statement.

The statement follows:

#### STATEMENT BY GARRY BROWN

Approval by the Senate of the Conference Report on the 1970 HEW-Labor-OEO Appropriations bill in the face of a promised veto by President Nixon means that shortly the House will be called upon to decide whether or not the Presidential Veto will be overridden.

After giving the matter substantial thought and after becoming as well informed

as possible with respect to all aspects of this issue, I have decided to withhold my support from any attempt to override the President's Veto, which action on his part appears inevitable.

Having been one who supported the proposition that some increases in appropriations should be voted by this Congress to meet the needs of educating our nation's children, I supported the so-called Joelson amendment to this appropriations bill while it was under consideration by the House although, frankly, I preferred more modest increases and supported the more limited substitute to the Joelson proposal when it was offered. As indicated, when the substitute proposal making more modest increases and appropriations than the Joelson amendment failed, I then thought on balance that the Joelson amendment should be supported. After passage by the House of this appropriations bill, the Senate significantly increased the total appropriation provided for by this legislation and, as a result, I did not support the Conference Report when it was approved by the House.

The factors which caused my reluctance to support the Joelson amendment and the House bill not only still exist, but have been compounded. The Congress has authorized expenditures and increased funding in several other areas contrary to the budget wishes of the President and even the expenditure control ceiling adopted by the Congress itself. Certainly, the action on the Social Security benefit increase is one that stands out. Although the President had advocated a 10% increase in benefits across-the-board to become effective April 1, 1970, the Congress adopted a benefit increase level of 15% and made it effective for three additional months of this year by establishing January 1, 1970, as the new benefit level effective date. I do not criticize this action because of all those who are feeling the damaging effect of inflation our senior citizens and retirees are feeling it the most.

A further factor and one which I probably consider to be the most significant, is the delay which has occurred in accomplishing final passage of this appropriations bill. House action on this legislation was tardy enough when one considers that its funding relates to the Fiscal Year July 1, 1969, to June 30, 1970, but the expiration of several months from the time of House action to the time of final action further shortened the time during which any increases in funding could be expended for the purposes of improving educational programs. As a consequence, we now find ourselves taking action on an appropriations bill, the increases in which, though intended for use over a twelve-months' period, will be thrust into an available expenditure period of four months.

An additional distressing feature of this appropriations bill is that much of the funding provided is tied to a mandatory expenditure provision, thereby denying to the President the right to withhold expenditure of these funds even if, because of the short time remaining during which they could be committed, it became apparent they could not be effectively utilized. In this regard, threats have already been made that passage of the bill and approval of the same by the President or a successful overriding of his Veto will be accompanied by legal action to enforce the mandatory expenditure provision should the President subsequently seek to curtail or postpone such expenditures.

It has been said that a veto of this bill by the President will result in serious cutbacks in educational programs, and it has even been facetiously suggested that a veto of this bill by the President and the sustaining of that veto will mean no Federal assistance for education. Answering these allegations in inverse order, no one can seriously believe that the

Congress will not continue Federal assistance to education by Continuing Resolution or otherwise should the President veto this bill and his action be sustained by either body of the Congress; nor, can anyone honestly claim that failure to approve the appropriation levels of this bill as incorporated in the Conference Report will result in serious cutbacks in programs because it must be remembered that President Nixon's budget for HEW was some \$2.1 billion higher than the Department's Fiscal 1969 budget and the bill approved by the Congress would appropriate \$700 million more for education alone than President Johnson requested in his last budget.

I seriously doubt that responsible school authorities have been expending funds for education programs within their districts at a level which contemplated passage of the level of appropriations for education incorporated in the bill approved by the Congress. Since the Conference Report was not acted upon by the House until the last days of the first session of this Congress, December 22 to be exact, no one could assume with any real justification that this new level of appropriations from the Federal Government would be available for programs until that date, and even at that time a Presidential Veto had been suggested.

It hardly seems necessary to mention the increase in inflationary pressures which would follow the addition of the \$1.3 billion to the HEW budget. Much has been said already about this distressing consequence in the news media and elsewhere. The criticality of this inflationary pressure is compounded when one considers that these funds would have to be hastily expended within the remaining four months of this fiscal year if they were to be utilized at all.

As the January issue of *School Management* magazine reports, record increases in school spending are being burned up by inflation with "little effect on the quality or quantity of education." It further states, "While many administrators complain bitterly, these days, about the adverse effect on education of the Nixon Administration's tough anti-inflation measures, the Cost of Education Index makes it abundantly clear that inflation itself is far more damaging than any of the attempts to bring it under control."

Before concluding, I would be remiss if I did not mention that I am not oblivious to the many criticisms which have been lodged by lay people and experts in the field to some of the programs and formulae to which, and under which, Federal funds are allocated. At a time when this criticism is very prevalent, it does not seem appropriate to me that we should pour a substantially increased number of dollars into these programs or distribute a substantially increased number of dollars under these formulae when few are satisfied with the effective utilization of present levels of expenditures. The taxpayer is entitled to more responsible action from his government.

I think it is regrettable that this issue has reached its present stage of confrontation. Had there been an attitude of cooperation rather than an apparent desire for confrontation, significant, but not unrealistic, increases could have been approved by the Congress and endorsed by the President in time to be effectively utilized this fiscal year. I am satisfied that the President's Veto will be sustained and that ultimately, but still at an even later date, an intelligent compromise will be effected.

It has been said that our partisan adversaries intend to make much political "hay" out of this issue. I have too much confidence in the electors of my district, and of the nation, to think they will be gullible enough to swallow the political antics of such partisans.

## CONSERVATION VALUES IN THE 1970'S

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD a timely, thoughtful, and moving editorial comment appearing in the Michigan Department of Natural Resources official publication, volume VII, No. 2, dated January 15, 1970, by the distinguished director of that agency, the Honorable Ralph MacMullan, about conservation values in the 1970's.

Time is short for establishment of a meaningful and intelligent relationship of man to his environment in this Nation and in the rest of the world. Hopefully, that will be done in the 1970's.

The editorial follows:

MEMO FROM MAC

President Nixon announced on New Year's Day that he is dedicating the decade of the 1970's to wiping out pollution, and made his first official act of 1970 the signing of a bill to create a new federal Council on Environmental Quality.

This combination of action and words at the highest level of leadership in the land is the most encouraging kind of New Year's greeting for all Americans. It is tangible evidence that we are beginning to listen and pay heed to warnings that we, in this nation and the world over, face an environmental crisis of monumental magnitude.

The President's words expressed my own thoughts perfectly when he said:

"It is literally now or never. I have become convinced that the 1970's absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters and living environment."

In the November-December issue of our Department magazine, I made the statement that we have ten years to save mankind. By that I didn't mean that we will all be dead by 1980, but rather that the 1970's will be the decade of decision. During these next ten years we will take—or fail to take—the actions which will determine whether people will inhabit this Earth very far into the future.

I hope all of you read that article, and will read its sequel in the January-February magazine. That second article deals specifically with the awesome problem of population growth and control, and the implications of continuing the present reckless multiplication of human numbers until we ultimately overwhelm the environment which must sustain them.

My first two speeches of the New Year—to the Michigan Bear Hunters Association convention last Saturday and to the MUCC Leadership Training Conference this weekend—deal with this same theme. I think it is safe to predict that environmental quality will be my personal keynote not only this year but during the next several years and very likely as long as I live.

Let me quote just a few paragraphs from what I said to the Bear Hunters:

"The stark fact is that this planet and its human inhabitants are in grave danger of irreversible catastrophe. Four basic threats point to this ominous possibility. They are:

- (1) Over-population.
- (2) Pollution.
- (3) Resource depletion.
- (4) Nuclear war.



"The probability is that the ultimate disaster, if it comes, will result from some combination of those threats, rather than from any single one of them, because they are closely interrelated. I suggest, however, that over-population constitutes the greatest single threat, simply because it is people who cause pollution, deplete resources and make wars.

"I will be accused by some of being an alarmist for even talking about these problems. There will be those who will argue that population control in particular is none of my business. I devoutly hope that history will prove that I was an alarmist, and a false-alarmist at that. However, I would be ducking my responsibilities as a biologist and government administrator if I did not add my voice to the growing chorus of scientific concern over the threats to our environment which in turn threaten mankind's very existence.

"I have faith that Man, as the only reasoning creature on Earth, has the intelligence, the courage, the spirit and the will to solve his environmental problems within the shortening time allotted him and thus insure his future existence. This decade of the 1970's will be crucial, a make-or-break period with survival at the stakes. We will meet this challenge because we must. The alternative is extinction."

A frightening note to open the New Year and a new decade? Yes. A realistic note? Fifteen or even ten years ago, I would have said no, but I've changed my mind. There have been too many warning signals, too many ugly indications of danger. Almost every day brings to light some new and sinister sign that we are in serious trouble indeed.

I do not see how we can ignore what virtually every student of world population, of conservation, of ecology and of the environment is saying loud, clearly and unequivocally. The challenge is the greatest mankind ever has faced. We can conquer it, and I am optimistic that we will. The President's commitment is a hopeful sign.

THROOP MEMORIAL CHURCH, PASADENA, CALIF., SUPPORTS TITLE II REPEAL

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. MATSUNAGA. Mr. Speaker, in ever-increasing numbers, concerned American citizens are expressing their support for legislation to repeal the Emergency Detention Act of 1950—an act which is basically contrary to our American belief in freedom and justice.

In this regard, I am pleased to report the adoption of a resolution by the board of trustees of the First Universalist Parish of Pasadena—Throop Memorial Church—urging the repeal of title II of the Internal Security Act of 1950.

The resolution states in part:

The incarceration of over 70,000 American citizens of Japanese ancestry during World War II reminds us that if our land of the free is to remain so, we can not allow the Constitutional rights and freedoms of any citizen to be abrogated, or else none of us can be secure in them.

To the 96 members and friends of the Throop Memorial Church who signed this resolution, I extend my commendation on

their expression of individual concern for the preservation of individual liberty.

The Throop Memorial Church resolution of November 18, 1969, is submitted at this point for insertion in the RECORD:

RESOLUTION: REPEAL OF TITLE II OF THE INTERNAL SECURITY ACT OF 1950

Whereas (A) Title II of the Internal Security Act of 1950 threatens the right of freedom of expression of belief and exchange of information through implied intimidation by authorizing detention of any person who "probably will engage in, or probably will conspire" to commit traitorous acts, and

Whereas (B) the implementation of Title II would violate the Constitutional guarantee of due process of law, and

Whereas (C) there already exist effective statutes and procedures to safeguard internal security, and

Whereas (D) the incarceration of over 70,000 American citizens of Japanese ancestry during World War II reminds us that if our land of the free is to remain so, we can not allow the Constitutional rights and freedoms of any citizen to be abrogated, or else none of us can be secure in them, therefore be it

Resolved (A) that the Board of Trustees of the First Universalist Parish of Pasadena (Throop Memorial Church) go on record as opposing Title II of the Internal Security Act of 1950, and as favoring its repeal (qq 1. U.S. Senate Bill 1872 and U.S. House of Representatives Bill 11825), and that it inform those members of the U.S. Congress wherein members of the Parish reside of its position, and be it further

Resolved (B) that the Board of Trustees calls upon the members of the California State Legislature and of the municipal governments wherein members of the Parish reside to draft and/or support resolutions for repeal of Title II, and be it further

Resolved (C) that the Board of Trustees asks the members and friends of Throop Memorial Church to join with it in these resolutions by signing the attached sheet.

Secretary of the board.

DR. WILLIAM SCHMIDT

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HOGAN. Mr. Speaker, I recently received a letter from Dr. William Schmidt, superintendent of schools for Prince Georges County, Md., who very ably served as chairman of my Academy selection board to nominate young men from the Fifth District of Maryland to the U.S. service academies. I would like to share with my colleagues the remarks which Superintendent Schmidt made to me concerning the young men he and the other members of the selection board interviewed:

I believe I also speak for all members of the evaluation committee. We were very much impressed with the caliber of the young men who had made application for appointment to the four service academies. Certainly these are not the young men who seem to be getting most of the attention in the communications media, with their contemporary hair styles and with their opinions regarding many of the activities of our government. Most of these young men were highly moti-

vated and regarded the opportunity of appointment to one of the service academies as a real challenge, not only for a very fine educational program but for an opportunity to serve the country which in their judgment had made possible many of the things which they as young citizens were already enjoying.

I believe all of us came away from an evening of interviewing with renewed faith in the young people of our country and in the belief that the country will be well served if these are the young men who seek to perform this service through the Armed Forces.

I also want to commend the excellent cooperation which I received from the citizens who served on the evaluation committee. Every one of these men was most interested in the young men who appeared before them and gave very willingly of their time to interview them and to make an evaluation and recommendation to your office for possible consideration and appointment.

Sincerely yours,

WILLIAM S. SCHMIDT,  
Superintendent of Schools.

Mr. Speaker, I suggest that we are still fortunate in America to have so many parents doing such a fine job—quietly and without praise. We are fortunate, too, to have citizens such as Dr. William Schmidt; Mr. H. M. Merritt; Rear Adm. J. W. Waterhouse, retired; Comdr. Robert L. Cutts; Mr. Joseph Kuntz, Jr.; Mr. Joseph Jochum; and Mr. Allen J. Neave, who gave unstintingly of their time in helping me to select academy nominees.

NATIONAL GALLERY OF ART—CALENDAR OF EVENTS, FEBRUARY 1970

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure for me to place in the CONGRESSIONAL RECORD the calendar of events for the National Gallery of Art for the month of February 1970.

The National Gallery has again scheduled outstanding events for the month of February, and I urge my colleagues and the American people to take advantage of the opportunity to participate in these events:

The calendar of events follows:

NATIONAL GALLERY OF ART—CALENDAR OF EVENTS, FEBRUARY 1970

African sculpture: Continuing through February on the ground floor is the premiere showing of 200 African figures and ceremonial masks from private collections and museums in the United States, Europe, and Africa. The exhibition has been selected by William Fagg of the British Museum and is circulated by the International Exhibitions Foundation.

The exhibition includes a historical section containing the sculpture of earlier African cultures. One of the most interesting examples is the impressive stone monolith from the Cross River area of Nigeria. In other display areas some 170 figures and masks are arranged in regional groupings.

A topic as vast as African art is necessarily complex. Accordingly, the Gallery's Education Department is offering an extensive program of lectures and tours, as detailed in the weekly listings, to explore var-

ious aspects of the subject. In addition, J. Carter Brown, Director of the Gallery, has recorded an "Acoustiguide" tour of the exhibition which is available at the entrance to the exhibition for a rental fee of 25c. The fully illustrated catalogue, with historical introduction by William Fagg and notes on each object, is \$4.95 postpaid.

Recognizing the temporary nature of this exhibition, the Gallery's Extension Service has developed a permanent photographic version entitled *The Creative Past: Art of Africa* for use by schools, cultural centers, and other groups throughout the United States.

A. W. Mellon lectures: Sir Nikolaus Pevsner will give the nineteenth in the annual series of A. W. Mellon Lectures in the Fine Arts, beginning Sunday, February 15, in the Auditorium. The subject of this year's expanded program of eight consecutive lectures is *Some Aspects of Nineteenth Century Architecture*. Dr. Pevsner is editor of *The Pelican History of Art* and author of *An Outline of European Architecture* and the 36-volume *The Buildings of England*. This past year he was Slade Professor of Fine Art, University of Oxford, and Professor of History of Art, Birkbeck College, University of London.

Wright of Derby: Continuing on the Main Floor is an exhibition of paintings and drawings by Joseph Wright of Derby from the collection of Mr. and Mrs. Paul Mellon. Catalogue with introduction and notes by Ross Watson, 10" x 7 1/2", 40 pages, 21 black-and-white illustrations, \$2.25 postpaid.

Civilisation book: Order forms for the American edition of *Civilisation* by Kenneth Clark, based on the BBC Television series, are available through the Publications Service. The publisher is Harper and Row. Color and black-and-white illustrations, 400 pages, \$15.00 postpaid.

Prints handbook: *A Guide to the Collecting and Care of Original Prints* by Carl Zigrosser and Christa M. Gaehde is now offered by the Publications Service. Sponsored by the Print Council of America and published by Crown Publishers, Inc., this authoritative handbook is in its fifth printing. 120 pages, \$3.00 postpaid.

Recorded tours: Acoustiguide. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director Emeritus. Portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

LecTour. A discussion of works of art in 28 galleries. 15-minute talks in each room may be taken in random order. The small radio receivers rent for 25¢.

Gallery hours: Weekdays 10 a.m. to 5 p.m. Sunday 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs.

Cafeteria hours: Weekdays, 10 a.m. to 4 p.m., luncheon service 11 a.m. to 2:30 p.m. Sundays, dinner service 1 p.m. to 7 p.m.

MONDAY, JANUARY 26, THROUGH SUNDAY, FEBRUARY 1

Painting of the week: Leonardo da Vinci. *Ginevra de' Benci* (Ailsa Mellon Bruce Fund), Lobby B, Tuesday through Saturday, 12:00 and 2:00; Sunday, 3:30 and 6:00.

Tour of the week: *Techniques of Sculpture*. Rotunda, Tuesday through Saturday, 1:00; Sunday, 2:30.

Tour: *Introduction to the Collection*. Rotunda, Monday through Saturday, 11:00 and 3:00; Sunday, 5:00.

Sunday lecture: *African Art: History and Context*. Guest Speaker: Roy Sieber, Chairman, Department of Fine Arts, Indiana University, Bloomington. Auditorium, 4:00.

Sunday concert: Christine Edinger, Violinist; Neil Stannard, Pianist. East Garden Court, 8:00.

MONDAY, FEBRUARY 2, THROUGH SUNDAY, FEBRUARY 8

Painting of the week: William Merritt Chase. *A Friendly Call* (Chester Dale Col-

lection), Gallery 68, Tuesday through Saturday, 12:00 and 2:00; Sunday, 3:30 and 6:00.

Tour of the week: *African Sculpture: Introduction*. Central Gallery, Tuesday through Saturday, 1:00; Sunday, 2:30.

Tour: *Introduction to the Collection*. Rotunda, Monday through Saturday, 11:00 and 3:00; Sunday, 5:00.

Sunday lecture: *Meanings in African Art*. Guest Speaker: Daniel P. Biebuyck, Chairman, Department of Anthropology, University of Delaware, Newark. Auditorium, 4:00.

Sunday concert: National Gallery Orchestra, Richard Bales, Conductor; Mark and Nancy Ellsworth, Violinists. East Garden Court, 8:00.

MONDAY, FEBRUARY 9, THROUGH SUNDAY, FEBRUARY 15

Painting of the week: Signorelli, *Eunostos of Tanagra* (Samuel H. Kress Collection), Gallery 9, Tuesday through Saturday, 12:00 and 2:00; Sunday, 3:30 and 6:00.

Tour of the week: *African Sculpture: The Niger and the Guinea Coast*. Central Gallery, Tuesday through Saturday, 1:00; Sunday, 2:30.

Tour: *Introduction to the Collection*. Rotunda, Monday through Saturday, 11:00 and 3:00; Sunday, 5:00.

Sunday lecture: *Some Aspects of Nineteenth-Century Architecture (I)*. Guest Speaker: Professor Sir Nikolaus Pevsner, A.W. Mellon Lecturer in the Fine Arts. Auditorium, 4:00.

Sunday concert: George Harpham, Cellist; Kyung Sook Lee, Pianist. East Garden Court, 8:00.

MONDAY, FEBRUARY 16, THROUGH SUNDAY, FEBRUARY 22

Painting of the Week: Gilbert Stuart. *George Washington* (Vaughan portrait) (Andrew Mellon Collection), Gallery 62, Tuesday through Saturday, 12:00 and 2:00; Sunday 3:30 and 6:00.

Tour of the week: *African Sculpture: The Congo Basin*. Central Gallery, Tuesday through Saturday, 1:00; Sunday, 2:30.

Tour: *Introduction to the Collection*. Rotunda, Monday through Saturday, 11:00 and 3:00; Sunday, 5:00.

Sunday lecture: *Some Aspects of Nineteenth-Century Architecture (II)*. Guest Speaker: Professor Sir Nikolaus Pevsner, A.W. Mellon Lecturer in the Fine Arts. Auditorium, 4:00.

Sunday concert: Alan Mandel, Pianist. East Garden Court, 8:00.

DR. JAMES B. DONOVAN

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. CAREY. Mr. Speaker, on January 19, the country lost one of its truly great and beloved citizens in the death of Dr. James B. Donovan. I knew him intimately as a distinguished American, a resident and constituent of my district in Brooklyn, and as a personal friend.

Dr. Donovan was a man of many careers—a leader in cultural affairs, the arts, education, politics, and in the faith he professed as well as in his own field, the law. Although a friendly and humorous man, he was, nevertheless, a fearless and stalwart defender of some of the most unpopular causes of our time.

Dr. Donovan gave of himself without reservation toward the betterment of the community in which he lived—and there

was scarcely an area at that local level that escaped his attention. Nationwide, he championed the cause of justice and social improvement for the poor and disadvantaged. He was, indeed, an intellectual of the first magnitude and his country and community are immeasurably better because he lived.

I include the account of Dr. Donovan's death which appeared in the January 20, 1970, issue of the New York Times, at this point in the Record:

DR. JAMES B. DONOVAN, 53, DIES; LAWYER ARRANGED SPY EXCHANGE; PRESIDENT OF PRATT INSTITUTE—EX-BOARD OF EDUCATION CHIEF RAN FOR SENATE

Dr. James Britt Donovan, the lawyer and educator who arranged the trade of a Soviet spy for the U-2 pilot Francis Gary Powers and negotiated the ransom of prisoners taken by Cuba in the Bay of Pigs invasion, died early yesterday. He was 53 years old.

