

EXTENSIONS OF REMARKS

TO CONFER AUTOMATIC U.S. CITIZENSHIP UPON CERTAIN ALIEN, FOREIGN-BORN CHILDREN OF PARENTS WHO DIE DURING HONORABLE SERVICE IN U.S. ARMED FORCES

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. MIKVA. Mr. Speaker, I am today introducing a bill which will correct a long-standing inequity in this country's nationality laws. Under the present provisions of the Immigration and Nationality Act, certain children of parents who die while serving honorably in the Armed Forces of the United States are denied citizenship merely because they or their parents have not resided for a sufficiently long period in the United States itself. Thus, these children may be denied the benefits and privileges of citizenship of the country which their parent was honorably serving on military duty at the time of his death.

The inequity of this situation is immediately apparent in cases where the child's parent is killed in combat. But even where the parent dies of natural causes while on honorable active duty with the Armed Forces, the hardship which may be worked on alien, foreign-born children who do not qualify for automatic citizenship under present law may be very great. To alleviate this hardship, I am introducing a bill which will close the loopholes in existing law and insure that whenever the parent of an alien, foreign-born child dies during a period of that parent's honorable service in our Armed Forces, the child automatically becomes a citizen of our country.

A few words of explanation about existing law and its effects on certain children of members of the U.S. Armed Forces will be helpful in demonstrating the need for this bill.

The children involved fall within two classes—those born before the deceased serviceman became a U.S. citizen, and those born after such acquisition. Under existing law, birth abroad of a U.S. citizen parent does not, of itself, automatically vest the child with U.S. citizenship. To have that effect, the parent must have been resident or physically present in the United States for periods not less than 10 years prior to the birth of the child, 5 years of which are after age 14 years—honorable service in U.S. forces is computable.

Where the parent acquired U.S. citizenship after the birth of the child, citizenship descends to the child under existing law only if statutory conditions as to the child's immigration status, the citizenship of the other parent, and the marital status of the parents, are met—section 320 of the Immigration and Nationality Act.

The following amendments are intended to confer citizenship upon the

foreign-born children of U.S. citizen servicemen who would not meet the conditions for automatic acquisition of citizenship through the parent under existing law. The benefits are limited to those children whose parents died while serving honorably in the Armed Forces of the United States.

With respect to a child whose parent was a citizen at the time of birth of the child, the following new section should be added to section 301(a):

(8) A person born outside the United States, whether before or after the effective date of this paragraph of a United States parent who dies during a period of honorable service in an active-duty status in the Armed Forces of the United States under any other provision of law.

This amendment would apply only to a child who had not already become a citizen, for example, through naturalization, or derivation by naturalization of the alien parent. Consequently, where the citizen parent dies in service, but the child had theretofore acquired U.S. citizenship at birth under section 301(a) (7), the child could not take under proposed paragraph (8) and would be required to comply with the retention provisions of section 301(b). Where paragraph (8) does apply, the effect thereof would be to waive the residence or physical presence requirements otherwise required under sections 301(a) (3), (4), (5), and (7), as well as the retention requirements of section 301(b). The amendment would be applicable also to a case in which citizenship is conferred upon the serviceman, as of the date of death, by private legislation.

With respect to a child whose serviceman parent became a citizen after the birth of the child, but who could not meet existing statutory condition for derivation of citizenship through the naturalization of such parent, the following amendment would confer citizenship upon the child, as of a date subsequent to birth, provided the child had not theretofore become a citizen under another law.

A child born outside the United States of alien parents or of an alien parent and a citizen parent shall, if one of the alien parents becomes naturalized and the child is not a citizen of the United States under any other law, become a citizen of the United States, upon the death of the naturalized parent during a period of honorable service in an active-duty status in the Armed Forces of the United States.

This amendment would, by reason of the definition of the term "child" in section 101(c) (1), be applicable only to unmarried children under 21 years of age. It would confer citizenship on the child, without regard to existing requirements of section 320 and section 321, as of the date of death of the parent, even though the child may never have been in the United States. It would operate also in favor of children whose parent was granted citizenship as of the date of death by private legislation, such grant constituting a naturalization within the meaning of the amendment.

Mr. Speaker, citizenship is one of the most precious gifts which a country can bestow. My belief is that if anyone deserves to receive this gift, it is the children of men and women who die while honorably serving this country in its Armed Forces.

THIS IS MY COUNTRY—SERMON BY REV. CHARLES STANLEY, ATLANTA, GA.

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, August 6, 1970

Mr. TALMADGE. Mr. President, my attention has been called to an excellent sermon delivered Sunday, July 5 by the Reverend Charles Stanley, pastor of the First Baptist Church in Atlanta.

The Reverend Mr. Stanley issues strong warning against the doctrine of the so-called "new morality" and the radical new left, and the threat that they pose to the American heritage. I believe that his sermon reflects the deep concern that is felt by an overwhelming majority of American people. I ask unanimous consent that the sermon be printed in the Extensions of Remarks.

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

THIS IS MY COUNTRY
(Sermon by Charles Stanley)

INTRODUCTION

Nineteen of the twenty-one world's civilizations died not from an outside enemy, but from internal decay. In six years the United States will be two hundred years old. The average age of the world's great civilizations has been 200 years. These nations progressed through this sequence:

From Bondage to Spiritual faith.
From Spiritual faith to great courage.
From Great Courage to liberty.
From Liberty to abundance.
From Abundance to selfishness.
From Selfishness to complacency.
From Complacency to apathy.
From Apathy to dependency.
From Dependency back again to bondage.

On this the 194th birthday of our country we would do well to evaluate our present position. "Those who refuse to learn from history are condemned to repeat it." According to one time table we should already have collapsed as a nation. According to another we have only two years. There is a major fallacy in such calculations—the sovereign will of Almighty God has been excluded. In Psalms 75:5-7 we read, "Lift up your horn on high: speak not with a stiff neck. For promotion cometh neither from the East, nor from the West, nor from the South. But God is the judge. He pulleth down one and setteth up another." Psalm 33:12 reads, "Blessed is the nation whose God is the Lord."

America's future is not in the hands of her enemies but in the hands of God. Our destiny will not be determined by the might of our would-be conquerors but by our relationship to the living God. It is with this faith and confidence that we can celebrate the birth of our nation and proudly say of these United States, "This is my Country."

I. MY COUNTRY HAS A GLORIOUS HISTORY

It was settled by bold adventurers who were motivated not only by a desire for material gain, but also by a yearning for freedom and liberty, both political and religious.

This nation was established by strong, determined, believing men and women who were committed even to death to accomplish their purpose. Out of an Indian infested wilderness our forefathers carved an empire that would become a symbol of freedom to the whole world. Sweat, blood, tears, and death was the price they willingly paid. I'm proud to say this is my country.

Our form of government was constructed by honorable men, men of faith and sound judgment. It was their purpose to have the rights of all people assured. Ours was to be a nation governed by the people and for the people. Neither their form of government nor their execution of it was perfect; but it was progress and a ray of light and hope to mankind of their day.

God fearing, Bible believing statesmen were influential in giving direction to our nation in its formative years. Upon one occasion Benjamin Franklin stood before his fellow statesmen in 1787 and said, "Gentlemen, I have lived a long time and am convinced that God governs the affairs of man. If a sparrow cannot fall to the ground without His notice, is it probable that an empire cannot rise without His aid? I therefore move that prayer imploring the assistance of heaven be held every morning before we proceed to business."

This country we call "The land of the free and the home of the brave" has been forced many times to defend its borders.

1. The Revolutionary War of 1775
2. The War of 1812
3. The Mexican War of 1846
4. The Civil War of 1861
5. The Spanish American War of 1898
6. World War I 1914
7. World War II 1941
8. The Korean War 1950
9. The War in Viet Nam 1960

Brave, gallant, heroic young men have fought willingly and fearlessly to defend America, and when called upon have aided other nations in their struggle for freedom.

This brief account of our history is not to imply that we have not had our weaknesses and failures. This is not to say we have not had our blemishes, or that we are perfect. But it is to assert unapologetically that our strength far outweighs our weaknesses; that our right has far exceeded our wrong; that the good in our land has greatly overshadowed the evil.

Progress is always accompanied by pains and pitfalls. Our progress has been rapid and remarkable. It was just 56 years ago that a young Serbian nationalist emptied his revolver at Archduke Ferdinand of Austria which set up a chain of events that led to the first World War. At that time we were a country of 99 million people, half of whom lived on farms and in small towns. America seemed insignificant amidst the world leaders. That was an era of great empires: Great Britain, France, Germany, the Netherlands, Turkey, Belgium, Italy; all were imperial powers. Almost all of Africa, much of the middle east and Asia were controlled by these powers.

The kings and emperors of 50 years ago along with their empires are all gone. No one would have dreamed 50 years ago that struggling America would so quickly become a world leader.

Twice in the last 50 years America has saved England and France from an expanding Germany; once from an ambitious Kaiser; and again from a fanatical Hitler. Today Western Europe's freedom is assured by American troops. Freedom for all people the world over is inherent in our heritage. Therefore Korea and now Viet Nam. We have

always had compassion on the oppressed and needy. This is evident by our quick and overwhelming response to national disaster in other countries, sometimes a flood, an earthquake, or the outbreak of a dread disease. Americans are always on the scene giving of themselves to aid the needy regardless of their color or their creed. It cannot be denied that we are a benevolent nation at heart. Again, this is not to say that the motives of all the politicians have always been pure. But people of this nation have been willing to give, and give, and give when often it was unappreciated and misused. We must admit that we have often given to those at great distance, while our own were in need. Some of our mistakes have been the result of selfishness, some ignorance. But as I recall the history of this great nation I am proud to say, "This is my Country."

II. MY COUNTRY TODAY IS IN THE MIDST OF A REVOLUTION AND FIGHTING FOR ITS LIFE

We are in a life and death struggle with revolutionaries in our nation who are publicly committed to the overthrow and destruction of the democratic form of government, free enterprise, and personal freedom. Some are open and avowed Communist; others are merely puppets and tools of the party; while still others have their own personal motives in mind, but are using Marxist-Lenin tactics.

There are many who deny that Communism has any part in today's turmoil. They are either blind or do not know the facts, and often refuse to listen lest it disturb their apathy and move them to action.

In May of 1919 at Dusseldorf, Germany, a copy of "The Communist Rules for Revolution" were discovered. As you read them do you see the similarity between what is happening in America and the Communist blueprint for Revolution:

A. Corrupt the young; get them away from religion. Get them interested in sex. Make them superficial; destroy their ruggedness.

B. Get control of all means of publicity, thereby:

1. Get people's minds off their government by focusing their attention on athletics, sexy books and plays and other trivialities.

2. Divide the people into hostile groups by constantly harping on controversial matters of no importance.

3. Destroy the people's faith in their national leaders by holding the latter up to contempt, ridicule and disgrace.

4. Always preach true democracy, but seize power as fast and as ruthlessly as possible.

5. By encouraging government extravagance, destroy its credit; produce fear of inflation with rising prices and general discontent.

6. Incite unnecessary strikes in vital industries, encourage civil disorders and foster a soft and lenient attitude on the part of government to such disorders.

7. By specious argument, cause the breakdown of the old moral virtues—honesty, sobriety, self-restraint, faith in the pledged word, ruggedness.

C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the populace helpless.

When Hitler wrote "Mein Kampf," his blueprint for world conquest, almost nobody believed him; but the whole world watched that blueprint unfold with bloodshed and destruction.

We are watching a repeat performance. The tragedy is that there are thousands of innocent people who are being lured into activities which to them seem to be merely an expression of freedom. But listen to the prophets who promote today's revolution:

1. Herbert Marcuse in his book entitled, *Eros and Civilization* said, "No civilization can co-exist with a sexual revolution."

2. The professor at one of our leading

universities, an avowed Communist said, "We will destroy this present society with song, sex, and drugs."

We are watching the alarming successes of our would be destroyers. Some hard rock musical groups are openly promoting revolution and using their music to incite riots. An able spokesman for the Communist cause in the United States, editor of *Sing Out* which publishes such pieces as "Ballad of Ho Chi Minh," "Ballad of Che Guevara," and "Have a Marijuana," remarks that the great strength of rock'n'roll lies in its beat, and that it is a music which is basically sexual, un-Puritan (i.e., un-Christian . . . and a threat to established patterns and values.)

A sexual revolution has brought to the nation open promiscuity, the pornographic bookshop and the topless tavern. In yesterday morning's Constitution (July 4, 1970) it was reported rock fans at the Pop Festival at Byron, Georgia, were swimming in a nearby creek, and that at one point about fifty of them were in the nude; the numerous teen-aged girls walked about bare-breasted. Someone has said, "Great civilizations and animal standards of behavior coexist only for short periods."

The drug traffic has become a major national problem, wrecking lives of thousands of young people and adults alike. When the Japanese invaded Manchuria their shock troops were not tanks, planes, and bayoneted infantrymen, but trained drug pushers. The Communist used the same tactics in China; and it is happening in America. The drug traffic in our country is not merely youth wanting another new thrill, though that may be part of it; it is planned strategy. I want to say to our high school and college students, before you hop on anybody's bandwagon, ask the one whose driving, "where is this wagon going?" That is the crucial question.

When I see on the mortarboards of hundreds of graduating seniors the new peace symbol, the broken cross, a symbol of anti-Christ, I must ask the student world, "would you knowingly promote an anti-Christian society? Do you desire to live in a godless land? Or have you been caught up in a spirit which you do not understand and with which you do not agree?"

I want to hasten to say that in spite of the noise, the havoc, the bloodshed and destruction engineered by a small minority of campus rebels the vast majority of the seven million college students in America are pursuing their education faithfully, energetically, honestly and with faith to believe that the American way of life is still the greatest on earth.

In Ann Arbor, Michigan a group of students painted obscene words on a bridge. That night another group of students who call themselves, "Guerrillas of Good" repainted the entire bridge.

Amidst the shadows falling across our land there is still plenty of sunlight. Sixty million Americans every year give of their time, their talent, and their money to benevolent causes. For thirty-one consecutive years we have increased the billions of dollars given personally to benevolent causes, from aiding the poor to religion.

Of course we have problems, what nation doesn't? We have some poverty, but we are working to eliminate it. Half the families in America have a yearly income of \$9,750. We are facing a terrific problem with pollution, but don't forget there are many nations in the world that would like to have the kind of industrialization that would produce a little pollution. Our government, along with industry is working to clean up "America the Beautiful."

Our educational system is plagued with difficulties, but these too will work out. There are many more problems, but I believe we have the will and determination, the faith and courage to overcome these one by one and to demonstrate to the world what a na-

tion can do when it is committed to progress and victory.

The question we face on this our birthday is this: What can we do as citizens? As a Christian, I can live the kind of Christian life that in itself will make a contribution to my country, as I act toward my fellowman in a Christ-like manner: in my home, in my business, in my pleasure. To neglect the spiritual is to work against my country. When people turn their back on God, emptying the churches and filling the taverns, promoting promiscuity, the drug traffic, dishonesty in business, we are condemning ourselves and eating away at the very heart of our nation.

The hope of our nation will not be found at the "peace table." They end in nothing but chaos and confusion. But listen to the Word of Almighty God: "If my people which are called by my name will humble themselves and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land." (II Chronicles 7:14) Today America needs forgiveness and healing. We need that spirit of cohesiveness that makes us one again; we must have it. This is my country, and I have confidence to believe that with that spirit we will overcome and outlast the revolution. God Bless America!

POLICE: VILLAINS OR VICTIMS?

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. LANGEN. Mr. Speaker, we have heard a great deal about police brutality and overreaction. We have heard a great deal about injuries to protesters, dissenters, innocent bystanders, demonstrators, and the like. We have heard a great deal about the terrible suppression of individuals who are merely exercising their rights of expression by burning American flags, smashing windows, getting "stoned," and the like. When a policeman strikes a demonstrator it is excessive force and appears on page 1 in the press; when a demonstrator smashes a policeman's head with a brick or crushes his kneecap with a heavy wrench it is too bad and makes page 9. When a riot gets out of hand, blame the police; when the rioters are controlled, it is a police state. When a criminal suspect is not properly advised of his rights his arrest becomes invalid. When a cautious patrolman is shot by this suspect, he dies in the line of duty.

Exaggerations? Think about it for awhile. Perhaps the article appearing recently in *Police Times* which I include at this time may provide some food for thought:

"SOFT" POLICY FATAL TO POLICE—POLICE DEATHS AND INJURIES SHOOT UP AS "SOFT" POLICY MAKES LAWYERS EASY TARGETS

(By Col. N. Lee Tucker, National President)

Figures released by the FBI and gathered by the American Federation of Police over the last three years prove that the line of duty injuries and line of duty death rate has increased to epidemic proportions. During the month of May 1970, at least five police officers were shot and killed in running gun battles with militant groups or ambushed in what appear to be organized "terrorist" operations.

"SOFT" POLICY IS SOFT IN THE HEAD!

In this permissive era the policy directed by some city, state and federal administrative officials, elected to office is to "go soft." "Go soft" on those who kill policemen, "go soft" on people who throw fire-bombs, riot, burn, loot. Retreat in the face of any mob. Hold your fire and run. The law breakers KNOW this is the order sent down from headquarters and the man on the beat . . . the patrolman is the victim of a "soft" policy. This policy must be reversed by action of united police organizations! The danger is not only to the law enforcement officer but to the public as well. If a police officer can be killed or ambushed at will, with hardly a wink, then what chance has the businessman or citizen?

CASES CITED

In Seattle, Washington a police officer was charged by a coroners jury with a ruling that he used "criminal means" when he shot and killed a 22-year-old Vietnam veteran, a Negro. He was shot by Officer John Hannah, May 15th (Police Memorial Day) after the victim was seen placing a bundle of dynamite sticks at the door of a realty firm! He ordered the suspect to halt three times and when he did not halt fired warning shots and finally the fatal shot. Now, we ask ourselves, why didn't this officer get a medal for his work. Here we have a man with dynamite endangering many, many lives who failed to stop when ordered. This police officer risked his life and his payment was an indictment! Can you believe this in America today!

In Brooklyn, N.Y., an off-duty police officer, Leonard Johnson was in critical condition when attacked by a gang of men in what may have been a robbery attempt. Only a few hours before a fellow officer was slain while off duty and trying to thwart a hold up attempt. In St. Paul, Minnesota, Patrolman James T. Sackett died from a rifle wound when he was ambushed after being called to a home to assist in a child-birth. This was a phony call to set these officers up. In Miami, Florida, a rookie Patrolman died in a hail of gun fire when an alleged member of the Black Panthers was being stopped for questioning. Patrolman Roland Lane II was 21. Local police blamed the "go soft" policy of the police department.

COURTS FAILING THE PEOPLE

In California, Justices of the Supreme Court upset the conviction of the co-founder of the Black Panther organization, Huey Newton on a technicality. This was a case in which Oakland Police were killed in a furious gun battle. Most recently, Vice President Spiro Agnew, stated this in regards to the Courts. (In an interview with the *Miami Herald*) "And a lot more of them (criminals) would be prosecuted if the Supreme Court would reverse some of its trends and emphasis on the absolute requirement of individual constitutional protection and balance that against, to some extent, the needs of the whole citizenry."

Time after time criminals have been let free on highly irrelevant technicalities and these same criminals have killed and robbed again and again with immunity.

CODDLING MUST BE STOPPED

Much of this coddling of criminals is caused by politicians in major cities and state and federal agencies who have no idea what it is to deal with the criminals or have they seen the victims of criminal outrages. These men sit in well protected offices and in estates and have no conception of the human garbage that the police sweep clean each day and night and the risks that are taken. They expect too much in the way of technical observation of the Constitution when police officers are doing all they can just to stay alive. J. Edgar Hoover said this month in the FBI Bulletin that "police watchers and self

styled law enforcement reformers" have no place in American society and "that their altruistic mouthings are a front and a sham . . ."

The American Federation of Police will continue to fight for the rights of its members to defend themselves against the criminal elements of this nation; to alert the public of the dangers of permissive government and to put pressure on the courts to protect the majority by its rulings and not the individual criminal by technical application of the niceties of the law. A hard line policy must be adopted to swiftly punish the offenders of the law. Softness is a sign of weakness.

AMERICAN BAR ASSOCIATION SUPPORT FOR STRENGTHENING OF ANTITRUST PROVISIONS OF S. 30, THE ORGANIZED CRIME CONTROL ACT OF 1969

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. STEIGER of Arizona. Mr. Speaker, on June 17 I submitted testimony regarding title IX of S. 30, the Organized Crime Control Act of 1969, which prohibits the use of illegally acquired income to infiltrate legitimate businesses, to Subcommittee No. 5 of the House Judiciary Committee. In my testimony, I suggested that, desirable as it presently is, title IX could be improved by amending that provision to allow private antitrust type remedies to deal with organized crime. These new remedies would parallel antitrust remedies now available to private persons.

Since my testimony before the subcommittee, the American Bar Association has announced its support of S. 30, and has recommended the adoption of the same improvement to title IX that I recommended. In the ABA's resolution supporting S. 30, the organization suggested the addition to title IX of "a provision authorizing private damage suits based upon the concept of section 4 of the Clayton Antitrust Act."

Mr. Speaker, because S. 30 is of such great importance to our society's struggle against organized crime and because my suggested amendment, now supported in principle by the American Bar Association, would significantly expand remedies available to individuals and businesses targeted by the Mafia, I wish to insert in the RECORD at this point the full text of my testimony before the subcommittee and the draft of my proposed amendment with letter of transmittal to Representative McCulloch, the ranking minority member of the subcommittee:

CONGRESS OF THE UNITED STATES,

Washington, D.C., June 30, 1970.

Hon. WILLIAM M. McCulloch,
House Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR BILL: In the testimony on S. 30, the Organized Crime Control Bill of 1969, that I submitted on June 17, I suggested that title IX of S. 30 should be amended to make applicable those provisions granting antitrust type remedies to deal with organized

crime, the parallel private anti-trust type remedies available now to private persons under the anti-trust law.

Enclosed is draft language which would realize this objective. I hope that the committee will consider this amendment in its processing of this important measure.

Best wishes.

Sincerely,

SAM STEIGER.

AMENDMENT

On page 49, after "1968. Investigative demand," insert "1969. Immunity."

On page 56, line 3, after "jurisdiction" insert "without regard to the amount in controversy."

In line 15, after "this", insert "subsection (a) of this".

In line 16, strike "this section" and insert "subsection (a) of this section".

Between lines 21 and 22, insert the following:

"(c) Any person may institute proceeding under subsection (a) of this section. In any action brought by any person under subsection (a) of this section, relief shall be granted in conformity with the principles which govern the granting of injunctive relief from threatened loss or damage in other cases. Upon the execution of proper bond against damages for an injunction improvidently granted and a showing of immediate danger of irreparable loss or damage, a preliminary injunction may be issued in any action before a determination thereof upon its merits.

"(d) Whenever the United States is injured in its business or property by reason of any violation of section 1962 of this chapter, it may bring a civil cause of action in a district court of the United States, without regard to the amount in controversy, and shall recover the actual amount of the damages sustained, and the cost of the action.

"(e) Any person who is injured in his business or property by reason of any violation of section 1962 of this chapter may bring a civil cause of action in a district court of the United States, without regard to the amount in controversy, and shall recover threefold the damages sustained by him, and the cost of the action, including a reasonable attorney's fee.

"(f) Whenever an action has been commenced in any court of the United States under this section seeking relief from a violation of this chapter, the Attorney General, for or in the name of the United States, may intervene in such action upon timely application if the Attorney General certifies that the case is of general public importance. In such action, the United States shall be entitled to the same relief as if it had instituted the action."

In line 22, strike "(c)" and insert "(g)".

In line 23, after "criminal", insert "or civil action or".

In line 25, after "offense", insert "or civil cause of action".

On page 57, line 2, between "states" and the final period, insert "or any person in which such defendant is a party".

Between lines 2 and 3, insert the following:

"(h) Except as hereinafter provided, any cause of action under this section shall be barred unless it is commenced within five years after the cause of action accrued. Whenever any action, other than an action under subsection (d) of this section, is brought by the United States to prevent, restrain, or punish any violation of section 1962 of this chapter the running of the period of limitations prescribed by this subsection with respect to any cause of action arising under subsections (c) and (e) of this section, which is based in whole or in part on any matter complained of in such action by the United States, shall be suspended

during the pendency of such action by the United States and for two years thereafter."

In line 16, after "states", insert "or any person".

On page 66, between lines 5 and 6, insert the following:

"§ 1969. Immunity.

"(a) Whenever a witness refuses, on the basis of his privilege against self-incrimination, to testify or to produce other evidence in an action or other proceeding under this chapter in and before or ancillary to a district court of the United States and the court orders the witness upon request made pursuant to this section to give testimony or to produce other evidence, the witness may not refuse to comply with the order upon the basis of his privilege against self-incrimination. No testimony given or other evidence produced in compliance with the order or any information obtained by the exploitation of such testimony or other evidence may be used against the witness in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order.

"(b) In the case of any individual who has been or may be called to testify or provide other information in any action or proceeding under this chapter, the United States district court for the judicial district in which such action or proceeding is pending, shall issue, upon the written approval of the United States attorney for such district, an order requiring such individual to give any testimony or produce any other evidence which he refuses to give or produce on the basis of his privilege against self-incrimination.

"(c) (1) A United States attorney may, with the approval of the Attorney General, or the Deputy Attorney General, or any Assistant Attorney General designated by the Attorney General, request an order under this section in any action brought under this part when in his judgment—

"(A) the disclosure of the testimony or other evidence sought from such individual may be necessary to the public interest; and

"(B) such individual has refused or is likely to refuse to testify or produce other evidence on the basis of his privilege against self-incrimination.

"(2) Upon the written approval of the United States attorney for the district in which an action or proceeding under this part is brought, the plaintiff or the defendant in such action or proceeding may request an order under this section with respect to any individual who has been or may be called to testify or to produce other evidence in such action or proceeding when such individual has refused or is likely to refuse to testify or produce other evidence on the basis of his privilege against self-incrimination."