Dr. Donovan, who had been president of Pratt Institute since Jan. 1, 1968, entered Methodist Hospital in Brooklyn last week for treatment of influenza. He suffered a heart attack at 2 A.M. Monday. His home was at 35 Prospect Park West in Brooklyn.

For 16 years after his admission to the New York Bar, Dr. Donovan's successful legal practice kept him well out of the limelight. But in 1957, his appointment as defense counsel for Col. Rudolf Ivanovich Abel, the Soviet spy, catapulted him into the public eye.

Between the Abel case and his job as the president of Pratt, Dr. Donovan:

Negotiated the exchange of Colonel Abel for Mr. Powers and Frederick Pryor, an American student;

Wrote a book about the experience called "Strangers on a Bridge" (New York: Atheneum, 1964);

Arranged the release from Cuban prisons of 1,163 survivors of the Bay of Pigs invasion, of nearly 5,000 relatives of the survivors and other political prisoners, and of 35 Americans and their families detained on various charges;

Ran an unsuccessful race in 1962 as a Democrat for the Senate seat of Jacob K. Javits, New York Republican;

Served on the Board of Education, to which he was appointed in 1961, first as vice president and then as president.

Dr. Donovan's approach to these assignments was unorthodox and highly personal. He once compared his brand of unofficial diplomacy to playing poker: "You have to know your man and be willing to risk all."

TOOK HIS SON TO CUBA

On one of his last visits to Cuba, in April, 1963 Dr. Donovan took his 18-year-old son, John, along, ostensibly for the skin diving.

"What I needed was something to make Castro really trust me," Dr. Donovan said, adding, "I was a little worried, but it was worth it."

In a letter to Dr. Donovan after the release of Mr. Powers, President Kennedy called the character of the negotiations "unique." Fordham University, in conferring an honorary degree in 1962, used the word "metadiplomacy" to describe his style of negotiating "beyond diplomacy."

Dr. Donovan entered the public arena as an unpopular figure, the defender of the highest ranking Soviet intelligence agent ever tried in the United States. Although he was appointed to the task by a committee of the Brooklyn Bar Association, Dr. Donovan was subjected to abusive telephone calls and letters addressed to "the Commie lover."

He said he had accepted the assignment "as a public duty," and donated his \$10,000 defense fee to the law schools of Fordham, Columbia and Harvard Universities.



## CONVICTED IN 1957

Colonel Abel was found guilty of conspiracy in 1957 and was sentenced to 30 years in prison and fined \$3,000. But before sentence was passed, Dr. Donovan had asked that the possibilities of future exchange of condemned spies with the Soviet Union not be eliminated by the taking of Abel's life.

His plea was to prove prophetic when, five years later, Abel was returned to the Soviet Union in exchange for Mr. Powers.

When Dr. Donovan appealed Colonel Abel's conviction before the Supreme Court in 1959 and lost, Chief Justice Earl Warren said: "I think I can say that in my time on this court no man has undertaken a more arduous more self-sacrificing task."

The last chapter in the Abel story was undertaken by Dr. Donovan in secret, at the request of the United States Government. After Mr. Powers' U-2 plane was shot down in the Soviet Union, his father suggested the exchange. At the same time, Abel's wife was pleading with Dr. Donovan to secure clemency for her husband.

As a result the Justice Department authorized Dr. Donovan to go to East Berlin to "explore the situation."

## CITED BY THE CIA

The story leading up to the cold and cloudy February day in 1962 when the prisoners were exchanged is told in Dr. Donovan's book. The sequel came some months later, when Colonel Abel, knowing of his lawyer's extensive collection of illuminated manuscripts, sent him two 16th-century legal volumes, "with gratitude."

For his work on the Abel-Powers exchange, Dr. Donovan was awarded the Distinguished Intelligence Medal by the Central Intelligence Agency, at the direction of President Kennedy.

Several months after his success with semi-official negotiations in the Soviet Union, Dr. Donovan was asked by the Cuban Families Committee for the Liberation of Prisoners of War to argue their case with Premier Castro. In this case, however, the negotiations were entirely unofficial.

For months, Dr. Donovan shuttled between New York and Havana where, he said, "Castro and I talked about everything under the sun; I found him a rather fascinating fellow."

The visits continued during the missile crisis of September-October, 1962, and by December an exchange of prisoners for baby food and drugs was arranged. The men were released on Christmas Eve, 1962.

Between flying trips to Havana, the State Democratic party nominated Dr. Donovan as its candidate for the Senate in 1962. To the despair of party workers, Dr. Donovan campaigned like a man with more important things on his mind. Senator Javits won by 975,000 votes.

Dr. Donovan continued the flying trips through the spring of 1963, holding all-night conversations with Premier Castro that eventually brought the release of a total of 9,700 Americans and Cubans from Cuban jails.

## NAMED BOARD PRESIDENT

In December, 1963, the burly, white-haired lawyer was elected president of the Board of Education. He had been appointed in 1961 when a "reform" board was created by the State Legislature.

He became involved in controversy from the day he became president. Civil rights groups said that Dr. Donovan was not committed to integration. He said he was committed, first, to education.

When the school system announced preliminary plans for correcting racial imbalance, the program was severely criticized and Dr. Donovan, as president of the board, drew most of the fire.

The controversy grew hotter when nearly 45 per cent of the city's school children stayed home in a concerted boycott, demon-

strators chanted, "Donovan must go!" alternating with "Jim Crow must go!"

By mid-March of 1964 civil rights groups had joined in an effort to force Dr. Donovan's removal or resignation. However, he replied that he had no intention of leaving and eventually the campaign died quietly. His re-election as president was considered a vote of confidence by his fellow members.

At Pratt, Dr. Donovan, like so many of his fellow educators in recent years, had to face campus disruptions over black students' demands and antiwar protests.

At first he threatened to have arrested and expelled any students who committed vandalism or denied others access to classes or incited nonstudents to action. After the 400-member faculty went on strike to protest the Donovan policy, he modified it.

In recent months Dr. Donovan had encouraged student membership on Pratt's administrative council and had begun discussions designed to lead to a new student-faculty senate.

## SON OF A SURGEON

Dr. Donovan was born in the Bronx on Feb. 29, 1916. His father was a prominent surgeon and the family's roots in New York City go back to 1837. An only brother, John D. Donovan Jr., a lawyer and New York State Senator, died in 1955.

The younger Donovan was educated at All Hallows Institute, Fordham College and Harvard Law School, which last year awarded him a Doctor of Jurisprudence.

His early ambition was to become a newspaperman and he took his first job in 1940 with a New York law firm that had a large number of newspapers as clients.

But Dr. Donovan said he soon became irretrievably "hooked" in the practice of law. He left private practice in 1942 to become associate general counsel of the United States Office of Scientific Research and Development, handling legal matters relating to the development of the atomic bomb.

In 1943, he entered the Navy as an ensign. By 1945 he was a full commander who had won the Legion of Merit, Commendation Ribbon and other decorations.

During this period he was general counsel to the Office of Strategic Services, the wartime intelligence agency commanded by the late Maj. Gen. William J. (Wild Bill) Donovan. They were not related.

## TRIBUTE TO MARS

## HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. FINDLEY. Mr. Speaker, the Evening Capital, a daily newspaper published at Annapolis, Md., in its January 17 issue carried an editorial referring to efforts in behalf of a federation of the major free nations and calling attention to the trillion dollar "Tribute to Mars." It is gratifying to report that nearly 100 Members of the House of Representatives are cosponsors of a resolution which would authorize the exploration of the federation proposal.

Here is the text of the editorial:

OUR \$960 BILLION TRIBUTE TO MARS

In the past 100 years, the United States has spent 1 trillion and slightly more than 325 billion dollars on defense. The "slightly" is \$320 million.

In a figure, that's \$1,325,320,000,000.

The total excludes payments made to veterans, interest on the national debt arising

from wartime deficits, military aid to foreign nations or the cost of nuclear weapons. (The latter comes under the budget of the Atomic Energy Commission.)

There is no adjective that can describe this vast sum. It is simply mind-numbing. It can, however, be broken down into somewhat more comprehensible—if no less staggering—figures.

In fiscal 1969, for example, defense spending amounted to \$76.5 billion, second only to the record \$80.5 billion spent in the wartime year of 1945. By contrast, in 1870, a mere \$79 million went for defense.

Let it be said that the factor of inflation is being neglected, almost that much was "discarded" in rounding off 1969's figure. The full amount for 1969 was \$76.56 billion.

Fully three-quarters of this \$1.325 trillion—nearly \$960 billion—has been spent in the past 21 years alone.

An even more provocative way of looking at our multiplying monetary homage to Mars has been made by Clarence Streit, editor of "Freedom & Union" magazine:

From 1896 through 1916—the first 21 years in the lives of today's grandparents—the nation spent \$35.1 billion on defense.

From 1921 through 1941—the youth of today's parents—we spent \$25.65 billion on defense.

But from 1949 through 1969—the entire lifetime of today's 21-year-olds—defense spending soared (zoomed, rocketed?) to \$959.86 billion.

Put still another way, in the past 21 years the United States has spent on arms 37 times more than it did when dad was reaching manhood and 181 times more than when granddad was growing up.

It was not until he compiled these tables that he really appreciated "the appalling difference" between life in his youth and that of today's young people, says Streit. The difference is more than statistics.

The draft, for instance, was unknown during his boyhood and student years. Until shortly before World War II, compulsory military service in peacetime was unknown in America.

Before World War II, the United States had resorted to the draft only twice: First in the Civil War for about two years, and in World War I for about two years—a total of less than four in 166 years.

"That may suffice to show how alien to America was the draft, until the rising generation was born," says Streit.

"It is only too obvious," he concludes, "that we grandparents and parents have not builded better than we knew (in Emerson's phrase) but much worse."

Rep. Paul Findley, R-Ill., is another who is impressed—or distressed—by the disparity in this country's spending on armed power "to the neglect of idea power, moral power."

"We are justly concerned," says Findley, "by the unrest among our youth, the tumult on campus and in high school, the rising rebellion of students against ROTC and all the forms of strength through arms, their growing tendency to echo the Communist charge that our country is 'imperialistic' . . ."

"Yet to understand them, their parents and grandparents must remember that no previous generation has ever seen, through their entire lifetime, the overwhelming U.S. accent on armed power that has been the lifelong experience of all Americans under 21."

Both Streit and Findley believe that an Atlantic federation between the United States and Western Europe could have saved half of future defense spending.

Whether this is true or not is another argument. So is the question whether the Cold War, the Korean war and the Vietnam war could have been avoided.

But there can be no argument that \$960 billion in 21 years is—well, you supply the adjectives.

# PRESIDENT OF THE REPUBLIC OF POLAND SPEAKS ON JUSTICE

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. DERWINSKI. Mr. Speaker, in his annual New Year's speech on January 4, 1970, addressed to members of the Polish Government-in-exile, the Council of the Republic of Poland, and representatives of Polish organizations and the Polish community in Great Britain. His Excellency August Zaleski, President of the Republic of Poland, gave a very effective and penetrating commentary on the situation in Poland and the World. His message follows:

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE  
REPUBLIC OF POLAND

On New Year's Day we tend to look back over the years that have passed, and to look forward towards the hopes of our future.

This year it will be twenty five years since the end of the Second World War. The unprecedented advances in science and technology which mankind has made in this stretch of time have had a marked impact on international relations. Interdependence between men, between social classes and states has become more pronounced than ever before. Not so long ago we witnessed the emergence of independent states from what were once the colonial territories of Africa, but we witnessed also a process of integration of a number of European countries into bigger economic units which enabled them to achieve greater welfare and a higher standard of living of their peoples.

Throughout the same period, however, the peoples of Central Europe, each of them with a long tradition of statehood behind them, were forced into the sphere of influence of Soviet Russia. Peoples which belong to the circle of Western civilization have found themselves against their will under the yoke of Russian colonialism. The Republic of Poland, alas, is among those. So we have to say again that Poland is not independent, and that Poles are not masters in their own country. They have not given their assent to the changes wrought, but they are unable to change this state of affairs with their own strength.

The outcome of the last war not only failed to restore the independence of our Fatherland; it also failed to give mankind a much-desired peace.

A cursory glance over our globe reveals that there is hardly a place where open armed conflict is not in progress or a new international tangle in the making. The Russo-Chinese frontier dispute, the war in Vietnam, the civil war in Nigeria, the conflict of Israel with Arabs—in all these conflicts old Russian imperialism in its new Communist guise is involved. It is a continuation of the imperialism of the Tsars which fought under the slogans of unification of all Ruthenian lands, defence of Orthodoxy and pan-Slavism.

And all this is dominated by fear of those forces which the human mind has unlocked in its continuous probings into the mysteries of nature.

The two atomic super-powers—the United States of America and Soviet Russia—stand diametrically opposed to each other. One is a constitutional structure where the Executive is subjected to the unceasing supervision of representational bodies, where every citizen has the right to criticise the government and the right to personal freedom. The other is a state where the Executive, under control of the Communist Party, determines the per-

sonal lives of its citizens often in minutest details. It is a state of totalitarian tyranny.

No line of direct communication between Washington and Moscow can protect mankind from the threat of an atomic holocaust, if there is no common language which alone can secure mutual understanding. For the most elementary concepts of public life have totally different meanings in the West and in Moscow. In the circumstances, there is no guarantee for the man in the street on either side of the barricade that there will be no new world war.

The only way to secure world peace is the rule of law, justice and good will. Only in this way can new conflicts be prevented. What is necessary is a return to the lofty aims and ideals which have found their expression early in the last war in the Atlantic Charter and which were later forgotten.

Poland throughout her history has always stood by the principles of law and justice, of respect for international agreements, of personal freedom and truly human relations between people. Poland has been, and wants to be now, a champion of the rights of nations, even the smallest, to enjoy an independent existence, or to enter into free associations, not associations imposed from above by force.

I am sure that Poles everywhere, wherever they find themselves in the world, will, with God's help, rightly uphold these ideas which they have inherited from their forefathers.

It is especially important, Mr. Speaker, that we emphasize the existence and vitality of the Polish Government-in-exile at a time when the Communist dictatorship in Warsaw is increasingly subservient to Moscow as evidenced by the Polish Communist Government's participation in the seizure of Czechoslovakia, its encouragement of radical Arab groups and even the obvious political antics practiced by the Polish Communist officers in the Nigerian-Biafran conferences.

## INSIGHT ON DRUGS

**HON. CHARLES A. VANIK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. VANIK. Mr. Speaker, the critical problem of drugs and narcotics which currently plagues our country has been the subject of a perceptive and informative series in the Sun Papers of my Cleveland area congressional district. These articles are so well done I felt that they should have the widest possible readership. I commend these articles to the attention of every Member of this body and to the country. The articles from the Sun Papers on narcotics and marihuana are as follows:

USE OF POT COULD BRING TRIP TO OHIO  
PENITENTIARY

(By Jean McCann)

Smoking marijuana may seem like a lark, but if you're caught at it, look out.

Penalties in Ohio are among the severest in the nation. And it's a sure thing that if you're convicted on a first offense, and put on probation, you'll still lose your civil rights. For life.

These warnings were sounded by state, county and suburban court officials this week, in the wake of mounting concern over drug

abuse, particularly marijuana, by young people.

Justice William O'Neill of the Ohio Supreme Court said:

"I'm sure most adults don't know how tough the law is. I know a good case can be made that it's too tough. But it is the law. And I think it's an understatement to think that in the foreseeable future the law will be made any weaker in this state . . . public opinion being what it is, and politicians being what they are . . ."

The harsh law "scares parents," the judge told a recent symposium on Drug Use and Abuse sponsored by the Cleveland Academy of Medicine.

"I'm also familiar with what bright young people think on the subject. And many of them are bright enough to be encouraged to right decisions."

"Mere possession" of narcotics, including marijuana, is a felony in Ohio. It carries a penalty of one to five years in the penitentiary, and/or a \$500 fine. If marihuana is possessed to sell, or even to give away, the penalty is 10 to 20 years, and inducing another to use narcotics (generally opium synthetic derivatives, heroin, cocaine, and marijuana) carries a penalty of 10 to 25 years. Selling to a minor, or involving him in the manufacture or transporting of drugs, involves a mandatory sentence of 30 years to life in the first instance, or 10 to 25 years in the second.

The justice reported that in Franklin County, where he comes from, some of the charges have been reduced from narcotics violations to disorderly conduct on a first offense. This is because of the severity of the law, and because of the large numbers of students at Ohio State University there who have been involved in drug offenses, he said.

However, he continued, "I understand that the judges are going to start making examples of a few students to bring home the danger to all."

In the Cleveland area, however, municipal prosecutors in two large East and West side suburbs said that they charged the young people under the narcotics statute and did not reduce the charges to disorderly conduct on a first offense.

Such felony cases are then referred to the Grand Jury for possible indictment, since municipal courts handle only misdemeanors. If the Grand Jury does hand down "true bills," which one municipal prosecutor said it has been doing at a higher rate than he expected, the offender must appear before one of the 28 judges sitting in the criminal division of the Common Pleas Court in Cleveland.

Chief Justice John V. Corrigan said that there have been instances where charges of marijuana possession were reduced at the county level to charges of possessing "hallucinogenic drugs," which is only a misdemeanor. However, he stressed, no offender should "count on that."

The Justice said that "in view of the severity of the sentence, the judge does take a long, hard look at youthful offenders accused of mere possession of narcotics," partly because of the possible deleterious effects of sending them to over-crowded, under-staffed penal institutions.

But there are always, "examples" that have to be made, especially if more than mere "possession" is involved. Like the boy, a senior in a large public suburban high school, who had "no record, and came from a good, solid family." He is now serving two years for "selling one-half of a marijuana cigarette in the halls of the high school."

The justice and county prosecutor John T. Corrigan also pointed out what happens to a young person who is convicted of a felony, but gets probation. By being branded a "felon," he can never again vote (unless the judge decides to lift this particular restriction), be a juror, hold any responsible



position in government, or be a lawyer, doctor, engineer, architect, accountant, dentist or postal worker.

And, as Justice O'Neill put it, "on every employment blank he fill out, he'll have to write about his conviction. The American public will go right on punishing him for the rest of his life."

If the offender is under 18, he continued, "the juvenile judge may send him to Common Pleas court to be tried as an adult, or he may try him as a juvenile delinquent." Prosecutor Corrigan said that in the Cleveland area most would be tried as juveniles. While this means that they would have no permanent record if convicted of "delinquency," it does mean that the judge can confine them to institutions or impose other penalties.

The justice said that the Ohio law was purposely made harsh to drive out the professional drug peddlers, and that in this respect it had done the trick, with an 80 percent drop in violations the first year. The professionals "made unbelievable profits (on drugs), and they regarded the small fines (under the previous law) as a cost of overhead. But they're unwilling to face the penitentiary. So they moved elsewhere. If you now relax the marijuana law, then you open the loopholes for the commercial peddling of drugs again."

He also said that almost all heroin addicts started with marijuana, and that "a substantial number go from it to speed and LSD"—other reasons for not relaxing the law.

Detective Leslie Thompson, a member of the Narcotics Unit of the Cleveland Police Department, asserted that people who smoke marijuana, just like people involved in the "harder" drugs, are likely to commit crimes.

He said a recent murder was committed by a man "high on marijuana," and that "when you arrest people for other crimes, the odds are in favor of your finding 'joints' (marijuana cigarettes) or pills on them. The people most likely to commit violent crimes are those under the influence of amphetamines (such as 'speed'), cocaine and marijuana, the detective said.

#### DO COURSES WARN OF DANGER OR STIMULATE INTEREST?

(By Jean McCann)

Education about dangerous drugs is replacing sex education as number one touchy topic in suburban school systems.

Educators have been jolted by reports of the spreading use of drugs by high school, junior high, and in rare cases even by elementary students. Many school systems are now going over what they teach, with a view to improvement. Many plan to do more on the elementary (usually, sixth grade), level—before the students run into temptation in the junior high.

A focus of educators interest was given when about 600 of them recently attended a symposium on Drug Use and Abuse sponsored by the Cleveland Academy of Medicine.

There, they got these messages:

Education about drugs isn't only for "kids". Parents and many teachers have a lot to learn, too.

Teachers had better know what they're talking about when they discuss drugs, or the "turned on" generation will turn them off.

Teachers should have a real interest in their students as individuals. If they expect to convey messages like "speed kills", and have them believe that it could happen to them.

Parents had better start learning about drugs, too, so they know when their children might be in trouble—or when they're even in trouble themselves.

Adults had better stop doing what they preach to their children not to do. If dad

is often "sloshed" on whisky, and mom keeps popping diet pills, tranquilizers and sleeping pills all day—what can they expect, but that junior might turn into a pot head, and head speed freak, or junkie (Translation: marijuana smoker, LSD user, amphetamine addict, or heroin addict).

Young people themselves can help with the drug curriculum, on the high school level at least. They can help counteract "peer pressure" to try drugs, and they know the kind of information the students will "buy".

Adults should live meaningful lives themselves, and have standards and values, so that they will have a good influence on their children.

John F. Kreppel, special agent of the Federal Bureau of Narcotics and Dangerous Drugs in Cleveland, estimated that \$10 billion is spent annually on drugs "and many times the family medicine cabinet is the initial source of supply for experimenters".

"Too many people", he told the educators, "go in for self-administered chemotherapy." "Drugs have become a social crutch to housewives and businessmen as well as to social dropouts".

Dr. Allen Y. Cohen of Berkeley, Calif., consulting psychologist, told the educators "I think life is the problem. When you solve the problem of life, you solve the problem of drug abuse".

He recommended that whenever possible "kids should be involved in the community and school programs on drugs. And use printed and audio-visual materials which have been screened by these kids".

"You should provide meaningful alternatives to drugs", he continued, "non-chemical ones. We should reemphasize the real problems of living. We've been scared talking about emotional and spiritual growth, but we have to do it. There ought to be courses for credit where we just discuss life's concerns".