STATEMENT OF REPRESENTATIVE SAM STEIGER ON S. 30

Mr. Chairman, the time is past when the threat to America posed by organized crime could be minimized. Today, I think every person present at these hearings can agree that organized crime is a menacing blight on our economy, our institutions, the fundamental values to which America is dedicated, and the personal liberty and safety of every citizen. The menace, moreover, is so grave that it rivals every other domestic concern in importance. It is growing in its severity and urgency, and will continue to grow unless and until decisive action is taken by state and federal governments.

I hope that all can agree, as well, that the legislative tools and methods now available to the Executive Branch of the Federal Government have been proved by bitter experience not to be adequate to the task of curbing and destroying organized crime. Strong new legislation is necessary in order

to improve the Federal Government's capacity to obtain admissible and persuasive evidence against organized crime leaders, obtain their convictions, and protect society by confining those criminals.

I have concluded, and I hope, Mr. Chairman, that your subcommittee will determine as well, that the "Organized Crime Control Act of 1969," is a sound and important contribution to making such improvements in our laws.

As the Subcommittee examines S. 30, Mr. Chairman, it is fortunate to be able to draw upon the full study and development which each of the proposals brought together in the bill has already received. Many of the bill's provisions are based, of course, upon recommendations made by highly qualified and prestigious organizations, such as the American Bar Association, the American Law Institute, the National Council on Crime and Delinquency, the President's Crime Commission, and the National Commission on Reform of the Federal Criminal Laws. The proposals of those groups reflected in S. 30 have been made over a period of nearly two decades, beginning in the early 1950's with certain A.B.A. recommendations made as a consequence of the Kefauver study of organized crime, and extending through the 1950's and 1960's to A.B.A. and Penal Reform Commission recommendations made in 1969 and 1970. Each proposal has been based upon a competent and thorough study of organized crime and the deficiencies in existing law. Those decades of studies and recommendations form an impressive basis for the various proposals now presented to the Congress in S. 30.

The introduction of S. 30 in the Senate led, of course, to comprehensive hearings by a Senate subcommittee, exploring the pros and cons of each title of the bill, and culminating in a long and scholarly committee report on the bill. After extended debate on the Senate floor, the bill passed the Senate by a vote of 73 to 1.

The implications of S. 30 for civil liberties and the Bill of Rights, in particular, have been focused clearly and explored to unusual depth. After S. 30 was put in substantially its present form, comprehensive and detailed criticisms of the bill were published on two occasions by the American Civil Liberties Union (CONGRESSIONAL RECORD, p. 852, and the present hearings) and on one occasion by the Association of the Bar of the City of New York. (Committee on Federal Legislation, *The Proposed Organized Crime Control Act of 1969 (S. 30)* (1970).) The arguments, on the other hand, in support of the consistency of S. 30 with fundamental civil liberties and constitutional provisions have been presented address on the Senate floor. (CONGRESSIONAL RECORD, p. 18912).

I am convinced that each of the major proposals found in S. 30 now has weathered well the rigorous test of this unusually comprehensive and searching analysis by proponents and opponents of the legislation. Each title of S. 30 has been shown, to my satisfaction, to be consistent with the rights of individuals and to promise a great strengthening and improving of the Federal effort against organized crime.

I am especially enthusiastic about title IX, on "Racketeer Influenced and Corrupt Organizations," which is designed to prevent and reverse the corrupt infiltration of legitimate commercial activities by ruthless organized criminals.

The extent of that infiltration, and the corrosive influence it has on the rights of innocent businessmen and consumers, are illustrated by the history of Emprise, the Buffalo, N.Y. firm whose activities I have described at some length on the floor of the House of Representatives. (CONGRESSIONAL RECORD, p. 5887; *id.* at p. 7423; *id.* at p. 7933.

That company controls, or owns completely, over 450 separate corporate entities in at least 23 states, the District of Columbia, Canada, Puerto Rico, and England. It has an annual cash flow of between 60 and 160 million dollars.

Emprise is connected with a variety of businesses, including racetracks and race-track concessions, and has a number of close associations with members of the underworld. The company has, for example, a 12% participation in Hazel Park Raceway in Michigan, and is the largest single stockholder in the raceway, one of the operators of Emprise having loaned members of the board of directors of the raceway the money to buy their stock in it. Among the members of the board of directors of the raceway are Anthony J. E. Zerelli, Giacomo W. Tocco, and, until July 25, 1969, Dominick P. "Fats" Corrado. On July 24, 1969, Mr. Corrado was indicted by a New York Grand Jury for extortion. The next day, he resigned from the board of directors, but presumably he kept his 33,424 shares of voting stock. All three of those raceway board members have been identified as members "capodicina" of the Detroit La Cosa Nostra "family."

While the case of Emprise is an apt illustration of the depth of penetration by organized crime into legitimate business, it hardly is an isolated case. Internal Revenue sources have revealed that some 98 of the 113 major organized crime figures in America are involved in 159 "legitimate" businesses. Those businesses include controlling interests in one of the largest hotel chains in the country, a bank having 70 to 90 million dollars in assets, and a laundry business with an annual gross of some 20 million dollars. Clearly, existing laws have placed little or no restraint upon infiltration of legitimate business by organized crime.

Title IX of S. 30 would greatly improve the capacity of the Federal government to deter such infiltration and, where it has occurred, to reverse it. First, the title establishes stiff criminal penalties for anyone convicted of using a pattern of specified serious felonies to gain or exercise control over an interstate business, and adds the unusual criminal sanction of forfeiture. Criminal forfeiture, which was used extensively in England and to a limited degree in the colonies but has found virtually no application in the United States, would punish a criminal found to have violated title IX appropriately by forfeiting his ill-acquired business interests, and it would directly aid the business community by expelling the racketeers from the legitimate business he had abused.

More important, title IX takes the innovative step of applying the civil procedures and remedies developed in anti-trust cases to the problem of organized crime. The primary procedure borrowed from anti-trust experience is the civil investigative demand, a most effective investigative tool for examining business transactions and records. The civil remedies borrowed include divestiture, injunction, and dissolution.

Using title IX's civil provisions, the government, by proving by a preponderance of the evidence that a racketeer had used a pattern of specified felonies to acquire or operate an interstate business, or had rendered his controlling interest with the proceeds of his pattern of felonies, could obtain a court order requiring the racketeer to sell his interest in the business and refrain from re-entering the enterprise either directly or through nominees.

Title IX's civil provisions promise to be far more effective than any existing authority as a means of protecting legitimate businessmen from the ruthless and oppressive methods used by organized crime in its business dealings, and as a means of guarding the American principle of free competition in the marketplace.

I am sure that this Committee and the House of Representatives will lend their experience, knowledge and creative skill to improve and strengthen S. 30 in any respect in which such action is necessary. One possible amendment, for example, which I would raise for your consideration, would add a private civil damage remedy to title IX, similar to the private damage remedy found in the anti-trust laws. Not every businessman, of course, will wish to take advantage of such a remedy, but those who have been wronged by organized crime should at least be given access to a legal remedy. In addition, the availability of such a remedy would enhance the effectiveness of title XI's prohibitions. Every member of the House of Representatives must, of course, remain alert for other ways in which S. 30 could be strengthened or made more effective.

Most important, though, is the need for our swift passage of this well considered, important legislation. The merits of S. 30, and the thorough consideration it has received and is receiving, provide a sound basis on which the committee and the House itself can promptly proceed to pass the bill. I hope, therefore, Mr. Chairman, that I will have the opportunity early this year to join with an overwhelming majority of the House of Representatives in voting to approve the "Organized Crime Control Act of 1969."

SUPPORT FOR NORTHERN MAINE'S DICKY-LINCOLN HYDROELECTRIC PROJECT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. HATHAWAY. Mr. Speaker, the experiences of the summer have made clear how regrettable it is that the House rejected my amendment to the public works bill advocating the reinclusion of \$807,000 in preconstruction funds for northern Maine's Dickey-Lincoln Hydroelectric project. Dickey's potential contribution to the Northeast's economy and power reliability is evident, and I have advanced evidence amply corroborating this assertion.

Because of Dickey's advantageous character, I am confident that the Senate Appropriations Committee will reinsert the funds and that this action will receive the endorsement of the entire Senate. In conference, however, Dickey will inevitably encounter the longstanding opposition of the private power companies. In the past, I have submitted evidence negating both private power's major and minor contentions. I have directed my severest skepticism to private power's reliance upon nuclear power as a solution to our Nation's power problems. I have supported hydro power as the most economical and only nonpolluting source of electric power; I believe that both the general and specific characteristics of hydro-electric facilities far outweigh those of any other type of facility.

Maine's Governor, Kenneth M. Curtis, recently released a report on a study conducted for the New England Regional Commission on the current power situation in New England and the outlook for the future. The report notes that:

First, the New England consumer will pay far and away the highest regional power costs in the Nation—New England power costs run 45 percent higher than the average costs for the rest of the Nation; second, the fragmentation within New England's power network indicates the industry's past failure to work for the common benefit of everyone; third, New England's public power development is insignificant; fourth, New England's power supply cannot continue to be handled in the haphazard manner which has characterized the past and that the New England power industry acting alone is unlikely to meet those challenges successfully. Most importantly, the report continues that Dickey-Lincoln would provide "a pollution-free source of energy" which would "fit admirably into a bulk power system operated by an Interstate Compact Agency" or which should, at the very least, be tied into the long awaited NEPOOL arrangement.

I hope the Governor's report will induce my colleagues to reconsider Dickey's merit.

The report follows:

THE POWER SITUATION IN NEW ENGLAND

(Report by Gov. Kenneth M. Curtis)

At a time when, despite growing power shortages and warnings of outright failures, the Dickey-Lincoln proposal has once again been shelved by Congress and by the lobbying efforts of the private power companies, I think that the people of Maine should be aware of some of the conclusions of a recently completed New England Regional Commission study of the power situation in our region. This study is the first exhaustive, unbiased review of the New England power situation, and, while I do not agree with all the conclusions, I feel that the report deserves wide attention.

The single most important conclusion is that the New England consumer still pays far and away the highest regional power costs in the nation. When figures for all customers are used, New England costs run 45% higher than the average costs for the rest of the nation. The study further highlights the unsatisfactory nature of conditions in our region by comparing our costs to three states most similar in character to New England. New England's costs are 22% higher than Wisconsin's, 30% higher than Michigan's, and 36% higher than New York's.

For residential service, the average New England homeowner pays costs 30% higher than the rest of the country as a whole, 13% higher than New York, 19% higher than Michigan, and 27% higher than Wisconsin. Furthermore, the Maine homeowner pays slightly higher costs than the New England average.

The power companies have noted that New England's costs are closer to the national average than they were ten years ago, but the study indicates that this is primarily the result of the fact that residual fuel oil prices have fallen faster in New England than elsewhere and of the fact that companies have naturally converted from expensive coal to cheaper oil. This change, therefore, results from changes in the oil import program rather than from increased efficiency. Furthermore, recent developments indicate that residual fuel prices, after falling for five years, have begun to rise sharply, so no further relief can be expected from this source.

New England bears higher power rates than the rest of the country because of higher power production costs. These production costs have been partly unavoidable because of our distance from fuel sources. However,

the study makes clear that the differences between our costs and those of similar consuming regions result also from the inefficiency of New England's power network. Specifically, New England has more small plants than other regions. This fragmentation is attributable to the past failure of the industry in all six states to cooperate for the common benefit of everyone, including themselves. The result of the fragmentation is that we all buy power from high cost small units instead of the lower cost large units which generate 37% of the power elsewhere in the country but none of the power in New England.

Lastly, a conclusion which is implicit is several facets of the study, but which is never drawn overtly, is that New England pays higher power rates because our region lacks significantly public power development. This conclusion follows inevitably from the recommendations of the study which all suggest a more active role for the public sector in the future of New England power generation and transmission; it follows also from the inclusion of the Dickey-Lincoln project in the recommended network for 1990; and it follows from the fact that the neighboring state of New York pays rates 36% lower than ours despite conditions which are virtually identical except for the fact that New York State has two major public power projects.

In looking to the future, the study makes clear that power supply in New England cannot continue to be handled in the haphazard manner which has characterized the past. Not only will our power demand quadruple in the next twenty years, but we are now showing a long overdue concern for the environmental effect of power plant and transmission facilities.

Put another way, we simply cannot sacrifice our environment here in Maine to produce the power which air conditions other areas to the temperatures and climate which we enjoy most of the summer. At the same time, however, we must recognize that power must be provided to consuming regions, that we have an abundance of open space which contains some desirable plant locations, that power plants need not pose uncontrollable environmental hazards, and that we ourselves need the power, the jobs, and the tax base generated by this essential industry.

In looking to the challenges of the next twenty years, the study is basically optimistic as long as past mistakes are not repeated. It notes that New England has an opportunity to revamp its entire generation system to more nearly conform to the large, efficient units in use elsewhere. It suggests that careful planning can achieve this growth without substantial environmental damage and that thermal discharge, properly utilized, may even be of some benefit.

However, it also notes that the New England power industry acting alone is unlikely to meet these challenges successfully. Specifically, the study concludes that the New England Power Pool (NEPOOL), first proposed in 1966 but to date a reality only to planners and public relations men, "can only be an interim solution." This is because NEPOOL (1) "provides no assurance that the decisions of its Management Committee will be based on what is best for New England as a whole", (2) lacks sufficient control over its individual members to compel action in the regional public interest, (3) lacks the power to achieve some necessary legislative changes, (4) will be unable to administer the complex intercompany relationships which must come into being, and (5) would be subject to possibly paralyzing regulation by many local jurisdictions.

As a result, the study recommends a series of alternatives including governmental

takeover of all transmission and generation functions, or a regionally controlled interstate compact authority, or regionalization of certain functions such as site acquisition. The study notes that Dickey-Lincoln would provide "a pollution free source of energy" which "would fit admirably into a bulk power system operated by an Interstate Compact Agency" or which should, at the very least, be tied into the long awaited NEPOOL arrangement.

In conclusion, this study, a result of positive cooperation between the six New England governors and the New England Regional Commission, confirms the arguments of those who have felt that power costs in this region have been too high. It goes on to point out that we have an opportunity which may never be available to us again to improve these conditions of high price and low supply by taking steps to increase the public role in the planning, generation, and transmission of New England's future power.

IMPACT AID AND PUBLIC HOUSING

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. WALDIE. Mr. Speaker, it is apparent that there will be no funding of a program of impact aid for education based on the enrollment of children living in public housing.

I find this to be a most regrettable action and fear that it will have severe consequences to communities having public housing installations.

The executive director of the Contra Costa Housing Authority, Mr. Roger B. Spaulding, recently wrote his views on this matter to Senator THOMAS F. EAGLETON, sponsor of the legislation which would have provided this assistance.

I believe Mr. Spaulding's remarks and comments are of great interest to the Congress and I am inserting them in the CONGRESSIONAL RECORD.

These remarks follow:

HOUSING AUTHORITY OF THE
COUNTY OF CONTRA COSTA,

Martinez, Calif., July 28, 1970.

HON. THOMAS F. EAGLETON,
Subcommittee on Education, New Senate
Office Building, Washington, D.C.

DEAR SENATOR EAGLETON: The Board of Commissioners of the Housing Authority of the County of Contra Costa were most distressed to hear that the Senate had voted down your bill to provide funds to carry out approved legislation covering impacted school aid assistance based on enrollment of public housing children. It would now appear that since the House was not able to vote any funds for this new program, and the administration has not requested any, there will be no impacted aid funds for public housing children this year.

This blow has double significance to the communities since the Senate, in recently adopting the Brooke Amendment, reduced still further the meager amount of payments in lieu of taxes available from public housing to cover all municipal services communities are providing occupants of low-rent projects. In our case, the formula for payments in lieu of taxes set by Federal statute of 10% of shelter rent amounted to only approximately \$54 a unit per year. While the full impact of the Brooke Amendment has

still not been determined, since it has produced actual cases of minus rents, obviously the tax burden on the community will be substantially increased.

This sort of legislation by appropriation is not only most disillusioning but will tend to contravene the administrations announced policy of dispersing low-income housing to the suburbs. FHA is no longer judging all types of projects (including public housing) on the grounds of feasibility but has been directed to also consider racial overtones and impact on schools and other municipal services. Obviously the recent Senate action will bring more sharply into perspective the fact that all other subsidized housing programs (FHA 235, 236, Rent Supplement, and Section 23 Leased Housing) pay full real estate taxes and locally-owned public housing becomes a pariah. This situation will give the elected officials in our lily-white bedroom suburbs the only excuse they need to justify to their tax-conscious constituents the killing of public housing. The end result will be to confine public housing to the inner-city where things can't possibly get much worse.

In view of the dismal failure of existing legislation, could we respectfully suggest that the matter now be considered in its true perspective and the Housing Act of 1937 be currently amended to permit payment of the equivalent of full taxes on low-rent public housing projects where all municipal services are provided.

Sincerely yours,

ROGER B. SPAULDING,
Executive Director.

A COURAGEOUS YOUNG MAN FROM MARYLAND

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. LONG of Maryland. Mr. Speaker, CWO Russell Rowe, a courageous young man from Maryland, was killed recently in Vietnam. I should like to honor his memory by including the following article in the RECORD:

RUSSELL ROWE, DURING ACTION IN VIETNAM

An Army chief warrant officer from St. Mary's county has been killed in action in Vietnam, the Defense Department announced yesterday.

He was identified as CWO Russell A. Rowe, 24, the son of Mrs. Z. Ruth Rowe, the principal of a county elementary school.

Mr. Rowe was killed July 19 by what the Defense Department called "friendly artillery fire" at his base camp south of Hue, South Vietnam. The soldier was serving his second tour of duty in the war.

Mr. Rowe enlisted in the Army in 1965, several months after he was graduated from Great Mills High School. He was first sent to Vietnam in 1967 as a helicopter pilot.

Mr. Rowe returned to the United States in 1968 and served as an instructor at Fort Rucker, Ala. He took advanced training in order to fly reconnaissance aircraft and returned to Vietnam in January.

Mr. Rowe was born in Norfolk and moved to Southern Maryland with his family in 1954. His father, a former Navy officer, died five years ago.

Mr. Rowe was buried Wednesday at Arlington National Cemetery.

In addition to his mother, he is survived by a brother, Douglas Rowe, living at the family home in St. Mary's city.

INTEREST AND ACTIVITY IN THE HIGHWAY SAFETY FIELD

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. OLSEN. Mr. Speaker, like others interested in the cause of highway safety I am delighted and proud to note the increasing frequency with which we read and hear of the good results that continue to flow from the public hearings and other work by the Special Subcommittee on the Federal-aid highway program. It has been a great pleasure to serve as a member of the subcommittee, which is chaired by my friend and colleague, the gentleman from Minnesota, the Honorable JOHN A. BLATNIK, who has proved a tireless fighter in bringing about improvement and upgrading in various facets of highway design that affects the lives and safety of our millions of motorists.

Recognition for a job well done is often slow in coming about. Our committee, under Chairman BLATNIK's leadership, investigated in great depth the subject of highway safety, design and operations, prior to holding the hearings. Although the results of our work brought about some immediate improvement, it takes time for the word to reach all the needful places.

However, today's Washington Post contained an editorial which makes reference to JOHN BLATNIK and the special subcommittee. It is a timely and thoughtful editorial, reflecting interest and activity in the highway safety field by the Federation of Insurance Counsel, an affiliate of the Insurance Institute for Highway Safety. I am delighted to call the editorial to the attention of my colleagues in the House:

DEATH PENALTY ROADWAYS

Sixty thousand is now the estimate for annual highway deaths in this country. Previously, American drivers were more peaceful, only killing themselves and each other in the 40,000 to 50,000 range. The car, the driver and the roadway are the three factors in this carnage; although research has provided only limited knowledge on corrective measures regarding cars and drivers, much is known about making roads and highways safe. But the information is not always applied. Roadside hazards continue to award the death penalty to thousands of drivers who suffer blowouts or are forced off the road or sideswiped.

According to the Federation of Insurance Counsel, recent single accident vehicle run-off-the-road accidents on certain sections of the intrastate system represented 57 per cent of the total fatal accidents; and of these, 78 per cent hit one or more fixed objects. Another study, of a state highway system, showed that 63 per cent of fatal one-car crashes were caused by hitting fixed objects.

What this means, to point out the obvious, is that we have been more concerned about the building of roads than their safe operation. Phone poles, light poles, exposed ends of guardrails, sign stanchions, concrete bridge abutments and trees are a few of the hazards that literally stop drivers dead.

Congressmen like John Blatnik and his special subcommittee on the federal aid highway program have long been aware of the untold accidents needlessly caused by booby-trapped highways. Fortunately, many state

highway departments are correcting the hazards in existing roads and preventing new ones from being built without safety planning. For example, researchers at the Texas Transportation Institute at Texas A&M have developed roadside sign poles equipped with hinges that give way on impact, usually saving even the front end as well as the driver. Locally, guardrail endings along I-295 are now buried in the ground, not left exposed to impale an oncoming car.

All this research, technology and congressional concern means little unless the various state highway departments get the message. With some 105 million registered vehicles nationally (double the number since 1950 and half the projection for the year 2000), the roadside safety message, unlike the hazards, should be harder and harder to miss.

HORTON LAUDS ELMER B. MILLIMAN WHOSE "DOUBLE LIFE" IS AN INSPIRATION TO ALL

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. HORTON. Mr. Speaker, quite often we hear, and undoubtedly on occasion use ourselves, the expression "Somebody should do something about it." Consequently it is inspiring to know of an outstanding man who does something about the things he firmly believes need correcting in our society.

The man of whom I speak has long been a personal friend. He is board chairman of Central Trust Co. of Rochester, Elmer B. Milliman. When Elmer becomes aware of a situation or a condition in his community which he believes needs some attention and when he thinks his talents are such that he can be of assistance, he steps right in and takes action immediately.

This trait sets Elmer apart as a very special citizen of the area I represent in Congress. Too often, however, his accomplishments in behalf of others are done so swiftly and so unceremoniously that they go unnoticed except by a very few.

It is for this reason that I would like to share with my colleagues in the House of Representatives a feature story by Margaret Stolze which was the lead story on page 1 of a recent issue of the Brighton-Pittsford Post:

ELMER MILLIMAN'S DOUBLE LIFE: BANKING, HOUSING LEADER

Then because of professional management was needed, John Dale was brought from New York City to operate the housing developments.

"One thing leads to another," Milliman says, "Now we had a housing management team, and at a party (I must go to too many parties) I mentioned to Fred Parrish, who was then Monroe County Republican leader, that I thought the community owed something to older people, since inflation was eroding their savings and making their pensions inadequate. They deserve housing with no stigma of 'poorhouse' attached."

"No one was more surprised than me, when a couple of months later, Fred called and said 'I've got a place for you for your older people's housing.'"

This was the group of one-story buildings in Cobb's Hill Park—a most unlikely prospect for a trail-blazing housing concept.

Run-down barracks-like buildings, originally a fresh-air camp for children, had been used during the war years to house several hundred German and Italian prisoners of war. Rundown and surrounded by barbed wire, they hardly seemed suitable for housing for the aged.

"But the buildings are there," Milliman quotes Parrish as saying. "You might as well have a fling and see what you can do with them."

With the land leased by the city to Seniors Citizens Home Inc., a specially formed corporation, for \$1 a year, reconstruction was begun early in 1953, and the first tenants occupied the units in June of that year.

"Strangely enough, we had a hard time at first renting the 27 units," Milliman says. "But then there was a little publicity on the radio and in the papers, and the floodgates opened. We've never since been without a waiting list at any of the projects for older people."

Initially skeptical, city officials greeted proposals for further developments with enthusiasm.

"Each one was different," Milliman says. "When we started Seth Green apartments, we were forced by the lay of the land to make it two floors, instead of the one-floor, motel-type dwellings that everyone thought the tenants would like. To our surprise, they loved it, and when we went to 12 stories at Plymouth Gardens, they loved it even more. The higher we go, the more they like it—Seneca Towers is 20 floors and had a waiting list long before its opening."

Three years ago, business leaders who felt the tight housing situation here was making it increasingly hard for them to hire the help they needed, formed Metropolitan Rochester Foundation to try to house young, low-income people. The concept they turned to was Milliman's "stepping-stone" housing.

MRF has built Westfall Heights, and expects to start construction on Gleason Estates in Pittsford shortly after June 23.

"Business must help with housing problems," Milliman says, or the city, state and federal governments will have to move.

I have been happy to be able to work at it—in fact, I feel I have gotten more pleasure out of it than I deserve."

Milliman's attitudes and activities have been good for business. He had joined the old Union Trust Co., now Marine Midland banks, after graduation from Harvard Business School, where he went "through the mill" all the way to a vice-presidency in 1937.

"When I was asked to become president of Central Trust in March, 1937, assets were only \$18 million, and all we had to offer was personal service. That's why all Central Trust officers have always had their offices on the main floor of the bank—we want to be accessible to our clients, because what we were selling was personal attention."

ELMER MILLIMAN'S DOUBLE LIFE: BANKING, HOUSING LEADER

(By Margaret Stolze)

Elmer B. Milliman, board chairman of Central Trust Co., is a banker because he got mad.

"When I graduated from the University of Rochester in January 1919, says the tall, greying Milliman in his machine-gun staccato voice, "I was registered at Harvard Law School, but took a job at one of the local banks, just until school started in September. Well, I had a difference of opinion with my boss, and I either quit or was fired, depending on whom you asked. That made me so mad that I wanted to prove I could make it in banking, and I went to Harvard Business School instead of the Law School."

But, as John A. Dale, Central Trust Co. vice president and director of Metropolitan Rochester Foundation, of which Milliman is

president, says, "Elmer really leads a double life."

The second side of Milliman's double life consists of his role in making Rochester a nation-wide leader in low-income housing—first for veterans, then older people, and most recently for young people in low to middle income brackets.

"Milliman firmly believes that banking can be a creative career. The quality of a person's life is made up of his spiritual life and material welfare," he says. "Perhaps I'm biased, but I feel banking can be of tremendous help to people in the latter."

He carries the same attitude over into his involvement in housing.

At the moment, he is most excited over the opening of Seneca Towers, high-rise housing for the aging on St. Paul St. near Memorial Bridge.