While no suburban educators reported that they were planning courses "Just to discuss life's concerns", it's plain that many of the systems are becoming involved in much more board-based "family living" and "health" course than they ever were before.

Three suburban systems, at least (Westlake, Shaker Heights and Mayfield), are phasing in complete health programs from kindergarten through twelfth grade which will include discussion of "mood modifiers" on the primary level. But most school systems now pick sixth grade, and then one or two grades each in the junior and senior high, to cover the subject of drugs. Commonly, learning about narcotics and hallucinogenic drugs is covered along with information about such other "mood modifiers" as alcohol and tobacco.

Many school officials, however, report that they are now taking a "second look" at what they're doing. Are they teaching about drugs at the right time—at the "teachable moment", when the child is ripe to learn?

Are the people teaching the course able to "relate" to the children in the right way, and do they have enough knowledge to teach the subject?

They're also concerned about how the information should be given, with the emphasis on motivating the child, of his own free will not to take drugs.

"There are two main theories in education, said Neal Hesche, who is health co-ordinator for the Berea school system. One is the fear tactic.

"This would be like a film that some community leaders and school people looked at this morning," he said. "It showed a 46-year-old woman, hooked on drugs for 23 years, talking to a group of high school students. She told how she had to become a prostitute to support her habit." (Or it would be like the film shown at the Drug Abuse Seminar, which showed monkeys having convulsions from heroin withdrawal).

"Then there's the tactic of getting at the motivation which causes you to do something.

"I don't think we can preach any more that things are bad. I think what we have to do is to provide the kids with the information and understanding on which they can make their own wise decisions."

"The time to educate is before they've had contact. Some people don't think anything should be taught about drugs in the elementary school, but I feel this is wrong. Some people say, 'My kid doesn't know anything about it, so don't tell him.' But I say that, with TV and reading material on the subject around, he does know. Just the other day, a fifth grade teacher called me for information on LSD, because some of her students had seen a reference to it on TV, and wanted to know what it is".

Miss Mildred McFarland, co-ordinator of elementary education in Shaker Heights, concurred: "I know that some people say the more you talk about such things to young children, the more you make them aware of them and likely to try them. I tend not to believe that."

A Strongsville school spokesman, however, was opposed. He said: "I feel that if you do this, you may cure two or three, but you may start 50 more".

Several educators mentioned the need for students to be able to discuss the issues involved in drug-taking, not just sitting listening to words from "on high".

Stephen Varga, a Brecksville junior high principal mentioned that such education is "more effective, too, in small groups, where the students have a chance to discuss, than in large assemblies."

In South Euclid-Lyndhurst schools, elementary education director Fred W. Reigler, Jr., said that sixth grade teachers are being involved in discussing whether to use a more directive approach.

"So far the matter of drug abuse has come up sometimes as a natural outgrowth of an extensive unit that we have on smoking and health. When drugs are talked about, the teachers have told us that they get blank looks from some students, but other are vitally interested", he said.

What Brush High School juniors learn about marijuana and hallucinogenic drugs is included in a 10-day unit of the health course entitled "The Use of Mood Modifiers."

Alcohol and tobacco are also classified under this heading.

The program has been the same for a number of years. Now it is becoming more free and open, because the students are relatively well-acquainted with the subjects when they enter the classroom.

The same teaching unit of mood modifiers is included in health programs at the ninth grade level at Memorial and Greenview Junior High Schools. There the approach is simpler. The mood modifier unit goes into the motivation behind stimulants and depressants.

Dr. Allan Holland, assistant superintendent of the Rocky River school system, said that "There is always a teachable moment. Some don't need the information early, and to tell about it may call it to their attention unnecessarily.

Several educators mentioned also that PTA groups—even on the elementary level—are now interested in having speakers on the subject of drugs. There's also parent education going on in a program inaugurated by the Kiwanis Clubs, called "Operation Drug Alert".

In the Parma school system, junior high students accompanied their parents to a film program on dangerous drugs.

"This experience opened up channels of communication between children and parents that were always there, but had not been used much before", said Dr. Wilbur

Lewis, assistant superintendent of schools. "Before that, the parents had tended to ignore the problem," he said.

Dr. Lewis said that 20 educators from Parma had attended the Drug Use and Abuse Seminar, and he had asked them to look around for other educators there who had good programs going in their school systems.

"They came back and told me", he said, "that nobody feels they have an adequate program."

Although educators will no doubt keep on looking for it, "the biggest problem is that when it comes to drug education, there is no pat answer", Dr. Lewis said.

Principal James J. O'Toole of the Cleveland Heights High School, where drug education goes on in the 10th, 11th and 12th grades, agreed. "We're not happy with what we're doing", he said, "But I don't think anybody in the country is".

O'Toole said that school officials in the Cleveland Heights-University Heights system are now discussing the possibility of involving parents in a drug education program.

His belief is that "many of the kids who do experiment, have a lack of affection and attention at home—or else perceive of this as being the case."

Beachwood schools include units on drug education in the eighth-grade Family Living and tenth-grade health courses. A series of talks by authorities in the field of drug abuse also is given during the school year at the senior high school.

Students at Laurel School in Shaker Heights heard a talk by Dr. J. Thomas Underleider, a staff member of the UCLA Medical Center and an internationally-renowned authority on drugs and drug abuse, at an assembly last September. They also received information on danger of drugs in seventh grade Life Science classes and in tenth grade biology studies.

At University School in Shaker Heights there are no programs in drug education and none contemplated. However, a special program was held last year for the faculty, with three authorities in the field of drugs and drug abuse discussing the problem and informing the teachers as to how drugs are used and why. Since the faculty is the same as last year, the program is not planned again for this year.

At Orange schools, the educators try to inform pupils through class discussions in biology for ninth-graders and health education for tenth graders.

John F. Stafford, Orange High principal, said the school has always included classes about drugs in its health-ed classes and that Orange has such classes before they were required by the state last year.

Other areas of drug enlightenment for the Orange school community include parent orientation to the problem—carried out independently by a group of parents who are trying to educate themselves and spread the word to the rest of the parents.

The faculty is also getting stepped-up hints about drug abuse during faculty meetings. Most recent example is a talk this week by health-ed teacher, Mary Fortman, after she attended the Cleveland Academy of Medicine seminar.

At Hawkins' upper school, a lecture program on all aspects of drug abuse was started last year. The school felt an in-depth program would consider legal medical, and social effects of drug use. Clergymen and ex-addicts were speakers at assembly programs. Ethics class included drug discussions. Hawken also held a session with parents. The program is being continued this year.

At Gilmour, Principal John Gale said there has been no program about drugs till now, but one is being planned for this year. He is in charge of curriculum at Gilmour.

The program, he said, will probably take the form of a two-day seminar on class time. The decision to plan this grew out of the

Cleveland Academy of Medicine seminar. Gilmour had representatives at the seminar. Guidance counselors and the school physician will be the on-campus directors of the seminar. Outside speakers, including a psychiatrist, will be sought.

Units on drug education and abuse are taught at Mayfield High School and Mayfield Junior High School in the ninth, eleventh, and twelfth grades.

Three units on drugs are taught at the Junior High School—the first to all students in the eighth-grade science class on identification, general effects, and social problems. The second, an elective course deals with the biological effects of drugs, and is taught in the ninth-grade, three-module biology course. The third, a ninth-grade unit in social studies and an elective, studies drug use as a social problem and looks at drug users and the social problems they create.

An eleventh grade unit is a thorough study of drugs, their uses, and effects. It is current and kept up to date through use of material in newspapers and magazines.

A twelfth grade elective psychology course delves into the psychological implications of drug use and abuse. All seniors take either senior social studies or senior sociology in which a unit is taught on the sociological implications of the drug user in society.

#### IS MARIJUANA REALLY BAD FOR YOU?

CONSENSUS IS YES

(By Jean McCann)

Is marijuana really bad for you?

This was the nagging question in the minds of many of the 600 educators attending a recent seminar on Drug Use and Abuse sponsored by the Cleveland Academy of Medicine. They were all mindful of the growing demand that marijuana should be legalized.

It is said that 8 to 12 million Americans have tried marijuana. In contrast, there are only an estimated 125,000 to 250,000 heroin addicts.

A sifting of speeches and interviews with medical experts who addressed the seminar permits consensus on the subjects of both marijuana and dangerous drugs.

The term "drugs" includes everything from aspirin to opium, but what the doctors are concerned about are the so-termed "dangerous drugs" which can or cannot have some medical uses.

These include narcotics which produce insensibility or stupor by their depressant effect on the central nervous system and which are physically addictive. Common narcotics are morphine, codeine, and heroin, which are opium derivatives, plus synthetic opiates such as meperidine and methadone.

Marijuana is legally considered a narcotic for enforcement purposes but actually it belongs to the category of the hallucinogenic drugs which have the effect of distorting perception and creating hallucinations. Some other hallucinogenic drugs are LSD, DMT, mescaline, psilocybin, and STP, which are not physically but psychologically addictive.

The other two categories of dangerous drugs which are most likely to be abused are the depressants which include barbiturates, the bromides, chloral hydrates, and paraldehyde, and the stimulants which include amphetamines ("speed"), caffeine, benzphetamine, and others. Cocaine is also a stimulant. There can also be abuse of tranquilizers and in the sniffing of glue and solvents, but these are considered secondary abuses.

The experts generally agreed on two points. First, that stimulants, barbiturates and opiates, should not be used, unless prescribed by a doctor for medical reasons.

Second, that the so-called "hallucinogenic" drugs (LSD, STD, mescaline, peyote, marijuana, etc.) have neither a medical nor non-medical reason for use.

In the case of marijuana, the doctors said that:

There can be a strong psychological dependence, although it is possible to be a "casual experimenter" with it.

No one knows what the ultimate physical effects might be of inhaling smoke from the cannabis weed. Little research has been done. (No one definitely knew 15 years ago that smoking tobacco could be a cause of lung cancer.)

Use of marijuana can result in disorientation which can cause the individual to perform dangerous or anti-social acts.

Habitual use can lead to disinterest in studies, appearance, or other ordinary concerns of life.

About 5 to 10 percent of marijuana users will graduate to heroin, because smoking "joints" exposes the user to other elements in the drug culture.

Some people may think they're buying marijuana, when it may actually be only ground-up tea, oregano, or some other substance.

Smoking "pot" can lead an individual to habitually try to escape, rather than face, the unpleasant situations in his life.

And, as other speakers also pointed out, use of marijuana is illegal with felony sentences for use or possession in Ohio.

Dr. William V. Trowbridge, who is head of the Committee on Drug Abuse of the Cleveland Academy of Medicine, said: "I can't see making marijuana legal on the grounds that we older folks are hypocrites, because we abuse alcohol, and alcohol is legal while 'pot' is not. I can't see adding six million pot heads to six million rum heads. Hypocrisy is not a felony, but using marijuana is a felony."

He also discounted testimony of many young users, because, he asserts they only think they've smoked marijuana.

"Some will say, 'I used marijuana, and it doesn't do a thing.' That may be true, as far as the product they got, or it may be that they don't know how to smoke it," the doctor said.

"A lot of what's sold to young kids is not marijuana. They trust a supplier, who's a felon, and they expect him to be honest," he added.

Dr. Trowbridge told of a boy who stole a tape recorder out of a car to exchange for six marijuana cigarettes. When he was caught the marijuana turned out to be green tea and shredded brown paper.

As far as extreme reactions from marijuana go, however, Dr. David E. Smith, medical director of a free clinic for drug users in the Haight-Ashbury district of San Francisco, maintained that "marijuana is the least of my problems."

He said that "for every thousand bad barb (barbiturate) or speed (an amphetamine stimulant) reactions I get, I get one bad marijuana reaction."

Dr. Charles W. Gorodetzky, who also spends all his time on drug problems, commented that "the use of marijuana by an adolescent may be a poor introduction to facing the problems of living and can lead to poor ways of adjusting in later life." Dr. Gorodetzky is on the staff of the federal government's Addiction Research Center in Lexington, Ky.

Dr. Gorodetzky said, that "underlying psychopathology" is the most common reason for drug abuse.

"It's hard to tell whether this was the cause or the result of the misuse of drugs," he added.

There is also a hypothesis that in the case of opiate abusers, he said, there might be a metabolic defect in the individual which cause him to get "hooked." Such errors of metabolism have also been advanced as a cause for alcoholism, he noted.

"Perhaps drug addiction should be treated



as a chronic relapsing disease, with periods of remission," he suggested.

Dr. Gorodetzky and other doctors discussed treatment available for drug abusers.

The doctors emphasized that there were two main types of dependence on drugs, physical and psychological.

Physically—addictive drugs include heroin, and other opiates, and the barbiturates. Sudden withdrawal causes severe, painful physical reactions, and in the case of barbiturate addiction, convulsions that can be fatal.

Drugs like the amphetamines and the hallucinogens (LSD, marijuana, mescaline, peyote) are psychologically-addictive only. They generally produce no withdrawal symptoms. They can have bad after-effects, like the recurrence of a "bad trip" on LSD months after the original ingestion of LSD. Use of LSD has also been held to be a cause of chromosome breaks, which some scientists associate with birth defects or cancer. Amphetamine use has also precipitated heart attacks. Its abrupt withdrawal from depressed people has led to suicide attempts.

Treatment provided for the various kinds of drug addiction was outlined by Dr. Gorodetzky, speaking for the federal government, and by Donald E. Kribbs, chief of the Alcohol and Drug Abuse Section of the Department of Public Health and Welfare of the City of Cleveland.

Both said there is a dire shortage of both national and local treatment centers. They predicted more centers in the near future.

Dr. Smith said that one of the big problems is the difficulty of treating minors who don't want their parents to know of their troubles. A new California statute now allows so-called "emancipated minors" to approve their own treatment. But California is the only state in the nation with such a law.

A similar law is needed in Ohio, Kribbs said.

"A 17-year-old boy was in my office the other day, and he needed treatment for barbiturates," he related. "But he didn't want his mother to know. This poses a dilemma for the individual trying to help because you skirt the law if you treat minors without their parents' consent. On the other hand the minor just refuses to be treated if his parents are to be told about the problem."

Suburban, middle-class youngsters, he said, are especially limited for places to go for help, even when the parents do know. They can visit a private psychiatrist for help, but if they need hospitalization, they're usually admitted for some reason other than the addiction itself.

Kribbs hopes to remedy this situation soon. In the early planning stages are drug abuse clinics to be operated by the city health department in much the same manner as the city operates its neighborhood alcoholism clinics.

"Things are really mushrooming," he said. He reported meetings with various student and professional groups who are concerned about establishing drug abuse treatment centers.

Under discussion are such aids as drop-in centers, encounter groups, volunteer street workers, half-way houses, and free clinics, such as the one in the Haight-Ashbury section of San Francisco.

Also under consideration is a telephone answering service similar to the Poison Control Center or the Suicide Prevention Center, which are run by the Cleveland Academy of Medicine. Such a center would provide emergency help for anyone suffering from a "bad trip" upon the placing of a phone call.

Dr. David Smith said that was how his facility in San Francisco got started.

"But we were forced to expand into a clinic when we had 350 high-dose intravenous 'speed' reactions in three months in 1967. And how can you treat all this over the

phone?", he asked. His clinic now gets 25,000 patient visits a year.

Cleveland, will soon have a new laboratory setup at a health department headquarters in city hall. It will be used to identify the drugs affecting a user.

"Too often the users are taking a mixture of things, and they don't know what they're taking. LSD, for example, is sometimes laced with strychnine," Kribbs explained.

Also projected is the establishment of a methadone treatment center at University Hospitals for hard-core heroin addicts who have made repeated attempts to "kick the habit" and have been unsuccessful.

Already operating is a group psychotherapy program for drug users at the Warrensville House of Correction, which is run by the city health department.

Describing the situation nationally, Dr. Gorodetzky said that there are now three main places for addicts to go for help. One is a large institutional center in Lexington operated by the National Institutes of Health with which he is associated.

Another is a small, self-help center such as the privately-operated Synanon House. There are four in California and one Synanon House in Detroit. In addition there are similar houses named Odyssey, Phoenix, and Exodus in New York. The federal government operates a self-help house in Fort Worth, Texas. In Cleveland, the Salvation Army has begun confrontation seminars for addicts, similar to those for alcoholics.

Synanon House, which is now nationally-known, derives its name from the continued mispronunciation of the word seminar by an addict.

The third is the methadone treatment centers for heroin addicts, in which daily oral doses of this drug have enabled many former addicts to keep away from heroin and return to jobs or schooling.

Describing the institutional treatment at Lexington, Dr. Gorodetzky said that the place is losing its "revolving door" reputation now that it has been changed from a combination penal-volunteer institution to one in which selected addicts are civilly committed for rehabilitation.

Previously, Lexington was used for treatment of those "busted" by the law for using narcotics, and for volunteers who used Lexington for temporary purposes. These merely went there for withdrawal to the point where they could then take up their habit again, requiring much lower dosages of the drug to get their "kicks."

Now, he said, the hospital is a clinical research center run under the provisions of the Federal Narcotics Addiction and Rehabilitation Act (NARA). Those admitted must be users of hard narcotics, although most admissions are of the mixed variety. This means the patient has been using LSD, marijuana, barbiturates, or amphetamines, in addition to heroin or cocaine.

Acceptance is also based on the individual's motivation, past history, and psychological functioning. These criteria plus the shortage of beds lead to a current rejection rate of from 50 to 75 percent of applicants.

"I think that's temporary since there are plans to set up similar programs at hospitals around the country," Dr. Gorodetzky said.

He explained that a prospective patient is first examined for 30 days to see if it's probable that he can be rehabilitated. If accepted, he stays for six months and gets individual treatment, which can include taking part in encounter groups, getting vocational counseling, or perhaps taking a few educational courses. He's also given a job to do in the hospital.

After his six months are up, he spends three years as an outpatient. There are already some 70 agencies in 39 states, he said, that offer outpatient care on a contractual basis with the National Institute of Health. Such care may include individual and group

psychotherapy, vocational help, and sometimes "urinary surveillance," to make sure the addict is not relapsing.

In the self-help type of communities, the doctor said, self-help carries its own treatment in helping others, and people learn to handle their anxieties without the use of drugs. These places have a strict, self-enforced behavior code, with abstinence from drugs being part of it.

Often these places also use encounter groups and sensitivity training, the patients progress through a number of levels until they're ready to leave.

"Sometimes it's hard to determine when a resident is ready to enter society. I think these places prove useful for some users," the doctor said.

The third type of treatment center substitutes other drugs, as in the oral methadone treatment plan which will begin soon at University Hospitals. Dr. Gorodetzky said that an experiment in New York with 871 patients showed 80 to 90 percent success in getting the addicts back to school and jobs.

"But methadone is not a panacea," he continued. "Right now there's no plan to withdraw addicts from the methadone treatment, although there's no proof of the allegation that perhaps these people have a metabolic deficiency which causes them to need drugs much as a diabetic needs insulin. Also, we're not sure of what the long-term effects of taking methadone daily might be."

The drug cyclazocine is also being tried. When given instead of the narcotic, it has an antagonistic effect to the narcotic. This makes it good for treatment of overdoses and for withdrawal symptoms, he said. But it can also encourage abstinence from the narcotic, because it prevents the euphoria the user would get from the narcotic alone.

Despite all he has seen of the drug scene, Dr. Gorodetzky said he was hopeful.

"The pessimists are sounding the trumpets of doom," he declared, "but I refuse to listen. The concerns of our youth for peace and brotherhood are good signs. We just have to convince them to use non-drug alternatives."

#### GHETTO TEENS WIN OUT OVER OFFICE-TYPE SILENCE

#### HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mrs. GRIFFITHS. Mr. Speaker, at this time I would like to insert in the CONGRESSIONAL RECORD a recent article from the Detroit News on a program of Michigan Blue Shield to hire hard core "unemployable" young people as well as a Blue Shield report on this program from which the newspaper article was drawn.

In Congress we are looking at the President's welfare reform proposals. The President is asking for a guaranteed income. There are no real evidences of what guaranteed income will do. We do not have a good understanding of poverty and how to get people to work. This is one example. The above-mentioned material follows:

GHETTO TEENS WIN OUT OVER OFFICE-TYPE SILENCE

(By Don Tschirhart)

It was the sound of silence that bugged them most.

Youngsters, raised in the harsh world of Detroit's inner-city ghetto—with its noise and confusion—found themselves in a quiet business office.

It happened last summer during an experi-

ment by Blue Shield of Michigan at its Detroit office, 441 East Jefferson.

They hired 45 teen-agers from the city's slums to see how they would react to the somewhat boring and mentally tedious world of business. All were school dropouts and social misfits. Several had police records.

The thing that got to them was the silence of the office.

One 17-year-old described the experience to his counselor.

"Man, we've got noise where I live. The street is alive.

"Cars are honking their horns. Drunks are cursing. Down the hall from your apartment, people are shouting. You can hear the man's hand cracking across his wife's face.

"Now I sit here and shuffle papers. I can see the clock. Everything is so quiet that I can hear it ticking. You know damn well exactly what is going to happen every minute."

Frustrated, tension building up and needing an outlet for his bottled-up energy, the youth rose from his chair, walked to his desk, reached out and threw all the papers across the office.

Only seven of the 45 youths "graduated" to permanent positions at Blue Shield.

Nevertheless, the experiment was considered a success by John C. McCabe, the firm's president.

He said that some of youths who no longer work at Blue Shield are back in school. Two are in the armed services. Some have found new jobs. Three have been rehired at Blue Shield.

Blue Shield soon will start hiring a new group of "hardcore" teen-agers. This time they'll be hired as permanent employees.

"Our program is no longer experimental. The results of last summer's program indicate with a full-line program."

The idea for the program started early last year with a discussion among top management officials concerning Blue Shield's commitment to help inner-city people.

Joseph M. Lughermo, of management development and training, told those at the meeting:

"Ghetto kids were born poor, go to poor schools, live in violent, dangerous neighborhoods and in broken, despairing homes.

"What happens to them is not the result of their own effort or lack of effort, but of blind fortune."

Lughermo and James Jackson Jr., of the eligibility adjustment department, planned and coordinated the program.

"We knew we weren't going to solve any big problems," Jackson said. "But we were going to get a look at ourselves and we were going to give these young people a fair chance."

They named the effort Project 40—intending to employ only 40 people. Recruiting was made through several ghetto contacts who sent more than 45. All were hired.

Long before the first person was hired, Blue Shield managers and supervisors studied the ghetto and ghetto thinking by reading books and visiting the area.

When their regular day ended they stayed late to meet in unique "confrontations" with long-time associates. They bought Halloween masks (to avoid personalities), and exchanged views in shouting matches.

Volunteer employees were trained to act as "big brothers" to the 45 so that each of them had a "friend in the house" who knew something about him or her and could lend lunch or haircut money.

In May, the day came for hiring. The oldest of the teen-agers was 18. Most were 16 or 17. All were school dropouts. The biggest family income, where there was a family, was \$3,000 a year.

Prehiring interviews disclosed some of their ambitions.

One 16-year-old politely summed up his ambitions as "getting some women to support me."

Employment records disclosed that one 17-year-old had 13 brothers and sisters and was on probation for burglary.

A 16-year-old boy's father was in the hospital, his family had been on ADC since 1964 and four other children had allergy problems.

Blue Shield spread its new workers selectively through 14 departments—but not in offices where their big brothers worked. It was hoped they would adjust individually.

The first few months of the experiment were frustrating for department heads. No matter what the new employees did, the company refused to fire them. They were given as much chance to prove themselves as possible.

But there was trouble. Tardiness and absenteeism were commonplace. The youths had difficulty understanding why an office had to be open the same hours every day and why you had to stay awake in an office when you were sleepy.

One manager finally told a young man that he had to stop sleeping at work or be fired. The boy succeeded in staying awake at work for several days.

Then he sought out his big brother with a grievance.

"I've been staying awake and no one congratulated me," he said. He was promptly congratulated—and he went back to work.

Three young men decided to celebrate the Fourth of July early by setting off firecrackers. The trouble was they were using them to blow open a public telephone coin box.

Big brothers were kept busy solving problems. They counseled youngsters on budgeting their pay for bus fare and lunches and explained social security and income taxes.

One big brother even bailed a youth out of jail.

Another youth's father murdered a woman and was wounded seriously himself. Although the boy hadn't seen his father in 10 years, he asked his big brother to help him find his mother, who also was missing, and visit the father. This was done.

One militant black youth was absent from work for a few days. His big brother discovered the boy was being pressured by an activist group to "bust up" the Blue Shield program. Rather than do this the youth feigned illness.

Three months after the program began, Blue Shield decided to crack down on the rules which had been stretched during the educational period.

The rest left for various reasons . . . family move, military service, boredom, another job. And school.

Success of the program also was seen at the management level.

Jackson said many managers and supervisors were initially skeptical of the program.

"Many felt it wasn't a good program," he said. "And its working out well didn't change some of their opinions."

"But most really gave their all to Project 40 and these deserve praise for their patience and fortitude."

The new program, expected to start in a few weeks, will have only minor changes. It will continue to provide youngsters with a period of adjustment to their new environment before company rules are enforced.

"We bridged a gap," Lughermo said. "We showed that hard-core kids can be helped if employers have enough patience."

By September, when the program ended, the company had discharged 11 of the 45, mostly for repeated absences. Twenty-one had been offered permanent employment. The firm presently has seven of them on the payroll.

#### SUCCESS STORY

"They were born poor, to go to poor schools, to live in violent, dangerous neighborhoods and in broken and despairing homes. What happened to them did not seem the result of their own efforts or lack of

them, but of blind fortune . . ."—Joseph M. Lughermo

Only seven of the 45 high school dropout "unemployables" who were hired last summer in Michigan Blue Shield's independent job program to prove that label false are still with the company—but if you think that statistic means failure you should talk to Blue Shield's president, John C. McCabe.

Don't use the word unemployable, by the way. McCabe doesn't believe in it. He has ordered a second, stronger and no-longer-experimental program for this summer.

You need to hear the stories, too, of the permanent Blue Shield employees who helped the 45 and found themselves involved not only on the job but sometimes in ghetto homes—and sometimes in court help and jail visits.

Most of all you can not say success or failure until you take a full and open-minded look at the 45 themselves and their very different world, and remember in measuring them that their first step into the everyday world of business was as drastic a venture for most of them as that first step on the moon.

The oldest was 18, and most were 16 or 17. The highest family income, where there was a family, was \$3,000 a year.

A police record was commonplace.

Resignation to defeat in the Establishment world had come with the dropout for most; success in the ghetto world was dreamed of in terms realistic to that world.

One 16-year-old politely summed up his ambitions as consisting of "getting me some women to support me." He was mannerly about it, and he was matter of fact. All he was doing was envying a road to a sort of success which he saw being traveled daily, in those big, shiny cars.

As for resignation, it lay so heavy over the usual dreams of youth that failure was considered predestined by many. When it became necessary to discharge one of the first of the 45, the young man's departmental manager said the firing was accepted not so much phlegmatically as impersonally, as if the young man being fired did not understand that this was he, himself, an individual person, who was being spoken to.

"It was as if he only happened to be present to witness some inexorable working of his fate, and there was nothing he could have done to avoid it," the manager said.

(Blue Shield actually had to discharge only 11 of the 45 for cause, and that was usually constant tardiness or absences. The 45 did receive special training and special personal consideration, but they were required to work standard hours.)

Hundreds of companies made efforts similar to that of Blue Shield last summer. What makes Blue Shield's story somewhat different is, first, the fact that the company was an original participant in the continuing Detroit Public Schools "co-op" program and, second, the circumstance that as a non-profit corporation it did not undertake its program under any umbrella of government financial assistance or the restrictions of pre-planned rules.

Blue Shield would work "loose," as the 45 would say, and it had the benefit of 10 years of prior experience in usefully absorbing completely inexperienced young people, if entirely different kinds of young people, into its work force.

There are always 40 to 50 "co-op" at Blue Shield, going to school half time and working half time, and many have stayed with the company after graduation, some reaching supervisory positions. Youngsters, and underprivileged youngsters, are nothing new at Blue Shield. The difference is that the "co-op" are almost always anxious to make it. Most of the 45 had given up, if they ever really had a chance to start.

The first 15 of the 45 came at the end of May. Number One was 17 years old. He had 13 brothers and sisters and was on two years



probation for breaking and entering and quit school in the tenth grade. Number Fifteen was almost identical in background, including the probation status, except that he had only nine brothers and sisters. Both family incomes were below the \$3,000 level.

Here are some excerpts from some of the papers of the rest of the 45.

"Male, 16, family on ADC since 1964, father hospitalized past two years, four other children with allergy problems . . . Male, 17, history of truancy, quit in eighth grade, referred by policewoman who has helped mother, father said to be in California . . . Male, 16, on probation since he was 13 for breaking and entering, has been forced away from home . . . No father, has tried to stay in night school and help supplement ADC, 17 . . . Age 16, very slow learner, six brothers and sisters, father gone, minor police record . . .

"On probation for assault and battery in purse snatching, 16 . . . Age 18, parents 'missing,' taken in by grandmother, no income, will need even bus fare . . . Father blind, two years probation A&B, 10 days Whitmore Lake . . . Girl's age 18, has child, not married, father dead . . . Ward of court, father at Northville, mother incapable of care . . . Has record of car theft, possession of marijuana . . .

"Father on trial for manslaughter . . . Age 17, seven in family, father left, record of robbery, carrying concealed weapon . . . Age 18, father of twins, not married, police contact for suspect B&E."

And on.

Blue Shield began planning its program last March, and McCabe told a special meeting of his vice-presidents and managers that this was to be no pleasant little do-gooder exercise but an honest exposure to gainful, steady employment for the participants, on one hand, and an equally honest exposure of management to "unemployables," a term Blue Shield never used, on the other.

A tough-minded young (29) black man, James Jackson, Jr., manager of Blue Shield's Eligibility Adjustment Department, was named project manager, and a just-as-tough-minded young (32) white man, Joseph M. Lughermo, assistant manager of Management Development and Training, a former Roman Catholic priest with strong social convictions, was assigned to plan and coordinate the program.

"We are not going to solve any big problem here," Jackson and Lughermo agreed, "but we are going to get a look at it ourselves and we are going to give these young people a fair chance."

"We are in the business of community service, and that means community involvement. These people are a part of that community, a growing part, and let's see what we can learn."

They called the effort "Project 40," intending to employ 40 people. Recruitment was made through some two dozen persons with ghetto contacts who sent in 45 persons instead of 40, but by the time the recruits came the Blue Shield people were too busy to bother changing the name. The company accepted all 45.

Long before the first person was hired, Blue Shield managers and supervisors were studying the ghetto and ghetto thinking, not only in books and articles but in after-hours confrontations across their desks. One man or woman would play the role of the Establishment at those, while another played "unemployable." Both wore dime store Halloween masks to avoid personalities, and they exchanged views not in soft debate but in screaming shouts. The nitty-gritty in the academic articles came through.

Meanwhile volunteer permanent employees were trained to act as "Big Brothers" to the 45. There was no Orwellian dictatorship in this concept. The idea was, rather, to be sure that each of the 45 had a friend in the house

who knew something about him or her, who could loan him lunch or haircut money.

Big Brothers played the mask game, too, and they took (and 80 percent flunked) intelligence tests based upon ghetto language and ghetto values, with questions like "Whether or not a 'gas head' is a person who had a 'stable of lace,' and what is facing down if the dice show a seven up and what does a 'short dog' cost?"

The Brothers had many duties. There was the matter of how and where to cash that first check, for example, how to budget bus fare and lunches and get used to the idea that the same amount was going to come round again next pay, and you could count on that, but not to count on anything else. And what was Social Security, on the paying end, and withholding tax?

Wednesday was the first work day, so that there could be a quick pay Friday, and the usual business practice of holding back the first week's pay was not followed. The first day was spent meeting the Brothers and "rapping" over coffee, getting some basic orientation as to what Blue Shield was all about and filling out the most simple employment forms which Blue Shield's personnel department could devise (even so, one of the recruits looked at the blank spaces on the form and fled in fright, to be coaxed back next day by his Brother who found him hiding at home). There were no Horatio Alger promises.

Blue Shield spread the 45 carefully through 14 departments, not the departments in which their Brothers worked, seeking individual attempts at adjustment, although the Brothers were kept informed by individual managers. One expected type of trouble started fast.

That trouble was boredom. The business of Blue Shield is the processing of records which result in payment for health care. In its volumes of millions of these each year, it is easy for even veteran employees to lose sight of the fact that each bit of paper represents a human experience, and often misery and rescue. That transfer of concept was impossible for almost all of the 45, at first.

"Look," a 17-year-old told his Brother at a coffee break, "on the street at night there is noise and things are going on, people moving around and doing exciting things. You don't know just what is going to happen next."

"Now I got to sit here and shuffle papers where I can see that clock, and it is so quiet I can even hear it, and you damn well know exactly what is going to happen every minute. Hell yes, I got trouble coming back the next day. I even got trouble coming back from lunch."

There was trouble, also expected, in such simple matters as why you had to be on time or why the office had to be open the same hours every day, and even why you had to stay awake when you were sleepy.

One young man's manager finally told him he had to stop nodding off or be fired, and the young man did stay awake at work for several days and then sought out his Brother with a grievance.

"I been staying awake and no one even congratulated me," he said. He was congratulated. Then it was all right.

There was trouble which was not expected, including some crime, although none occurred in Blue Shield offices. One ridiculous instance was that of three young men who celebrated the Fourth of July a few days early by setting off firecrackers. The trouble was they were using them to try to blow open a public telephone coin box. The Brothers were able to help the 16-year-old involved obtain probation, but the older ones were jailed.

There was crime not committed by the young and not ridiculous. One young man's father killed a woman in a crime of passion, and was himself gravely wounded, and although he had not seen his father in 10 years

the young man asked his Brother to help him find his mother, who was also "missing," and visit the father. And this was done.

There was one young man near the breaking point, under the pressure of poverty and responsibilities too old for him before he was hired, who did break shortly after. Not only his Brother but his fellow employees in his department sent get well cards and letters to him in his psychiatric ward, and contributed money for gifts. He is recovering.

There was one militant who chose chicken pox as an excuse not to come to work but who, his Brother reported, was really being pressured by the Black Panthers to "bust up" the Blue Shield project. He said he could find no reason to do that, but he decided to stay away. The Brother offered to take him to an Ann Arbor sit-in to see white and blacks not much older than he in common cause, but he refused. Eventually he quit to take a job with another activist organization—but he refused to disrupt the Blue Shield program.

There were successes, many. Blue Shield offered employment to 21 upon conclusion of training. It had discharged 11, as mentioned, mostly for repeated absence. The rest had left for various reasons such as a family move, to enter military service, a pregnancy, another job, the boredom mentioned, or, and certainly a success, to return to school.

Eleven of the 21 accepted the offer. Five of these have left in the ensuing months, all discharged because of poor attendance, and again it was boredom and inability to adjust to routine which was chiefly responsible. Two, by the way, want to come back, and possibly they will be employed.

Many lessons were learned and McCabe is considering how best to apply them to this year's program. Probably Blue Shield will attempt to secure more young women (90 percent were male last summer) and more white youths (almost all were black).

One big lesson comes from the evaluation Blue Shield people made of the 45. Earlier you saw some background sketches of participants which came from their actual records, but their on-the-job evaluations had contrary terms such as:

"Eager to please but does not understand . . . He is beginning to look farther forward than tomorrow morning . . . Bright and adaptable but wants variety . . .

"Finally believed we were honestly interested . . . Got the idea that what she did made a difference . . . Saved \$150 in the Credit Union and discovered a new life . . . Did an excellent job once he understood how the parts fitted together . . . Came in with a hell of a hangover but stuck to it."

An incidental: The Brothers who loaned recruits money have been almost completely repaid, with no pressure.

An incidental: some, such as the young man who was complained about because of dress and because "he reeks," became Dialect Dandies.

An incidental: those who stayed have been as completely absorbed as are the "co-ops" and are taking part in such employee activities as the Ski Club. Some brought in canned goods for the Christmas charity basket drives.

What is success and what is failure? "Success is such a relative term," McCabe said, "and sometimes it conflicts with failure."

"We failed, perhaps, in the young man we lost to the psychiatric ward, but we succeeded when his mother called at what must have been considerable bravery and said:

"Thank you for what you have been doing for Mitch. He never had anyone to talk to, before."

Mitch may be back. Whether he is or not, others will.

And possibly the greatest success of all is the fact that this time the Brothers in Blue Shield know a great deal more about what they are going to do and why, even

to congratulating a young man on staying awake.

Lughermo put it this way:

"Bridging the gap, many of the managers and personnel staff found that they were learning along with the dropouts. They were learning, of course, what would work and what wouldn't, but also, as they learned about the world and problems of the hard core dropout, they experienced a change in their own expectations and approach.

"What motivates the hard core? It becomes more evident that those who failed did not see much point in succeeding, because they had never tasted success. Where they do succeed, it is so, basically, because they personally see some point to their working."

## THE PASSENGER SHIP LAYUP IS A TRAGEDY FOR AMERICA

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PUCINSKI. Mr. Speaker, in a very timely and excellent article written by Mr. Joseph Curran, president of the National Maritime Union, he quite properly points out the dilemma we face in letting our passenger ships remain idle.

To keep our country strong and great we need, among other things, a strong merchant marine. Mr. Curran discusses with clarity the problems facing the merchant marine and offers the National Maritime Union's program for solving these problems.

Mr. Speaker, I would like to call to the attention of my colleagues Mr. Curran's article, as follows:

### THE PASSENGER SHIP LAYUP IS A TRAGEDY FOR AMERICA

(By President Joseph Curran)

As we write this column we are approaching the end of 1969. It was a year in which NMU faced tremendous problems and we demonstrated beyond any question our Union's strength, unity and ability to move forward as long as we remain united.

But 1969 also was a year of tremendous problems for the American merchant marine. Those problems have not been solved and they will not be solved until the growing threats to jobs and security of our American seamen have been met.

The great tragedy we face right now, of course, is the layup by our companies of all the passenger ships except the Grace Line Ships. None of the companies have been able to justify this arbitrary and destructive action. They prattle away about "competition of airlines," "high labor costs," "out rate competition from foreign lines"—but none of the companies has demonstrated any sincere desire to work out a solution to the problems and find a way to keep these great ships operating.

### THE AMERICAN FLAG BOWS OUT

It is a ridiculous situation. Here we have a big and booming ocean cruise industry out of American ports with tremendous promise of expansion for years to come—and the American flag is bowing out.

Every maritime country in the world is building passenger ships to take advantage of our cruise industry—and the American companies tell us nothing can be done.

One of the countries building fastest and biggest for cruise operations is the Soviet Union. They know the "luxury" ships (1)

bring in millions of dollars to strengthen their trade balance, (2) form a reserve fleet for the Red defense forces that adds tremendously to their power and (3) these ships with the Hammer and Sickle at the masthead will convince millions of people around the world that the Soviet Union is big and strong and really knows how to live. Wherever there is a world's fair, Olympic games, great international conferences, you will find at least one Soviet passenger ship used as a showplace by the Soviet delegations.

And yet the United States, the greatest nation on earth, champion of the free enterprise system—our nation lets these great ships lie idle. The companies responsible for them act like they cannot put into effect a single constructive idea. The ideas that are put forward from the few dedicated individuals in the companies and from the unions have been stalled. Every obstacle has been put in the way of these ideas.

Our Union has fought for years to make the companies take a constructive attitude toward these ships. We have developed ideas for them; we have made adjustments; we have made every effort to get some positive cooperation from the companies on their passenger ship problems.

We never hesitated to go before our membership and tell them the facts of life. Yes, we had our problems in our own ranks with so-called dissidents who had no interest except to cause disruption and division and aimed most of their disruption at the passenger ships. But that never stopped us from making adjustments if that had to be done and a company gave us some solid indication that it sincerely wanted to keep its ships sailing. But for the most part the companies showed very little willingness to cooperate on passenger ships; they showed very little sincerity about keeping them sailing and this is particularly true of U.S. Lines.

### THE WORST OF THEM ALL

United States Lines has been the worst of them all. Since that company was taken over by the Walter Kidde interests, the only impression we can get is that the new owners are looking for a windfall by liquidating the company. In the kind of mixed up economy these conglomerates operate, they seem to have found ways to make money by wrecking companies and everything we've seen since Kidde came into the picture indicates that the company has little or no interest in continuation of this very important steamship company, the U.S. Lines.

One important indication is the fact that U.S. Lines has made arrangements for the 20-year time charter of their modern automated container fleet. This is a time charter, so the ships will continue as U.S. Lines and NMU contracts will not be disturbed. But a shipping operator who has real plans for the future would not let his best ships work for a competitor, as U.S. Lines wants to do.

### U.S. LINES DID NOT WANT SUBSIDY EXTENSION

In the case of the "Big U," the company did not consult with us about how it could solve its problems. It did not tell us what economies it felt were needed and try to work something out. Mr. McMullen, the head of U.S. Lines, just went to the Maritime Board and declared the company would need a crew reduction of at least 30 per cent plus an increase in its operating subsidies from the present 62 per cent to at least 92 per cent to break even! The company didn't want an extension of its subsidy on the ship, it was just going through the motions and wanted to make sure the Maritime Board could not approve.

When the Maritime Board threw up its hands, McMullen quickly announced the cancellation of cruises of the United States, pleading that the company could not get the help it needed from the government.

High finance is not our business. We are concerned about jobs and the people who work at them and the ability of this country of ours to remain strong and free. We don't expect Walter Kidde or U.S. Lines or any of their officers to know about those things, that isn't their business. But there are many dedicated people in the companies, sincerely anxious to do a job for passenger ships. They have ideas, know-how, dedication. They have been prevented from using their talents in most cases by the money men at the top who care about nothing but the profit-and-loss figures at the end of the year.

There is only one way to get the companies to take a constructive attitude—that is for the administration in Washington to insist that they fulfill their responsibilities and get the passenger ships back in operation.

### THE MARITIME UNIONS PROGRAM

The maritime unions have projected a program calling for a tri-partite partnership—companies, unions and government—to operate the bulk of U.S.-flag passenger ships as a single company. This would mean great savings in overhead for the companies; it would mean more effective management, new ideas, new methods, etc. It would mean a company that could go out aggressively and capture a fair share of the American cruise market for American-flag ships.

The unions have agreed to negotiate separate passenger ship agreements which would represent great savings to the companies in such an operation.

As for the government, it would have to lift the restrictions on the ability of these ships to cruise. Some added assistance by government in the form of waivers of mortgage interest and promotion of cargo and passengers and this could be a going operation.

That is the kind of thing that is needed to save these ships and save our country from the ridiculous situation of having to tell the world that we cannot provide this kind of service for our own people. This is something our government ought to consider very carefully.

The government has been pleading for cooperation of Americans in strengthening our international trade balances—and yet we allow a situation in which our country destroys thousands of American jobs and cuts itself out of this great ocean cruise market, making our own citizens pay millions of dollars to foreign companies for inferior service.

We set strict standards of safety for American-flag passenger ships because we believe our people should be protected against such tragedies as the Yarmouth Castle, the Andrea Doria and others and yet we make it impossible for thousands of Americans to sail on anything but floating firetraps.

We invest billions of dollars in preparation for any conceivable emergency anywhere in the world and yet we deny our military a reserve of transport ships which were the first thing the Pentagon turned to when they thought we would have to invade Cuba during the missile crisis just a few years ago.