"Older people should be enabled to be independent, self-reliant, live their own lives in their own homes," he says. "With suitable housing, 10 years can be added to their independence, and they can live longer, fuller lives."

Milliman became interested in housing because of his willingness, as he puts it, to be the "George" of "Let George do it."

"I was at a party right after World War II with Charlie Marshall, then Central Trust's chief mortgage officer," he says, "and got talking about the fact that veterans were coming home, and because of the housing shortage, weren't finding places to live. 'Somebody,' we said, 'should do something about it,' and then we decided that 'somebody' should be us."

Milliman's idea was, basically, stepping-stone housing, in which veterans could live for a few years until they got on their feet.

Mobilizing the resources of the community, Milliman saw Fernwood Park, the area's first veteran's housing, started in January, 1946, and all 152 units completely occupied by the end of the year.

Three things made Fernwood Park possible—the city allowed use of its land, with the stipulation that it would return to city ownership when the mortgage on the buildings was paid off, taxes were abated, and local banks financed construction at special low interest rates.

In rapid succession, Norton Village and Ramona Park were built on the same basis. When Central Trust Company merged with Charter New York bank holding company a few weeks ago, its assets were \$250 million.

"The handwriting was on the wall," Milliman says. "Statewide banking is just over the horizon, and small community banks will be going the way of the corner grocery store. If nothing else, we would have found ourselves increasingly unable to meet the loan needs of our customers."

With the merger, Milliman relinquished his position as chief executive officer of the bank he headed for over 30 years, but remains as chairman of its board of directors.

"I wish I could be in on the tremendous developments that are going to take place in banking in the next few years," he says, "but I will continue to consult with the bank, and will continue to be active in housing. Outside of that, I hope to improve my golf game—I've been waiting for 15 years to get the spark—fuss a little with my garden, fish and read a lot."

What does he plan to read?

With a sidelong glance to gauge the reaction, Milliman says, "Well, I'm really fascinated by pre-historic man, archeology, the Middle East, comparative religion—all that field."

The reaction must be acceptable, because he goes on with enthusiasm.

"I don't really study it—I just read everything I can get my hands on, and some of it sticks. My wife and I took a trip all through the Middle East—Turkey, Syria,

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Jordan, Lebanon, Israel, Greece—so I could actually see the places I had been reading about. We had a great deal of fun with the guide, because every once in a while some little fact would pop into my mind and I would floor him with it."

His next travel plans are for the Yucatan Peninsula, where he hopes to visit Mayan ruins.

"I'm intrigued by all the knowledge which the human race once had and which was subsequently lost. Prehistoric Crete had indoor plumbing, but the knowledge evaporated for thousands of years afterward, and the Mayas had a calendar that was much more accurate than that of the Greeks and Romans. I think what I like is just acquiring knowledge—I enjoy it."

His wife, Barbara, he says, is not particularly interested in his subject, "but she certainly enjoys the trips."

Milliman has bought a condominium in Juno Beach, Fla., and expects to spend Winters there, returning to his home at 15 Briar Patch Rd., Pittsford, for the balance of the year.

"Any kid with ambition and the desire to do something for the community should try banking," he says. "I have found it tremendously rewarding."

FOOD TRANSPORTATION, PREPARATION ADDS COST

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ZWACH. Mr. Speaker, almost every day, if we have the radio or television set turned on, we can hear someone commenting on the high price of food and leaving the impression that the farmer or the food store are profiteering.

We know that to be far from the truth. The prices the farmer receives for his products are lower today than they were 20 years ago. And the supermarket ends up with a profit of about a penny on a dollar of sales.

Mr. Speaker, with your permission, I would like to insert in the CONGRESSIONAL RECORD an editorial from the Brainerd Daily Dispatch, in our Minnesota Sixth Congressional District, which points out the part that transportation and preparation play in the final cost of our food.

There is a lesson here that all of us would do well to learn:

FOOD TRANSPORTATION, PREPARATION ADDS COST

The Economic Research Service of the U.S. Department of Agriculture has issued a leaflet, entitled "What Makes Food Prices?"

The leaflet attempts to explain why food prices appear to be so much higher than the prices received by the farmers.

It points out that there are many factors besides inflation which determine the relationship of pocketbooks and supermarkets. "Today," the publication states, "we can buy more foods throughout the year than ever before, thanks to canning, freezing and other ways of keeping foods."

Seasons don't exist in food stores. Americans expect to buy lettuce, tomatoes, fresh fruit and other vegetables in January, the same as we do in August—even though they cost a little more. Many of the foods are brought thousands of miles from warmer climates during off seasons—because people want them.

Another factor in food prices is that more foods are pre-washed, pre-peeled, pre-cooked, pre-mixed and pre-packaged—preparation that costs more, but provides a convenience for which consumers are willing to pay.

It costs about \$60 billion a year to prepare, transport and distribute food to local stores. About 45 per cent of this sum goes to pay the five million people employed by the food industry. The supermarket ends up with a profit of about a penny per dollar of sales.

The leaflet also points out, about one fifth of most people's grocery bill isn't groceries at all. It is something to wear, read, listen to or clean with.

The truth is that the U.S. mass distribution system in a free market has no equal for sheer economy and efficiency.

FEDERAL AND STATE ELECTION CHANGES

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, August 6, 1970

Mr. CRANSTON. Mr. President, the upcoming election in November is of vital concern to every American. I firmly believe that it is incumbent upon all Americans to be aware of the provisions pertaining to the franchise. It is important that Californians hear of Federal and State election changes. I ask unanimous consent that the text of a letter I shall be sending to some of my constituents be printed in the RECORD.

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

DEAR FRIEND: California and the Nation are faced with diverse and complex problems and I know you will want to be involved in their solution by voting for those candidates who best represent your point of view.

There have been changes in both Federal and California law which may affect your right to vote. A 1970 Amendment to the 1965 Federal Voting Rights Act prohibits the use of tests and devices as a condition of registration, a practice which has been common in some counties in California. Now under a new California law residents who have recently moved can re-register by completing and mailing the enclosed card before the September 10th deadline for registration.

I hope this information will be useful to you and that you will want to take advantage of the changes.

Sincerely,

ALAN CRANSTON.

"THE THREAT"

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. BERRY. Mr. Speaker, on June 8, 1970, Mr. Leo A. Hoegh, ex-director of the Office of Civil and Defense Mobilization gave a hard-hitting talk on "The Threat" and, because his concern for the security of America is shared by all of us, I am taking the liberty of inserting it in the CONGRESSIONAL RECORD. I recommend it to all my colleagues, and his remarks follow:

"THE THREAT"

I wish to give you a layman's opinion as to the "Threat" today.

Hitler, in his "Mein Kampf" clearly challenged the free world, but only a few, yes, a very few believed him—and he came close to conquering the world.

The communists have been and are today just as bold. . . .

We will bury you
The Monroe Doctrine is dead
Cuba is a communist stronghold . . . keep hands off

We will help the Viet Cong defeat the American imperialists

We will conquer America from within
Make no mistake about it . . . Communism is dedicated to world conquest and the enslavement of all free people. Every communist leader from Marx to Mao is dedicated to this objective.

We are at war with this atheistic and sinister conspiracy . . . and all freedom-loving people had better wake up . . . before it is too late. Why oh why are we lulled to sleep . . . "They don't mean it . . . They want peace" . . . The uninformed pacifist and idealist cry out.

It was only after Hitler thrust the dagger into Poland and Czechoslovakia that we awakened to the danger . . . and recognized that Hitler meant what he had said.

Already the communists have proven their intentions:

- The Korean War
- The takeover of Cuba in 1961
- The erection of the Berlin Wall in August 1961
- The takeover of Laos in 1962
- The stealing of our ships on the high seas
- The increased activity of the communist party in U.S.A. and South and Central America
- The takeover of Czechoslovakia in 1968.

FINANCING AND LEADING GUERRILLA WARFARE ON OUR STREETS AND CAMPUSES; SUPPLYING 85 PERCENT OF ALL ARMAMENTS TO THE VIET CONG

What more proof do these idealists need????

You recall . . . When Truman and Acheson said in the spring of 1951 . . . That Korea meant nothing to us . . . The communists struck . . . And we became embroiled in a costly war. We didn't win it, because our political leaders would not permit the military leaders to penetrate the Yalu River and the enemy's sanctuaries.

In the fall of 1961 the communists again struck . . . This time Laos . . . and after they had taken 2/3 of the country, they agreed to make Laos a neutral country. Neutrality to the communists means . . . It's their's to use . . . keep hands off.

Next they moved against South Viet Nam . . . Our response was tragic. Not because we rose to its defense, but because we failed to let the military win it. The doctrine of "Graduality" got us involved in a long bloody war.

It is interesting to note . . . That the congressional peaceniks who now decry the first bold military action in Viet Nam and Cambodia . . . are the same ones who demanded the graduality strategy. These armchair quarterbacks have never and could never win a war . . . let alone a football game. Actually, they could bring us defeat because of the aid and comfort which they inadvertently give the communists.

Let me quote Soviet Premier Kosygin . . . "American progressive forces are fighting against the war in Indochina, and we welcome this struggle." One of the North Vietnamese delegates to the Paris conference puts it this way . . . I quote . . . "We warmly welcome the many U.S. leaders and the majority of the American people who have stepped up

their struggle to check the aggressive hand of the Nixon Administration."

To my amazement, two weeks ago, seven Anti-War Senators urged President Nixon to sell additional aircraft to Israel . . . arguing that the use of Soviet pilots and troops in Egypt threatens Israel and world peace . . . Don't they know Russia supplies 85% of all armaments and vital supplies to the Viet Cong? . . . That without such armaments being used against us, our fighting men would have been home long ago . . . and that now with us destroying these armaments and the communist sanctuaries in Cambodia, the effectiveness of the Viet Cong will be greatly reduced????

This is not to say I'm in favor of selling planes to Israel . . . but what I cannot understand is how can these Senators be so inconsistent . . . and get by with it.

It was common knowledge that the communists had occupied certain areas in Cambodia since 1965. That they used these areas to rest, regroup, and resupply their troops. It is no wonder that our fighting men have been bitter . . . As they put it . . . "One hand tied behind our backs" by orders from Washington against pursuing the Viet Cong into their so-called "Privileged sanctuaries" and destroying their bases.

The peaceniks charge . . . "This is an invasion of Cambodia" . . . I ask . . . what is so sacred about enemy troops operating out of Cambodia against the desires of the Cambodian government? This is like denouncing the British for invading German-held Holland in WW II operations at Arnhem. Cambodia's neutrality was violated no less by the Viet Cong than was Holland's neutrality by the Germans.

The peaceniks charge . . . "This is an escalation of the war . . ." They ignore the fact that the North Vietnamese troops are in South Viet Nam . . . Not South Vietnamese in North Viet Nam: That the North Vietnamese troops have occupied the privileged sanctuaries in Cambodia and are now trying to take over Cambodia from these sanctuaries.

The peaceniks charge . . . "This is widening the war . . ."

It is difficult to understand how destroying the sanctuary bases, which have been prolonging the war and causing greater casualties, would constitute widening the war.

The difference, of course, is that the critics of Nixon in the Senate and on the inflamed campuses want no success at all in Indochina. They want defeat and admission of wrong. They want atonement and apology . . . Apology for the justifiable exercise of power to bring political stability to Southeast Asia, apology for helping small countries avoid external domination . . . Apology for upsetting the communist's plan . . .

The very success of the operations is cause for complaint . . . The destruction of the Cambodian sanctuaries reduces the ability of the communists to conduct the war, at least for the next 8 to 12 months while 15,000 American troops are coming home. It increases the time table for the South Vietnamese to become capable of resisting future attack . . . which is what Vietnamization is all about.

We have achieved great success with the Sanctuary operation . . . As of May 30 . . . the results were:

- Individual weapons captured—15,000.
- Large (crew type) weapons captured—2,000.
- Rockets captured—27,000.
- Mortar rounds captured—26,000.
- Small ammunition captured—over 10 million rounds.
- Rice captured—over 11 million lbs.
- Bunkers destroyed—over 8,000.
- Enemy killed—over 9,000.
- Enemy captured—over 2,000.

We definitely have hurt the enemy . . . But more important we have shown him we finally mean business, and that we will no longer tolerate stopping at the "Yalu."

The war is unpopular . . . but where Americans are committed to action, they deserve our support. Loyalty does not come only with fair weather, but should be even stronger when the nation is in a storm. The New York construction workers have taken the lead . . . and it's time for all red-blooded Americans to speak up loud and clear.

What has caused this recent furor??? It certainly didn't come about instantaneously and without some long-range planning. In our country this communist international conspiracy is represented by a bold and defiant communist party. Its membership consists today of a small, hard core of revolutionary fanatics—100,000 strong—all subservient to the dictates of Moscow.

Their foremost target in the U.S. has been our young people. The shameful riots on our campuses are encouraged and many times led by communists. Most every campus has had a communist functionary appear before student groups. The communist purpose is to create confusion, raise questions and spread doubt among our young people concerning the American way of life. It is indeed ironic that communist speakers, whose minds and thoughts are in no manner free . . . should demand the opportunity to parrot the Moscow line under the guise of academic freedom. Academic freedom is not an agent of self-destruction—a freedom to destroy freedom. Academic freedom is not obligated to carry along the lies and distortions of known communists. It's difficult for me to understand why so many professors are permitted to advocate rioting and destruction on our campuses.

The peddling of their dishonest doctrine is not unlike the peddling of filth and dope in demoralizing effect. It undermines patriotism and creates doubt about our social and economic system.

Our intelligence has discovered that the revolutionaries who seek to dominate the anti-war movement are receiving instructions from Moscow and Hanoi. They aren't against the war at all . . . They merely are on the enemy's side. Their aim is to stir up "new wars of liberation," including Guerrilla warfare in the streets and on the campuses . . . to advance the communist cause. Their immediate instructions are to agitate in the U.S. for an unconditional withdrawal from Viet Nam. The Hanoi controlled South Vietnamese liberation student union, for example, maintains an underground liaison with U.S. leaders of the S.D.S. and the student's committee for the end of the Viet Nam war.

Too many educators . . . Yes, too many Americans consider the S.D.S. and riot leaders harmless and ineffective. J. Edgar Hoover, Director of F.B.I., puts the record straight in his September, 1969 report . . . and I quote: "The goal of the S.D.S. is the destruction of U.S. 'Imperialism,' and the achievement of a classless society through international communism. The S.D.S. considers the rebellious youth of our country as part of the international liberation army . . . Those who rally to the support of the new left do so under no illusion." Hoover continues, "The issues are now clear. The Marxist dogma is in full command. S.D.S. now calls for outright revolution."

Do you remember, this early spring, that 1,000 young Americans journeyed to Cuba to harvest sugar cane??? They didn't cut one stalk of cane . . . but instead they were indoctrinated and trained to attack and destroy our government and institutions. These militant revolutionists returned to the U.S. to implement the communist purpose of caus-

ing chaos, confusion and outright revolution in our institutions of higher learning and in the streets of our cities. They did a pretty fair job . . . over 50 universities and colleges were closed down the first week in May—4 weeks early.

It's time for our college presidents, regents and trustees to protect their institutions, and the rights of the majority of students, who would rather study than riot, rather than to forsake their responsibilities and give in to mob rule.

In 1968 over \$3 million in damages were suffered by our universities because of these insurrectionists . . . In 1969 . . . over \$5 million; and in 1970 . . . \$2 million at K.U. alone, \$1 million at CSU, with a total in excess of \$20 million predicted. Nothing short of a concerted effort by an aroused public will stop this destructive movement. As a member of this patriotic organization . . . what have you personally done to stop it?

Have you any doubt what these young radicals have in mind for you? Listen to their words:

"We must make the university the home of the revolution." Ewart Brown, Student Body President of Howard University.

"What I mean by revolution is overthrowing the American Government." Devereaux Kennedy, S.D.S., Student Body President, Washington U.

"Eventually we seek to create a communist society in which everything will be decentralized, and there will be no formal educational institutions." Dave Gilbert, S.D.S.

"If students want to run the college, and if the administration won't go for it . . . then you control it with a gun." George Murray, Black Panther Officer.

Did you know that Jerry Ruben, one of the Chicago seven, was on the Kent State campus the night before the riot. Here is what he told 1,500 students:

"Quit being students. Become criminals. We have to disrupt every institution and break every law. The first part of the Yippie program, you know, is to kill your parents. And I mean that quite seriously, because until you're prepared to kill your parents, you're not really prepared to change the country, because our parents are our first oppressors . . . We have all got to become riot inciters. A riot is a party. A riot is four or more people having fun . . . There's gonna be riots everywhere."

Everyone was quick to condemn the National Guard for doing its duty . . . but they forgot to mention that Reuben and the revolutionaries actually were the cause of it all . . . Yes, everyone forgot to ask . . . who incited the riot?

Fortunately, the great majority of our students do not subscribe to these revolutionary tactics . . . but many naive students may eventually succumb unless our university leaders lead, instead of being led.

What is the threat? Very simply stated . . . our great nation is under assault from without and from within. There are forces at work which want to substitute atheism for Christianity, force and slavery for freedom, and the masterful state for dignity of the individual.

Because of the valiant efforts of our forefathers . . . we live in a nation which offers its citizens more equality, more justice, more freedom and a greater opportunity to pursue happiness than ever provided by any other system in recorded history. The voluntary return of 6 Americans who had hijacked airplanes to Cuba, points up a commendable reality . . . life in an American prison is preferable to life under a communist dictator. Unfortunately, many Americans today have become so accustomed to our inherited rights, that they take them for granted. They

want and demand the privileges of a free society, but they do not want to be bothered with the attendant responsibilities. They shrink from duty and service.

ATTACKS ON ROTC

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. MOLLOHAN. Mr. Speaker, Mr. Harry Hamm, editor of the Wheeling News Register, has written an extremely interesting column about student demonstrations against Reserve Officers Training Corps facilities on college campuses.

He asks an important question which I feel we all must search for the answer, if law and justice is to prevail: "Why has so little been done to apprehend and punish those responsible, as well as those taking part?"

There is a strong law on the books which covers such demonstrations in which property is destroyed and persons are injured. It should be enforced; otherwise, students will grow into adulthood with little respect for the law.

But even of more dangerous consequence, as Mr. Hamm notes, is the fact that several colleges have capitulated to the demands of these not-so-nonviolent student demonstrators and have banned ROTC programs from the campus.

But as Mr. Hamm also points out, "Clean and neat appearing boys have always been the targets of the street corner hoodlums. But they have always lived through it." A demonstration is no reason to surrender to surrender's sake.

At this time I present the column and urge my colleagues to read it:

ATTACKS ON ROTC

In all the college uprisings in recent years, none has been more violent or vicious than those in which the ROTC (Reserve Officers Training Corps) has been the target. Army, Navy and Air Force records reveal that for the college year ended this past June there were more than 400 anti-ROTC incidents at many of the 364 schools embracing the ROTC program.

The number of such incidents alone, averaging more than one for each school, provides a shocking picture. But add to this the figures compiled by military instructors and sent to the Pentagon: ROTC units in 76 colleges were the objects of 145 attacks resulting in property damage or personal injury; 73 attempts were made to blow up or burn school buildings provided for ROTC use; military instructors were physically assaulted; the home of one instructor was firebombed; shots were fired into the home of another; ROTC offices were vandalized, with records destroyed, weapons and ammunition stolen, walls covered with obscenities.

This is only a partial list of the formal reports; not included was the personal abuse heaped on serious minded cadets, nor disruptions of their classes by agitators.

In all of the college riots and lesser demonstrations one puzzling fact has stood out: Why has so little been done to apprehend and punish those responsible, as well as those taking part? Compared to the hundreds actively involved there have been precious few reports of punishment; and for the most part

these were token in nature and hardly effective enough to act as a deterrent for future violence.

This has held true in the attacks on the ROTC, causing one Justice Department official to note that only three arrests were made. "If we could identify more, we would prosecute. We have some tough laws on the books." Indeed there are some tough laws. One passed in 1917, just about the time this country got into World War I, makes any attempt "to interfere with and obstruct the United States in preparing for and carrying on defense activities" an act of criminal sabotage, carrying a penalty of 30 years in prison and a \$10,000 fine. Another act, covering destruction of government property, provides for 10 years in jail and also carries a \$10,000 fine.

The three arrests noted above were made by federal officials. Two of the suspects are awaiting trial. Last February a student pleaded guilty to criminal sabotage in an attempt to bomb a ROTC building. He got five years in prison. Of hundreds of others arrested by local police officials a comparative few were brought to trial and for the most part paid small fines for misdemeanors.

The radicals' war on the ROTC has had its effects. Student enrollment has dropped and a few of the colleges have dropped the program, although the total number of units has risen, due to new ones being formed, and at last reports there were 42 applications from schools on file.

What is the reason for this vicious attitude toward the ROTC program. Various answers have been advanced, including the fact it is a reminder of the Vietnam war. No one can deny the uselessness, nor the disgrace, of that conflict; but why use the program and the students taking advantage of its as whipping boys?

We are inclined to agree with military officials who pointed out that ROTC cadets dressed in uniforms, with neat haircuts and shined shoes and possessing a general air of reliability, are the natural targets of radical agitators. The idea is not new. Clean and neat appearing boys have always been the targets of the street corner hoodlums. But they have always lived through it.

REPORT ON HEALTH AND SAFETY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. WILLIAM D. FORD. Mr. Speaker, a recent comprehensive report by occupational health and safety expert, Jerome B. Gordon—see remarks of August 4, 1970, page 27345—has effectively emphasized the need for strong safety legislation.

The importance of this measure, and the validity of Mr. Gordon's report are affirmed by a recent release by the Press Associates, Inc., of Washington, D.C.

Because H.R. 16785, the Occupational Health and Safety Act, will soon undergo consideration in the House, I would like to recommend this release to the attention of my colleagues:

UNDERCUT ON JOB CASUALTIES

Most Americans have been horrified by the accepted figures of death and injuries on the job—14,500 killed annually and some 2.5 million suffering disability injuries each year.

These figures, however, could be far too small, a study undertaken for the U.S. Department of Labor has concluded.

The 700 page report has not been released by the Department but its chief author, Jerome B. Gordon, has disclosed the contents. And Gordon's own opinion is that the report will not see the light of day although the Labor Department has only had it for one month.

Gordon's study shows that some 25 million serious injuries and deaths in the nation's workplace go uncounted each year. He places the blame for the undercount in three areas:

Failure of many industries to file accurate reports on injuries;

Industry-dominated standards groups, and improperly run and underfunded programs operated by the Federal government and the National Safety Council.

Even if Gordon's conclusions are only partially correct it places an even more urgent label on organized labor's drive for effective occupational health and safety legislation.

The Daniels-Williams bill has the support of organized labor. It authorizes the Secretary of Labor to set safety standards. However, a substitute measure backed by the Chamber of Commerce of the United States and the Nixon Administration would place great standard-setting authority in the hands of such semi-public organizations as the American National Standards Institute.

Gordon says the ANSI is an industry-dominated organization whose general manager is an official of the Chamber.

In 1969 Gordon, an independent management consultant, received a \$58,000 contract from the Labor Department to study the entire system of data collection in the area of occupational health and safety and make recommendations.

He found that the serious undercount in job-related deaths and injuries was perpetuated by industry dominance of private safety standards organizations which, he says, "literally allow most firms to compose their own records on industrial accidents and hide thousands of hazards on the job."

Gordon and his team of systems analysts also concluded that "job hazards are worsening." He compared reports made by firms to the State of California—which has a good reporting law—with the reports of the same firms to the U.S. Government. Gordon found that over 36 percent of the firms examined actually had "injuries" while reporting "no injuries" to Washington.

"On a national basis," Gordon said, "this means that approximately 200,000 disabling injuries—that is accidents involving one day of lost time from the job beyond the date of injury—beyond the approximately 2.5 million recorded annually are missed."

This is under the present yardsticks. However, he has concluded that if the "serious injury index" is made more accurate it would produce "dramatic increases in the number of industrial injuries and deaths."

He cites the case of the American Telephone and Telegraph Co. which left the National Safety Council competitions and reported over a 300 percent increase in its internal company work injury experience with just a modified version of the "serious injury index."

Gordon would include in the "serious injury index" all disabling eye injuries, all fractures, all injuries which require a visit to a physician for treatment and all injuries which cause a shift of job. He would include these whether they involve lost time or not.

In addition, Gordon believes that industrial diseases which often cause serious injury or death are greatly under-reported or unreported.

The American National Standards Institute, Gordon says, has completed a study for the Department of Labor which calls for a modified version of the "serious injury

index." However, he reports, "they have been stymied by considerable industry and trade association pressure."

Another question mark surrounding the job accident survey is that the 16 states, which cooperate with the Labor Department, often "sabotage data collection by refusing to mail our survey schedules and follow-up on responses," Gordon says.

When he adds up all the deficiencies, Gordon reaches his final conclusion that there is a ratio of ten serious injuries for every disabling injury reported.

On this basis, he says that "this means that the current national level of injuries reported by the National Safety Council of 2.5 million disabling injuries should be more like 25 million 'serious injuries'."

And all this makes labor's case for the Daniels-Williams bill that much more urgent.

IRELAND, ISRAEL—ALIKE, YET DIFFERENT

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. O'NEILL of Massachusetts. Mr. Speaker, Ireland and Israel are two countries which are often referred to as "second homes" for many Americans because of strong ethnic, religious, or familial ties. Today these two great nations are facing critical times, one from internal dissent, the other from the pressure of an external war. I share the growing concern of many Americans for the future of these strife-torn countries. For this reason I am pleased to include the following article written by Elizabeth C. Winship of the Boston Globe entitled "Ireland, Israel—Alike, Yet Different."

This reporter vividly describes the unique beauty of each country as well as the striking parallels they share. The Emerald Isle of rolling hills and rosy cheeks attracts as many visitors as the birthplace of Judaism, Christianity, and Islam. Both nations have been oppressed and seen their people victims of persecution.

Elizabeth Winship illustrates in her excellent article the precious heritages of the two nations. Their land, their people, their customs enrich the world community and have contributed greatly to the richness of American life.

I commend this article to my colleagues:

IRELAND, ISRAEL—ALIKE, YET DIFFERENT

(By Elizabeth C. Winship)

Ireland and Israel are both very old countries. They are both very old countries.