### CONTRADICTORY PROGRAMS

We spend billions to develop new job opportunities and eradicate discrimination and yet we deliberately and violently collapse an industry that provides thousands of jobs, that has for long years past provided an example for this nation and the world of how people of all colors, religions and national backgrounds can live and work together, doing a job around the world that builds pride and confidence in our nation and in our way of life.

This free enterprise system and this free government of ours can do better than this. They must do better. The administration tells us the single-company proposal for passenger ships is still "under study." We are sure



they will have to decide it is a sound, workable and necessary solution to a very serious problem.

In the meantime, every member can be sure that our Union is now working to develop every possible resource in industry, in the community and in government to get action in this situation. We are not overlooking anything that offers any constructive possibility. Every member in every part of the country and on every ship also has to work in every way to make this problem known. Talk to or write your Congressman and Senators, governors, mayors, local veteran and community groups, etc.

We are going to have to make some sacrifices, make no mistake about that, in order to get the passenger ships sailing. We have made clear that NMU is ready to do. We are going to determine what has to be done and we are going to come to you, the membership, and put the facts on the line. The licensed officer unions, too, have expressed their readiness to make adjustments. We have no doubt about what the response of our membership will be. NMU members have never ducked their responsibilities. Just let the government and the companies fulfill their responsibilities the same way the seamen are ready to fulfill theirs and the American flag can take its place again in this service which promotes respect and understanding around the world.

#### NIXON'S MARITIME PROGRAM

As for the program outlined by President Nixon for the rest of the merchant marine, it is a ray of hope—the first in a long time—but it is going to take plenty of battling to make that hope a reality.

The administration knows by now that our organization and our members can provide tremendous dedication and service in the rebuilding of the U.S. merchant marine. We ask only that other parties—government and industry—demonstrate comparable dedication and service and that they give up any idea that the U.S. merchant marine can be rebuilt on the blood and sweat of seamen alone.

We don't want to paint a dismal picture at the start of the new year. But we want everybody to know that NMU is going to have to fight next year and right on in the '70s the same way we have fought since we began in the '30s.

#### EVERY MEMBER MUST CARRY THE MESSAGE

In the years to come, our membership has to be more united, more active, better informed than ever before. Every member has to help carry the message about the opportunities our country is missing home to every public official—national, state and local.

A good deal of time and energy in recent years had to be devoted to defending the Union against a vicious and unprincipled attack. A handful of irresponsible dissidents were used by enemies of the Union and this hampered the program to defend jobs. Now we must make up for lost time.

We must recognize our responsibilities as a Union in the solution of the immediate problems of all our members and in the larger problems that affect our communities. NMU has always had an influence in the nation and in our communities far beyond what our size seemed to justify. That is because we have been true to the principles our Union was founded on—serving our membership and serving the community; never making any concessions to bigotry and hypocrisy; never letting ourselves be turned off course.

As we go into the 1970's with the great battles we now face let us resolve to continue on that true course. For myself and my fellow officers, the best of the New Year to all our members and their families.

## EAST DOES MEET WEST IN HONOLULU KABUKI PLAY

### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. MATSUNAGA. Mr. Speaker, an eight-performance run of the famous Japanese Kabuki drama, "Sukeroku, Flower of Edo," opens tomorrow, January 30, at the University of Hawaii's Kennedy Theater.

The unique feature of this event is the fact that a Caucasian, Ken Frankel, will be playing the leading role in the Kabuki drama—regarded by many as the most exacting of the ancient traditional Japanese arts. This indeed illustrates that East does meet West in Hawaii.

Ken Frankel has just recently celebrated his 27th birthday; however, the brilliant young actor is already an authority on Japan, its culture and its language.

In a recent interview with Honolulu Star-Bulletin entertainment editor, Ben Wood, Frankel said he felt that he was doing the "impossible" by playing the lead in one of the greatest Kabuki dramas ever written. He commented that:

Hawaii is the only place where a Caucasian can perform in the Kabuki under perfect conditions . . . I mean directions, costuming, make-up and technical assistance.

We have all of this here at the University of Hawaii and the East-West Center. Under the International Technical Interchange Program, a specialist in, let's say, Eastern lighting comes to the East-West Center to learn the Western style. We help him (achieve his goal) and he helps us with our Kabuki.

I, a Caucasian, am doing the impossible now by playing the lead in one of the greatest Kabukis ever written.

I believe my colleagues and others devoted to the arts will enjoy reading more about one who has achieved the "impossible" dream—Hawaii's Ken Frankel.

I, therefore, take pleasure in inserting in the CONGRESSIONAL RECORD the feature article, "Caucasian Playing Kabuki Drama Lead," from the Honolulu Star-Bulletin of January 20, 1970:

#### CAUCASIAN PLAYING KABUKI DRAMA LEAD

(By Ben Wood)

Ken Frankel feels that he is doing the "impossible" by playing the lead in a Kabuki drama.

"Hawaii is the only place where a Caucasian can perform in the Kabuki under perfect conditions," Frankel said. "By perfect conditions, I mean directions, costuming, make-up and technical assistance."

"We have all of this here at the University of Hawaii and the East-West Center. Under the International Technical Interchange Program, a specialist in, let's say, Eastern lighting comes to the East-West Center to learn the Western style. We help him (achieve his goal) and he helps us with our Kabuki."

"I, a Caucasian, am doing the impossible now by playing the lead in one of the greatest Kabukis ever written."

"This one is being done technically correct, exactly as it would be done in Japan."

"Sukeroku, Flower of Edo," is the English title of the drama which will open an eight-performance run at the University's Kennedy

Theater Jan. 30. James R. Brandon is directing.

"This is probably the most famous property of the Ichikawa Danjuro family," Frankel said. "We've been rehearsing since the start of December."

The actor, who will be 27 two days before the play opens, admits he is nervous as well as excited over his role.

"At one part I do a six-minute dance all alone on the hanamichi, the pathway into the audience. Yes, I'm nervous."

Frankel became interested in Kabuki after graduating from high school in Newport Beach, Calif., in 1960. Before leaving for Carnegie Institute of Technology in Pittsburgh, he saw and was impressed by a performance of the touring Azuma Kabuki troupe.

Frankel studied acting and directing at Carnegie Tech and wrote a term paper on Kabuki in his sophomore year.

"I read every book on Kabuki I could find and was soon an authority on the subject in Pittsburgh. I got to know more about it than the professors."

"That summer I visited Japan and I studied Noh drama as I had studied Kabuki. I lived with a Japanese family in Kyoto and had to learn the language, as they spoke only Japanese."

"I learned the Noh dance, chanting, and began to learn something about Japanese culture and aesthetics. For example:

"The elegant style and simple movement, getting the most out of movement; the tea ceremony; flower arranging; how to tie the obi; I studied temples and learned how to throw (make) pottery. All of this helped me in the theater."

After graduation from Carnegie Tech in 1964, Frankel came to Hawaii and became a graduate assistant at the University.

"I studied under Dr. Earle Ernst, one of the foremost authorities on Japanese theater, especially Kabuki."

Frankel perfected his Japanese so well he was able to land a job on KZOO, a Japanese radio station.

He later switched to KOHO, where he had his own show, and was an announcer for KAIM.

Frankel is now publicity director for the Honolulu Symphony Society and is writing a thesis for a master of fine arts degree on Shingeki, another form of Japanese theater.

"I started with the traditional and have now moved into the modern Japanese theater," Frankel said.

He had roles in 33 main stage and experimental theater productions at the University.

"Acting to me is an awful lot of fun," he said.

## PROTEST POLITICAL ACTIVITIES BY TAX-EXEMPT ORGANIZATIONS

### HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. BLACKBURN. Mr. Speaker, many times I have come before this body to protest political activities by organizations that are tax-exempt under section 501(c) of the Internal Revenue Code of 1954. One of the clearest examples of this misuse of the tax-exempt privilege is being carried on at this very moment.

As all Members of this body are aware, there is a great deal of controversy over President Nixon's veto of the HEW-Labor Appropriations Act. Also, it is a

well-known fact that one of the organizations leading the opposition to President Nixon's veto is the National Education Association. This group is tax-exempt under section 501(c)(3) of the Internal Revenue Code. The National Education Association, the National School Board Association, and the American Federation of Teachers—AFL-CIO—have combined to pool their funds in order to fight President Nixon's veto. These funds are all being channeled into a group called The Emergency Committee for the Full Funding of Educational Organizations. I would like to again bring to the attention of the Members of this body the fact that the Internal Revenue Code specifically states that tax-exempt organizations shall not use a substantial part of their funds in promoting legislation or propaganda. I feel that this activity of the National Education Association is clearly in violation of this section of the code.

Furthermore, I would like to bring to my colleagues' attention a Congressional Contact Procedure Sheet, which was issued by the emergency committee. This procedure sheet gives detailed information on how groups are to attempt to intimidate and influence Members of Congress. Furthermore, the emergency committee has had the audacity to instruct their members to request the Members of this body to be absent from the voting on the veto if their position is unfavorable to that of the emergency committee.

Second, the Internal Revenue Code specifically states that tax-exempt organizations shall not engage in any activity for or against any candidate for political office. August Steinhilber of the National School Board Association, which is a tax-exempt organization, and a member of the emergency committee, was reported in the Wall Street Journal of January 20, 1970, as telling his members to "remind your Congressman that the veto override vote is a record vote which will be circulated in the State." It is quite obvious that the emergency committee intends to use any Congressman's vote which is unfavorable to their position against him in the next election. This is most clearly in violation of the law. I have contacted the Commissioner of the Internal Revenue Service, the Honorable Randolph Thrower, concerning these activities and requested that he investigate the political activities of the National Education Association.

Finally, Mr. Speaker, I would like to insert a copy of the tax return of the National Education Association for 1967. When examining this document you will see that it in effect is nothing more than a blank return. In the return, the NEA does give an explanation of its political activities by stating that it "suggests ways by which these individuals may express their opinions on the matter at hand." However, when one examines the NEA's activities with regard to President Nixon's veto, we see that this organization is doing more than "suggesting."

For the information of my colleagues, I am hereby inserting into the RECORD a copy of the Congressional Contact Procedure Sheet and the article which ap-

peared in the Wall Street Journal. I hope that all Members of this body will have the integrity to stand up against this most blatant form of political arm-twisting:

**HOW EDUCATORS BUILD SUPPORT IN CONGRESS FOR FATTER SCHOOL AID—THEY DRAFT A BILL, ORGANIZE PRESSURE FROM HOME, GET LAWMAKERS TO FLOOR TO VOTE—VETO WILL POSE CRUCIAL TEST**

(By Norman C. Miller)

WASHINGTON.—At 7:30 a.m. tomorrow, 40 or more persons will gather for a breakfast meeting in the National Education Association building cafeteria here. In this unpretentious setting, they will plot final tactics for an extraordinary campaign to bend the President of the United States to their will.

The men are lobbyists for education groups that are applying intense pressure on Congress to add nearly \$1.3 billion to the budget of the Department of Health, Education and Welfare. Disregarding President Nixon's unqualified promise of a veto, the Senate seems certain to give final Congressional approval, probably today, to a \$19.7 billion appropriations bill containing the extra school-aid money the education lobby demands.

The subsequent veto will provoke a dramatic battle, probably next week when the Democratic-controlled Congress attempts to override the President. Education lobbyists already have opened a high-pressure drive to corral the necessary two-thirds vote.

"The kind of pressure I'm getting from Illinois is absolutely fantastic," says GOP Sen. Charles Percy of that state. "I think I've heard from every school board and school district in the state."

#### WELL-ORGANIZED AND POWERFUL

Still, Sen. Percy says he intends to vote to sustain a veto, because he agrees with the President's argument that inflation is an overwhelming threat. As the Percy intention indicates, the odds favor the White House. But Nixon lieutenants say they have no easy job. "We are facing a superbly organized and very powerful lobbying group," says Bryce Harlow, chief White House lobbyist.

The immediate battle centers on the House because it will act first on the veto. Whatever the outcome, Congress and the Nixon Administration seem headed for continuing combat over the school-aid issue. It is a prime symbol in the increasingly partisan debate about "reordering priorities," with Democrats charging the President with skimping on education while Republicans retort that the need to control inflation is paramount. The pivotal role of education lobbyists and their union allies in this struggle—from its little-noted inception nine months ago to its blossoming as a major national issue—is a classic example of how a well-organized lobby influences legislative policy.

Key education lobbyists have done everything from drafting the controversial money bill to hauling some Congressmen out of their offices and delivering them to the House floor to cast crucial votes for the educators' package.

In the first place, the lobbyists shrewdly concocted a package that added a sort of pork-barrel allure to the general Congressional interest in education. In the basic package, which has since been expanded, the lobbyists tied together \$895 million for several education programs to be added to the Nixon Administration budget request. They thereby dangled a promise of more money for schools in almost every Congressional district even though almost half the total was allotted to one long-entrenched program that even some of the lobbyists admit has doubtful merit—special aid to school districts with large concentrations of Federal employees.

#### FORMING A COALITION

Over 80 education groups and allied organizations, including the AFL-CIO, formed a coalition to push the package through Congress. The cause even brought peaceful cooperation between the oft-warring National Education Association and the American Federation of Teachers. The coalition's success in organizing intense pressure from teachers, school administrators, librarians and college trustees was the key to this campaign.

In the current confrontation, which was signaled just before Christmas when President Nixon announced his veto plan, each group in the coalition urged its state and local units to begin prodding lawmakers while they were home for the recent three-week recess. A memo circulated by August Steinhilber, lobbyist for the National School Board Association, was typical:

"Remind your Congressman the veto-override vote is a record vote which will be circulated in the state. . . . Send out press releases on what Federal cuts will mean in terms of increased local property taxes, the dropping of programs etc. . . . Send me a list of school board members or association staff members who can be wired if there is a need to flood Washington with people in favor of education."

#### PICKING THE TARGETS

Washington will indeed be flooded with school people from around the country to pressure House members before the showdown vote on the veto. They'll descend on the Senate too, if the bill gets through the House.

At tomorrow morning's meeting, the coalition's professional lobbyists will swap reports from the field on what lawmakers have told educators who have contacted them back home. Then they'll decide which Congressmen need further pressure. The 86 Republicans who voted for the bill in December are sure to be targets. Among these are men who have been close to school organizations: John Dellenback of Oregon, William Steiger of Wisconsin, Marvin Esch of Michigan and Albert Quile of Minnesota.

Special effort will be made to import educators from the districts or the states of shaky Congressmen. William Simmons, assistant superintendent of the Detroit school system, is organizing a contingent of big-city educators to come to Washington. The total goal is to bring in at least 435 educators, one for each House member. In anticipation of a House vote next week, the plan is to have the out-of-town group assembled here by Sunday.

Specific assignments will be handed out at a briefing session planned for Sunday night at the Congressional Hotel near the Capitol. The big group will be split into lobbying teams of a half-dozen persons, each including representatives of key parts of the coalition, such as teachers, librarians, college and school administrators. The teams will begin calling on Congressmen Monday.

The professional lobbyists will brief the amateurs on how to make their pitch. One pro's advice, boiled down, goes like this: Stick to facts. Show him the importance of the funds in specific cases back home. Ask for a specific commitment, but don't threaten him. If you get nasty, you'll only make him mad. But impress on him that this is one vote that is going to be remembered back home."

The lobbying teams will give written reports on lawmakers' positions to coalition headquarters in the Congressional Hotel. Ken Young, one of the savvy lobbyists on the AFL-CIO's staff, will analyze the reports, deciding which Congressmen seem firmly committed for or against and which might be won over with further persuasion.

Charles Lee, a specialist in education leg-



isolation who's the coalition committee's only full-time staffer, will supply data aimed at swaying hesitant Congressmen. A lawmaker particularly concerned about higher education, for example, will almost surely hear a Lee-inspired claim that "over 135,000 students won't be able to get loans they need to return to college for the spring semester unless the bill passes." (The message includes an unbudgeted \$40.8 million for student loans.)

## SHOWING UP TO VOTE

Mr. Young will head the effort to make sure that all lawmakers who say they support the bill show up to vote. But since it will be a roll call vote, on a heavily publicized issue, most members doubtless will show up without urging. Thus, Mr. Young doesn't plan to set up an elaborate "whip system" like the one that helped give the education coalition its first major victory in the House last July. (Actually, he will be trying to deter some lawmakers from voting, sounding out sympathetic conservatives who feel they can't vote against the President to see if they can arrange to be absent.)

Then, as frequently happens in the House, the problem for the educators was that the crucial votes were non-roll call votes occurring on short notice in a confusing parliamentary situation. Senior members of the powerful Appropriations Committee strongly opposed the \$895 million package amendment.

To avoid antagonizing powerful committeemen, it's common for House members who ostensibly support a higher appropriation to miss non-roll call votes or even vote the other way. Consequently it's extremely difficult to defeat the committee during the often lightly attended amendment process.

But Mr. Young organized an operation that left Congressmen who had promised to support the educators little excuse to miss important votes. He stationed one or two men in a friendly lawmaker's office on each floor of the three House office buildings. Each agent had a list of the nearby lawmakers who had promised to vote the educators' way.

## PASSING THE WORD

Mr. Young, keeping tabs on House-floor action from a corridor outside the House chamber, had an aide in a nearby telephone booth holding open a line to coalition headquarters. When a vote neared, Mr. Young passed the word to headquarters aids who, in turn phoned the agents in the House office buildings. Then these people dashed into offices to urge the Congressmen to rush to the House chamber to vote.

Arriving on the floor, any of these lawmakers who might have been tempted to vote with the Appropriations Committee, against the education coalition, were quickly discouraged by a glance at the galleries. There the coalition had stationed many of the 300 educators who had come to Washington. Thus, the lawmakers had to line up for "teller" votes, for or against extra school money, under the scrutiny of educators from home.

"We made some eleventh-hour conversions to the cause right there," says Mr. Lee.

By comfortable margins, a series of votes nailed the \$895 million package into the bill in a victory that astonished veteran House members. "Our committee on appropriations has been rolled for more money than I can recall in my 14 years as a member," lamented GOP Rep. Robert Michel of Illinois, a leader of the forces opposed to the package.

After that, it was easy to persuade the more liberal Senate to approve extra school money. Indeed, Senators voted still more increases for education and health. On the final bill, the \$4.2 billion allotment for education went nearly \$1.1 billion above the Nixon budget and health programs got an extra \$200 million.

The education coalition's success to date guarantees that it will continue pressing for higher appropriations no matter what the outcome of the immediate battle. "We look upon this as a long-range project," says Stanley McFarland, a National Education Association lobbyist who's the chairman of the coalition committee.

Few thought the coalition could quickly become powerful when it was organized just last April. It was born out of the dismay of several education groups when the relatively austere education budget proposed by the Johnson Administration was cut by the Nixon team.

## HIRING AN EXECUTIVE SECRETARY

Many lawmakers in both parties also considered the \$3.2 billion Nixon budget too low. But there was little agreement on which programs should be increased. A half-dozen lobbyists for major education organizations, together with Mr. Young of the AFL-CIO, decided it was imperative to unite. They found widespread agreement when they broached the idea to other education groups. The coalition was dubbed the Emergency Campaign for Full Funding of Education Programs.

A key decision was hiring the affable Mr. Lee as executive secretary. A former staffer on the Senate Education subcommittee, "Charlie had worked with everyone without cutting anyone's throat," says one education lobbyist.

Working through friendly lawmakers Mr. Lee got the U.S. Office of Education to supply much of the data supporting the coalition's case for higher appropriations. At the request of Texas Democratic Sen. Ralph Yarborough, for example, the Office of Education compiled figures on certain actual and potential Federal education allotments in each Congressional district.

To emphasize its "nonpartisan" character, the coalition committee enlisted Arthur Flemming, HEW Secretary in the Eisenhower Administration, to testify before the House Appropriations Committee. Officially, the coalition asked for \$4.6 billion for education, almost \$1.4 billion more than the Administration had proposed.

Unofficially, coalition lobbyists were willing to settle for a good deal less. After consulting with key Congressional allies, they reached a political decision to reduce the proposed increase to below \$1 billion. "When you go over \$1 billion you're just asking for trouble," counseled Mr. Young of the AFL-CIO.

The elements of the package were put together with surprisingly little dispute. The biggest share, representing a \$398 million increase over the Nixon budget, was assigned to the program providing aid to school districts "impacted" by high concentrations of Federal employees. Successive Administrations, Democratic and Republican alike, have attacked this program as a boondoggle, but it has irresistible appeal to lawmakers because it provides funds to schools in no less than 355 Congressional districts.

"We beefed up impacted aid for an entirely pragmatic reason," says Mr. Lee. "This is where you can get the votes."

A \$131.5 million increase was allotted to vocational education, which has particularly strong backing among Republican Congressmen. Another \$110.4 million went to various equipment and library programs commanding broad support. Higher education got \$73.8 million for construction and student loans. Finally, \$180.8 million was assigned to the aid program for school districts with large numbers of pupils from poor families.

After the \$895 million package was ready, the lobbyists faced a crisis finding an Appropriations Committee member to manage it on the floor. They had been relying on Democratic Rep. Jeffery Cohelan of California, an Appropriations Committee member who had worked closely with them. But Mr. Cohelan was needed to lead a separate fight on a civil rights issue that had become entangled in the HEW money bill.

Democratic Rep. Charles Joelson of New Jersey was pressed into service, even though his contributions to floor fights had previously been limited to tension-easing quips. A few lobbyists spent all day Sunday briefing Mr. Joelson, and he managed well enough during the three-day tussle over the bill. The fight provided a grand finale to the Congressional career of the New Jerseyan, who retired recently to become a state judge.

The education lobby has paid a price for its success by antagonizing some powerful Congressional figures, including at least one who has a strategic position in all school legislation. Democratic Rep. Edith Green of Oregon, chairman of the House Education subcommittee, has deplored the rise of what she calls an "educational-industrial complex" to pressure Congress.

Mrs. Green charges that corporations and consulting groups with a stake in the school market are the real powers behind the education lobby. "There is an inherent danger if we allow decisions to be made on the educational priorities of this country by the pressures of lobby groups that have a personal financial stake in the outcome," she maintains.

Mr. Lee of the coalition committee strongly denies Mrs. Green's charge. Less than 15% of the \$53,000 the committee received in 1969 came from profit-making publishers or equipment makers, he says.

All the committee's \$75,000 budget for 1970 will come from noncommercial education interests, adds Mr. Steinhilber of the National School Boards Association, who serves as treasurer of the emergency committee. This will cover Mr. Lee's \$100-a-day fee and routine office expenses, he says.

FORM 990-A  
U.S. Treasury Department  
Internal Revenue Service

RETURN OF ORGANIZATION EXEMPT FROM INCOME TAX—1966  
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Section 501(c)(3)  
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Employer Identification No.  
53-0115260

PART II: Part II information required pursuant to Section 6033(b) and other applicable sections of the Internal Revenue Code must be submitted in duplicate as part of your return. This part will be made available to the public.

Line No.  
1. Gross sales or receipts from business activities.  
2. Less: Cost of goods sold or of operations (attach schedule).  
3. Gross profit from business activities.

1962

## EXTENSIONS OF REMARKS

January 29, 1970

FORM 990-A  
U.S. Treasury Department  
Internal Revenue Service

RETURN OF ORGANIZATION EXEMPT FROM INCOME TAX—1966  
or other taxable year beginning June 1, 1966, and ending May 31, 1967

Section 501(c)(3)  
of the Code

- Line No.  
4. Interest.....  
5. Dividends.....  
6. Rents.....  
7. Royalties.....  
8. Gain (or loss) from sale of assets, excluding inventory items (See Instruction 8).  
9. Other income (attach schedule.—Do not include contributions, gifts, grants, etc. (See line 17.))  
10. Total gross income (lines 3 to 9, inclusive) (See schedule 1 attached).  
11. Expenses of earning gross income from column 3, Schedule A.

## DISBURSEMENTS MADE WITHIN THE YEAR OUT OF CURRENT OR ACCUMULATED INCOME FOR PURPOSES FOR WHICH EXEMPT, AND ACCUMULATION OF INCOME

12. Expenses of distributing current or accumulated income from column 4, Schedule A.  
13. Contributions, gifts, grants, scholarships, etc. (See Instruction 13) (see schedule 2 attached).  
14. Accumulation of income within the year (line 10 less the sum of lines 11, 12, and 13).  
15. Aggregate accumulation of income at beginning of the year.....  
16. Aggregate accumulation of income at end of the year.....

## RECEIPTS NOT REPORTED ELSEWHERE

17. Contributions, gifts, grants, etc., received (See Instruction 17).  
18. Less: Expenses of raising and collecting amount on line 17, from column 5, Schedule A.  
19. Net contributions, gifts, grants, etc., received.....

## DISBURSEMENTS MADE OUT OF PRINCIPAL FOR PURPOSES FOR WHICH EXEMPT

20. Expenses of distributing principal from column 6, Schedule A.  
21. Contributions, gifts, grants, scholarships, etc.: (a) Paid out in prior years.....  
(b) Paid out within the year (See Instruction 21).....

## Schedule A—Allocation of Expenses (See Instructions for Attachments Required)

1. Item	2. Total	3. Expenses of earning gross income	4. Expenses of distributing income	5. Expenses of raising and collecting principal	6. Expenses of distributing principal
(a) Compensation of officers, etc.					
(b) Other salaries and wages					
(c) Interest					
(d) Taxes					
(e) Rent					
(f) Depreciation (and depletion)					
(g) Miscellaneous expenses (attach sch.)					
(h) Totals		Enter on line 11	Enter on line 12	Enter on line 18	Enter on line 20

## Schedule B.—BALANCE SHEETS (See instructions)

	Beginning of Year		End of Year	
	Amount	Total	Amount	Total
<b>ASSETS</b>				
1. Cash (See exhibit I, page 23, of attached report of independent auditors)				
2. Accounts receivable (See instructions)				
Less: Reserve for bad debts				
3. Notes receivable (See instructions)				
Less: Reserve for bad debts				
4. Inventories				
5. Investments in governmental obligations				
6. Investments in nongovernmental bonds, etc.				
7. Investments in corporate stocks (See instructions)				
8. Mortgage loans (Number of loans)				
9. Other investments (attach schedule)				
10. Depreciable (and depletable) assets (attach schedule)				
Less: Reserve for depreciation (and depletion)				
11. Land				
12. Other assets (attach schedule)				
13. Total assets				
<b>LIABILITIES AND NET WORTH</b>				
14. Accounts payable (See instructions)				
15. Contributions, gifts, grants, etc., payable				
16. (a) Bonds and notes payable (See instructions)				
(b) Mortgages payable				
17. Other liabilities (attach schedule)				
18. Capital stock: (a) Preferred stock				
(b) Common stock				
19. Membership certificates				
20. Principal or other capital				
21. Reserves (attach schedule)				
22. Accumulated income or earned surplus:				
(a) Attributable to ordinary income				
(b) Attributable to gains from sale of assets				
23. Total liabilities and net worth				

1. Date of current exemption letter October 9, 1934, reaffirmed by letters of April 28, 1938, November 1, 1941, June 5, 1950.  
2. Attach a detailed statement of the nature of your business, charitable, and all other activities. (See attached statement.)  
3. Have you attached the information required by:  
(a) Instruction I? ☒ Yes ☐ No  
(b) Instruction J? ☒ Yes ☐ No  
4. Have you filed a tax return of Form 990-T for this year? ☐ Yes ☒ No  
If "Yes," where filed?  
5. In what year was your organization formed?  
In what State or country? (See attached statement.)

6. If successor to previously existing organization(s), give name(s) and address(es) of the predecessor organization(s) (See attached statement.)  
7. If you have capital stock issued and outstanding state with respect to each class of stock—  
(a) The number of shares outstanding. No capital stock  
(b) The number of shares held by individuals  
(c) The number of shares held by organizations  
(d) The number of shareholders at end of year.  
(e) Whether any dividends may be paid. ☐ Yes ☐ No  
8. If you acquired capital assets out of income, attach itemized list and amount thereof. (See attached statement.)



9. Have any changes not previously reported to the Internal Revenue Service been made in your articles of incorporation of bylaws or other instruments of similar import? ☒ Yes ☐ No  
If "Yes," attach a copy of the amendments.
10. Have you had any sources of income or engaged in any activities not previously reported to the Internal Revenue Service? ☐ Yes ☒ No  
If "Yes," attach detailed statement.
11. Did you hold any real property for rental purposes with respect to which there is an indebtedness incurred in acquiring the property or in making improvements thereto or which was acquired subject to a mortgage or similar lien? ☐ Yes ☒ No  
If "Yes," attach detailed statement.
12. Have you during the year either advocated or opposed (including the publishing or distributing of statements) any legislation, national, State, or local? ☒ Yes ☐ No  
If "Yes," attach a detailed description of such activities and copies of any such statements.
13. Have you during the year participated in, or intervened in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office? ☐ Yes ☒ No  
If "Yes," attach a detailed description of such activities and copies of any such statements.

14. After July 1, 1950, did—  
The creator of your organization, or  
A contributor to your organization, or  
A brother or sister (whole or half blood), spouse, ancestor, or lineal descendant of such creator or contributor, or  
A corporation owned (50 percent or more of voting stock or 50 percent or more of value of all stock) directly or indirectly by such creator or contributor—  
(a) Borrow any part of your income or corpus? ☐ Yes ☒ No  
(b) Receive any compensation for personal services from you? ☐ Yes ☒ No  
(c) Have any part of your services or assets made available to him? ☐ Yes ☒ No  
(d) Purchase any securities or other property from you? ☐ Yes ☒ No  
(e) Sell any securities or other property to you? ☐ Yes ☒ No  
(f) Receive any of your income or corpus in other transactions? ☐ Yes ☒ No  
If answer to any question is "Yes," attach detailed statement unless previously reported. If previously reported, give year(s).
15. Do you hold 5 percent or more of any class of stock in any corporation? ☒ Yes ☐ No  
If "Yes," you must submit the information required by the instructions for Schedule B. ☐ Yes ☐ No

**National Education Association and its operating departments, Washington, D.C.**  
(Schedule No. 1, form 990-A, fiscal year ending May 31, 1967)

INCOME	
Membership dues	\$11,591,782
Life memberships	347,933
Grants, gifts, and contributions (see schedule 3)	3,255,326
Investment income	321,684
Sales of publications	2,252,632
Advertising	671,704
Annual exhibits and conventions	554,149
Other earned income	1,565,641
Sundry	377,346
<b>Total</b>	<b>20,938,197</b>

**National Education Association and its operating departments, Washington, D.C.**  
(Schedule No. 2, Form 990-A, fiscal year ending May 31, 1967)

EXPENSES	
Salaries, including employee benefits	\$7,691,658
Travel, staff, officers, and committees	1,397,300
Printing and distribution of publications	3,902,974
Operation and maintenance of plant	540,342
Promotion and maintenance of membership	401,826
Operating expenses of divisions and other NEA units	956,433
Operating expenses of NEA departments	822,213
Special projects	3,914,913
Conventions and exhibits	707,613
Capital outlay	1,108,781
Miscellaneous	556,960
<b>Total</b>	<b>22,061,013</b>

**NATIONAL EDUCATION ASSOCIATION, WASHINGTON, D.C.**

(Form 990-A, fiscal year ending May 31, 1967—schedule of officers (instruction I) as at May 31, 1967)

**NONCOMPENSATED OFFICERS**

The following persons serve as officers of the National Education Association and most hold full time positions as teachers, superintendents, principals, college presidents, etc., in educational systems throughout the United States. Some are retired educators. They all serve without compensation, but are reimbursed actual travel expenses while traveling on official association business.

Braulio Alonso, Vice-President  
Richard D. Batchelder, Immediate Past President  
Lyman V. Ginger, Treasurer

**EXECUTIVE COMMITTEE**

Irvamae Applegate, Braulio Alonso, Richard D. Batchelder, Lyman V. Ginger, F. L.

Schlagle, Mrs. Helen Bain, Alfred G. Cordova, Mrs. Thelma Davis, George D. Fischer, Mabel M. McKelvey, G. Baker Thompson.

**BOARD OF TRUSTEES**

F. L. Schlagle, Clarice L. Kline, Irvamae Applegate, Lois V. Edinger, W. W. Eshelman, A. C. Flora.

**BOARD OF DIRECTORS**

Irvamae Applegate, Braulio Alonso, Richard D. Batchelder, Lyman V. Ginger, F. L. Schlagle, Mrs. Helen Bain, Alfred G. Cordova, Mrs. Thelma Davis, George D. Fischer, Mabel M. McKelvey, G. Baker Thompson, Frank Newell;

S. J. Whisenhunt, Mrs. Doris Ray, Maria L. Urquides, Mrs. Maxine L. Chapman, Wilbert Bolliger, Donald Morrison, Jesse D. Moses, George O. Staley, Mrs. Freda K. Walker, Thomas H. Pickens, Mrs. Bernice C. Nijadlik, George E. Glynn, Jr.;

Helen E. Samuel, H. Phil Constans, Jr., Mrs. Edna Tait, Charles L. Butler, Zach Henderson, Hubert V. Everly, Ezra H. Moore, Florence A. Cook, E. H. Mellon, Clifford H. Sweat, Herschel C. Heritage, Donald Tillet, James A. Harris;

Mrs. Bernice L. Reida, Helen Case, Theodore R. Palmquist, Virginia H. Murrell, T. K. Stone, N. B. Hackett, Mrs. Grace Dodge, Thomas G. Bush, Elmer T. Hawkins, Joseph A. Letorney, Nelson L. Kreuze, Mrs. Lucile P. MacArthur, L. E. Mortensen;

C. E. Hayman, Mrs. Mildred Leaver, Julia B. Schmidt, Gladys V. Johnson, Howard F. Schroeder, Mrs. Marian R. Conrad, James M. Lynch, Jr., Kathryn E. Stillwell, William B. O'Donnell, Mrs. Catharine O'C. Barrett, James A. Cullen, Bert Ishee;

John Harding Lucas, Mrs. Anna L. Neese, Philip Rognlie, Jennie Leone Davis, Dickinson T. Guiler, Donald D. McIlroy, Garland Godfrey, Mrs. Lucy Ellen Wessling, A. Clair Moser, Henry J. Stoudt, G. Baker Thompson, James P. Walker;

Jose Joaquin Rivera, Mary A. Shea, Gladys Robinson, Mrs. Ellen Lee, Donald G. Sahli, Roy W. Wallace, Mrs. Louise Emmett, James T. Ogg, Mrs. Grace M. Scott, Moroni L. Jensen, Mrs. Mary B. Naylor, John B. Madden, Joseph B. Van Pelt;

Gerald L. Saling, John Terrey, John F. Montgomery, David E. Schulz, David G. Gates, Charl O. Williams.

**COMPENSATED OFFICERS**

Irvamae Applegate—on leave from St. Cloud State College, St. Cloud, Minnesota, to serve as NEA President for one year. Compensation at rate equal to her salary at St. Cloud State College was provided by the NEA.

William G. Carr—full time Executive Secretary, \$50,000 annual compensation plus reimbursement of actual travel expenses when traveling on official business for the association.

Lyle W. Ashby—full time Deputy Executive Secretary, \$29,250 annual compensation plus reimbursement of actual travel expenses

when traveling on official business for the association.

**National Education Association and its operating departments, Washington, D.C.**  
(Form 990-A, fiscal year ending May 31, 1967)

**MARKET VALUE OF ASSETS—INSTRUCTION J**

(a) Securities traded in over-the-counter market or on a stock exchange (approximate)	\$4,633,236
(b) Other assets (estimated)	17,381,868
(c) Total of (a) and (b)	22,015,104

**NATIONAL EDUCATION ASSOCIATION AND ITS OPERATING DEPARTMENT, WASHINGTON, D.C.**  
(Form 990-A, fiscal year ending May 31, 1967)

**QUESTION NO. 2**

All activities carried on are intended only to serve the purpose for which the Association was chartered by the Congress of the United States, that is, to promote and advance the cause of education and the effectiveness of education in the schools, including the elevating of the character and standards of the teaching profession and the improvement of teaching in the schools.

Research findings and studies of its divisions, departments, committees, commissions, etc., are used widely by teachers and school administrators in improving instruction and are made freely available to (usually on request), and are used by, city and state boards of education, city councils, state legislators, federal officers, members of Congress and their committees, the press and the public in connection with legislation relating to education improvement and economic programs to assure meeting the increasing need for qualified teachers.

**NATIONAL EDUCATION ASSOCIATION AND ITS OPERATING DEPARTMENT, WASHINGTON, D.C.**  
(Form 990-A, fiscal year ending May 31, 1967)

**QUESTIONS NOS. 5 AND 6**

Organized in 1857, but first incorporated in 1886 under the general corporation laws of the District of Columbia; present corporation (declared to be a District of Columbia corporation) created by Act of Congress approved 1906, ratified by organization in 1907.

**NATIONAL EDUCATION ASSOCIATION AND ITS OPERATING DEPARTMENTS, WASHINGTON, D.C.**  
(Form 990-A, fiscal year ending May 31, 1967)

**QUESTION NO. 8**

The following capital assets were acquired from income of life membership payments:

Land	\$112
Building	1,108,669
<b>Total</b>	<b>1,108,781</b>

NATIONAL EDUCATION ASSOCIATION AND ITS  
OPERATING DEPARTMENTS, WASHINGTON,  
D.C.

(Form 990-A, fiscal year ending May 31, 1967)

QUESTION NO. 12

The National Education Association speaks for more than one million professional educators and is interested in all federal legislation which may affect public education directly or indirectly.

Newsletters, pamphlets, and other printed materials are sent regularly to local and state leaders of the Association and a select group of individuals representing allied interests. These materials explain the position of NEA on federal legislative proposals and enactments. In addition, an educational index of the Congressional Record is compiled daily for internal staff use and for the use of NEA officers and other educational organizations requesting it.

From time to time, as circumstances indicate, a one-page newsletter, the Flash, is sent to approximately 1300 persons within the Association or other related organizations to report current developments and to suggest ways by which these individuals may express their opinions on the matter at hand.

The Association's legislative program derived from goals promulgated annually by its Representative Assembly is conveyed to the Congress and to the federal agencies. This was accomplished this year by the distribution of the Association's pamphlet entitled, 1966-67 Federal Legislative Policy (copy attached). Any statements made to the Congress during the year in opposition to or in favor of specific legislation were made at the request of members of Congress. The NEA professional staff consults with members of Congress, the committees and their staffs, at their requests, to present the Association's views of pending legislation and offer information on issues of concern to the teaching profession.

From time to time, the Association is asked to present testimony at hearings on pending legislation. In response to such requests, members of the headquarters staff and NEA members who are specialists in certain fields often file statements or present oral testimony before House and Senate Committees.

NATIONAL EDUCATION ASSOCIATION AND ITS  
OPERATING DEPARTMENTS, WASHINGTON, D.C.

(Form 990-A, Fiscal Year Ending  
May 31, 1967)

QUESTION NO. 15

(Information required by instructions for  
Schedule B(1))

- (a) Educators Fund Management Corporation common capital stock (voting).
- (b) 500 shares owned at beginning and at end of year.
- (c) 2,665 shares outstanding.
- (d) \$50,000.
- (e) Fair market value estimated at between \$25,000 and \$50,000.
- (f) 150 shares in July, 1965; 100 shares in August, 1965; 150 shares in October, 1965; and 100 shares in December, 1965.
- (g) Purchased for cash.
- (h) No dividends received.

INSTRUCTIONS TO PARTICIPANTS IN "OPERATION  
OVERRIDE," WASHINGTON, D.C.

Educators, school board members, librarians, parents, taxpayers and businessmen and all others concerned with the future of American education are encouraged to come to Washington for the fight to override President Nixon's anticipated veto of H.R. 13111, the HEW-Labor appropriations bill for 1970. The presence of substantial numbers of concerned individuals in Washington during the veto fight is critically important.

*When to come.*—Plan to arrive in Wash-

ington on Sunday, January 25 and to stay through January 30, if necessary.

*What to do upon arrival.*—After checking in to your hotel, go to the offices of the Emergency Committee for Full Funding of Education Programs in Suite 302 of the Congressional Hotel, New Jersey Avenue and O Streets, S.E., Washington (Telephone 202/547-8383). There you should register, and receive instructions about the briefing scheduling and other matters. If possible, try to check in at the Emergency Committee office by 4:30 P.M., Sunday, January 25.

*Hotel reservations.*—The Congressional Hotel is sold out beginning January 25. Other Washington hotels generally have space available during the period. The other two hotels which are located closest to the House of Representatives are the Skyline Inn, 10 I Street, S.W., Washington, D.C., Telephone 202/547-7500 and the Capitol Hill Hotel, 301 First Street, N.E., Washington, D.C., Telephone—202/543-3140.

*Daily briefings.*—Briefings will be held twice a day, beginning at 5:30 P.M., Sunday, January 25. A complete schedule of the briefings, with times and locations, will be provided to you when you check in at the Emergency Committee office on arrival. Be sure to attend each of these briefings; only in this way can you be fully informed and in position to participate effectively.

*State-by-state meetings.*—State-by-state meetings of persons present in Washington from the various states will be held throughout the day on Monday, January 26. At these meetings, the positions of individual members of the state delegations will be reviewed and additional contacts and activities agreed upon. A schedule of these meetings will be provided to each participant upon arrival.

*Payment of expenses.*—This entire operation is on a "dutch treat" basis. Neither the Emergency Committee or its constituent organizations are in position to pay the expenses of participants.

*Instructions for contacting members of Congress.*—On your way to Washington, please review the instructions for contacting members. These instructions appear on the reverse side of this sheet.

CONGRESSIONAL CONTACT PROCEDURE

1. To locate a Member's office, ask the guard inside the door of any of the three House office buildings.
- 3-digit room numbers are in the Cannon Building;
- 4-digit numbers beginning with 1 are in the Longworth Building;
- 4-digit numbers beginning with 2 are in the Rayburn Building.
2. It is a good idea to telephone for an appointment before you go to the Congressional office. Call Capitol 4-3121 and ask for the Member's office.
3. You should make it clear that you want to see the Member himself and that you are entirely willing to wait, to come back, or to go to see him on the House floor, if necessary.
4. In your interview with the Member, be sure to express appreciation for his support of education legislation in the past.
5. Then tell him that you are concerned about the President's impending veto of H.R. 13111, the Labor-HEW appropriations bill. Ask him to vote to override the President's veto.
6. Give him any special local reasons why he should vote to override—shortages of school funds, etc. This is important.
7. Ask him for a commitment as to how he will vote. Try to avoid accepting noncommittal wording such as a promise to "consider the matter"; tell him that you need to know what he will do.
8. If he is unable to make a favorable commitment in the first visit, ask him if there is any information you can obtain for him and tell him you would like to come

back and discuss the matter with him again prior to the vote.

9. If he is unable to make a favorable commitment, ask if he will commit himself to be absent during this vote.

10. Tell him that you plan to be in the gallery throughout the debate and the voting on the veto override.

11. Thank him for taking the time in his busy schedule to see you and (if the visit has been favorable) tell him that you and your associates will do everything you can to assist him locally.

12. Fill out a Congressional Contact Report and turn it in at the office of the Emergency Committee, Suite 302 in the Congressional Hotel. This is very important.