Both were late under British rule, winning their respective independence only quite recently. There is still British evidence in either place—both countries use the pound as a monetary unit. Neither country is overloaded with Anglophiles.

Agriculture plays a large role in their economies. So do large hordes of roving tourists.

In both countries, religion is closely linked to government. They do not insist on separation of church and state as we do. Kosher food is served almost without exception in all public places in Israel. The whole country shuts down Friday afternoon to prepare for the Saturday Jewish Sabbath. In the Irish Free State, the public schools are Catholic.

Each country has its grand old man. Eamon de Valera is 88 and still president of his party, the Fianna Fail. He is a man revered and respected throughout the world. So is David Ben-Gurion. Now 84, Ben-Gurion has retired from the Knesset (the Israeli Parliament), and is writing his memoirs, but he is still the man that all important visitors want to see.

Both countries are neat. Both are orderly. Both have their wars. Both begin with "I".

So what do all these similarities lead up to? Two countries just about as different as they could possibly be.

Ireland is all greens and soft rain, and the enveloping kindness of the world's most hospitable people.

Israel is contrasts—hot sand here, lush green there with quick hot sun and the world's most determined people.

The tourists' predominant impression of Israel is new and bustling; of Ireland, ancient and resigned.

The climate hits you first. If only Israel could swap a little of her sun for some of Ireland's rain. But then, each country would lose something. Israel without its deserts and her people without their bronzed skins would not be half so attractive. The keynote of Ireland is her drenched green fields, and as for those rumors about the Irish complexion—they are true, and then some!

An early impression on a visitor to Ireland is the walls. The country is crisscrossed and crosshatched with them. In Israel there are none, to speak of. Both countries are richly endowed with stones, and the Irish have laid them up into neat grey walls, mile upon mile, separating the fierce green little fields. The Israeli, when clearing fields, simply dumps the stones around the edges in heaps. Lazy? No. There's no need for fences because their animals are not pastured but herded. Cheaper for a man to watch a flock than build a wall, and they are in a hurry, too, to get the earth producing food.

These walls say something about differences in the concept of property. Ireland has been subdividing her land among sons, and then redividing among grandsons for hundreds, thousands of years. Israel never had these divided fields. Bedouin-type grazing, where anything that grew that an animal could eat, was the fashion, and even when land was privately owned, little of it was tilled until this century when the Jews almost miraculously wrested arable land from desert and swamp.

The whole aspect of the farms today is still entirely different. The kibbutz or co-operative farm stresses joint ownership or co-operative action, which enables Israeli farmers to take advantage of modern agricultural methods and equipment. Israel's universities help develop the most efficient techniques to produce the fruits and vegetables and dairy products the country relies on for export.

Jaffa oranges come to our supermarkets from the neatest, best tended groves. Glad-lolas bloom in the desert, for export. Baby olive trees are growing in nurseries that sprouted only boulders for thousands of years.

Irish farms seem unchanged over the centuries. One of the most charming sights is the countryside dotted with small thatched-roofed farms with their neat courtyards. These one-family privately owned farms cannot afford the machinery for modern day operations. The lovely whitewashed houses please the tourist's eye and add hugely to the serenity of the landscape, but will the farmer's wife and children want to continue a hard old-fashioned way of life?

In both countries history is visible everywhere, but the histories are very different.

Israel is ancient history, even pre-history. Civilization is thought to have dawned in the land between the Tigris and the Eu-

phrates rivers, not very far northeast. And, of course, you live in the Bible from one end of the country to the other. Stand anywhere in the wasteland areas which cannot be cultivated, and you feel the presence of the past. You can see Abraham riding south towards Egypt, and all the hordes of peoples, Turks, Romans, Crusaders, Egyptians, who have rolled over the land. Stepping into old Jerusalem is a powerful experience, whether one is Jew, Christian or Moslem.

But, and this is a big but, step into modern Jerusalem, or any other part of new Israel, and history flees. You are in a thriving, bustling modern Western culture, and not likely to forget it.

In Ireland, too, antiquities are visible at every hand. Though the civilization may not have got underway as early as in Israel, there was a thriving society here in the Bronze Age making Irish gold ornaments so good they were popular in Britain, France and Luxembourg.

Ireland wasn't constantly overrun by other people as was Israel. The Romans, surprisingly enough, never crossed the channel from England. But Vikings came, and made their presence felt the length and breadth of the land. And later on the English and Normans.

Everywhere you go there is a church or castle, grey granite weathering, like as not falling down. Like the Jews, the Irish know their history, and delight in telling you who lived here, or what battles were fought.

These relics of the past are not so old as Nazareth or Bethlehem, but curiously, the general atmosphere in Ireland seems to be much more than one of age. People look more to the past. The cities and towns look old. They aren't full of cellar holes for new buildings, or edged with masses of steel and concrete, reaching skyward for highrise apartments.

Compare the Parliament buildings, for instance. The Dail, in Dublin, is traditional Gothic, venerable and dignified. Jerusalem's Knesset is brand new, the most modern of architecture.

The governments in these buildings are even more unlike. Israel is, or has been, unified under the pressure of the war from without. Ireland is fractionalized by the war from within—the Catholic-Protestant differences, and the division between Irish Free State in the South and the British oriented five counties in the North.

URGENT NEED FOR OCCUPATIONAL SAFETY BILL

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. DANIELS of New Jersey. Mr. Speaker, pending before the Rules Committee is the occupational safety and health bill, H.R. 16785, which I introduced in this body on April 7 of this year. On several previous occasions I have called to my colleagues' attention the tragic waste of life and limb occurring in this Nation's workplaces. A few days ago, Mr. Jerome B. Gordon of Delphic Systems and Research Corp., revealed the results of a study he completed for the Department of Labor showing tremendous undercounting of industrial deaths and injuries.

A summary of Mr. Gordon's report was printed recently in an article in the Washington Report, the weekly publica-

tion of the United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW. I am incorporating this article in its entirety to focus on the urgent need for passage of H.R. 16785.

WASHINGTON REPORT

ON-THE-JOB INJURY—REAL COUNT IS 25 MILLION

Twenty-five million industrial deaths and injuries—not 2 million as frequently quoted—afflict American workers every year.

That's the amount of carnage, slaughter, and pollution which workers face on their jobs according to an independent study made for the U.S. Department of Labor, which the government was in danger of suppressing until it surfaced last week in a special press briefing arranged by the UAW in Washington.

Ten times as many workers are hurt on their jobs than official figures show, the report states. It called for many reforms in the statistic-counting business and condemned the use of industry reports which undercount the extent of American industrial accidents.

Workers hurt on the job one day, if they punch in the next day are not counted as injured. Sources at the Bureau of Labor Statistics admitted the report was "quite factual and true" but insisted that the Labor Department did not have the staff or funds to do a proper job of injury counting.

The whole thrust of business opposition to the occupational safety and health bill now before Congress is that "workers are safer on their jobs than at home or on the public highway."

Both supporters and opponents of a strong safety and health bill use the same set of figures—14,000 industrial deaths a year and 2.5 million injuries.

The report made by Jerome Gordon was launched over a year ago by David Swankin, a holdover Democratic appointee and former head of the Bureau of Labor Standards. The report was sent to the U.S. Department of Labor on June 30 of this year. Gordon released the findings of the report because he feared it would never see the light of day.

Gordon's study shows that if serious work injuries were reported, rather than just disabling injuries (those that cause a loss of at least a day's work), the number would be many times what it is now, or 25 million injuries a year, compared to the 2.5 million reported.

As part of the business campaign to kill a strong safety and health bill, General Motors has been circulating in its information racks a booklet which describes GM jobs as 99 percent safe. Based on the criteria used by the National Safety Council these figures are undoubtedly correct, but they are extremely misleading as both Gordon's reports and testimony before both House and Senate subcommittees showed this year.

If statistics were collected for all serious work injuries, and not just the disabling ones, the count would include the disabling injuries, all eye injuries, all fractures, all injuries requiring a visit to the doctor, and all those requiring a change in job but with no loss of time.

The pending Daniels safety bill (named for Dominick Daniels, chairman of the labor subcommittee who wrote the bill) provides that the Secretary of Labor in cooperation with the Secretary of Health, Education, and Welfare "shall make regulations requiring employers to keep records of all work-related injuries, diseases, and ailments which arise from conditions present in the working environment."

Such a legal requirement would throw out the present National Safety Council measurements which were exploded by worker testimony before the Senate labor subcommittee this year.

The House Labor Committee's report on the bill said that the bill's language "should be treated as a minimum floor which includes such conditions as work-related loss of consciousness, treatment by a physician (even if the treatment occurs only once and subsequent treatment is by a nurse or medical technician), and records of diseases which are incurred from work exposure (such as asbestosis and silicosis) and which may not be known to an employer until after this employee retires and applies for medical benefits under his retirement plan."

Gordon said that only \$225,000 is available for counting injuries. Only two full-time professionals are involved in the work and far too much reliance on private standard setting agencies like the American National Standards Institute is made by the federal government. Gordon's recommendations call for a completely government program of counting injuries, with strong federal intervention to get improved reporting under state workmen's compensation laws, use of the "serious injury" concept, experiments in computer reporting, and adequate funding between \$1.7 and \$3 million annually.

The Department of Labor, in the face of this information, eliminated an extra \$500,000 for job safety and health data. Most of the battles for more money for occupational safety and health are lost before they start—Labor Department officials do not even ask the Bureau of the Budget for the money to do what needs doing.

To illustrate how proper counting would show a more accurate count, Gordon cited the American Telephone and Telegraph Co. which adopted a modified version of his "serious injury" index, revealing a 300 percent increase in its internal company work injury experience.

The present government figures are based on reports from 16 states (Maine, Connecticut, New York, New Jersey, Pennsylvania, Virginia, South Carolina, Georgia, Florida, Alabama, Indiana, Michigan, Wisconsin, Iowa, Wyoming, and Arkansas) using the American National Standards Institute method of recording and measuring work injury experience. ANSI is not an official government agency and was told by the Federal Trade Commission to change its name because a previous title made it sound like an official government agency.

I know that my colleagues will agree that we must act now to end this slaughter. The most industrialized nation in the history of mankind cannot have on its conscience the needless deaths and injuries of its workers.

Unfortunately, our attention is often diverted to the achievements of our industrial might rather than focused on the loss of life which has been a concomitant of this progress. In this regard, Mr. Frank Wallick, editor of the UAW's Washington Report, wrote the editors of the Washington Post. I would like to include Mr. Wallick's letter at this point:

A LETTER TO THE WASHINGTON POST

JULY 29, 1970.

EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: May I respectfully suggest that the reason millions of Americans are alienated from the political process and mistrust the media, including such otherwise good publications as The Washington Post, is the offhand manner you and others in the press have ignored the carnage, trauma, and life-shortening effects of the work environment where 80 million Americans spend one-third of their lives on the job.

Last week, for starters, some 700 labor lobbyists came to Washington to plead for

congressional action on the Daniels occupational safety and health bill. Not a word about their presence, nor of the impasse on the bill with the House Rules Committee. Then a press briefing was held by Jerome Gordon to explain how the dimensions of the job safety and health problem amounts to 25 million serious injuries and deaths a year, not 14,000 deaths and 2.2 million injuries as is commonly thought. Not a peep in *The Washington Post*.

Agreed that safety is not a sexy subject. But if *The Post* wants to know why millions of workers are frustrated and turn to the George Wallace of our times, turn to the Senate labor subcommittee hearings in Jersey City, New Jersey, earlier this year and you will hear the outcries of real, live American workers asking for help from the suffocating noise and air they must contend with day after day on their jobs.

Surely the foul air workers breathe on their jobs is as much news as the smog over Tokyo. Sincerely,

FRANK WALLICK,
Editor, UAW Washington Report.

Action can be delayed no longer. It is one of the great anomalies of our day that this society cannot provide its workers with a working environment which is safe and healthful. I urge my colleagues to join with me to secure prompt passage of H.R. 16785 as a vital initial step toward improving the workplaces of this Nation.

FURTHER EVIDENCE OF NEED FOR THE ORGANIZED CRIME CONTROL ACT IN LOUISIANA AND THE NATION

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. STEIGER of Arizona. Mr. Speaker, a distinguished American and expert on organized crime, Aaron M. Kohn of New Orleans, recently filed with Subcommittee No. 5 of the House Judiciary Committee a lengthy statement documenting again the gravity of the organized crime problem and the need for prompt enactment of S. 30, the Organized Crime Control Act of 1969. The statement supplements and elaborates oral testimony given by Mr. Kohn, who is managing director of the Metropolitan Crime Commission of New Orleans and a member of the National Chamber of Commerce's Advisory Panel on Crime Prevention and Control, in hearings held last month by the subcommittee. Since the subcommittee still is holding S. 30, Mr. Kohn's statement is timely and important.

In the statement, Mr. Kohn draws upon his legal background and, even more, upon a lifetime of concrete experience with the organized crime problem of Louisiana, a State which is victimized to an unusually great degree by *La Cosa Nostra*. He explains the reasons for his full support of every title of S. 30, and presents a number of illustrations of specific factual cases and situations in which the absence of laws such as those proposed in S. 30 caused major defeats to legitimate government efforts to curb crime and corruption by the underworld. Mr. Kohn states conclusions which

should be remembered by every member of the Judiciary Committee—indeed, every Member of the House of Representatives:

After almost twenty years of involvement in the fight against organized crime, I am totally convinced that the ten titles of S. 30 are practical necessities for orderly suppression of organized crime as it really is. S. 30 does not, in my opinion, violate the fundamental Constitutional rights of an individual accused of crime. It does close some doors against abuse of those rights which has resulted in widespread victimization of our national safety and economy by the organized crime underworld.

Carlos Marcello repeatedly has been identified in the records of Congressional hearings as Boss of the Mafia or Cosa Nostra in Louisiana, with his power extending to other states. In a recent news column, Victor Riesel identified Marcello as one of the two most powerful and influential underworld chiefs in America. That was not always so. Thirty years ago he was a twice-convicted felon and a pauper. Now he is the Boss of organized crime in Louisiana, directing a conglomeration of criminal, shady and legitimate enterprises. Currently, he is one of the State's wealthiest men, one of its most corrupting forces, relentlessly driving for greater power and control.

Carlos Marcello's rise from "punk" and thug to his present power role would not have happened, in my opinion, if the authority being sought in S. 30 had been available long ago. And if made available in the near future, S. 30 can provide realistic legal tools necessary to disintegrate the large Marcello organization, its hard core Family and its extensive collusive alliances.

Those opinions, especially since they are voiced by an expert with the standing, judgment, and experience of Mr. Kohn, deserve our ready and grateful acceptance. Mr. Kohn's call for enactment of this legislation is not only supported by his experience, and by the evidence of our years of futile struggling against organized crime, but also by the growing demand of the public for enactment of more effective legislation. I sincerely hope that we will move at the earliest date to join the Senate in approving the Organized Crime Control Act, and do our part to rescue the citizens of every State from the ruthless and greedy grip of organized crime.

The statement follows:

SUPPLEMENTAL STATEMENT OF AARON M. KOHN

Mr. Chairman, in conformance with your request, I am pleased to submit the following additional information upon which is based my position of support for S. 30.

First, I wish to reiterate my gratitude to Congress for their decisions in recent years to create a growing body of federal legislation to cope with inadequacy of past laws and the challenge of new crime problems. Especially valuable has been the Omnibus Crime Control Act of 1968 which has given great impetus to the correction of some traditional inequities in our criminal justice system. Federal initiative is bringing to an end the punishment of poverty in bail-bond practices, the lack of resources for professionalizing the police role, and is helping to tailor our correctional procedures to the individual offender and to reduce conditions which generate recidivism.

Congress has been using its law-making authority to enlarge the protections afforded the individual charged with, and convicted of, crime. This has brought us closer to our national aspirations for equal justice.

It has now become both reasonable and

logical to enact S. 30 as another step towards the balance between individual rights and the protection of society through criminal laws and procedures.

It is a grimly unfortunate reality that a relatively small percentage of criminal offenders is not responsive to the humanities of legislative reform. These are the habitual career criminals, those who live by an underworld code of conduct, committed to defy and outwit what are, to them, the weaknesses of a just system of laws. Those who dominate, motivate, and are subjugated by, organized crime syndicates are in that category. These are not the one-time or occasional law violators. They are perpetually engaged in scheming against, and outwitting, the laws and regulations reasonably adequate to control most antisocial conduct. This is the criminal element which abuses Constitutional guarantees and generates public uneasiness about the soundness and adequacy of those guarantees.

After almost twenty years of involvement in the fight against organized crime, I am totally convinced that the ten titles of S. 30 are practical necessities for orderly suppression of organized crime as it really is. S. 30 does not, in my opinion, violate the fundamental Constitutional rights of an individual accused of crime. It does close some doors against abuse of those rights which has resulted in widespread victimization of our national safety and economy by the organized crime underworld.

Although I am an attorney and member of the District of Columbia Bar, it is not my intention to burden the record of these proceedings by engaging in repetitious analysis and critique of the constitutionality of S. 30. For more than a year this Bill has been subjected to exhaustive legal analysis and modification by competent and respected counsel. To every reasonable degree, the Bill appears to be on sound ground and, upon passage, would be subject to judicial review. On that basis, it is my intention to relate from practical experience the important potentials of S. 30 as a legal counterforce against the growing power and destructiveness of syndicated or organized crime in our nation.

To illustrate the manner in which S. 30 has practical application to suppression of organized crime, I shall make reference to one underworld boss and his history.

Carlos Marcello repeatedly has been identified in the records of Congressional hearings as Boss of the Mafia or Cosa Nostra in Louisiana, with his power extending to other states. In a recent news column, Victor Riesel identified Marcello as one of the two most powerful and influential underworld chiefs in America. That was not always so. Thirty years ago he was a twice-convicted felon and a pauper. Now he is the Boss of organized crime in Louisiana, directing a conglomeration of criminal, shady and legitimate enterprises. Currently, he is one of the State's wealthiest men, one of its most corrupting forces, relentlessly driving for greater power and control.

Carlos Marcello's rise from "punk" and thug to his present power role would not have happened, in my opinion, if the authority being sought in S. 30 had been available long ago. And if made available in the near future, S. 30 can provide realistic legal tools necessary to disintegrate the large Marcello organization, its hard core Family and its extensive collusive alliances. From my more limited knowledge of the major crime syndicates elsewhere in the nation, which have grown through the years, S. 30 has similar potential impact against them.

TITLE I—SPECIAL GRAND JURIES

The impaneling of special grand juries to explore organized crime, and conditions which contribute to it, is of great value. The organized crime bosses are, in many in-

stances, both smart and imaginative. They have proven their ability to take advantage of unwatchful law enforcement. They also can quickly shift their areas of operation when confronted with legal threats to their ongoing activities.

Fixed responsibility for regular organized crime evaluation by grand juries will also be valuable in detecting, and preventing the growth of, early stages of organized crime infiltration in metropolitan areas not now believed to contain serious proportions of the problem.

I would suggest changing the present recommendation to include judicial districts having one (1) million or more inhabitants for automatic impaneling of special grand juries. The New Orleans area, for example, has been identified repeatedly by Congress as a major center of organized crime. The population of the Eastern District of Louisiana is less than four million. This is true of other metropolitan areas now identified with serious organized crime problems.

Organized crime often is subtle and insidious. Because it black-markets popular illegalities, on the surface it does not appear offensive or threatening to many people. The law enforcement machinery usually is reactive to complaints of victims of ordinary crime, and its time and resources generally are consumed by such complaints. These characteristics have permitted organized crime to grow to its present massive proportions in our nation.

The concept of special Grand Juries convened to aggressively search for evidence of this insidious crime phenomena therefore is based upon the reality of experience. These special Grand Juries, convened at regular intervals, can be both preventive and corrective. They can identify and weed out organized crime developing in a community of increasing size and affluence. And they can be an effective counterforce where it has become firmly rooted.

The Federal Special Grand Jury also can provide a community or area with corrective capability when the State or local Grand Juries have been frustrated or defeated by nonfeasance or corrupt collusion of their legal advisers.

Example: For more than twenty years the Metropolitan New Orleans Area has been identified as one of the primary centers of organized crime in the United States. This has been repeatedly and extensively documented by federal examination in the legislative, executive and judicial processes.

To cite just a few of these documented records:

Attorney General's Conference on Organized Crime, February 1950.

Hearings Before the Special Committee to Investigate Organized Crime in Interstate Commerce, U.S. Senate, 82d Congress; January-February 1951; Part 8.

Hearings Before the Select Committee on Improper Activities in the Labor or Management Field; 86th Congress; March 1959; Part 48.

Hearings Before the Permanent Subcommittee on Investigations of the Committee on Government Operations, U.S. Senate; 87th Congress; Gambling and Organized Crime; August-September 1961; Parts 2 and 3.

President's Commission on Law Enforcement and Administration of Justice; Task Force Report: Organized Crime; 1967.

Despite the massive federal investment in examining and disclosing the organized crime problem, and implementing the findings with important new federal laws intended to assist local authorities, there was relatively little impairment of organized crime in Louisiana. Governors of the State continued to ignore or deny the organized crime problem. The Attorney General of Louisiana evaded his obligation to act. Since 1954 not one of the Parish (County) District Attor-

neys of the Metropolitan Area (Orleans, Jefferson and St. Bernard Parishes) has guided a Grand Jury towards meaningful exploration of the prosecutive potentials of State laws against organized crime.

A few Grand Juries have sought to explore the problem, but usually have been impaired or blocked by the prosecutors. There have been rare exceptions to this pattern.

Recent and current disclosures of organized crime in Louisiana, by knowledgeable citizen organizations and by some of the news media, are met with public ridicule, denunciation, and libel actions intended to intimidate and silence. Prosecutive abuses have been imposed on individuals seeking to inform local Grand Juries, or demanding probes by local legislative bodies.

The authority proposed for grand juries to investigate nonindictable conduct of public officials is an important addition to our checks and balances in government. It is generally agreed that collusion of public officials provides the soil in which organized crime roots and thrives. Such conduct may aid and abet organized crime, though it may not constitute a prosecutable offense.

Subject to the restrictions specified in Title I, the investigatory and reporting authority proposed for the grand jury would provide a presently missing procedure for correcting the abuses of reputation to which public officials are not infrequently subjected. Faith of the general public in our political system has long been corroded by our acceptance of indiscriminate accusations against public officials. This especially has been true during political campaigns when an incumbent official, or subordinate for whom he is responsible, become the target of allegations intended to discredit. We have had a tendency to accept this as "part of the game of politics." In the process, this practice has tended to generate cynicism among voters, to discourage qualified persons from seeking office, and to disillusion dedicated office-holders.

Title I would, for the first time, create a reliable process under judicial supervision by which grand juries could demand the accusers testify before them under oath, providing the accused an opportunity to rebut. If the accuser commits perjury he is subject to prosecution. If he admits that his previous statements were false or unsubstantiated, the grand jury report could make this a matter of public knowledge. This would resolve public doubts, exonerate those falsely accused and publicly reveal the false accuser. When such a grand jury process is in existence, it will deter unsupportable accusations in the campaign process, and increase public confidence in the legitimate contest between office seekers.

This would not only be a step towards justice for public office holders. It would also provide constructive action against those who were accused, and for whom proof of the accusations is available. In addition, it would reduce another asset of organized crime—public cynicism about all officials which provides cover for those who are actually in corrupt collusion with gamblers and others.

Another recognition of the actual challenge of organized crime can be found in the proposal to authorize Special Grand Juries to secure, with judicial approval, specially qualified counsel to guide the probing of complex, conspiratorial, organized crime. Special training is needed for police officers who work in this area. Otherwise qualified prosecutors frequently lack preparation for comprehending, and guiding a jury of laymen towards, the evidence-gathering process for this specialized crime field.

There have been instances when a U.S. Attorney has been less than vigorous in tackling organized crime. At the present

time, in the Eastern District of Louisiana, U.S. Attorney Gerald Gallinhouse is engaging in unprecedented leadership of Grand Jury examination of organized crime. This was not true of most of his predecessors. And the efforts of Mr. Gallinhouse would be granted far greater horizons for success if S. 30 is enacted.

The Special Grand Juries proposed by S. 30, Title I, could have in the past, and would in the future, end the scofflaw impunity with which racketeers have operated and officials have evaded responsibility to act against them. Especially if the Federal Grand Jury, prosecutor and court are armed also with the authority and resources proposed in the other titles of S. 30.

TITLE II—GENERAL IMMUNITY

Because the Subcommittee has already acted on this Title, I shall comment only that it provides positive authority for creating a meaningful incentive for lesser figures in organized crime to give information and evidence helpful for disclosing and prosecuting the underworld bosses. Too often past efforts have not reached beyond the easily replaceable minor functionary in organized crime. The broader immunity provision will help break down the layers of insulation surrounding key racketeer figures.

TITLE III—RECALCITRANT WITNESSES

This, like Title II, comes to grips with the real nature of organized crime. It is another important tool for breaking down resistance to giving information essential to success of efforts against the fear-dominated dynasty of organized crime.

Another escape hatch would be closed with recommended inclusion of "flight to avoid contempt proceedings" in the prohibitions of the Federal Fugitive Felony Act.

TITLE IV—FALSE DECLARATIONS

In the spirit of traditional perjury statutes, intended to assure that falsehoods shall not mislead a jury or court to unjust decisions this prohibition against conflicting material statements is fair.

The corrupt collusion of organized crime includes callous disregard for truth, which extends to the grand jury room and court, whenever syndicate legal planners believe the government cannot meet the present "two-witness rule" requirements.

Example: In September 1967, under pressure of national disclosure concerning the Mafia in Louisiana, and in response to public criticism by our Crime Commission, Orleans Parish District Attorney Jim Garrison and his First Assistant, Charles E. Ward, conducted a parody of a grand jury investigation into organized crime. Before doing so, however, both of these prosecutors denied the existence of organized crime in New Orleans. Those who alleged it to exist were publicly denounced as "professional liars", "witchdoctors", etc. Witnesses who sought to give information about organized crime were intimidated in and out of the grand jury room over extensive periods of time.

Of more direct relationship to Title IV was the experience of rackets figures called before that grand jury.