PUBLIC SCHOOLS DESTROYED BY  
DEMAGOGS—CHILDREN ENDAN-  
GERED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. RARICK. Mr. Speaker, the tragedy of public education sacrificed to the power lusts of the demagogues continues.

From every part of the country where the schools have been taken away from the teachers and educators to become the toys of the leftists and the ploys of the rabble rousers, the story is the same. Where the parents and the local responsible citizens have lost control of their schools, public education has been destroyed.

Not only is it impossible to teach under such circumstances, but the children forced to attend—and the teachers—are subjected to very real and very unnecessary dangers. They are physically endangered, mentally harmed, and exposed to grave moral risks. The spiritual hazard of prayer has been eliminated.

The heartless and insane argument that it may be necessary to "sacrifice" a generation of decent, normal children in order to bring about the hashish dream of total equality of unequals has run out of time. No parent worth his salt will permit his children to be victims of such an idiotic experiment—and fewer and fewer of our qualified teachers and educators remain connected with public schools.

Members who represent districts in which these tragedies have not occurred should learn from the experience of the District of Columbia—and understand why it is that the people of my district do not intend to surrender their children to leftist planned, HEW programed, judicially enforced tyranny.

I include pertinent newscippings from Chicago, New York, and Washington, relating to the results of sociological race mixing in my remarks:

[From the Chicago Tribune, Jan. 21, 1970]  
PRINCIPAL OF CRANE TELLS OF DEATH THREATS,  
SCHOOL'S PROBLEMS

(By Casey Banas)

James P. Maloney, principal of the troubled Crane High school, said yesterday that his life has been threatened, but added he rejected protection offered by police.

Maloney said he did not accept protection because he felt the threats were the same



as unfounded "bomb threats." He appeared at a press conference, making his first public statements on the school's problems since leaving Crane two weeks after an attempt was made to carry him out of the building.

#### ASKS FOR TRANSFER

This was the incident that led Maloney to ask for a transfer to another school. Although technically the principal of Crane, he has been working in the board of examiners office and is expected to be assigned shortly to another school.

Maloney spoke out against critics of the Crane faculty.

"You have to be the best to survive in a school in which students are reluctant to attend and to learn," he said. "Some of the best teachers are in the inner city."

Maloney said that a constant problem was the easy access into the school by persons who are not students.

"Crane is a vast building with 36 doors," he explained. "Anyone could open the doors from the inside to let people in, and they did."

#### LACKS COMMUNICATIONS

Another problem, Maloney said, has been the lack of a communications system to contact the entire faculty and student body. In emergencies, student runners were sent from room to room with messages.

Julien D. Drayton, an area associate superintendent, said 10 security guards will be on duty thruout the school day and Crane will receive a public address system. He added that an intercom system donated by Illinois Bell Telephone company will be installed shortly.

Maloney said Crane's problems stem from a changing social climate over the last 10 years. But the current wave of turmoil started last October after John and Michael Soto, two former Crane students, were killed in clashes with the police.

#### REJECTS MEMORIAL ASSEMBLY

After the first Soto brother was killed, Maloney said, he rejected a request for a memorial assembly. He said he decided against the assembly because Soto died in "an altercation with the police" and because "sufficient recognition" was given to his death.

Maloney said that he went to the funeral home to console the family, and that any students who wanted to attend the funeral were given permission to do so.

Two weeks ago, a community meeting was called to discuss the school's problems.

"An individual asked that I resign," Maloney said. "I said I had no intention of resigning."

#### PICK UP HIS CHAIR

Maloney said three persons surrounded him, asking him to leave the stage. They lifted the chair in which he was sitting, but Maloney fell, injuring his back on the chair. "I then felt the meeting had ended," he said.

In his eight years as principal of three inner city schools, Maloney has been beaten twice.

#### CONFLICT AT HARRISON

In another school conflict, teachers at Harrison High school pleaded for help yesterday to end the turmoil in their building.

"No student, white or black, is safe from the predatory efforts of the gangs that prowl in and about the building," the teachers say. "No teachers can conduct a meaningful class while the present conditions exist."

In their statement, they said student gangs and intruders roam corridors at will, students defy all authority and refuse to attend class, and continual physical assaults cause an alarming dropout rate.

"All efforts by administration and faculty have proved fruitless," the statement said. "We need help! Words cannot describe the tension and terror that exist."

[From the Washington Evening Star, Jan. 29, 1970]

#### SCHOOLS IN NEW YORK GET BABY-DELIVERY DIRECTIONS

NEW YORK—Emergency instructions on how to deliver a baby in school have been sent to all city public school principals by the Department of Health.

The instructions said each school should have "an appropriate room with a high table or bench" and two persons trained in delivery procedures to help until a doctor reaches the school.

The new procedures, made public yesterday, apparently were a response to the Board of Education's action last fall to encourage pregnant students to remain in school instead of dismissing them.

There were 2,487 reported pregnancies last year among unmarried girls in 7th through 12th grades in city schools.

Dr. Olive E. Pitkin, director of the Health Department's bureau of school health, said he knew of only two cases in the last 15 years in which a girl gave birth in school.

[From the Washington Post, Jan. 29, 1970]

#### SHAKEDOWNS INTIMIDATE D.C. STUDENTS (By Carl Bernstein)

On Tuesday, police arrested a 12-year-old student at Simon Elementary School in Southeast Washington and accused him of robbing a classmate, Ernest Powell, 11, of a quarter.

The suspect was charged with a crime called "robbery fear"—meaning that fear was the weapon used in the alleged robbery.

Robbery-fear, which a layman might call extortion, is an accepted fact of public education in and around many of Washington's schools, according to police, students and school officials.

The problem has become so acute in at least one school—Shaw Junior High—that some students stay home out of fear, according to the principal.

"Essentially these incidents are shakedowns," says Officer James Gainer of the Washington police youth division.

"It's a continuous problem at all levels in the schools. The only thing unusual about the Simon case is that there was an arrest. Usually, the kids are too scared to complain about it."

Ernest told police he became frightened Tuesday when he saw a schoolmate walking toward him on the Simon playground at Mississippi Avenue and 4th Street SE.

The same boy had taken money from him before, after threatening to beat him, Ernest reported. Ernest also was beaten and robbed several weeks ago by three boys as he walked home from school, according to his grandmother.

So, on Tuesday, he handed his 25-cent daily allowance to a friend when he saw the same schoolmate walking toward him.

The student later charged with robbery then approached both boys and demanded the quarter he had seen Ernest pass to his friend, assistant principal Gloria S. Ingram said.

Kenneth Mathis, Ernest's 12-year-old companion, wasn't about to argue: In December, another student had taken \$1.50 from him after threatening to beat him, his mother said yesterday.

"A quarter just isn't worth getting messed up over," she observed.

Police report that Anacostia—where Simon Elementary is located—has been particularly hard-hit by student shakedowns, although there seem to be few schools in the District unaffected by the problem.

"There's even a bridge near here that the children call the toll bridge," Principal James Carter of Hart Junior High School said yesterday. The school is located at 601 Mississippi Avenue SE.

The bridge, which crosses Oxon Run near Valley Avenue, takes its name from older students who "shake down smaller children before they let them go across," Carter said.

The Hart principal, who recently testified before Congress on safety problems in District schools, said shakedowns have become less frequent since increased police protection was ordered for schools in Anacostia two months ago.

"I'm sure it's still going on though," he added. "And it's going to get worse when the weather gets warmer."

According to police, most student shakedowns are committed either by older or bigger students or groups of three or four who will pick on a lone student.

"We could do something about it," says Officer Gainer of the youth division, "but the victims are afraid to complain. They know that kids have been beaten up for talking."

Even when students complain to school officials, Gainer says, a shakedown rarely results in an arrest.

"When it comes time for a confrontation, the kid who has done it says, 'I didn't take anything; I asked for a loan.' And then the one who got robbed gets scared and says maybe it was a loan after all."

Conversations with principals, students and teachers at a dozen schools in all areas of the city yesterday resulted in assertions that students at all 12 schools have been experiencing shakedowns.

In addition to Simon, the schools checked were Carver (in Northeast), Congress Heights (SE) and Langston (NW) elementaries; Alice Deal (NW), Hart (SE), Shaw (NW), Stuart (NE) and Randall (SW) junior highs; and Western (NW), Eastern (NE), and Bal-lou (SE) high schools.

"We need everybody on duty in the halls all day because of the problem," said Principal Percy Ellis of Shaw Junior High at 7th Street and Rhode Island Avenue NW.

"At lunch time it's terrible . . . We have at least one (shakedown) reported every day but there are a lot more than that going on. Some of the girls do it, too."

"We've had complaints where students wouldn't come to school. The mother would go to work and then the student would slip back home because he was afraid he'd lose his money or get beaten up," Ellis said.

At Alice Deal Junior High in Upper Northwest, a teacher reported that lunch-time shakedowns are becoming more frequent.

"Sometimes if a student won't turn over money he'll get his lunch tray snatched," the teacher said.

At Western High in Georgetown, students who take buses to school from the inner city say they have been shaken down by schoolmates who ride with them.

"It goes on all the time," said a sixth grader at Congress Heights Elementary School, 5th Street and Nichols Avenue SE. "There's nothin' you can do about it if there's a bunch of them or if somebody's bigger than you are . . . If you report it to the principal, they'll beat you up."

Leroy Dillard, a former principal who now is assistant to Acting School Supt. Benjamin Henley, says shakedowns "are nothing new . . . but like everything else they've taken a turn for the worse."

"Many people have considered them a minor problem before," Dillard says, "but they're a frightening and traumatic thing for many of our children . . ."

"I really believe it's a way of life for some of these kids. It's survival of the fittest; it's a reflection of our whole community. They know they're wrong, yet it is part of their living."

The shakedown will stop, Dillard believes, "only when we get people aroused to the point where they want to make their communities, neighborhoods and schools safe."

## UKRAINIAN INDEPENDENCE DAY

## HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 27, 1970

Mr. ROBISON. Mr. Speaker, recently, in his state of the Union message, President Nixon called upon the American people to direct their attention to our internal difficulties, such as air and water pollution and increasing crime. We are indeed faced with serious internal problems which we must all strive to overcome. However, today it seems appropriate that we remind ourselves that at least one battle we have already won, a battle which others must still fight. I refer to the battle for freedom.

Today, in the "land of the free" and throughout the world, Ukrainian Independence Day is being marked. A little more than 52 years ago, the independence of the Ukrainian National Republic was proclaimed. After 4 following years of war with Soviet Russia, the Republic ceased to exist, subdued to a puppet regime. Though defeated, the Ukrainian people continued an underground struggle for their freedom. The evidence available through Western observers shows that these people have been cruelly exploited, their resources utilized solely for the purposes of Moscow, their efforts to increase their freedom repulsed. But it also shows that despite constant intimidation, the Ukrainian people have not given up their hopes of eventually being free, that they still yearn to escape the yoke of Soviet Russia's domination.

Today, I wish to join with those who are participating in Ukrainian Independence Day in applauding the courage and will of the Ukrainian people, and in joining with their hope for eventual freedom. We who are free would do well to always keep in mind that there are brave men of other lands who must still struggle to achieve the freedoms we in our fortunate Nation have come to take for granted.

One of my constituents in a recent letter to the Binghamton, N.Y., Press recalls in eloquent terms the hard and proud struggle which this day commemorates. His letter follows:

To the Editor:

In observance of the "Ukrainian Independence Day" of Jan. 22, it is only fitting to reflect on the struggle of the Ukrainian people to regain their freedom and independence.

The Russians claim to have invented just about everything. According to them, Marconi and Edison made their inventions years after the Russians showed them how.

The Russians are masters of deceit and treachery. In 1713, Peter the Great, by official decree, changed their original name of Muscovites to Russians in order to claim the early history of Ukrainian people who used the name Russ.

The Muscovites began to call themselves the Great Russians and called the Ukrainians "Little Russians."

The Western World was naive to accept the Muscovites as Great Russians despite the fact that Ukrainians had developed a high level of civilization and culture before Moscow was even built.

In the Czarist Russian Empire, the word Ukrainian was thrown out of the dictionary.

The Ukrainians were the first to find out what it is like to coexist with the Russians. In 1654, the Ukrainian Hetman Bohdan Hmelnytsky concluded a military alliance with Tsar Alexis.

The Russian tsar used this treaty to move his troops into Ukraine, not for military action against Ukraine's enemies, but in order to gain control of the Ukrainian people and turn Ukraine into a colony.

The Ukrainian people tried in many instances to break away from under the Russian rule, but with no success until 1917 when the Russian empire was crumbling.

On Jan. 22, 1918, the independence of Ukraine was proclaimed in Kiev, the capital of Ukraine. The young Ukrainian democratic republic was immediately recognized by a number of foreign governments including that of Soviet Russia under Lenin.

Only several days later, Lenin ordered the Red Russian army to invade Ukraine. The Russian empire was once again being restored except this time with a fresh coat of red paint.

By 1920, Ukraine could no longer oppose the superior forces of Communist Russia, and in 1923 became a part of the Soviet Union.

The freedom-loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the reestablishment of their independence by all means at their disposal.

On this memorable occasion, let us tell the captive people of Ukraine that they are not forgotten. The aspirations they had in 1918 are still their goal.

Millions of Americans are conscious of their tragic plight. Let us earnestly pray that it will soon be relieved.

JOHN NAHORNYJ.

## THE INVISIBLY HANDICAPPED

## HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PUCINSKI. Mr. Speaker, in view of our failure to override the President's veto of the HEW-Labor appropriations bill yesterday, I wish to underscore the very critical needs of the education community at all levels. We must enact legislation that will meet those needs. At the present time, one of the unmet needs concerns children with learning disabilities who, with proper teaching techniques and programs, can be taught to learn in a classroom environment.

The Education and Labor Committee approved legislation which was written by my subcommittee earlier this year to include these learning disabled children under aid to handicapped children. This measure is deserving of renewed attention.

Following is a speech that I delivered on this subject in Chicago at the Illinois Council for Children With Learning Disabilities Award Dinner, in the Sheraton-Chicago Hotel, on January 24, 1970:

## THE INVISIBLY HANDICAPPED

Ladies and gentlemen, it is always a pleasure to meet with you, but today I am particularly proud and happy to be here. 1969 has been a banner year for advancing opportunities to help the child with learning disabilities. Thanks to the combined efforts of parents, educators and politicians throughout the land, specific learning disabilities have finally been accorded formal recognition

as a condition requiring urgent action at the national level.

On October 6, 1969, H.R. 13310, the Children with Specific Learning Disabilities Act of 1969, passed the House of Representatives by a vote of 350 to 0. The rare dispatch and unanimity of purpose which has characterized the congressional response to this bill, serves as a sure indication that we are dealing with an idea whose time has come. The bill, which I introduced in March of last year, was welcomed enthusiastically by the majority of those who testified in the hearings held by my Subcommittee in July. The full Committee on Education and Labor reported H.R. 13310 to the House on September 11 and it was passed unanimously less than a month later. The bill is now in the hands of the Senate and it is my understanding that its provisions have been incorporated in the Elementary and Secondary Education Amendments. The Senate will soon be voting on these amendments and I am confident that our fight to authorize aid for children with specific learning disabilities will soon be won.

For those of you who are not familiar with the provisions of the proposed Act, I should like to summarize it briefly. A new three-year program for children with specific learning disabilities has been added to Title VI of the Elementary and Secondary Education Act. The program will authorize Federal aid in the following areas, as they relate to children with specific learning disabilities:

Research, including surveys and demonstrations;

Training for teachers and other educational personnel;

Establishing and operating model centers which will provide testing and educational evaluation services, develop and conduct model programs, and assist other institutions in making such model programs available.

Special consideration will be given to applicants proposing creative new ways to educate the child with specific learning disabilities, and to those emphasizing the prevention and early identification of this handicap. \$6 million is authorized for fiscal 1971, \$12 million for fiscal 1972 and \$18 million for fiscal 1973.

Children with specific learning disabilities are defined as those with a disorder in one or more of the basic psychological processes involved in understanding or using spoken or written language. Such a disorder may result in an imperfect ability to listen, think, speak, write, spell, or calculate. Learning problems caused by visual, hearing, or motor handicaps, mental retardation, emotional disturbance, or environmental disadvantage are not included.

The addition of this definition of Title VI of ESEA makes clear the intent of Congress: children with learning disabilities are to be specifically included in the State grant program, which allotted more than \$680,000 to Illinois alone in 1968; children with learning disabilities will be a specific concern of the regional resource centers authorized under the Act; teachers for children with learning disabilities are to be actively recruited and information about these programs disseminated.

Under existing legislation, these programs were theoretically available to the child with a learning disability, but a glance at the statistics reveals the extent to which their needs were ignored. The category of aid known as "crippled and other health impaired children," in which the child with learning disabilities has been included, received only 8% of all funds available to the handicapped in fiscal 1968 under Titles I and VI of ESEA. In Illinois this meant that only 486 children in this category were served—in a State where over 69,000 children are conservatively estimated to be suffering from learning disabilities.



The Illinois State Department of Public Instruction has assessed the return on its investment in special education as ten to one for every dollar spent. I think it is safe to assume that the personal dividends for those participating are even greater. Therefore, I contend that we cannot afford to economize on the education of the handicapped—particularly when dealing with learning disabilities which prevent so many of our most potentially productive citizens from realizing their full promise.

Specific provision for children with learning disabilities will not be limited to Title VI of ESEA alone. Under the proposed legislation State agencies which are directly responsible for the education of handicapped children may receive funds under Title I of ESEA for children with such disorders. The various laws relating to the training of teachers of the handicapped will be amended to include the educational personnel so badly needed in the field. The Vocational Education Act and the Handicapped Children's Early Education Assistance Act will also include special reference to learning disabilities.

The picture from Capitol Hill is an encouraging one, particularly when we reflect that in 1957, the first year in which parents began to organize on a Statewide basis, there were so few people who were aware of the existence of implications of the 1 to 3% of our school children afflicted by various learning disorders. The passage of broad Federal legislation for the handicapped in the past decade has helped create an atmosphere conducive to better understanding of the plight of those whose suffering is less visible but no less intense.

Recognition of specific learning disabilities is but a beginning, however. Despite nearly unanimous agreement on the effects of such disorders, there is little accord concerning cause and cure. A recent text on the subject concludes a summary of research with this statement: "If there is one word that characterizes the research that bears on learning disabilities, it is 'inconclusive.'" The complexity of the problems involved have baffled many of our finest minds. On the basis of existing studies no one approach can be acclaimed as a complete success nor dismissed as a total failure.

Our inability to grasp the essential nature of learning disorders is not necessarily a drawback, however. The subtle network of perceptual handicaps and complex symptoms which indicate a specific learning disability is forcing educators to place more emphasis on the unique needs of the individual child. Scientists are expanding their methods of research and treatment to include information and techniques from other disciplines. Many professionals in the field of special education consider this new approach to be a portent of change for all exceptional children. An interdisciplinary approach focused on the individual needs of the handicapped child may well prove to be the most effective means of overcoming a variety of disabilities. Dr. Sam Clements of the National Easter Seal Society testified on this subject before my Subcommittee, commenting:

"Children with learning disabilities have served as no other group to emphasize the fact that exceptional children, in the general sense, are a social issue, and hence, become the concern and responsibility of everyone. Their difficulties and their amelioration cannot be in the singular custody of a particular profession... The child with learning disabilities has succeeded where all other exceptional children before him have failed, in that he has acted as a catalyst in bringing together such groups as parents, educators, child psychiatrists, pediatricians, pediatric neurologists, child psychologists, optometrists, language pathologists, social workers, occupational therapists, physical therapists,

child development specialists, nurses and others, all willing to work as a team in helping to solve the many puzzling problems. The multidisciplinary approach to diagnosis and treatment has reached a new level of inclusion and efficiency with children with learning disabilities, and a much better job is being done for them and their parents."

The positive effects of multidisciplinary action can only be as great as the number of trained professionals in the field. If research findings and diagnostic and treatment procedures are to be translated into effective classroom practice, we must have teachers who have been specially trained in these techniques. Unfortunately such teachers are in short supply.

As of 1968, there were only 20 colleges offering courses on the education of the learning disabled child. Robert Russell, representing the Association for Children with Learning Disabilities, has estimated that we need a minimum of between 44,000 and 66,000 teachers in the area of specific learning disabilities. The growth of professional opportunities in this field has been rapid during the past five years or so. However, when one stops to consider that of 125 colleges and universities in Illinois, only 8 offer programs in learning disabilities, it becomes apparent that we have far to go.

Our State is one of the acknowledged pioneers in the field. The teacher training program at Northwestern University, the formation of this Council in 1957, Article 14 of the Illinois School Code making educational programs for the handicapped mandatory as of last July—all serve as landmarks in the struggle to maximize the potential of each handicapped child. And yet we must also look at facts such as those presented by your Council's representative, Mr. Gartner, to my Subcommittee last July:

"The latest available figures show that in the entire state, there were 283 learning disabilities programs which serviced 2,711 youngsters. As stated earlier, over 69,000 of the Illinois school population are estimated to have learning disabilities. Of this number, the state has set the number of children who are so severely handicapped that they must have a special self-contained classroom at 1% or 23,000. Our programs don't even begin to cover just the most severely handicapped, not even considering the remaining 46,000 youngsters who could be remediated with only part of their school day spent in a resource classroom or with an itinerant teacher."

School programs at the national level were characterized by a survey published in 1968 as being "widely divergent and seemingly inadequate." Of the 49 States responding, only 13 States had classes for children with learning disabilities representing about 600 programs in all with approximately 10,000 children enrolled. While all the States agreed to the need for special programs, only 19 of the States not having programs reported the existence of enabling legislation at the State level.

It is my belief that the model centers proposed in the Children with Specific Learning Disabilities Act will not only serve to upgrade current school programs and extend the resources available to improve teacher education, but it will also prove to be a major stimulus to the creation of new programs at both the State and local level.