The Cosa Nostra Boss, Carlos Marcello, reported late in response to his subpoena, accompanied by one of his regular attorneys, G. Wray Gill, Sr. After Marcello's brief testimony in the grand jury room, his lawyer announced to the press that Marcello had waived immunity and had answered all questions freely. This was in amazing contrast to the intensive questioning to which Marcello had been subjected earlier by a Queens County, New York, Grand Jury, and the consistency with which Marcello had pleaded the Fifth Amendment when interrogated by Congressional Committees.

Frank Caracci announced as he entered the grand jury room in New Orleans that he knew nothing about organized crime and

that the jury probe was "off base". Cosa Nostra-involved Caracci, gambler and strip-joint operator, is now under sentence for attempted bribery of an Internal Revenue agent. Marcello, an alien, has appealed from a two year sentence for assaulting an F.B.I. agent, and is awaiting trial for illegal presence in the United States.

Attorney G. Wray Gill is given to public pronouncements that Marcello is a "legitimate businessman".

Marcello has escaped conviction in two federal felony trials during which testimony on his behalf was believed perjured. However, proof of perjury was impossible within the evidentiary demands of the present federal rule. Title IV may have made the difference.

TITLE V—PROTECTED FACILITIES FOR HOUSING GOVERNMENT WITNESSES

The mere fact that government has recognized through experience the need to remove and conceal individuals and their families, for protection from organized crime figures against whom they have given or will give testimony, is undoubtedly the single greatest argument in support of the need for the extraordinary tools described in S. 30.

Title V would fulfill an obvious obligation of government to afford protection against apparent danger to the lives of our citizens. Especially does this become a clear obligation when the danger arises out of the intention to assist government in the fulfillment of its legal duties.

Experience has reflected that potentially essential witnesses against mobsters sometimes have greater fear of recrimination against wife and children than of the hazards to their own lives.

On a haphazard, non-structured basis it is not now unusual for law enforcement agencies to contrive means of protecting endangered witnesses in individual cases. A major importance of Title V is that it will create statutory authority likely to encourage more people to cooperate against organized crime offenders, knowing that federal resources are available for survival.

Perception of practical needs is also reflected in the proposal that the federal facilities would be available for State witnesses and their families under certain conditions.

Example: In connection with a prosecution for embezzlement of union funds, based upon a Teamsters-Mafia alliance in Kansas City, key federal witness Robert Williams had to be preserved by shipping him to the Canal Zone in 1962.

In New Orleans, Rudolph Heitler was the principal witness against Carlos Marcello and Joseph "Baby" Matassa, tried in 1965 for bribery of a federal juror. For an extended period of time federal marshals had to live in the home of Heitler and his family, and placed them under such restraints of privacy and movement that it was destructive of morale.

Title V, in combination with Title VI, provides unprecedented reassurance against violent or deadly revenge as the likely price of cooperation in the prosecution of mobsters.

TITLE VI—DEPOSITIONS

Use of violent and intimidating tactics against persons known or suspected of being potential government witnesses in organized crime cases is a matter of repeated history. This provision for depositions to preserve the testimony of either defense or prosecutive witnesses long has been needed. Too often charges or indictments initiated against organized crime individuals and activities have failed at the prosecutive level because essential witnesses have been killed, bribed or intimidated into forgetfulness.

Example: At the present time there is pending in the Eastern District of Louisiana the federal prosecution of State Attorney General Jack P. F. Gremillion, State Repre-

sentative Salvatore Anzelmo, and others. They are charged with fraudulent acts contributing to the bankruptcy of Louisiana Loan and Thrift Company, which resulted in hundreds of people losing their savings. About one-third of the deposits had been loaned to, or through, organized crime enterprises. An important witness in this matter, secretary of the corporation, has died. S. 30 would have perpetuated his evidence, now lost.

On the night of December 16, 1967, Harry Bennett was murdered in Harrison County, Mississippi. Earlier that day he had indicated his intention of cooperating in a federal prosecution of various syndicate gamblers for interstate shipment of a crooked gambling device. Harry Bennett, a career professional gambler, was one of the codefendants. He could have testified about meetings of defendants and counsel with Carlos Marcello. His lips were sealed for all time. If S. 30 had existed, this might not have been true.

Christian Faser, Jr. was indicted by a federal grand jury in New Orleans on March 28, 1969, charged with conspiracy and mail fraud in a scheme by which millions in state funds were deposited in the First National Bank of Jefferson Parish, in return for bribes. At the time of these alleged acts Faser was Executive Secretary to the then Governor of Louisiana, Jimmie Davis. Named with Faser as co-conspirators, but not indicted, were Numa P. Humbert, a former high official in the State Highway Department and State Commissioner of Administration; also State Senator E. W. "Kelly" Gravolet, who died prior to the indictment. After Faser's indictment, and with his trial pending, Humbert, a potentially significant witness, has also died. Title VI would have preserved his testimony.

In the Orleans Parish Civil District Court there was sworn testimony by an official of the Crescent City River Pilot's Association that a \$50,000 bribe was paid to Christian Faser in 1960 for his assistance in influencing legislation. No State prosecution of Faser was undertaken.

Faser is now a State Representative from the Baton Rouge area. As a member of the Louisiana House Judiciary Committee, in recent weeks Faser helped defeat an attempt to introduce strong anti-gambling laws in Louisiana, modeled after effective federal statutes.

In the Federal Kansas City Mafia-Teamsters case referred to under Title V, above, one of the codefendants was Floyd Hayes, who was convicted and then became a cooperative government witness. He made a series of statements to prosecutors about unsolved syndicate crimes which had extended over many years. Lacking the authority of Title VI, there was no incentive for preserving his testimony before his cooperation surfaced as a witness in a perjury trial. About six weeks later he was murdered. Five or more prosecutions died with him. S. 30 could have saved him—and them.

TITLE VII—LITIGATION CONCERNING SOURCES OF EVIDENCE

Only in relatively recent years have law enforcement agencies developed intelligence tactics to pierce the layers of deception, intimidation and corruption with which organized crime insulates itself from evidence gathering. Lawful authority for such detection processes has been slow in coming. Each time they are established by law and practice, they immediately create a threat to the continued security and life of organized crime. As a matter of instinct for survival, coupled with habitual ruthlessness, the mobsters and their lawyers seek to destroy the authority or effectiveness of every new legal deterrent.

For intelligence officers to accumulate information, leads and ultimate evidence against individuals involved in complex conspiratorial organized crime activity, they

must have reasonable freedom for resourceful and long-term investigative activity. It is true that on some occasions investigators have resorted to unauthorized methods in an attempt to achieve what they believe to be good ends. And courts should discourage illegal police tactics, no matter how well intentioned.

However, *Alderman vs. U.S.* (1969), also well intentioned, opened wide a door through which the mobster element is provided a variety of opportunities for defeating lawful suppression of their activities.

Title VII is a perceptive proposal for closing that door, without denying the genuine rights of the defendant.

The merits of Title VII have been thoroughly explored in the Congressional record and in Committee hearings. Title VII is needed as law if we are to not lose some major advantages of electronic surveillance in the detection and reduction of organized crime.

TITLE VIII—SYNDICATED GAMBLING

A community is now virtually helpless against the scowling activities of organized gambling when public officials are providing the necessary protection for continuous and profitable operations. The Federal Government has been without authority to help that community restore protection of the people under law.

In January, 1951, a Senate Committee chaired by Mr. Estes Kefauver investigated, and conducted public hearings in the New Orleans area relative to, organized crime in interstate commerce. Some law enforcement officials took the witness stand and arrogantly admitted their wilful and deliberate failures to enforce gambling laws. Carlos Marcello and other top gambling racketeers refused to respond to hundreds of questions. The Boss and Underboss of the Mafia were convicted of contempt of the Senate, with reversal on appeal. Despite the disclosures, no significant action was taken by local or state agencies to correct the condition, and the Federal Government had no such authority. S. 30 would have provided it.

A similar dead end existed when a Committee chaired by Senator John McClellan conducted hearings in Washington during 1958-61. Extensive gambling operations in the metropolitan New Orleans area were documented. The record included sworn testimony about the aggressive manner in which Jefferson Parish Sheriff William Coci and his assistants exercised their arrest powers to force bars and restaurants to use gambling machines operated by Marcello-owned companies. When Sheriff Coci was invited to respond before the Senate Committee he refused and publicly denounced Senator McClellan. The Governor and District Attorney refused to act on sworn evidence extracted by the Senate Committee. The Federal Government lacked such authority. S. 30 would have provided it.

Because police action has become more forceful in New Orleans and Jefferson Parish, the area's major gamblers have moved their centers of operation to St. Bernard Parish, also in the metropolitan area. Subjected to only token action by Sheriff John Rowley, such career gambling figures as Jack Lewis and Donald Melancon have been able to maintain their sources of illicit income from the entire New Orleans area. Similarly, Cosa Nostra-allied gambler Frank Vuci operates in the Baton Rouge area. S. 30 would provide the basis for correcting these conditions.

Jefferson Parish District Attorney Frank Langridge and his office have consistently protected defendants arrested by Sheriff Alwynn Cronvich's deputies in connection with organized gambling. Repeated appeals to Governors and the Attorney General of Louisiana have failed to produce any action on the District Attorney's malfeasance. S. 30 would end the mockery of anti-gambling statutes and of the justice system.

Almost ten years ago the Federal Government charged a number of notorious gambling racketeers in New Orleans. The defendants include Sam Di Piazza, Anthony Glorioso and numerous others who persisted in their huge gambling operations of national scope. They were federally prosecuted on the technicality of having cheated the Internal Revenue Service out of taxes imposed on long distance calls. They had accomplished this by bribing long distance operators to permit a huge volume of unrecorded toll calls in furtherance of their handbook and lay-off operations. One of the long and most costly criminal tax trials in history resulted in acquittal of all those who stood trial. S. 30, if it had been available, would have made possible more direct, less costly, and more successful means.

There are thousands of coin-operated gambling devices in the metropolitan New Orleans area and elsewhere in Louisiana. Major racketeering companies operate them in conspiracies to violate State gambling laws. Among the largest of these are New Orleans Novelty Co., TAC Amusement Co., Jefferson Music Co., Lucky Coin Machine Co. and State Novelty Co. Gambling machine racketeers employ public officials, finance political campaigns, block grand jury investigations, and defeat every legislative effort to ban their machines from the State. S. 30 could destroy their immunity and corrupting influence.

Federal agents are competent and watchful in Louisiana. They are knowledgeable about the conditions I have described. Existing federal authority leaves them almost helpless to act. They can only wait for one of the many people involved in syndicated gambling to make a slip with reference to some federal prohibition at the fringes of the criminal activity.

The excise tax laws pertaining to wagering and gaming devices were intended, but have failed, to suppress organized gambling. Title VIII provides the long-awaited federal solution.

TITLE IX—RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

If the movement of underworld figures into legitimate enterprise signaled their reform into constructive citizenship, then it should be encouraged. But the history of organized crime infiltration of business, services and industries, which we normally consider legitimate, has been entirely different.

As indicated earlier, Carlos Marcello was in his teens when convicted of his first felony, armed robbery. About ten years later he was sentenced to a federal penitentiary as a narcotics wholesaler. In or about 1940 he was turned loose again. On a pauper's plea, he settled the imposition of about \$75,000 in fines and forfeitures for \$400. Thereafter, Marcello and his growing organization developed their capital or bankroll through extensive gambling, including casinos, slot machines, pinball, handbooks, layoff, football pools, dice, card games, roulette and bingo; also narcotics, prostitution, extortion, clipjoint operations, B-drinking, marketing stolen goods, robberies, burglaries and thefts. Their criminal enterprise required, and had, corrupt collusion of public officials at every critical level including police, sheriffs, justices of peace, prosecutors, mayors, governors, judges, councilmen, licensing authorities, state legislators and at least one member of Congress.

The growth of Marcello's power during the 1940's made him the partner of such national underworld bosses as Frank Costello, Dandy "Phil" Kastel and Meyer Lansky. When Louisiana's Cosa Nostra Boss, Sylvester Carullo, was deported in the late '40's, his successor to that dominant position was Carlos Marcello.

Relatively uninterrupted criminal activities produced capital which enabled Marcello

and his syndicate associates to begin adding so-called legitimate businesses to their continuing criminal ventures. For the past 17 years or more, Marcello and his affiliates have proliferated this expansion process. Often the personal interests of Cosa Nostra principals have been concealed behind seemingly respectable fronts, including lawyers and accountants.

Not infrequently it has been possible to detect use of their legitimate businesses to further their criminal profits, and vice versa. Public officials, corrupted to protect their illicit activities, have naturally been available for cooperation in avoiding the burden of regulations applicable to their legal enterprises, to the disadvantage of ethical competitors. In these so-called legitimate businesses they have been able to secure tax advantages, avoidance of zoning and building regulations, of health standards, etc.

One of many examples of the manner in which racketeers operate legitimate business against the public interest can be traced in the history of the Town and Country Motel, 1225 Airline Highway, Jefferson Parish, Louisiana, the first of Marcello's motel acquisitions.

In 1953, while the many Marcello-controlled criminal activities were ongoing, the Town and Country Motel was built on the main highway between New Orleans and the airport. Ownership was equally divided among Carlos Marcello, his youngest brother, Salvatore, and Roy and Frank Occhipinti, brothers.

The Occhipinti brothers had previously operated a motel and restaurant housing considerable gambling, including Marcello-owned slot machines. In 1952 the place was badly damaged by fire, suspected but never proven to be arson.

The Town and Country Motel was constructed by building contractor James J. Culotta, who subsequently surfaced as the front for various Marcello realty ventures. For example, Culotta became the president of nine separate corporations, each totally owned by Carlos Marcello and members of his immediate family.

After the Town and Country Motel was opened for business, a restaurant and lounge was established to serve it, in a separate nearby building. This was placed in charge of Joseph Poretto and Nofio Pecora. In addition, Poretto continued to manage until 1964, as he had since 1946, the Nola News wireservice which provided race results to bookies throughout Louisiana and adjoining states, and which tied into the Mafia-owned national network. Other partners in Nola News included Joseph Marcello, Jr. (brother of Carlos), Anthony Carullo (son of deported Mafia boss Sylvester Carullo) and Ralph Emery alias Ammeratto (son of a prominent syndicate figure in the Chicago area). Part of Nola News profits were regularly channeled to Italy for Sylvester Carullo and Francesco Coppello, both deported after they had played major roles in organizing the Louisiana-based wireservice.

Nofio Pecora is an ex-convict, with extensive past history in the heroin traffic. From the Town and Country he and his wife directed a call-girl ring between Jefferson Parish, Louisiana, and Harrison County, Mississippi. In the late '50's Pecora and his wife took over operation of the Tropical Tourist Court and Trailer Camp, in the City of New Orleans, where they became politically powerful in concert with a State Senator, City Councilman and Tax Assessor. Mrs. Nofio Pecora, by appointment of Governor John J. McKeithen, since 1964 has been Chairman of the Fire Insurance Rating Division of the Louisiana Insurance Rating Commission.

The Town and Country Restaurant and Lounge, and the motel, quickly became a meeting place for corrupt officials as well as such top professional gamblers as Sam Sala

and Sam Domino, suspected burglarly ring bosses, a member of the State Athletic Commission, and numerous other actors in the organized crime scene.

In the Town and Country Lounge gambling machines were operated and "B" girls hustled drinks and solicited for prostitution.

After this combined operation came into being in 1953, it created serious problems for residents of a nearby housing subdivision named Maple Ridge Park. Instead of installing a separate sewage line for the Town and Country, as required, Marcello and his partners decided to save about \$9,000 by tapping their wastes into the line which served the homeowners of Maple Ridge Park. This overloaded the residential facility, causing a back-up of raw sewage, a foul and unhealthy condition for these families. For three years the complaints of residents to Jefferson Parish officials brought no correction of this dangerous and offensive situation. They were finally able to enlist the aid of the State Health Department.

Marcello decided to start a new business, Southern Sightseeing Tours, to operate out of the Town and Country. His brother, Anthony, was made one of the partners, along with Frank and Roy Occhipinti, and Basil Ingrassia, the manager. Prior to 1953, the many motels from central New Orleans to the airport had been served by a number of competing sightseeing services. Southern Tours wiped out its competition and soon became, as it is now, the only sightseeing service for the major motor hotels on this ten-mile strip of thoroughfare.

Furnishings for the Town and Country Restaurant and Lounge had been installed by the contract department of a major New Orleans department store. Joseph Poretto adamantly refused to meet the financial terms of the contract. An attorney for the department store threatened to secure judgment and have the Sheriff, William Coci, seize the furnishings. Poretto ridiculed the idea, stating that they owned the Sheriff. Obvious conditions in Jefferson Parish gave credence to Poretto's statement.

In 1956, New Orleans juvenile officers broke up a prostitution ring using teenage girls, some of whom played hooky from school on schedule. The Town and Country Motel was used as a place of assignation. The ring was run by a notorious brothel operator, Josephine Messina, ex-wife of Peter Hand, bail bondsman, gambler, former state legislator, who had been a partner of Carlos Marcello, Frank Costello, Meyer Lansky and others in the Beverly Club, a huge gambling casino publicized during the Kefauver hearings.

After the Town and Country opened, the Marcello mob continued to operate the entire spectrum of illegal gambling including such gambling casinos as the Old Southport Club, the New Southport Club and an unnamed establishment on the main street of Gretna, seat of government of Jefferson Parish.

Also from Gretna, Carlos Marcello and two of his brothers, Vincent and Salvatore (Sammy), operated the Jefferson Music Company which dominated supply of juke boxes, pinball machines and slot machines in the Parish. Carlos Marcello received half the profits. This became a corporation in or about 1960, with Vincent and Salvatore Marcello each owning 49% of the stock, on the record. Jefferson Music continues to extensively violate State gambling laws by operation of hundreds of payoff-type pinball machines. A Federal Communications Commission license authorized a two-way radio system to expedite service.

On January 29, 1959 Horace Perez died in the Town and Country. He had been a major gambling figure in the New Orleans area. During the abbreviated tenure of hard-hitting State Police Superintendent Francis Grevenberg, Perez had been convicted of attempting to bribe a state police official. He

was pardoned by Governor Earl Long and immediately reactivated his gambling operations.

At the Town and Country Restaurant and Lounge, during March 1963, the General Manager of the Fair Grounds Racetrack, C. Ray Edmonds, was severely beaten by three thugs, none of whom was arrested. Edmonds suffered six lost teeth and three broken ribs. In 1961 he had testified before a Congressional Committee, describing the extensive illegal horse-betting in the area.

Later in 1963 Sheriff John Fitzgerald offered to arrange free weekend housing and food at the Town and Country Motel for out-of-town participants in a regional boys' clubs boxing tournament. His offer was refused.

Sheriff Fitzgerald was indicted by a Grand Jury for malfeasance, on the basis of detailed evidence supplied by the Metropolitan Crime Commission concerning his refusal to enforce vice and gambling laws. He was never brought to trial by District Attorney Frank Langridge.

On February 1, 1964 Carlos Marcello and his three partners sold the Town and Country Motel to a corporation formed for that purpose, Stevie Motel, Inc. Owners of this corporation are the three oldest children of Carlos, namely Joseph C. Marcello, Mrs. Louise M. Hampton and Mrs. Florence Roberts. Louise's husband is the son of the now deceased Finance Director for Jefferson Parish. Son and son-in-law are active in various Marcello enterprises. Last year the son, Joseph C., testified in a Civil Court proceeding that his own personal net worth was \$3,000,000.

In the late 1950's the Marcello organization also acquired the Town and Country Motel Hotel outside Shreveport, Louisiana and two Holiday Inns in the metropolitan New Orleans area. Major ownership by Carlos Marcello in all motels was concealed from public knowledge through Roy and Frank Ochipinti. One of Marcello's attorneys, Michael Maroun of Shreveport, acted as president of the corporate-owned motel there. About 10 years later, during 1968 and 1969, federal tax court action publicly documented the true financial interests of Carlos Marcello in the three motor hotels.

Although the Town and Country Motel in Jefferson Parish was valued considerably in excess of one million dollars, Roy and Frank Ochipinti sold each of their 25% interests for \$50,000 to Carlos Marcello's three children in 1964.

Cosa Nostra Boss Carlos Marcello continues to maintain his headquarters office in a special building constructed at the Town and Country. In that building are two full-time lawyers, Philip B. Smith, a former public official, and Cecil Burglass. Behind his desk the Cosa Nostra Boss has a huge map of the area. He employs professional planners. From his offices, Carlos Marcello directs many enterprises, most of which are registered at that address. Included among them are, or have recently been, the following:

- Southern Tours, Inc.
- Stevie Motel, Inc.
- Kel-Ham Construction Company, Inc. (affiliated with J. K. Builders, Inc.)
- Gems, Inc.
- Marsh Investment Corp.
- Jacqueline, Inc.
- Motels of Louisiana, Inc.
- Churchill Farms, Inc.
- Bayou Verret Land Company, Inc.
- Imperial Meat Company, Inc. and various others.

Marcello controls many thousand acres of land. Marinas have been built and are in the planning. Plans also include a private airport and a seaway from Churchill Farms to the Gulf of Mexico. As part of the interstate highway system, an initial investment of one-half billion dollars is planned for the Dixie Freeway, from which the largest

single beneficiary will be Marcello-owned lands.

But the underworld ethic persists. When top Kansas City Cosa Nostra figures visited this area in recent years, they paid tribute at the Town and Country, and were hosted by Joseph Poretto, Phil Rizzuto and others.

In late October 1968 police found Philip B. Smith driving a car registered to Leonard J. Cunningham, a Kansas City hoodlum murdered in that city earlier that month. It was established the car had been bought by one of Marcello-land corporations from Charles Evans, another Kansas City character, who had been arrested in New Orleans. Evans' attorney was a mouthpiece for Carlos Marcello, G. Wray Gill, Sr.

On July 17, 1968 State Education Superintendent William J. Dodd admitted that his office received three phone calls from Carlos Marcello, seeking help to get a student admitted to the State University.

On July 9, 1968 deputy sheriffs made a gambling raid at the Town and Country Restaurant and Lounge, arrested Joseph Poretto, seized a Jefferson Music Company device.

On March 14, 1969 arrests were made for systematic thefts of cigarettes worth \$35,000 from a National Food Stores warehouse. The ringleaders were Phil and Anthony Rizzuto, who did not reside at but used Town and Country Motel facilities as their center of operations.

Last year the Town and Country Motel filed a suit to enjoin Jefferson Parish Intelligence Officers from surveillance in or near the motel. When subpoenas were issued for Town and Country records, and it became known that Carlos Marcello would be placed on the witness stand under oath, the suit was withdrawn.

The preceding is but a superficial resume of the Town and Country history. Comparable records have been established for other "legitimate" enterprises of racketeers rooted in the economy of criminality.

Title IX provides a lawful and constructive authority to challenge and deter organized crime's degradation and abuse of competitive free enterprise; to eliminate the "legitimate" front as an obstruction to suppression of crime.

TITLE X—DANGEROUS SPECIAL OFFENDER SENTENCING

In the past, our criminal justice system has tragically failed to fulfill its objectives of containing crime, protecting the victims of criminals and eliminating inhumane practices in dealing with offenders. Crime statistics and penal institutions attest to past failures.

To cut down on recidivism, we are learning that "let the punishment fit the crime" has been a futile correctional philosophy. Courts and penologists are now aware that the motives and other contributing factors which molded a convicted criminal must be evaluated for each individual if the rehabilitation processes are to be relevant and effective. When carefully and competently administered, the use of probation, half-way houses, out-of-prison work projects, and other in-society combinations of useful punishment, are proving their worth. We are becoming wiser in dealing with the first-time or occasional law violator.

Unfortunately, similar wisdom has not been exhibited in handling the career criminal, the dedicated law violator, the organized underworld peer group. We do not appear to have learned that the criminal justice system must equally apply to them the rule "let the penalty fit the criminal, not the crime."

State criminal statutes provide for the imposition of heavier sentences on offenders with prior records of conviction. Title X would properly extend this necessary authority to the Federal system. Title X also pro-

poses a brilliantly appropriate sentencing procedure for the organized crime racketeer, engaged in daily anti-social activity as a way of life, individually and as a part of an organization. Frequently, due to an underworld organization's corrupt capabilities, these criminal careers are almost, or entirely, free of conviction for felonies or other serious crimes. The occasional law violator is more likely to establish a record of multiple convictions, lacking syndicated organization to help him escape arrest and penalty, than is the professional racketeer involved in continuous crime.

To again use Carlos Marcello as an example, it is noted that despite his lifetime of crime, not since 1929 has he been prosecuted and sentenced under State or local laws for any offense.

In 1939 Marcello was sent to a Federal penitentiary, and released on parole within less than a year, for selling narcotics in wholesale quantity. As described above, in the years which followed he became a gun-thug, gambler, corrupter of public officials and the director of a crime syndicate. In December 1952 proceedings were initiated to deport Marcello as an undesirable alien. At great expense to the government, and to the people of this nation, he has continued to fight successfully against ouster from the country.

In recent years the Federal government has prosecuted Marcello unsuccessfully on two occasions. The first was based upon the bribery of Guatemalan officials to create false birth records in that country, thereafter used fraudulently in his deportation case. A second prosecution was for bribery of at least one juror in the preceding case. Both resulted in acquittals by jury.

On September 30, 1966 Marcello assaulted F.B.I. Agent Patrick Collins at the New Orleans International Airport. Trial in Laredo, Texas, resulted in a hung jury. There were substantial reasons to suspect jury tampering had occurred.

Retried and convicted in Houston, Texas on August 9, 1968, Marcello was sentenced to a 2-year prison term by U.S. District Judge John V. Singleton. Judge Singleton's decision was consistent with present practice and policy. He appropriately penalized Marcello for an isolated proven offense but could not, and would not, fulfill the need of society for being protected from a corporate boss criminal who has been described in the findings of Congressional Committees as "... one of the worst hoodlums in the country ... recognized kingpin of Louisiana racketeering ...", and by former Youngstown, Ohio, Police Chief Edward J. Allen as "the archetype of the devious pattern of the Mafia".

Among those who interceded, seeking clemency for Marcello and attesting to his "fine character", were scores of prestigious individuals, many having documentable records of corrupt collusion or mutual profit with the Cosa Nostra Family. They included:

- One bank president.
- Two bank vice presidents.
- One sheriff.
- One former sheriff.
- One president of a waterfront labor union.
- One chief juvenile probation officer.
- One former assistant district attorney.
- One state legislator.
- Two former state legislators.
- Two former state police commanders.
- One former revenue agent.
- One funeral director.
- Six clergymen.
- Five physicians.
- Five realtors.
- Three insurance agencies.

Marcello has fought his latest conviction unsuccessfully up to the U.S. Supreme Court. With the wealth available to him from his syndicate structure he continues to employ a variety of attorneys to generate technical

obstructions to the execution of his sentence. I remind you that this tactic has succeeded for seventeen years in blocking his deportation.

Title X offers another meaningful contribution to the balance of criminal justice in our nation. It would help remove the tremendous burden placed on the manpower and dollars of law enforcement by that relatively small number of people who contribute a relatively large part of the crime and fear in our communities.

Title X seeks to create equity in criminal sentencing by authorizing the courts to recognize the different needs of society in dealing with the occasional law violator, in contrast to the career criminal.

CONCLUSION

For at least the past half-century, organized crime was permitted to establish octopus-like tentacles throughout this nation and its communities. It is now identified as our biggest industry in dollar volume. Through violence, corruption and deception the underworld established itself as a conglomerate industry and grew to proportions which now influence every aspect of American life: our mores, our economy, our political system, governmental processes and competitive free enterprise. The "permissive" posture of the "establishment" toward organized crime activity undoubtedly helped form the attitude of the young, who will be tomorrow's America, toward lawful processes as a means through which to achieve social fulfillment. To the extent we have tolerated organized crime, and necessarily therefore accepted official corruption, for decades we have been abandoning our aspiration for "government of laws, not of men".

We have reached a point in time when large segments of our population act out their belief that constitutional goals are achievable only through disorder and oppression of dissent. They accept the criminal philosophy for success. Disorder and oppression of dissent have been the fundamental methods by which organized crime achieved its power role in our society.

We now recognize that only 3,000 to 5,000 hard-core members of the Cosa Nostra have been permitted, through corrupt and devious means, to evolve into a facet of our nation which burdens, frightens and, in one way or another, victimizes everyone in the United States. There are students of the problem who believe the Mafia to have achieved so pervasive a power position that government is no longer able to cope with it, but must negotiate with it. This I cannot believe, for it would mean that as a nation we have accepted the underworld ethic as our own.

The realities of organized crime are now documented adequately to create inescapable obligations for legal counterforces adequate to the task. S. 30 has been thoughtfully constructed, in each of the ten titles, to create authority for critically needed enlargement of the battle to suppress organized crime. It recognizes the true proportions of the problem. It provides necessary precautions against injustice as it seeks to bring to justice those who have been called "the barbarians in our midst".

THE INVESTIGATION OF ASSOCIATE JUSTICE WILLIAM O. DOUGLAS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. WYMAN. Mr. Speaker, supplementing my remarks made earlier on the floor of the House today, I include in

the RECORD at this point, a copy of my letter of May 6, 1970, to Hon. EMANUEL CELLER, chairman of the Special Judiciary Subcommittee investigating the Jacobs impeachment resolution. This letter was submitted to Chairman CELLER in response to his request, but for reasons best known to Mr. CELLER, was omitted from the recently published report of his subcommittee of its proceedings to date.

The letter in the main recommends to the calling of witnesses and the taking of testimony under oath in the investigation in public hearing. Submitted more than 3 months ago, it is significant that the Celler subcommittee has failed to yet take a single word of testimony under oath or call a single witness.

If this investigation is to be truly meaningful, it is unavoidable that much testimony must be taken under oath and subject to the penalties of perjury. Indications are inescapable that to date the investigation of the Celler subcommittee has been less than adequate, pro or con.

The charges that have been made are quite serious and I believe it is the constitutional responsibility of the House of Representatives to act to see that a meaningful investigation is promptly undertaken by an objectively minded and, if necessary, firmly compulsive investigating committee.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 6, 1970.

The Honorable EMANUEL CELLER,
Chairman, House Judiciary Committee,
House of Representatives, Washington,
D.C.

DEAR CHAIRMAN CELLER: In response to your request of last Friday, I am sending this letter to you for incorporation in the Committee proceedings at this point in the record. I appreciate the opportunity to make this comment and the following suggestions.

As you know, I am the principal sponsor of H. Res. 922 and companion resolutions, which have been joined in by 110 other Members of the House, to establish a Special Committee to investigate to determine whether or not Justice William O. Douglas should be impeached. It has been my feeling that an investigation under oath and subject to penalties of perjury is the fairest and most responsible way to look into this matter.

There have been demonstrably serious complaints concerning Justice Douglas' extra-judicial conduct. These have ranged from his allegedly practicing law while on the Bench to inciting or encouraging violence by published writings for pay.

Although counsel to Justice Douglas has publicly contended that such an investigation unconstitutional makes a Justice's tenure conditioned upon congressional interpretation of "good behavior", it is undeniable that this is precisely what the Constitution provides. It is also highly probable that impeachment and removal for misbehavior, or for high misdemeanor, or for misdemeanor is not subject to appeal to the Supreme Court nor to review by that Court.

There has to be some medium for determining whether a Judge, whose Federal tenure on the Bench is constitutionally limited to tenure "during good behavior", is or is not "of good behavior". This medium is a majority of the House of Representatives, a quorum being present. At the risk of oversimplification, it would appear that "good behavior" is essentially the equivalent of

"misdemeanor" as that term is used in the Constitution.

I am personally of the view that the deliberate writing and distribution throughout the United States for pay by Justice Douglas, to the effect that Congress no longer represents the people but rather the Establishment; that the Establishment is today the equivalent of George III of England; that revolution by force and violence to overthrow George III was in the glorious tradition of America; that if peaceable protest and dissent proves unavailing to restructure the Establishment (a phrase which Douglas plainly uses as a synonym for the American government) violence to overthrow it may also be glorious—is judicial misbehavior and sufficient cause for impeachment.

Wholly regardless of his personal political philosophy, or of any other alleged misconduct on the Bench, I do not believe that such incitation to or encouragement of violence in a Country sorely torn by violence at this very hour is "good behavior" for a Supreme Court Justice.

Justice William O. Douglas has deliberately prepared and caused statements to be printed in book form and sold throughout this Country and the World for profit that undeniably increase the tendency of many persons to resort to violence in the United States. He has written this when, to his personal knowledge, the United States is smoldering from violence within. I believe it can and should be found as a fact by your Committee that Justice William O. Douglas has deliberately sought to encourage violence in the United States and that for this, and independently from any other facts, he should be impeached and removed from office by the Senate.

However, there are other additional extra-judicial activities concerning which investigation is warranted. Not the least of these is the extent of his repeated public declarations of positions on issues coming or scheduled to come before the Court. Indicating how he would decide cases in litigation, and accordingly virtually requiring his disqualification from hearing them or sitting in judgment upon them. These have included sweeping and far-ranging written pronouncements on the latitude of individual license under the First Amendment, on the war, on the draft, and a host of other matters which in my opinion your Committee should document. It should also document the number of cases and issues identifying with these statements that have come before the Court in the periods subsequent to their publication and sitting in judgment on which Douglas has failed to disqualify himself.

In addition to the foregoing, there are matters specifically referred to in H. Res. 922 (a copy of which is appended hereto) that warrant detailed and extensive investigation of papers, documents, files, telephone calls, etc. for the purpose of determining whether Justice William O. Douglas has, contrary to law and ethical standards, practiced law for pay while on the Supreme Court of the United States; sat in judgment upon cases on appeal to the Supreme Court in which he had a financial relationship past, present or future with parties before the Court; and whether as Director and Executive Officer of political action organizations he has undertaken further encouragement to divisiveness, revolt, revolution, civil unrest and potential anarchy in America, also for pay.

I respectfully recommend that the following investigation be conducted by the Committee before Justice William O. Douglas is invited to appear and testify.

I believe it is of major importance that the results of this investigation and the testimony of separate witnesses be kept separate and apart from the testimony of other witnesses, and that the contents of the testimony of each be denied to others and to

the Justice before he is invited to testify in his own behalf.

I believe that Justice Douglas should be placed under oath if he elects voluntarily to appear and I think it should be made clear to him at the time he is invited to appear that if he does appear and testify before the Subcommittee it must be under oath.

The range of cross-examination of Douglas as a witness will be extensive, as will appear from the extent of the following subpoenas and subpoenas duces tecum. The matter of what questions to ask of witnesses and how they are to be asked, and the sequence in which they are to be asked, requires consummate skill and careful preparation lest relevant truths escape the Committee by palpable inadequacy of cross-examination.

More specifically, on the question of activities of Douglas while a member of the Supreme Court in connection with the alleged practice of law on the side for pay in regard to the Parvin Foundation there should be issued:

1. A subpoena duces tecum to Albert Parvin for all books, records and papers, including those originally connected with the establishment of the Foundation. All correspondence and all files should be reviewed with care, not only for correspondence to and from Douglas, but also for correspondence from any sources referring to Douglas and or advice or opinions from Douglas re policy, tax consequences, real estate acquisitions, etc.

The same subpoena duces tecum to those connected with the Parvin-Dohrman Corporation, with specific reference to the Aladdin Hotel transaction, including its Trustee in Bankruptcy, etc., in which it should be carefully checked to determine whether or not it was generally understood in the Las Vegas Community and by the Trustee of Aladdin that inasmuch as Parvin-Dohrman has a Supreme Court Justice as its attorney it was purchased at a \$5 million reduction in price.

Witnesses connected with any of these transactions should be subpoenaed and questioned relative to their understanding and the significance of whether a Supreme Court Justice was of counsel or so affiliated with a corresponding interest as to affect the conduct of business transactions, and if so on what basis, etc.

Telephone company records should be subpoenaed and all calls checked as far back as these records exist to and from William O. Douglas, by number, party, etc.

2. Subpoenas duces tecum should issue to Harry Ashmore and others at the Center for Democratic Institutions and the Fund for the Republic for correspondence and records relating to the employment, retainer, consultative or other advices from or with William O. Douglas since 1960. From an examination of the foregoing it should be established specifically whether Douglas assisted in setting policy at the Center, whether he approved or was given the opportunity to disapprove of activities that have resulted in violence, any publications that have encouraged violence, etc.

3. Former Senate Secretary Robert Baker should be subpoenaed duces for all books, records and correspondence relating to communications with or advice from William O. Douglas since 1960 in policy or business ventures and these should be examined carefully for any and all business deals in which Douglas has been involved. When and as these are ascertained they should be followed up by similar subpoenas duces to persons involved insofar as they relate to conflicts of interest. Among the things to be specifically asked of Baker is why he was in the Dominican Republic with Douglas in 1963, on what kind of business venture, etc.

The same should apply to Edward Levinson, with particular reference to the Fremont

Hotel and an Internal Revenue tax claim of \$4.2 million with relation to alleged "skimming" off the top of its crap table. Levinson is reported to have stayed on at the Fremont after Parvin, with Douglas' knowledge, bought in. Levinson is also reported to have filed a no-contest plea to charges of bilking the hotel corporation and fraud, it being reported that he paid a \$5,000 fine in 1967 when the government dropped its charges against him. This becomes further complicated by the allegations that Levinson had been a public partner of Bobby Baker, represented by Abe Fortas' law firm, and had filed a \$2 million suit against the United States government alleging invasion of privacy by electronic surveillance. Reportedly, it was two days after the filing of this suit that IRS let Levinson off with the \$5,000 fine and he dropped the suit!

Here again, it is important that the testimony of each witness be impounded until others have testified and that no witness be informed, directly or indirectly, concerning the testimony of a prior witness on relevant matters of major importance in respect to which prejudice might reasonably be anticipated.

4. Publisher Ralph Ginzburg should be subpoenaed duces for all correspondence and business dealings with or relating to William O. Douglas since 1960. In particular, the extent of Douglas' connection with publications either adjudicated obscene or otherwise inferably pornographic, either as author, advisor, writer, etc. Here, the business succession of the magazine *Avant Garde* as successor to the magazine *Fact* should be established. When did Douglas agree to write for Ginzburg for pay? How much pay? What arrangements were made in respect to pay? When Douglas received it? etc. The chronology of Ginzburg's appeal to the Supreme Court and Douglas' opinions thereon should also be established for the record as well as the alleged failure to disqualify himself while passing on Ginzburg's appeal while allegedly being on retainer from Ginzburg.

5. The publisher of *Evergreen* magazine should be subpoenaed duces for all correspondence and information relative to contracts or arrangements concerning the article appearing in the April 1970 issue of *Evergreen* written by William O. Douglas. In particular, it should be determined whether or not from examination of *Evergreen* and *Random House Publishers* (who should also be subpoenaed duces) Douglas knew or was given an opportunity to see, or did in fact have notice of the format in *Evergreen* magazine in the context of which his written remarks appeared; i.e. preceded by pornography, a malevolent demeaning and libelous caricature of the President of the United States and punctuated by additional incitements to racial conflicts including substituting live bullets for blanks. Specifically, it should be determined under oath what contractual arrangement Douglas had with *Random House* and the latitude (granted by Douglas) which was available to them (if any) to put articles signed by Douglas as a Supreme Court Justice into any magazine with the imprimatur of the Supreme Court thereon. Specifically, questions should be directed to whether or not Douglas had any notice of forthcoming publication in *Evergreen*, whether or not he was shown a galley proof before the April issue was published, etc.

Tax returns of William O. Douglas should be examined from 1960 to 1970, followed up by appropriate field investigation, including the use of subpoenas whenever these returns are shown to relate to activities involving the practice of law or related to pornography or revolution.

Appropriate officials of the American Bar Association and the Judicial Conference, including the Chairman of the House of Delegates and the Standing Committee on Ju-

dicial Tenure, should be called to establish the various statutory limitations on extrajudicial activity and the Canons of Judicial Ethics applicable to the Federal Judiciary.

Complete and thorough examination should be made, after appropriate request, of all of the files of the Department of Justice relating to or having reference to William O. Douglas by a member or members of the Subcommittee accompanied by staff. This should be followed up by such additional field investigation and subpoenas as appear to be required to establish whether or not there has been extrajudicial activity by Douglas of a proscribed character.

When the investigation has been completed to the point of the ascertainment of the actual facts concerning the amounts paid to William O. Douglas by the Parvin Foundation and from other sources for extrajudicial employment, including the Center for Democratic Institutions, Ralph Ginzburg and others, the Justice should then be requested to appear and, as mentioned above, if he does appear he should be examined under oath just like any other witness.

No doubt, substantial additional informative procedures and alternatives will be developed in the course of the Committee's investigation, but it is believed that the foregoing comprises a minimum of requirements for adequate investigation in this matter.

Sincerely,

LOUIS C. WYMAN,
Member of Congress.

HORTON ENDORSES THE TIMES-
UNION SALUTE TO DR. GEORGE G.
BERG

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. HORTON. Mr. Speaker, it is always most gratifying to be able to pay tribute to a man who gives of his time, knowledge, abilities, and efforts for the betterment of his fellowman.

Such a man is Dr. George G. Berg, of 109 Southern Parkway, in Rochester, N.Y. Dr. Berg is a scientist and a very busy one. He holds the distinction of being an associate professor of radiation biology and biophysics in the School of Medicine at the University of Rochester.

As busy as he is with his scientific career and with teaching, he is never too busy to help out in worthwhile civic causes. He helped pioneer the Committee for Scientific Information in Rochester. His group was considerably ahead of many others in warning against the devastating effects of phosphates in the pollution of our Great Lakes.

I am told that he preceded Rachel Carson's "Silent Spring" warnings in the area of damage done by pesticides.

Dr. Berg has also been in the forefront in campaigns to end pollution of Irondequoit Creek in the Rochester area, and he has been a leader in the fight against the use of lead-based paints.

For his many efforts in behalf of the community, Dr. George G. Berg recently was honored by a feature story in the Rochester Times-Union. Authored by Jose Echaniz, Jr., this story was in the nature of a salute from all of Greater Rochester to the scientist who feels it

his duty to use his knowledge to help his fellow man.

I would like to share this article with my colleagues in the House of Representatives.

TIMES-UNION SALUTES: DR. GEORGE G. BERG
(By Jose Echaniz, Jr.)

Dr. George G. Berg feels that community service is a scientist's civic duty.

Dr. Berg helped found the Rochester Committee for Scientific Information (originally the Rochester Committee for Radiation Information).

The group was the first to warn of the role of phosphates in the pollution of the Great Lakes. That was three years ago. More recently, the group cautioned against the use of cyclamates—more than a month before the federal crackdown.

It also pioneered in campaigns to clean up pollution of Irondequoit Creek and against the use of lead-based paints.

Dr. Berg's own warnings against indiscriminate use of pesticides preceded publication of Rachel Carson's "Silent Spring" which helped to spur the ecological movement in 1962.

The role of the scientist, Dr. Berg feels, is "to give people powerful solutions to important problems. This is the opposite of giving people fashionable solutions to advertising problems."

His intense concern for the environment is expressed in a directness and insight that is often enhanced by rare good humor.

"A hundred years ago," he said, "water carried typhoid, diphtheria and dysentery. We controlled that too well. We created the laundry addicts and the shower and bath addicts who have given us the problem of preserving fresh water from being killed by us."

Dr. Berg, 51, is a native of Poland and came to this country in 1938 just ahead of the Nazi takeover. He is a graduate of Temple University and has post graduate degrees in zoology from Columbia University.

He joined the University of Rochester in 1955 and is associate professor of radiation biology and biophysics in the School of Medicine. Last year he started a new course in the environmental problems of Monroe County, one of the first such courses in the country.

Dr. Berg's wife, Olga, also active in the war against pollution, teaches embryology and endocrinology in the UR University School. They have three children.

Their home is at 109 Southern Parkway, Brighton.

A TRAGEDY OF DRUG ABUSE

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1970

Mr. O'NEILL of Massachusetts. Mr. Speaker, on July 23 I received a letter from one of my constituents. With the letter she enclosed a tragic and grievous story which demonstrated the immense damage that drugs are wreaking on our youth.

The subject of this story is Kim. She was 17 at the beginning of the story and 18 at the end when she was committed to a State mental institution in Texas by her family. The letter was written by her older sister to her grandmother. As my constituent implored me to read it, I implore you.

It was not the first time I was shocked by the horrors of drug abuse. I first had

my eyes opened when I started hearing from different teachers, youth counselors, and young people themselves how readily available drugs are, even to the very young. Also I have heard that many of our children have not only tried drugs, but are actually regular users.

When I started reading this letter, it did not impress me at first. Kim was not the average child. She seems to have received more freedom than the offspring from the average home: an apartment at 17, an approval for abortion, and her parents seemed to have lost control at an early age. Hardly a situation with which the normal family could empathize.

Yet, I was shocked when I read that an 18-year-old girl was described as "hopeless" and "doomed," and that there was no help to be given this sick child except a place in a jail or a State hospital because she was unwilling to help herself.

The letter explains what needs to be done; all excellent proposals are offered. Kim is not one in a million. Ask any young person with whom you have contact—your children, nieces and nephews, neighbors, and you will find that they can readily relate stories of fellow students and maybe even of themselves, who are hooked on drugs.

Yet, should any of these need help desperately, as in medieval times, we place them in a jail or an institution without any aid for recovery. The reason given is insufficient money. Yet, we certainly have enough money for weapons in Vietnam, ABM, and other means of destruction. Should not the health and well-being of our Nation's children be first on the list of priorities with us.

I urge my colleagues to read this letter and to consider what is being done in your section of the country to help our drug abusers. I refuse to agree with our Chief Executive when he calls teenage addicts "hopeless people." I refuse to believe that an 18-year-old is hopeless. They are only hopeless if we do not provide some help.

The letter follows:

WEDNESDAY NIGHT, JULY 1.

DEAR NANNY: Now it is my turn to get on a band wagon and ask of you at least a letter to each of your senators. The issue is drugs and the nation is in a state of epidemic and the problem should be treated as an epidemic. Drugs are not only destroying our youth, but they are pulling down whole families. I'm right in the middle now of the worst week of hell that you can imagine. Although mine is a personal involvement, it becomes so much more intensely tragic because I know that there is a family suffering like mine in every block. It's Kim, Nanny, and I guess the other purpose of this letter is simply for the release of some of my anxiety. I hate to burden you with my problems, but you know that if you were here I would borrow your shoulder. I'll start at the beginning and try to extract some sense where I fear there is no sense to be found. You knew that we took Kim to live with us just a year ago because she was so unhappy in Beloit. I knew then that she was an emotionally disturbed girl—she has been all her life. I'm sure that part of my motive was then to patch up the barrier which had grown between us because of age—and because of a jealousy of me on her part. Things went fairly well last summer. She found herself a wonderful boyfriend, a good job in a dress

shop which could continue during the school year, and was accepted to a very good fashion school in Miami for what would be this coming fall. By the end of the summer she had possessed the boy out of her life. Even then, all I could say about her was that she was deeply insecure and trusted and depended on others too much. Then, Labor Day weekend was the big pop festival. I do not mean to be writing an indictment of pop festivals, but this particular one was the beginning of her downfall. I'm fairly certain that she lost both her sexual virginity and her drug virginity in that weekend. Someone slipped some acid in her lemonade (which she told us about) and she met a new boyfriend—one of the biggest pushers in the area. At that point we set down an ultimatum—pot we won't say anything about except that you are responsible for the consequences of what can happen, but no acid while you are with us and we are responsible. It was so obvious then that she was fated for a bad trip. She promised—and that was the beginning of the lies, the lies which are only clear to us now almost a year later. We are so naive when it comes to drugs—the country is naive. We simply do not know how to handle it in our own homes. And if Donald and I can't handle it, no wonder the parents are doing a miserable job at it. It was only a few weeks with this new group of friends when she started saying that she really didn't know if she wanted to go to that fashion school—"it will be a bunch of snobby rich girls, not my type." And the long process of initiation into a sub-group had begun. Not "hippies" but "heads."

Soon we started getting concerned reports from the teachers that she was not doing well in school, was completely anti-social. Then she said she was fired from her job when we found out later that she quit. Then, one night she was gone altogether—the b.f. didn't even know where. She was back the next day afraid of being pregnant—"I was scared so I ran." She has been running from any situation of stress since she was little—always running away from home, from school. But she always comes back and assures you that everything is going to be alright, it won't happen again. You believe her only because you want to believe her, cannot face not believing her. I assured her that I was liberal as far as sex goes and would help her get the abortion that she wanted. Two days later I wake up and she is ill. I rush her to the doctor to find out that she has taken a whole bottle of allertest. "I was scared." I had assured her that I would help her through it but she couldn't trust me—or anyone. The pregnancy was still unknown to my parents so I agreed not to tell them if nothing serious happened again. Well, she got her period the next week and was high for about another week. Her fears about pregnancy had put a strain on her relationship with this "boyfriend" and they broke-up, and she was gone again. She had moved in with a girlfriend and talked my parents into letting her try it on her own. You must remember that we were all still quite naive of the drug scene—as far as your own family goes—and they agreed for lack of anything better. They knew she wouldn't last a week at home. We have lived with the hope that maybe "this time," maybe this is the time that she will develop some responsibility as far as her life goes. I didn't see her until the school called and said she had dropped out. I went to her apartment to find that she had been evicted for wild parties, and she herself was coming down from a bad trip. I didn't need to call my father because she did—"I'm going crazy, daddy, come and help me." By the time he got here she had changed her mind. I don't need help anymore, that was just one bad trip, I'm finished with acid, I have a chance to learn how to make leather goods, I'm going to put my life together. My father was already punishing himself for having let her

stay as long as he did and knew he couldn't leave her one minute longer in that environment. "All my friends are here, this is my life, if you take me away you are taking my life away." The trip didn't wear off and she got violent with my father—her major threat—with me right there. Hitting him and threatening him—and, as you can imagine, breaking his heart. Nanny, I saw my father's heart break, I was there and I will never fully recover. He had to have her put in jail because she went off in such a tirade that we didn't know what she would do to herself or someone else. And that about finished him off. She was so violent in the jail that they had to put her in a padded cell. With no recourse but some sort of commitment to a hospital—the advice given by all doctors involved—we put her in a private hospital in Dallas with the plan of having her transferred to Mendota. We did that because the state hospitals here are so horrible. The three weeks that it took to get her transferred bankrupt my father who was in financial difficulty anyway—winter is his bad season. When she left the hospital here the doctors said that she had at least a year of confinement ahead of her. Mendota released her in five days!

My parents couldn't hold her—you can't chain a girl in her room—and she was soon back in Denton—back to her "friends." By now you are probably catching on. If so, you were doing better than we were. She was 18 then, just had her birthday, so my parents had no legal control and just decided to let her go. The time that I saw her during those few months she would drop in for just a minute, usually very excited about some new plan for a job which was never followed through. She was living with a "family" of kids for a while who supported her and then that fell through. After a while she was just borrowing people's kitchen floors. About a month ago she decided to move to Austin to start her new life. Two days later she called my father (they are by this time moved to Miami) and said that she was destitute, had been walking the streets for two days, and wanted to go home. Home she went—spending more money which my father doesn't have—and within a week she had enlisted a "friend" to send her money so she could come back. By this time I was so angry and fed up that I decided to just ignore her. I did just that until two weeks ago I got a call at 3:30 in the morning from a narcotics agent in a town about 60 miles from here. "Mrs. —, I have your sister in jail here—she just came to us from the hospital where she almost died from a shot of dog vaccine!" She had been at a party where the kids had gone out and robbed a vet shop and had given her the wrong stuff by mistake. She was not involved in the actual robbery and when she was in the jail they asked her to sign a statement about the whereabouts of everybody else—and as a result her "friends" and her latest boyfriend were arrested. Well, Don's mother was in Dallas with his aunt and was planning to come stay with us the next day. We drove as far as Dallas to exchange cars with them because we have an MG. By the time we got there I was so physically ill that I couldn't go any further. I don't think I have ever been so close to a nervous breakdown—my body just would not co-operate and I was unable to cope. "Needle marks all up and down her arms and legs" the officer had said on the phone. My mother-in-law, wonderful woman that she is, and my husband who I can't say enough about went to get my sister from the jail not knowing what to expect. All I could envision was the last jail experience and I was scared —. She was fine except for some abscessed veins and VD—real fine, huh? She told Donald all the way back that she had been roped into it, that the reason she had so many needle marks was because she couldn't get a vein

to raise, that certainly after this close call she would never get near anything again, that she was scared my father was going to lock her up.

We believed her because we had to—we had to go on the slight hope that hard narcotics were not the case. This boyfriend of hers is an addict and she is trying to help him stay away from it—that's why she couldn't stay in Florida because he needed her. He was staying away from it real good until this—and now he is charged with burglary because of her statement. Goddamn, she was in a mess and the thing of it was that I liked this kid—he's just a young messed up kid and if she had been strong maybe she could have helped him, but instead he pulled her right in with him. My father didn't know what to do but was by this time suffering from guilt feelings that he never should have committed her at all—especially after Mendota released her. He couldn't "lock her up" again—all he could do was turn his back, the only thing millions of parents feel that they can do. Donald and I didn't exactly turn our back—she seemed so intent that she was done with drugs—we still had no idea that she was on them heavily—that we said she could stay with us until she got straightened around, at least she would have a place to come when she felt the need to get away from it all. That week Don's mother and sister were there so we were gone much of the time and she sort of came and went. Now the trial is looming and she is a state witness and her friends are out on bail and putting the pressure on. She shouldn't have signed the statement, they said—the code of the group is to never rat on anybody else—even if you almost die. One of the lawyers tried to get her to sign a conflicting statement and when we called him on it he denied it. But the pressure was there. The big organizer at the party of the burglary is an older fellow, a pusher with his foot in the door of the mafia. I just hope to god that I never have to lay eyes on him for fear of what I will do—he has no ethics whatsoever—when Kim and her b.f. are obviously so messed up he will make a buck on them until they are in their graves. Anyway, the pressure on her was increasing and she started to fear that they would say she was in on it too. Donald called the narcotics agent and he swore on his job that they would not press charges against her and we got the prosecutor to do the same. "You can't trust them" was her only reply. THEM—the authorities, the guys who make a living dragging half-dead teenagers off the streets.

The police are another matter—but this agent was sincere, he is doing what he can for the drug problem in the only way he knows how and at age 28 he looks like an old man. Anyway, I didn't know how scared Kim really was until last Friday night when I came home from work. I thought she was asleep so I just closed the door. Then a friend of hers came and I went to wake her up and couldn't. She was in a coma—her wrist swollen with needle marks. She had been there all day in a pool of sweat and urine. You would think that I could hardly go on writing but by now I am numb—one can only take so much and then numbness sets in. I got her to the hospital and she was in that coma for 24 more hours! We couldn't find out what she had taken, even, so they couldn't treat her positively except to put fluids in her system that would dilute whatever it was. Donald was at rehearsal in Dallas so I numbly went about getting kids to scour the town to find out what she may have taken, ransacked the bedroom and returned to the hospital to wait. They didn't think she had a chance in this world and when Donald got back we had to call my folks and tell them that. But Nanny, they are numb now too. Mother flew out—both are just starting

new jobs to get back on their feet and daddy just couldn't leave. Four o'clock Saturday she started coming out of it. Barbiturates—a definite overdose—suicide attempt. He (the pusher) threatened to kill me, she said as she came around. When she came around is when the hell really set in and is what we are still in now. This doctor suspects heroine and then Monday Daddy talks to a doctor in Florida who assures us that she is on heroine—he saw her when she was home in Florida that short time to treat her for pleurisy and said that she was at that time trying to go "cold turkey" by coming home. He didn't tell my folks because he felt she was hopeless—he told my father Monday that the only advice he can give a family is to write her off—consider her doomed—before the family is destroyed along with her. My father has died inside. It kills me to even talk with him on the phone. But—she is still in the hospital now, very sick.

She has developed double pneumonia(sp) and a possible chance of hepatitis along with swollen joints and general withdrawal effects. Mother is there nursing her as that is all she knows to do. It is actually kind of therapeutic for her so I let her stay there. At home she climbs the walls as I do—which is why I am writing to you.

And now a new paragraph and back to my plea. If she survives there is almost nowhere to turn next. Florida refused to commit anyone when drugs are involved and many states are the same. Nothing can be done for an addict until they volunteer for help and they can't afford to waste their space on those who don't want the help. The doctor says that besides the drugs she is a psychotic personality and dangerous to the society. He says that if we don't make some sort of arrangements for confinement that he will have to turn her over to the authorities. Private hospitals are out financially—and she is not willing to commit herself. I talked with her today with the hope that all the pain she is in now would do the trick and got nowhere—except angry. Lies, lies, lies. I'm not addicted—you don't think I'd ever do anything again after all this, do you. You can't lock me up—it will kill me. I'll never forgive mom and dad for putting me in that hospital. Forgive! Then I get mad and I tell her that she is Goddamn lucky her parents can forgive her and that she has a mother there nursing her. And let me tell you, she is completely dependent on my mother—hates for her to leave even to eat. Nanny, she is still just a little kid—I just can't stand it. A break in this tension has to come pretty soon. I spend my life on the phone with psychiatrists, social workers, ministers, and no one has an answer. Very little hope—none if she won't help herself. And definitely she must be confined. She won't even admit to the heroin so she is far from ready to help herself. And she wouldn't last a day on the outside. Her boyfriend is going to prison and what will that do to her. God, Nanny, when the most affluent country in the world has not only their streets full of teenage addicts but no facilities to treat them and then spends billions of dollars in Viet Nam—something is wrong. And then you turn on the TV to hear a statement by our President on the drug problem—"the drug problem lies within the minds of the users—people who cannot find challenge in this great country, hopeless people." I would be the first to say that to just blame society is a cop-out because kids like Kim have deeper problems than drugs—but on the other hand, they can get drugs in their jr. high school johns if they want. It is easier to get a fix now days than it was to get a beer when we were that age. Solutions? Initially, money can be spent on treatment centers in every community, counseling services free of charge, education programs starting in the grade schools. Next, large scale war should be declared on organized crime—ev-

every ounce of heroin in this country comes across the borders. Third, immediately reinvestigation of narcotics laws. But these do not treat the symptoms—only deal with the existing situation. What is behind the unrest in our youth is so complex that it boggles my mind to even try to sort it out. Help me sort it out, Nanny, write to me—I need your letter.

Love,

CANDY.

FOREIGN AFFAIRS: JAPAN'S SUN ALSO RISES

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. COHELAN. Mr. Speaker, I have watched the development of Japan with a keen interest. The tremendous economic growth of Japan is one of the greatest successes of this past generation.

As we, through our foreign policy, attempt to establish a "low profile," we must realize that the United States will have to rely more heavily on other nations to assume part of the economic burdens we have borne these many years. Thus, there is little doubt that Japan will continue to be a crucial factor in the future political and economic arrangements of East Asia and, for that matter, the entire world.

It is for this reason, Mr. Speaker, that I view with alarm the myopic concern with certain trade agreements that bid fair to sour relations between our Nation and Japan.

I know that with a mutual "give and take" attitude these seemingly insurmountable barriers could be overcome. One factor should be constantly stressed: Japan is an emerging economic superpower. This fact must be constantly considered. C. L. Sulzberger's recent article in the New York Times entitled "Japan's Sun Also Rises" put this issue into perspective and I commend the reading of this article to my colleagues:

FOREIGN AFFAIRS: JAPAN'S SUN ALSO RISES
(By C. L. Sulzberger)

ASPEN, COLO.—The coming superpower is not China but Japan which, by late this century or early next one, will possess the largest gross national product in the world. Such is the considered opinion of Herman Kahn, futurologist and director of the Hudson Institute, in his forthcoming book, "The Emerging Japanese Superstate: Challenge and Response" (Prentice-Hall, publishers).

After several visits and a study of Japan's prospects as a nation, Kahn concludes that in less than two generations it will boast the greatest GNP. He forecasts that by the end of this year Japan will pass the Soviet Union in per capita output and that by 2000 it will overtake the most advanced Western countries.

NATURAL HINTERLAND

Right now, Kahn points out, Japan's GNP is "consistently growing at a rate twice that of the United States." He sees as a natural Japanese "hinterland" the 200 to 300 million people of non-Communist Pacific Asia, much of whose population the Japanese "will simply incorporate, by one device or another, into their economic superstate, even while

not moving them geographically." He concludes:

[If] "Japan continues to grow at rates comparable to those it has achieved in the last twenty years—and does so for another decade—or for the rest of the century—Japan surely will deserve to be judged the third most important international power in the world. It should far surpass in national power—in influence and political significance—its giant neighbor, China."

SUPERPOWER STRIVINGS

These observations gain special importance against the background of Kahn's further prediction that Japan "is not unlikely eventually to strive to become a military superpower as well." He suspects the rise of Japan may prove comparable on the global scene to that of Prussia on the European scene a century ago. He says:

"I would predict that in a relatively short period of time during the early and mid-seventies we may find a number of crucial changes occurring in Japanese attitudes toward defense of the home islands (including nuclear weapons), in foreign policy, in self image and in national and international expectations."

Kahn believes the special structure of Japanese society, with what we in America might call an extraordinary team spirit, permits maximum application of the national talents. He also believes "Japan is very rich in the resources that count most—the right kind of people."

In applying to Japan the techniques of new analytical methods, Kahn stresses industrial production and military potential. He writes: "In recent years the Japanese have tended to save and invest about one third or more of their gross national product."

"This is the highest rate in the world (except for Kuwait's, which is technically higher—but that is a very special case indeed). Thus the Japanese today save proportionately about one and one-half to three times as much as the European and North American nations do."

If one recalls Tokyo's World War II dream of a Greater East Asia Co-Prosperity Sphere it is fascinating to contemplate the likelihood that such ambitions may now be exceeded by non-military means. Kahn concludes:

"It is a reasonable estimate that economically the Japanese today draw more from non-communist Pacific Asia (or NOCPA for short) than they could have reasonably expected to gain from the success of the old Japanese war goal of establishing a Japanese-dominated coprosperity sphere. In particular, Australia almost certainly will supply—if it does not already—more raw materials than Japan could have expected from a puppet China."

REASON FOR CONCERN

Kahn's profession of futurology deals more with capabilities than intentions. He writes: "On the technological level, just because of their nuclear electrical power industry alone the Japanese will be able, by 1975 or so, to produce several thousands of small nuclear weapons a year."

If one accepts this analysis in terms of postulating U.S. policy, Washington is worrying too much about China and not enough about Japan. Tokyo's requirements and desires must be fitted into Washington's with a view not only to contemporary political convenience but also to logical diplomatic and military needs during the next generation.

Against this background it becomes even more evident how counterproductive barriers against textile imports from Japan will be in terms of the over-all need for close U.S. ties with Tokyo during the uncertain future.

CIVIL RIGHTS FOR ITALIAN-AMERICANS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROSENTHAL. Mr. Speaker, recently, Columbus Circle in New York City was the scene of a rally by Italian-Americans to protest alleged civil rights violations against some of their numbers.

There was some public criticism of this event because the demonstration was in response to reported FBI harassment of a suspected Mafia family. Among those who were criticized for their participation was Paul O'Dwyer, until recently a candidate for the New York Democratic senatorial nomination.

Mr. O'Dwyer has a long record of championing the cause of civil rights. And I think his response to a letter questioning his appearance at the rally eloquently expresses a reverence for our democratic system of justice about which—unfortunately—we sometimes need to be reminded in this day and age. The text of the letter follows:

DEAR SIR: Thanks for writing to me about my appearance at the recent meeting of Italian Americans at Columbus Circle, called to protest violations of the civil rights of some of their numbers, but also to express their sense of indignation at the attempt to stigmatize them en masse.

I'm sure there were few, if any, of the 150,000 Italian fellow citizens who appeared at the rally who did not fall into the category of hardworking decent people, proud of their culture and traditions. They have become sick and tired of having Italians constantly and officially placed in the frame of reference of crime as if somehow they were responsible for the minuscule fraction of their people involved in underworld activities, a situation equally applicable to other Americans.

My sympathies go out to them because this has been the same kind of character assassination from which other ethnic groups have suffered over long periods of our history. The entertainment world discontinued exhibiting the "Stage Irishman" only after irate fellow countrymen threw garbage at the stage and on the offending actors and the Anti Defamation League of the B'nai B'rith is even now a highly respected but an extremely busy organization.

The day after the primary I received the enclosed telegram of invitation from Mr. Marcone. I was aware of and considered the position taken by Senator Marchi and decided nevertheless to appear and speak. I found myself on the platform with people of varying views. The speakers included Richard Aurelio, representing Mayor Lindsay, Bella Abzug, Allard Lowenstein, Richard Ottinger, Rocky Graziano, Barry Farber, Mr. Imperiale of Newark, Joseph Colombo, Mario Biaggi and Mario Procaccino, to name but a few. Whatever my difference of opinion may be with Senator Marchi, I hold him in high esteem, but if his prestigious position among Conservative Republicans has spared him from the cutting edge of slight, it is apparent that hundreds of thousands of other Italian Americans, not so sheltered, have not shared his good fortune. To charge as some reports have that these people were at Columbus Circle under duress is merely to ag-

gravate the libel and since it carried with it no shred of proof, it was unjustified calumny.

The civil rights violation charge sprang from the complaints of the family of Joseph Colombo including wives, sisters and even in-laws, who claimed that agents of the Federal Bureau of Investigation had persisted in annoying them in public (even after they made it clear they did not wish to engage in conversation), had tapped their telephones and otherwise abused their right of privacy. The young women in question presented their charges to the public, through the medium of television and radio, and I saw and heard them and was impressed by their sincerity. If there were any doubts that things of this nature do occur, the attitude, behavior and public pronouncements of Attorney General Mitchell would be sufficient to eliminate any such misgivings.

One of the criticisms of civil rights advocates and lawyers has been that their sensitivities become apparent only when there is an interference with the rights of somebody whose ideology matches their own. I think there's a great deal of merit to that complaint. We are constantly talking about bridging gaps, but it seems clear that in order to do so, all of us must seek to understand the nature of the grievances on the other side of the chasm.

It has been suggested that it was a tactical error to have Joseph Colombo anywhere around the platform. I know what I know about Mr. Colombo from reading about him. But the issue is not Mr. Colombo. Speaker after speaker there made the position clear that if Mr. Colombo violated our laws, he should be prosecuted for it. Only a court and jury, however, have a right to make that determination and until such time as they do, our basic law demands that judgment be withheld and the public media is no substitute for orderly trial.

It requires little argument, however, that we must be just as concerned when the rights of anyone are invaded and the fact that a suspect is charged or about to be charged with a loathsome crime should be no deterrent to our commitment. We are indebted to Danny Escobedo and to the lawyers who fought his case for having the United States Supreme Court place appropriate limitations on what federal and state officers felt was their right to invade privacy and trample on some of the basic provisions of the Constitution. Nobody suggested that Danny Escobedo should be classified as an innocent.

In any event, there is no law which establishes prosecution, conviction and appeal as the only way in which constitutional rights are to be protected. There is something refreshing about a public demonstration of opposition to violation of those rights while they are happening. Besides, it is the method outlined for us by the honored men who framed our sacred documents.

Italian Americans have been saying that the media has been unfair to them, that the public is therefore affected, and as a result they and their children are caused to suffer shame. As an example of distortion, let me refer to a story which appeared in the papers within the past ten days concerning the apprehension of persons charged with relief chiseling. The story went on to link the occurrence with the "Mafia" without submitting a single item of proof.

Knowing what mischief these impressions create, it would appear that the media should exercise a bit more discretion in its reporting. Or maybe to show a balanced picture reference be made now and then to the life of the average Italian American; of people such as I knew when I was a young working student on the Brooklyn waterfront; like Sally, the dock boss, who would beckon me from the shape up for work with a "Hey Irish, go to work. You're never going to be a lawyer

hanging around the gate"; or Bruno, who lately put some fancy tile together for me and so admired its beauty that he could not bring himself to set a price on his artistry; or Nick Rilletti, tailor and owner of the rooming house in which I lived in Borough Park, whose overtime money was set aside for tickets to the opera; or Vincent, who ceremoniously buried the fig tree each fall to save it from the severe frost or this climate so that in the spring, its blossoms could banish the drabness from the backyard of a crowded city.

I'm sure that you and I pray for the day when these evidences of ugliness shall disappear, and Italians, like the rest of us, will enjoy a joke based on their peculiarities or even their shortcomings. But until the atmosphere clears, we have no choice but to use every measure of persuasion on our fellow citizens to recognize that the Italian populace have shown commendable restraint; that they have at the recent meeting made their point publicly and that we, their fellow Americans, are required, by every rule of fair play, to lend a sympathetic ear to this quiet, humane and cultured people.

Prudence might suggest that as to my participation at the meeting I claim ignorance and confess error, and I'm sure from the tone of your letter I would be forgiven this one indiscretion, but I don't see it that way.

Again, thanks for letting me know how you feel. Had you kept your thoughts to yourself, I would never have had the opportunity of explaining mine.

Sincerely,

PAUL O'DWYER.

CHAOTIC WELFAIRISM

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROUSSELOT. Mr. Speaker, there has been a great deal of discussion about establishing appropriate incentives for those presently on Federal welfare payments to be encouraged to return to productive work and activity. An overwhelming majority of America's working people wish to see constructive action taken so that they, as individual taxpayers, are no longer asked to carry the fiscal burden of those who should really be gainfully employed or back at productive work.

W. Tog Ericson, editor and publisher of the South Pasadena Review, has always had a way of saying things succinctly and to the point. Mr. Ericson's editorial of Monday, July 27, 1970, entitled "Chaotic Welfarism," is an example of that type of commonsense and to-the-point commentary that I believe can be of benefit to my colleagues in this House. I recommend that my distinguished colleagues heed the voice of Mr. Ericson because I believe he speaks for a great number of our fellow countrymen.

The article follows:

CHAOTIC WELFAIRISM

Everywhere the taxpayer turns, he sees, rising on all sides, the specter of soaring government spending. Many government programs, at both the local and national level, are beyond administrative control. Schools, welfare, health care and other ostensibly worthy programs continue to multiply, often in an attempt to alleviate the very hardships which government spending, deficit financing and inflation created in the first place.

Illustrative of the trend is a bill in the U.S. Senate which guarantees a family of four a \$3,600 annual income. This one measure would cost about \$20 billion annually. Measures such as this brought a stern warning from Representative Mahon, chairman of the House Appropriations Committee. He said, "... Unless some way can be found to rectify this situation, we are ... headed toward physical and economic chaos" A colorful but deadly serious assessment of the situation was made by a publication of the Chamber of Commerce of the U.S. in its paraphrase of a famous remark of Winston Churchill, "Never have so few owed so much to so many."

PROBLEMS HAVE ROOTS: LOOK AT THEM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ASHBROOK. Mr. Speaker, during the recent hot, humid spell in July, New York City faced both a power and a pollution crisis. Residents were requested to cut back on electric consumption in order not to overload local power facilities. Consolidated Edison, the major source of electric power in the New York area, asked that air conditioners not be run at the maximum setting, for instance, and that other frugalities be practiced during the heat wave. It was hoped, of course, that the cumulative saving in power stemming from many small individual sacrifices would prevent overloading.

The appeal to the consumers in New York emphasized the importance of an extremely hard-to-sell product—individual responsibility. Admittedly, in some cases this virtue comes naturally; the motorist is of necessity cautious and responsible for the life he saves will be his own. It is the small, day-to-day sacrifices with the good of the community and Nation in mind that combine to insure the continuation of a responsible society.

With the problem of pollution the same individual prudence and caution in the interest of the general welfare are in order. It is so easy to search after simple solutions or convenient scapegoats, ignoring the complexities involved. How painless to blame it all on the field of industry, forgetting the contribution made by the car out in the garage.

The February issue of Power Engineering carried a statement of opinion by its senior editor, Fredric C. Olds, on the problems besetting the utility field and the necessity for a broad, systematic approach to effect corrective action. As in the case of Con Edison in New York—the hot, humid weather strained indirectly its normal operation—outside forces such as the economic, educational, and sociological fields have played their roles, past and present, in the utilities dilemma today. Mr. Olds would have us analyze the case comprehensively.

I insert at this point "Problems Have Roots: Look at Them" from the February issue of Power Engineering:

PROBLEMS HAVE ROOTS: LOOK AT THEM

(By F. C. Olds)

Alleged offenses of the power industry: air and water pollution, destruction of beauty, nuclear radiation, high rates, low reliability, monopoly and, tomorrow, brownouts. Valid or not, this is what the public hears.

What do you do if you think you have a big problem on your hands? Trouble-shoot—search for facts, identify causes. Then you can take logical action.

What is afoot today instead? Clarion warnings to the public are carefully disembodied from history. Roots of our problems are seldom mentioned, never exposed. One might gather from watching or listening that these plagues were suddenly upon us as of some recent date and were the almost exclusive fault of industry. Of course, neither premise is true.

The problems largely are the product of political and economic decisions, made on high, conveyed to the public and fixed in its mind by mass media. Production at lowest dollar cost was made God. Its prophets were given accolades and raised to undeserved eminence.

Now we must pay the piper. Pundit, prophet and politician alike cast themselves as blameless. How omniscient they appear today as they thunder warnings and call for action! They hold sway over public thinking, these men who speak of solutions. Yet they have been at the problem roots all along and apparently now will be obstacles to reasonable progress.

It is moot whether industry could have forced a saner course years back; it should have tried harder to do so. In another decade will we look back on today's challenge with the same regret?

OUTLOOK FOR SMALL BUSINESS IN 1970'S

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. CULVER. Mr. Speaker, there are over 8½ million small businesses in the United States, composed of men and women who personify the American ideal of individual initiative and who form one of the most important mainstays of our way of life.

Because of the central place they occupy in our national economy, we in the Congress and the public at large must be aware of the conditions they face and the ways in which they are going to be affected by broad economic trends.

Dr. W. J. Garvin of the Small Business Administration recently gave an address on the "Outlook for Small Business in the 1970's" which contains valuable information on this subject. He points out that the future holds bright opportunities for small businesses, but that it will also present many problems. Congress should be sensitive to these difficulties and be prepared to assist the small businessman when it is necessary.

A recent example of how Congress can be effective in this regard is the Senate committee study of the effects of crime on small businesses, mentioned by Dr. Garvin. Many of the recommendations the committee made are already in the process of being implemented, especially in the area of transportation losses.

I recommend Dr. Garvin's remarks to the attention of my colleagues and insert excerpts from his speech at this point in the RECORD:

OUTLOOK FOR SMALL BUSINESS IN

THE 1970'S

(By Dr. W. J. Garvin)

To evaluate the position of small business over the next decade is indeed a tall order. There are, by the most conservative estimate, well over five million small businesses in this country. They are found in every industry and in every nook and cranny of our land. They are caught up in, and are abnormally susceptible to, the major problems of our times—from tight money to environmental pollution.

INDUSTRY PROSPECTS

Without doubt, the best single indicator of the health of the small business community is the rate of growth in the total business population. At least 95 percent of all businesses are small, by SBA standards. When the total business population grows, small concerns account for an even higher proportion of the growth; conversely, a decline in the total business sector.

We foresee a continued growth in the total business population in the years ahead—from 5½ million today to an estimated 6.1 million by 1976, a net growth rate on the order of 90,000 per year. The rate of growth varies widely among the major industry groups.

The fastest growth is expected in contract construction with a pent-up demand for housing buttressed by an ambitious national housing goal. The number of firms in this industry, currently at 550 thousand, should show a net increase of at least 100,000 by 1976, principally in the specialty trades.

On the other hand, we look for little, if any growth in the 340,000 firms in the manufacturing industry, with gains in the producer goods categories offset by losses among firms manufacturing consumer goods. The latter trend reflects the continuing virtual monopolization of television and radio networks by large corporations promoting trademarks and brand names.

The number of firms in the service industries will keep pace with increases in population and personal income. Now at 1.1 million, the business population in the industries is expected to gain an additional 150,000 firms by 1976. The most rapid growth will occur in the personal, professional and business service industries.

The population of the huge retail and wholesale trade industries, now at 2.6 million firms, accounts for almost half the total business population. The competitive position of small firms in these industries, especially in retail trade, was undermined in the late 50's and early 60's by the growth of large chain and department stores. Their position has since improved with the increased public acceptance of specialty shops, affiliated independents, and franchises. Accordingly, we expect a moderate growth in the number of firms in these industries—to approximately 2.8 million by 1976.

The number of firms in other industries is expected to rise from the present 850,000 to more than one million by 1976. The most rapid growth should occur in transportation, real estate and finance.

REGIONAL PROSPECTS

Ironically, the prospects for development in the several geographic areas of the country, taking into account population movements, run directly counter to expressed national economic development goals. Growth will generally occur where it is least needed. While Federal programs will, in the end, exert a powerful influence to counter adverse trends, the outlook for the short-term future is that current trends will, at best, be abated but not reversed.

Some of the major anticipated developments are set forth below:

Urban growth will continue, but at a somewhat slower pace than prevailed in the 1960's.

Medium-sized metropolitan areas (in the 500,000 to 1,000,000 range) will experience the most rapid growth rates both in industry and population.

The shift of the more affluent middle class to suburban areas and outer-ring counties of large metropolitan areas will continue. These areas will also experience higher rates of growth of primary job-producing industries and of service and retail industries catering directly to the consumer.

The population of central cities of the large metropolitan areas (with a million or more total population) will experience a little net growth in many cases and declines in others, with even higher concentrations of poor persons. Major programs to revive industry in the central cities will be pursued. These will serve to arrest unfavorable trends, with stabilization the best near-term prospect, followed later—hopefully—by a reversal of industrial and commercial decay.

The outlook for some non-metropolitan areas (small urban and rural places) is somewhat more promising. Out-migration from these to larger urban areas fell off substantially in the 1960's, as compared with the preceding decade. Simultaneously, such measures of economic health as the rate of growth of personal income and manufacturers' earnings, which showed the non-metropolitan areas lagging behind the metropolitan areas in the 1950's found them drawing even in the 1960's. These trends should continue in the 1970's as additional growth centers emerge and opportunities for manufacturing and tourism expand. Small business, which has suffered severely as a result of stagnation or decline in small urban and rural places, should reap significant benefits from the expected revival there.

CHALLENGES AND OPPORTUNITIES

A number of significant challenges to and opportunities for small business are emerging in the wake of major Federal programs and other developments in the economy.

The years ahead will witness a major expansion of "consumerism." In addition to measure to insure an acceptable degree of product safety, increased attention will be given to insuring the purity and nutritional content of foods and minimum quality standards for a wide variety of other goods and services. The cost of compliance with minimum standards can place major burdens on small firms, as has already been demonstrated in the meat processing and distribution industry. Properly managed, however, quality standards can strengthen the competitive position of small businesses as has been experienced in Japan. A major expansion of anti-crime programs is clearly in the offing, including programs to ease the burden of crime on small business. The Senate Select Committee on Small Business, after hearings on SBA's study on *Crime Against Small Business*, has adopted recommendations for immediate action and proposes to undertake further studies to reach a more permanent solution. If small business annual losses to crime could be cut in half, this would leave in the pockets of the Nation's small businessmen more money than has been loaned to small concerns in any one year by all of SBA's financial and investment assistance programs combined. More important, a reduction in the toll of crime on small business in the inner city, and solution of the related insurance problems, may be one of the keys to the success of Operation Business Mainstream.

The announcement of the President's determination to reduce the mounting pollution of the Nation's environment presages a new commitment of major resources. While

clearly essential, this too may pose critical problems for the small firm. Special taxes or requirements to install costly equipment would raise the cost of doing business, thus narrowing the advantage of relatively lower overhead costs upon which the competitive posture of numerous small firms is based.

Finally, we foresee a continuing increase in the need for more sophisticated management of small firms. Much of this stems from further urbanization with limited personal ties between small business managers and their customers and the growing selectivity of more affluent buyers. It will also come from a rapid spread of the computer into smaller and smaller firms. One aspect of this trend is already giving us reason for concern. Large manufacturers in the automotive, aerospace and other key industries are abandoning the traditional drawings and specifications in ordering pieces and parts from small suppliers. In their place, they are substituting magnetic tapes which contain instructions for machines to produce the desired product. This will affect literally tens of thousands of small manufacturers who will be required to have access to a computer and a numeric control capability within their plants as a condition for continuing as sources of supply. This, too, we are examining with a view to assisting these small firms to make the transition to computer-assisted manufacturing.

GRAPE HARVEST FESTIVAL

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. O'HARA. Mr. Speaker, today I was privileged to be host to a Grape Harvest Festival in the Rayburn House Office Building—a festival which was called to celebrate the advent of union grapes in the marketplace.

This happy event marks the turning point in 3 years of bitter labor-management struggle in the vineyards of California—struggle between the United Farm Workers' Organizing Committee, led by Cesar Chavez, and the California grape growers. The strike is not over, the boycott has not ended, but the major growers have now signed the UFWOC contract, and what began 3 years ago as a seemingly hopeless struggle against overwhelming odds has now become an irreversible tide. Justice has taken root in the vineyards and cannot be eradicated.

Recently, Mr. William L. Kircher, director of organization of the AFL-CIO, was interviewed by Frank Swoboda, Washington correspondent for Business Week magazine, and Alex Uhl, editor of Press Associates, Inc. I include the full text of that interview at this point in the RECORD:

LABOR NEWS CONFERENCE

Subject: Union Label Grapes.

Guest: William L. Kircher, director, Department of Organization, AFL-CIO.

Reporters: Alex Uhl, editor for Press Associates, Incorporated; Frank Swoboda, Washington correspondent for Business Week magazine.

Moderator: Frank Harden.

MUTUAL ANNOUNCER. The following time is presented as a public service by this station and the Mutual Broadcasting System.

HARDEN. Labor News Conference. Welcome

to another edition of Labor News Conference, a public affairs program brought to you by the AFL-CIO. Labor News Conference brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is William L. Kircher, director of the AFL-CIO's Department of Organization.

For more than three years, California farm workers have sustained a strike and boycott against grape growers aimed at winning recognition for their union, the United Farm Workers Organizing Committee, AFL-CIO. Late last Spring, the first union contract in table grapes was signed. In recent weeks, more than 30 growers—in Arizona, as well as California—have signed union contracts covering workers in grapes and other farm crops. Here to question Mr. Kircher about this sudden and major breakthrough for the Farm Workers Union, how it developed and what it holds for the future, are Frank Swoboda, Washington correspondent for Business Week magazine, and Alex Uhl, editor for Press Associates, Incorporated. Your moderator, Frank Harden.

And now, Mr. Uhl, I believe you have the first question?

UHL. Mr. Kircher, all of a sudden, a great many people who haven't been eating table grapes for some years, because of the strike and the boycott in the grape fields of California, are now eating union label grapes. What has happened to make this startling change?

KIRCHER. Mr. Uhl, I guess it's like all long, drawn-out battles.

Ultimately, there comes a breaking point. That occurred this year—it occurred April first, when the first major contract in table grapes was signed. And when other growers found that signing a union contract isn't a lethal maneuver, they started following suit.

We have now signed more than 30 contracts. Grapes are now being shipped out of California and Arizona under 82 different trade labels, all of which have the union label, in addition to the trade label.

SWOBODA. Does this mean that the grape strike has been won, or are there more growers who have to be signed up?

KIRCHER. What it means, Mr. Swoboda, is that we have a substantial breakthrough. We are nearing the 33 percent mark, with respect to the fresh grape acreage in California and Arizona—33 percent of the total has now signed union contracts.

Also of great significance is that fact 33 percent is a very substantial part of the total industry, and it becomes very obvious to the public—nationally—that if 33 percent of an industry can live with a union contract, and pay reasonable wages, and provide decent working conditions, for the other 67 percent to hold out is nothing more than a manifestation of some pretty bitter recalcitrance.

That sort of thing just won't hold up. We feel that it is just a matter of time until the rest of the growers realize that it is 1970, and join the collective bargaining march into this modern era.

SWOBODA. Are these the major growers that you have signed up—this one-third?

KIRCHER. Some of them are major growers. As a matter of fact, some of the contracts that were signed a few weeks ago with the various divisions of the Tenneco Corporation represent, in total, 1½ million acres in the two states—California and Arizona.

This, of course, is not all grapes—it's not all productive land—it represents a lot of different crops.

We certainly consider this to be one of the major growers. One of the divisions, as a matter of fact—Heggblade-Margules Company—is the largest grower and shipper of soft tree fruit in the state of California. So these are major growers.

The H & L Ranches—the Roberts Ranches—that were signed—are owned and managed by a man who holds, altogether,

50,000 acres of productive land in various fruits and vegetables.

So, these are very, very significant and major contract breakthroughs.

UHL. Well, Mr. Kircher, you talk of contracts. Could you give us an idea of the meaning of the contracts that have been negotiated, in terms of the conditions that existed before?

KIRCHER. When this union started the organizational effort and the strike almost five years ago, Mr. Uhl, the wage levels ran from \$1.05 to \$1.15 an hour. This was about the size of the wage-expectancy of a worker.

Just dealing with that area for a minute, the contracts that have now been negotiated provide a minimum wage of \$1.75 an hour, and for harvesters—in addition to the \$1.75 an hour—a premium incentive of 25 cents for each box of grapes they pick and pack.

So, there has been a substantial upswing, in terms of wages alone.

But we think beyond that is the significance of the development of a broad health and welfare program. For the first time, farm workers are going to be covered—and their families will be covered—by a pre-paid clinical assistance, and medical and doctor care plan. We think this is very important.

In addition, the union has developed an economic development fund. Each grower is paying a minimum of 2 cents a box into this fund, which will be used to meet some of the unique problems of aging, family problems, cultural deprivation problems, and other various problems that the workers in that industry have.

One of the really critical elements that has been at least aided, if not overcome completely, is the uncertainty of the worker regarding the job he may have from year to year—where he may work.

Actually, the fact that the worker doesn't know from year to year where he may work contributes to the migrant nature of this work. Now he knows. The union contract provides that he has seniority at this ranch, or at that vineyard, or at that farm. So now he knows that when there is work at that particular place, he can expect to have a job.

This eliminates a great deal of the need for him to migrate. It gives him a chance to put down roots, and give his family some of the stability that other workers have built for themselves through the collective bargaining processes over the years.

SWOBODA. Mr. Kircher, the grape strike might not be over, but it now seems it will be just a matter of time. But grapes are only one crop. Where do you go next? Or have you not given that much thought at this point?

KIRCHER. Well, we certainly have given it a lot of thought, Mr. Swoboda.

The union has developed contracts for grape growers who are also diversified farmers. That means that even though they have signed contracts covering their vineyards and the grape workers, they have also put into those contracts, automatic procedures for the recognition of the union in other crops, at such time that the union demonstrates, through procedures that have been set up, that it represents a majority of the workers in those crops. So, almost as an appendage of the success of the union in the grape fields, is a procedure that we feel is going to be very helpful in leading to successful organization in other major crops—throughout the West, and ultimately, throughout the nation.

UHL. Well then, this will reduce the necessity for facing up to the problem of transient workers, who go from one end of the country to the other; whose children never have a chance to get a reasonably solid education, who very rarely get a chance to see doctors. Will this really open the way for them to become part of the American work force, instead of being outside it, as they have been in the past?

KIRCHER. It will help—it is already helping. Mr. Uhl.

The extent to which you can completely eliminate the need for migration in agriculture is questionable—it is subject to many variables. But, I think that the important thing for us to recognize here is the manner in which the collective bargaining processes have permitted the workers involved to apply the machinery to the solution of their own problems. You see, for many years, those of us who have a concern for people have sat back and been concerned about the problems that flow for families of workers who must migrate. We have said it is a bad thing—and we wish something could be done about it.

But really, with all of the interest that there has been in the nation—and all of the legislation, all of the church groups—nothing really substantive was accomplished, until the workers themselves found a way to apply the collective bargaining machinery to their problems, and this is beginning to solve it.

It's something for all Americans, it seems to me, to understand and appreciate—the service—ability of the collective bargaining machinery, as it relates to our system.

SWOBODA. Mr. Kircher, do you think that the signing of contracts, particularly on the West Coast, in the vineyards, will provide an eye opener for farm employers in other sections of the country. I'm thinking particularly the Rio Grande Valley, where you've met pretty stiff resistance.

KIRCHER. Well, I certainly hope that it will. I don't like to be cynical, but I have lost much of my hope for large agricultural interests to act intelligently and do what is reasonable.

I'm no longer an optimist.

My experience over the past five years has shown me that the agricultural power structure in any section of the country will tend to respond to a demonstration of strength and the language of power.

I'm not saying that I'm happy with that. I don't think it should be that way.

But, if that is being cynical, it's simply because five years of very bitter struggle that did not have to be as bitter as it was, have conditioned me that way.

SWOBODA. You now have a demonstration of power—you now have a union, a very effective farm union, in at least one section of the country. Will this, perhaps, speed up the process, do you think?

KIRCHER. I would hope so.

UHL. Well, Mr. Kircher, in that connection the problems you have faced in helping to organize these workers with such sudden and really remarkable success, have been compounded, so far as I can see, by opposition, not only from the growers and the corporations involved, but, unfortunately, even from state and local governments. I noticed a story in the paper recently that Cesar Chavez, the director of the Farm Workers Organizing Committee, and the Committee, have filed an \$8 million suit against the California State Table Grape Commission, on the grounds that the Commission actively interfered with the efforts of the workers to organize themselves. Did you see this in operation? Do you think that this suit can help correct such conditions?

KIRCHER. Yes, I think that it is a very valid suit, Mr. Uhl.

I saw some of the things that happened. If my memory serves me correctly, this very same Commission used some of its money to hire an outstanding national advertising agency to tell the "real story of the grape strike in California." I don't have to tell you what they considered the "real story" to have been.

It was not only the Table Grape Commission that involved itself and gave the kind of advice to growers that caused them to be more backward and more unwilling to talk to the union than they might have ordinarily

have been. This same thing was true of the Farm Bureau and the Grape and Tree Fruit League of California. Virtually every agricultural grower organization advised growers on ways and means to effectively resist the union and rid themselves of any kind of responsibility to bargain collectively with their workers.

There was very deep involvement on the part of this portion of the agricultural power structure. I would imagine that today, there is a certain amount of bitterness on the part of growers who have suffered economically through a struggle that has taken several years, largely because of their recalcitrance, which was developed on the basis of the advice they got from these grower organizations and associations.

It is interesting to note that one of the more bitter resisters among the growers—one of the more articulate resisters—catapulted himself into the position of State Secretary of the California Right-to-Work Committee.

Now that gives you a pretty good indication of the theme and direction of those organizations.

SWOBODA. Mr. Kircher, it's been a five-year struggle to get this breakthrough. Is there any one aspect of this struggle that you feel was the strong point—the determination—the almost crusade aspect of the workers—or the boycott? Anything that you can point to that might have been a turning point?

KIRCHER. If I were to pick a single thing that has been a greater element of strength than any other, I would certainly have to say that it's the indigenous leadership of the union. This movement is really a movement of farm workers, for farm workers and by farm workers. And they are blessed with people like Cesar Chavez, Larry Itliong and others, who not only know the problems of farm workers—because they come from many years of farm labor themselves, and from families that were part of the farm labor scene over the years—but they have intelligence, they have courage, they have the ability to learn, they have the desire to understand, and they work tirelessly toward goals that they set for themselves, related to the kind of service they want to provide for farm workers of today, and those who will come tomorrow.

I would say that this, more than anything else, has been the greatest strength that this movement has had. And if you look back over the history of the organizational efforts of farm workers that have failed, the lack of such outstanding indigenous leadership becomes very dramatic.

SWOBODA. How big is the union now, and, what's the potential membership among farm workers?

KIRCHER. Well, measuring the membership of a farm workers union is a lot different from measuring the membership of a factory union, for example, where employment is relatively stable over a 12-month period.

The membership of the Farm Workers Union varies from a couple of thousand at the very lowest point of farm work—in the wintertime—to a high point of perhaps 15,000 or 20,000 during the peak harvest periods, when great masses of workers are used.

So, with that qualification, I would say that just the contracts that have been signed in the breakthrough in table grapes mean coverage of probably as many as 12,000 or 13,000 workers under union contracts.

UHL. Alright, now that you have made this dramatic breakthrough and have contracts with some one-third of the major growers of table grapes in California, what next? Are you pushing heavily on the other two-thirds?

KIRCHER. We certainly are. The organizational efforts continue.

Frankly, at this particular moment, there are growers who have indicated that they would like to sit down and examine the conditions of the contracts. It would be my guess

that before very long, a substantial number of additional growers will probably have seen their way clear to sign union contracts.

But, of course, the answer to your question is that this is not going to happen, unless the union continues to push organizationally. And that's exactly what we are going to do.

SWOBODA. Does this mean that the boycott is over?

KIRCHER. No, far from it, Mr. Swoboda.

The boycott won't be over, really, until every major table grape grower has signed a union contract.

The boycott is over now for those growers who have signed union contracts. We are asking our friends all over the nation to determine whether or not the grapes they see in a market have been union-harvested. That is very easy to determine, because there is virtually no market in the country today that is not very sensitive to the problem of the boycott and the union label.

You can go into any market, ask any store manager, and he can very quickly not only tell you that those grapes are union harvested, but he can show you proof of it.

And, he indeed should be asked to show proof of it before the grapes are bought.

UHL. Would you think then, Mr. Kircher, that once a breakthrough was made, and the union grapes began to appear, and people who had not eaten grapes for a considerable number of years are now able to buy them, this convinced other supermarkets that they had better get on the train too.

KIRCHER. Well, there is no question about it.

We find that union label grapes are more marketable than the non-union label grapes. There is almost a premium on them.

And I might say—if you'll forgive this sort of self-serving statement—that from all of the reports we get, the very presence of the union label on a box of grapes tends to make those grapes taste sweeter, and better, and more palatable—and the consumers are, therefore, more anxious to buy them.

HARDEN. Thank you, gentlemen. Today's Labor News Conference guest was William L. Kircher, director of the AFL-CIO's Department of Organization. Representing the press were Alex Uhl, editor for Press Associates, Incorporated, and Frank Swoboda, Washington correspondent for Business Week magazine. This is your moderator, Frank Hardin, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL-CIO, produced in cooperation with the Mutual Broadcasting System.

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MAYBE IT WOULD NOT MAKE
GOOD HEADLINES

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. FOREMAN. Mr. Speaker, last Friday the junior Senator from Arkansas suggested that the tiger cages of Con Son prison be displayed alongside displays of cages American prisoners of war are kept in by the North Vietnamese Communists.

The purpose of his suggestion, apparently, was to show that he sympa-

thizes as much with the convicted felons of South Vietnam as he does with those Americans held prisoner by the North Vietnamese, even though, in dealing with those Americans, the North Vietnamese violate the basic concepts of civilized treatment of prisoners of war as well as the Geneva Convention which sets standards for POW treatment.

I am pleased that the junior Senator from Arkansas sympathizes so deeply with the felons of South Vietnam. I am surprised though at his apparent lack of sympathy for the felons of Arkansas. I have not heard him urge a displaying depicting the treatment of prisoners on Arkansas' notorious prison farms.

FORCED UNIONISM VERSUS VOLUNTARY ASSOCIATION

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROUSSELOT. Mr. Speaker, our California Legislature is currently considering legislation which would force teachers to join a union as a major criterion of employment.

It is conceivable to me that this type of compulsion might well produce in such a highly regarded profession the same type of conditions and results that have evolved from our compulsory military draft program.

It appears to me that two recent editorials in the Los Angeles Herald Examiner and the Long Beach Reporter merit the thoughtful consideration of my fellow colleagues:

FORCED UNIONISM

Strong opposition is developing—and rightly so—against a bill introduced in the Legislature which could compel teachers to join a union as a condition of employment.

Had such a law been in effect during the teachers' strike in Los Angeles, some 12,000 dedicated teachers who continued to teach their pupils would have been subject to union fines.

A similar law in Michigan has resulted in rulings declaring that the requirement of union membership supersedes tenure and one teacher with 18 years tenure was fined because she refused to buckle under to union demands.

California schools have sufficient problems without adding the impossible burden of the closed shop. Teachers should continue to have their present right to refrain from union activities. The Legislature should waste no time in killing this measure, SB 1193 by Senator McCarthy of San Rafael.

COMPULSORY UNIONIZATION OF CALIFORNIA TEACHERS ATTACKED

In an open letter to Governor Reagan and the California Legislature, Californians for Right to Work called for the defeat of legislation opening the door to compulsory unionization of California school teachers.

The legislation under attack is Senate Bill 1193 by Senator John McCarthy, San Rafael, which strips California Teachers of their present right to refrain from union activities.

David Denholm, Legislative Director of Californians for Right to Work, charged "Enactment of Senator McCarthy's bill will result in dedicated teachers being forced to

leave their chosen profession rather than pay tribute to union officials for the right to teach."

"Passage of legislation similar to this in Michigan has resulted in rulings declaring that the requirement of union membership supersedes tenure and one teacher with 18½ years tenure was fired because she refused to buckle under to the demands of the union," the Right to Work official continued.

The pro-labor bill will face strong opposition in Sacramento. Teacher organizations, religious groups and Right to Work forces are generating massive opposition to the bill.

"Had legislation similar to this been in effect during the recent Los Angeles teachers strike and a union shop contract in force, some 12,000 teachers who continued to teach their pupils would have been subject to union fines," Denholm stated.

"We believe California teachers' right to teach should be based on ability and dedication . . . not union membership," Denholm concluded.

Californians for Right to Work is a statewide coalition of citizens from all walks of life, dedicated to the principle of voluntary unionism. The organization believes no employee should be fired because he does or does not belong to a labor union.

SAFETY HAZARDS AT NATIONAL PARKS

HON. RICHARD D. MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. MCCARTHY. Mr. Speaker, one indication of our Nation's prosperity is the growing amount of leisure time which our citizens now enjoy. Tens of millions of Americans now take well-deserved vacations and they are travelling to all parts of the country with their families and loved ones.

Of particular interest to these vacationers are our national parks. Enclaves against the incursions of unplanned commercial expansion and industrial blight, they offer what should be a peaceful and exciting venture into our Nation's natural monuments of mountains, lakes, and canyons.

One of the most popular is the magnificent Yellowstone Park. Last year alone over 2 million people entered this sanctuary in Wyoming, Montana, and Idaho. An estimated 2.2 million will tour its natural splendors this year.

This wilderness is of special attraction to citizens of urban east coast areas, where this kind of open space does not exist. Many of my constituents from western New York have marveled at their visits to Yellowstone, and have urged legislation which will assure adequate facilities for all visitors without destroying the natural beauty.

It was with anticipated joy that a close friend of mine, Mr. James Hecht, and his family left Buffalo earlier this summer to visit the Yellowstone Park. Arriving in late June he and his family toured the many points of interest in the Old Faithful area. These splendors were especially fascinating to the young 9-year-old son, Andrew Clark, who must have been overjoyed at the many and varied sights. One of these was the

famous Crested Pool, a natural steam waterway which would naturally excite a young child.

Andrew was to have a fleeting memory of this natural wonder. As he walked along the unguarded boardwalk approaching the Crested Pool, the steam distracted him. Not seeing the edge of this crossway, he slipped suddenly and fell to his death.

Mr. Speaker, the tragedy that befell this family could have been avoided. An examination of this thermal pool shows how perilous it can be. While only one other fatal accident of this kind has been reported, it is clear that the unguarded boardwalk surrounding the pool is perilous to the unsuspecting visitor.

Mr. Speaker, this kind of tragedy must not be repeated. The 2.2 million visitors that will visit this historic park this year must not be exposed to unnecessary hazards.

Accordingly, I am writing to the Director of the National Park Service, Dr. George B. Hartzog, to bring this tragedy to his attention and requesting him to take immediate steps to provide a guard rail around the Crested Pool and all others like it.

I am also writing to the chairman of the House and Senate Committees on Interior and Insular Affairs requesting them to undertake an investigation into the safety hazards in our national parks.

A HUMANITARIAN APPEAL

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROYBAL. Mr. Speaker, as a member of the House Foreign Affairs Subcommittee on Inter-American Affairs, I have been deeply concerned about the recent terrorist shooting and brutal kidnapping of Mr. Dan Mitrione, an American AID adviser to the Uruguayan Government, who was wounded and seized last Friday morning while on his way to work, unarmed and defenseless, in Montevideo.

The father of nine children, Dan Mitrione has served as an AID public safety adviser for the last 10 years, and his record of civic, social welfare, and church work in his hometown of Richmond, Ind., prior to joining AID does him great credit as an outstanding example of an American sincerely dedicated to the betterment of his community, his country, and the world in which he lives.

The latest information I have obtained from the State Department indicates that Mr. Mitrione's gunshot wound in the chest is of a potentially serious nature unless treated without delay.

But the notes received so far from the terrorist kidnapers—Tupamaros—leads U.S. officials to believe that little or no medical attention has been provided.

At the same time, these notes reveal that Mr. Mitrione has been subjected to severe questioning and rigorous interrogation by his dissident captors.

The inhumanity of holding this wounded American official without hospitalization since July 31 and subjecting him to exhaustive interrogation is simply appalling.

Every American should take this opportunity to express his deepest indignation at this international outrage, and demand that Mr. Mitrione be given hospitalization immediately—and not continue to be held as a hostage for the release of convicted murderers, bank robbers, and kidnapers.

Certainly, no useful purpose can be served by endangering the life of this American citizen. And the revolutionary cause which the Tupamaros embrace can only be harmed by such wanton acts of violence.

Both humanitarian and political considerations join in urging Mr. Mitrione's immediate release. It is my earnest hope and prayer that his captors will recognize the force of these considerations.

NEW COMPREHENSIVE HIGHER EDUCATION BILL

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. QUIE. Mr. Speaker, I am today introducing on behalf of myself, Mr. AYRES, Mr. ERLÉNBOHN, Mr. ESCH, Mr. DELLENBACK, Mr. SCHERLE, and Mr. STEIGER of Wisconsin, the Comprehensive Higher Education Act of 1970. Our Special Education Subcommittee has had about 40 days of hearings on higher education beginning last December 16. The President sent us his message and proposals for higher education last March 19. We have had testimony from representatives of all major interest groups in higher education. Administration witnesses have appeared on several occasions.

Mr. Speaker, time is getting short to develop needed legislation this session in the field of higher education. Several of us felt we could wait no longer in drafting a bill which met the major concerns of the committee as expressed in our hearings. We were quite optimistic that this bill would provide the vehicle we have been waiting for; the one we could use to meet in executive session and amend in whatever ways necessary to finally gain majority support in our committee.

I might add that I left out of this bill certain provisions which I favor but was afraid they might give some Members so much of a problem that they could not cosponsor the bill. The main amendment which I intend to introduce will be new legislation to provide general financial assistance to institutions of higher education. On March 24, 1970, I introduced legislation in this area, H.R. 16622, the Higher Education General Assistance Act of 1970. It was our expectation that other members of the subcommittee would also have amendments to this bill which they would offer in committee.

This afternoon I am very sorry to re-

port that the wide bipartisan support we expected has not come about. Some members on our subcommittee are so fearful of facing the issue of student unrest on this floor that they are not open to sponsoring any bill which might come before the House prior to elections.

I am in sympathy with some of these Members on the issue of student unrest. In fact, I have stated publicly on several occasions that I oppose any new Federal legislation in this area. The President opposes it. The Secretary of Health, Education, and Welfare is against it. And I believe the majority of the Members of both the House and the Senate now believe that student unrest should and must be dealt with primarily in the institutions themselves. Present Federal legislation which denies aid to those engaged in violent disruption is an expression of congressional concern and responsibility. That legislation is adequate.

I hope the Special Education Subcommittee will mark up and report legislation even though more than half of the Members refused to introduce this bill. Refusal to act on higher education legislation will be especially disappointing to those who are worried about the guaranteed student loan program. We are beginning to get indications that several lending institutions are not making loans