At this point I wish to emphasize that none of the progress which has characterized this decade could have occurred without your help. The survey which I have mentioned found that: "Public awareness of the needs of this group was emphasized by contributors to the survey as the most important potential influence in the development of programs, and parental pressure in particular is recognized as a major influence on legislation." In more than half of the States reporting programs, parental pressure was

cited as the basic impetus for the program's implementation.

I wish to stress, however, that there is still much to be done. The pending Federal legislation which I have described is a dramatic breakthrough, but once it is passed we must exert every effort to insure that it is fully funded in 1971. Pressure at the State and local level can help to expand the number of programs available to the child with learning disabilities. Cooperative efforts with counterpart groups in other States can provide an interchange of ideas and experiences which can be of mutual benefit to all. States just entering the field of learning disabilities can profit greatly from your vast experience in the field. The role of the Illinois Council for Children with Learning Disabilities has been a major one; your past accomplishments, however, are but a measure of the potential influence you can exert now that your cause is beginning to receive its due.

Henry David Thoreau once wrote of the mass of men who "lead lives of quiet desperation." Children with learning disabilities and their parents have personally known the pain of this observation for generations. For truly the lives of the invisibly handicapped have been characterized by a desperate search for help and understanding. As those dark ages come to an end, let us greet the dawn of a new day, resolved to renew and strengthen our efforts to insure each child the right to learn and develop his potential to the full.

#### WASHINGTON POST PROPOSES REGISTRATION FOR CITIZENS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. RARICK. Mr. Speaker, a current editorial of the leftwing Washington Post is a typical example of the fuzzy thinking of the intellectual boneheads responsible for the current state of our great Nation.

It seems that the welfare recipients in the District of Columbia are having trouble cashing their checks—some of the liquor stores charge as much as 50 cents, an obvious discrimination. Even the banks will not cash checks unless the identification of the person presenting a check is suitable.

So, reasons the Post, we must encourage the "poor" to open their own checking accounts and then we must give them suitable identification cards. But if the card identified them as welfare recipients, it might hurt their sensitivities—or cramp their style—so the bright social planner suggests that everyone else carry personal identification cards issued by the District of Columbia.

At the moment in the District we are having a "tattle on your neighbor" program, since the assinine law for the registration of firearms has not produced sufficient registrations. A much advertised telephone number is available to call and anonymously set, not only the District police, but the Treasury Department firearms agents on anyone at whom you are irked.

And in the heart of this drive, we observe two brutal knife murders of a

schoolgirl and a schoolteacher—from unregistered knives, no doubt.

I include the editorial in my remarks:

[From the Washington Post, Jan. 29, 1970]

#### THE POOR CARRY CASH

It is unarguable that crime thrives on the availability of ready cash. Yet, the very rich often make poor holdup targets because they rarely carry large sums of money with them. They tend to use checks, credit cards and charge accounts to pay their way. Conversely, the very poor are likely to carry large sums of money around at certain times—on payday or once a month when welfare checks are issued. Thus, because they function in a cash economy outside the milieu where checks and credit cards and charge accounts are primary mediums of exchange, the poor make attractive robbery targets. And, in the process, so do the more affluent who must supply the cash—the paymaster on a construction job, the housewife to pay the domestic worker, the stores in the inner city that customarily cash welfare checks for the poor.

An atmosphere must be created, not only to encourage poor persons to use checks as a means of reducing the amount of ready cash they carry, but to accept checks as well in payment for personal services. Admittedly, the reluctance to accept checks is not merely a matter of their inconvenience. For some persons, there is a tax avoidance element, although this is less of a consideration for poor persons now since the new income tax law does not dip below the poverty level.

The problem, simply stated, is to reduce the amount of cash the poor must carry, thereby reducing the total amount of free floating cash and the consequent opportunity for crime. (Since bus drivers stopped carrying cash to make change, the problem of bus driver holdups in the District has virtually vanished.) The checking account is one obvious answer and the charge account which some stores have made available to poor persons on a limited basis is another answer. Columnist Bill Raspberry has suggested that welfare checks be deposited directly into bank accounts. Or they could be deposited in any of the nine poverty area credit unions for withdrawal from time to time in smaller amounts or as money orders. Welfare checks could be issued more frequently, making the individual check totals smaller. Businesses could authorize payment of bills through banks, credit unions and other financial institutions, reducing the cash-carrying problem for themselves as well as their customers. In some cases, longer banking hours might be required.

For the shift to checks to work, ways must be found to make it easier for poor persons to get checks cashed without being demeaned. At present, some inner city food and liquor stores will cash government checks for customers they know, but a personal check may be another matter. Some liquor stores will charge as much as 50 cents to cash a check unless a purchase is made. Curiously, for the person without a driver's permit or other acceptable identification, the most difficult place to cash a check may be a bank.

One major step that could be taken would be to create a system of identification cards similar to driver's permits which banks and stores would accept. These cards could be issued to all citizens who do not drive, not merely to the non-driving poor. This is something the city council might tackle when it opens its hearings on consumer credit problems.

If ways can be found to reduce the amount of cash the poor must carry to survive in our society, more will be gained than just a reduction in the opportunities for crime, important as that is. A form of subtle discrimination against the poor would be eliminated in the process.

BIAFRA—THANT CAME TO TALK,  
NOT LOOK

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. DERWINSKI. Mr. Speaker, Anthony Lewis, foreign correspondent of the Chicago Tribune, in an article January 27 which speaks eloquently as an editorial, reports on the disappointing performance of United Nations Secretary General U Thant on his recent visit to Nigeria. The article follows:

BIAFRA—THANT CAME TO TALK, NOT LOOK  
(By Anthony Lewis)

ABA, NIGERIA.—U Thant, United Nations secretary general, flew into Nigeria the other day for what was described as a look at the relief situation after the war. He was tired, so he spent the afternoon resting in Lagos. That night he attended a dinner.

The next day he was supposed to visit Port Harcourt, which would have put him only 50 miles from the area of real damage and suffering. But he canceled that trip and, after some morning meetings with relief officials, he flew to Paris. At the airport he told the press that the relief situation was well in hand and that Nigeria was doing a fine job.

Thant did not see the 20-year-old girl in Awo-Omamma hospital burned all over the breasts and legs when she refused to goff with six federal soldiers and they threw flaming gasoline over her.

#### GET NO RELIEF FOOD

He did not go into the densely populated center of what was Biafra, around Orlu and Ihiama, and discover that people who were being fed regularly by relief planes into Uli airport have had virtually no relief food for two weeks.

He did not interview one of the hundreds, probably thousands, of penniless refugees who have had their few sad possessions stolen by the undisciplined 3d marine commandos which occupied the southern portion of Biafra.

He did not talk to any Red Cross workers, foreign and Nigerian, whose mercy trucks and landrovers were seized by the same marines.

Perhaps most important, he did not observe the pervading sense of confusion disorganization and therefore of insecurity, in a land where no man knows how he is to get food or where he can look for protection against looting and rape.

There are many examples of kindness in the occupied area as well as horror stories.

The picture is mixed, then. But no one with any sense could look closely at the scene on this side of the Niger without realizing how skimpy and chaotic the relief effort has been so far.

#### HE SEES NOTHING

Of course, Thant does not know about any of this, because he saw nothing. The only question is why he bothered to come to Nigeria.

Perhaps he thought it politic to say a good word for the winning side in a civil war—the side favored by most U.N. members. Perhaps he thinks things will be wonderful if he says they are.

All wars produce horror, and the Nigerians understandably insist that this post-war crisis is primarily their problem. But the world outside does have a legitimate concern.

There are times to be angry. One of them is when an international civil servant uses his position to suggest that there is nothing to worry us in a situation actually stinking of human misery.

CONSUMER PROTECTION?

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. HUNGATE. Mr. Speaker, an old story that has been making the rounds, has been updated for the space age.

First fellow: "Why does the chicken cross the road?"

Second fellow: "To get a cobalt treatment."

In these days, hardly a day passes without some proclamation from a Government official, about his concern for the consumer. I think that the following AP story may give a better idea of just how well the consumer is being protected.

WOULD END BAR ON SALE OF CHICKENS WITH  
CANCER

WASHINGTON, January 26.—A Government panel says that safety no longer requires federal inspectors to reject chickens containing cancer viruses.

The panel has recommended a change in poultry inspection standards to limit condemnation to chickens that might look untempting to buyers.

Department of Agriculture officials say the basis for the recommendation is the failure of recent experiments to show that poultry cancer viruses present any danger to humans.

Department officials are awaiting an opinion from the surgeon general before making any decision on the recommendation of eight veterinarians and animal disease specialists.

The panel's report involves two forms of poultry viruses, avian leukosis and Marek's disease, usually lumped together as leukosis.

Virtually all birds harbor the virus in differing degrees. When the virus gets out of control, birds become diseased. Some die. Those that survive often develop lesions and tumors as an after-effect.

Traditionally, inspectors accept the tumors as evidence of excess virus and reject the chicken.

Under the proposed new standard, only chickens whose internal organs showed that the disease was active would be considered unsafe for human consumption.

A bird with tumors on one wing, for instance, is now considered unsafe. The new recommendation says it would be safe to cut off the wing and use it in such products as hot dogs and sell the rest of the bird as cutup chicken.

Rodney E. Leonard, administrator of Agriculture's consumer and marketing service until last year, says the recommendation is a sign the poultry industry is making progress in what he calls a continuous campaign to ease inspection standards.

SESAME STREET—IMPROVES  
CHILDREN'S SKILLS

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PUCINSKI. Mr. Speaker, early in November nearly 200 television stations throughout the Nation began broadcasting Sesame Street, a program designed to reach and teach pre-school-age children.



Tests were made in three States on selected groups of children who watched the program regularly as contrasted with children who did not see the program. The results were significant and vastly encouraging to those of us who have fostered the idea of preschool education and who have strenuously advocated its adoption on a nationwide basis.

Mr. Speaker, I wish to include a story which appeared in the New York Times regarding these tests as well as a brief item from the Christian Science Monitor describing a Sesame Street learning kit which is available for teachers and parents who wish to pursue this successful experiment in early education with preschoolers.

Mr. Speaker, the articles follow:

TESTS INDICATE TV PROGRAM IMPROVES  
CHILDREN'S SKILLS  
(By William K. Stevens)

"Sesame Street"—a brisk tickling television program that is designed to improve the language, numerical and reasoning skills of preschool children, particularly those from poor families—appears to be achieving many of its goals.

According to preliminary tests in three states, poor children who viewed "Sesame Street" regularly in the program's first six weeks of daily hour-long, presentations made gains two and one-half times as great as those made by poor children who did not watch the program.

Others surveys indicate that the program is reaching about five million children, including substantial numbers of those from poor homes.

The results of the tests and surveys were disclosed yesterday in a report by the Children's Television Workshop producer of "Sesame Street," to its sponsors—the Carnegie Corporation, the Ford Foundation, the United States Office of Education, the Markel Foundation and the Corporation for Public Broadcasting. The report was made at a meeting at the Essex House.

#### HOPE FOR ANOTHER YEAR

After the meeting, Mrs. Joan Ganz Cooney, executive director of the workshop, said that she hoped the test results would persuade the sponsors to support the experiment for another year and that she was optimistic about this. The initial 26-week, 130-program series began last Nov. 10 and will end on May 29. It cost \$8-million to produce.

Although the program has been widely acclaimed for its high degree of professionalism, originality and general level of quality, and although there was evidence that many children had become enthusiastic devotees, no evaluation of "Sesame Street's" educational impact had been available until yesterday.

In the preliminary evaluation conducted by Dr. Edward Palmer, the workshop research director, 3-, 4- and 5-year-olds in three day-care centers for poor children of working mothers in Maine, New York and Tennessee were randomly divided into two groups in each center. One group watched "Sesame Street" regularly for its first six weeks. The other group never watched it.

Before "Sesame Street" went on the air, each child in each group was asked 217 test questions to find out how well he could recognize letters, numbers and geometric forms, and how well he could sort out objects.

After six weeks of "Sesame Street," the same test was given again. The regular viewers, as a group, could answer 10 per cent more of the 217 questions than they could

at the start. The nonviewers could answer 4 per cent more.

In the ability to name letters, the viewers made a 9 per cent gain, against a 3 per cent gain for the nonviewers. In naming numbers, there was a 12 per cent gain for the viewers against a 4 per cent gain for the nonviewers.

Substantial gains, sometimes 25 per cent or more, were made by regular viewers in their ability to sort, differentiate and classify objects and group them by twos and threes.

But, in one important area—recognizing sounds of letters—there was no difference between the performance of viewers and that of nonviewers, leading Dr. Palmer to suggest that "Sesame Street's" approach in that area may have to be modified.

"Sesame Street" is broadcast each week-day by nearly 200 television stations from Maine to American Samoa. In about 100 communities it is seen both in the morning and the late afternoon. Five stations carry it a total of six times a day in the New York area—WLIW (Channel 21), WNDT (Channel 13), WYNE (Channel 25), in WNYC (Channel 31) and WPIX (Channel 11).

The program is considered the first major national effort to harness the most effective of contemporary television techniques to the task of preschool education. In particular, it adapts to the teaching of letters and numbers the fast-paced, high-impact, repetitive commercial techniques that have been successful in selling toys.

#### SESAME KIT DUE

Even the electronic media can use a little old-fashioned help from print now and then.

"Sesame Street," the new television series for preschoolers, has produced a byproduct called "The Sesame Learning Kit" which will contain, in addition to a record and wall posters, five books. Books! The titles: "Numbers," "Letters," "Shapes," "Puzzlers," "People and Things."

Time-Life Books will be offering the kit by mail at \$19.95.

Another case of electronics-print partnership: an organization called Writers: Freelance, Inc., which is a pool of more than 2,000 professionals in the United States and 40 other countries, has just merged with a company called Venture-Data Corporation.

Computer, computer on the wall, who is the fairest writer of them all?

#### HEW AND THE AUSTIN SCHOOL BOARD

#### HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 29, 1970

Mr. PICKLE. Mr. Speaker, through months of tenuous negotiations with representatives from the Department of Health, Education, and Welfare, the Austin School Board members have displayed the remarkable ability to discuss the facts and the merits of their case—not the emotions.

Last week, the Austin School Board and HEW officials met again to discuss the ruling to change the structure of the Austin public school boundaries—a ruling that may abolish some tradition: rich, meritorious neighborhood schools.

On Sunday, January 25, the Austin American Statesman wrote an editorial which, I think, mirrors the approach of the Austin School Board. I insert the editorial at this time:

#### SCHOOL BOARD STATES CASE TO HEW

There was nothing stormy or emotional about the four-day hearing in Dallas by a Health, Education and Welfare examiner on Austin's efforts to comply with a mandate to integrate the city's public schools.

The Austin School board and administrators presented their case factually, supported by what they believe to be adequate documentation. Several weeks, perhaps two months, will pass before the HEW examiner makes his decision.

There has been no change in the Austin school board's position that their freedom of choice plan is sound, and is the proper approach to desegregation in this city. They pointed out to the best of their ability that the problem in Austin has been brought about by housing, and is not a specific discriminatory act on the part of the board.

None would hazard a guess on the action the examiner might eventually take. However, there has been no substantial change in the position of HEW. On this basis a layman could take license to guess there will be none.

Following the hearing, School Board Chairman Roy Butler told a reporter: "We've presented our case well and we've gotten a fair hearing, but I really can't say what will happen."

It will be pleasing to Austin citizens that their representatives presented their case well, and that decorum, if not agreement, prevailed at the important hearing.

Since there is a system for appeal of the examiner's finding, it would appear that a final decision in the Austin school board desegregation effort is a long way off.

#### HEW APPROPRIATION VETO

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1970

Mr. RARICK. Mr. Speaker, during the furor over the now dead HEW appropriation bill, the gentleman from Ohio (Mr. AYRES) did us the service of making available to Members the instructions given the lobbyists.

This morning's local newspaper includes a bylined story of interest to Members, which I ask be included in my remarks. It seems that as the lobbyists gathered for a drink before leaving town, they were loud in their announced intention to do better on the bill which will replace the defeated pork barrel measure.

It is also of interest to note that most of these people are on the public payroll, and were here lobbying instead of doing the job for which they were hired in their school districts. This emphasizes the point that it was not the schools or the children in which they were interested, but in their own pocketbooks.

Another story in this evening's local paper quotes both the head of the education lobby and of the pseudo-professional National Education Association to the effect that if they do not get the money they want, they intend to get some Congressmen. I wonder if these people ever heard of the Hatch Act?

I include the news clippings following my remarks:

[From the Washington Post, Jan. 29, 1970]  
UNDAUNTED SCHOOLS LOBBY TO PUSH VIEWS  
ON HEW BILL

(By David R. Boldt)

The Emergency Committee for Full Funding, the education lobby that had become a legend in its own time, sampled its first taste of defeat with reasonable good grace yesterday.

After the House had failed by 52 votes to override President Nixon's veto of the Labor-HEW appropriations bill, the lobby's executive secretary, Charles W. Lee, was putting on a cheerful front.

Sitting in his office on the third floor of the Congressional Hotel, he told a reporter, "There won't be any 'losing locker room scenes' here."

The committee, formed nine months ago, had run up three straight victories in key votes on education money bills before it came a cropper yesterday.

They did it by sending legions of teachers, school administrators, school board members, nuns, college students and others from office to office cajoling, arguing, and bullying legislators into seeing things their way.

The effort to override the veto was the biggest push so far, with about 600 people wearing the yellow "Save Education & Library Funds" crowding elevators, blocking hallways and taking up office chair space.

Lee said the defeat had "charged up" his forces and vowed they'd be out with a vengeance to fight for increasing the appropriations bill Congress will have to substitute for the one the President vetoed.

One Midwestern School administrator had told him to "just call collect" and he'd be on the next plane, Lee said, adding he thought that characterized the morale on his team.

"They're also going to be taking back what happened here. The guys (Congressmen) who voted with us are going to have no problem," Lee said. The others better have a "good reason" when the election campaign starts next fall, he added.

Outside Lee's door a woman in a blue dress was reading off the vote to a woman in a brown dress. The woman in brown, in turn, was noting, by state who was "with us" and who was not.

"Henderson (Rep. David N. Henderson of North Carolina) was with us," noted the woman in blue, "and we got all three Joneses." The balloting of the Joneses, the woman in brown confirmed, had been a high point.

The lobbying methods of the committee won the disapproval of at least Rep. William H. Ayres (R-Ohio), who read into the CONGRESSIONAL RECORD the committee's instructions to participants in this week's "Operation Override."

Ayres was particularly nettled by "No. 10," which reminds lobbyists to tell each Congressman "that you plan to be in the gallery throughout the debate and the voting on the veto override."

"In other words," Ayres told the House, "Big Brother will be watching." He called the lobbying effort "a disgrace to the good name of education."

There was no sign of any intimidation

among the committee's Michigan adherents who had gathered after the vote in the Filibuster Room of the Congressional for a drink before leaving for the airport.

"This wasn't a one-shot deal," said Mrs. E. C. Farmer of Muskegon, director of the Michigan Association of School Boards. "This was just the beginning."

"We forced the other side to be honest," said Richard E. Pretzlaff, an administrator from Farmington, Mich. "The bill substituted for the vetoed one will be better because of what we did," he added.

But Lyle Layer, administrator from Oscoda, Mich., admitted he was disappointed. Wurmsmith Air Force Base sends its kids to his school and the loss of the impact aid for areas such as his was going to hurt, he said.

[From the Washington Star, Jan. 29, 1970]

#### THERE COULD BE FUTURE VETOES OF THE SAME BILL

Charles Lee, who headed a massive lobbying effort on behalf of scores of education organizations backing the extra funds, said the fight will not be abandoned.

"There could be future vetoes of the same bill," he said.

And in Buffalo, N.Y., George D. Fischer, president of the National Education Association, the nation's largest teachers' group, says, "We want to beat 5 or 10 congressmen who switched their vote on the HEW veto."

"We will use them as an example. We will put the fear of God in politicians all over the country," he told a teachers' meeting yesterday.

## SENATE—Friday, January 30, 1970

The Senate met at 12 o'clock meridian and was called to order by Hon. ERNEST F. HOLLINGS, a Senator from the State of South Carolina.

The Reverend J. Hodge Alves, D.D., rector, the Falls Church Episcopal Church, Falls Church, Va., offered the following prayer:

O God, loving and holy Father, who has made all men and all things, we gladly acknowledge our dependence upon You. Help us to open our spiritual eyes and ears humbly to be guided of Thy Holy Spirit.

We thank You for this good land in which we live; for all its concerns for persons; and for all its freedoms. Make us wise and loyal enough to preserve them. Make us humble and loving enough to share them everywhere. Bless and guide our Nation, each of us, and especially these strong sons of this Nation who have been chosen to serve and to lead before You in this Senate. Make them conscious of the awesome responsibility and glorious opportunity that is theirs. Guide them in this work today; and grant that they may always listen to others and to You. Give them strength to do the right as You lead them to know the right without fear or favor. May they lead our Nation into ways of peace, good will, and right dealing with all mankind.

All this we ask in the name of Him who came to serve all men. Jesus Christ our Lord. Amen.

#### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., January 30, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ERNEST F. HOLLINGS, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,  
President pro tempore.

Mr. HOLLINGS thereupon took the chair as Acting President pro tempore.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Leonard, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the Committee on Armed Services.

(For the nomination received today, see the end of Senate proceedings.)

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 14864) to amend the Internal Security Act of 1950 to authorize the Federal Government to institute measures for the protection of

defense production and of classified information released to industry against acts of subversion, and for other purposes, in which it requested the concurrence of the Senate.

#### HOUSE BILL REFERRED

The bill (H.R. 14864) to amend the Internal Security Act of 1950 to authorize the Federal Government to institute measures for the protection of defense production and of classified information released to industry against acts of subversion, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 29, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees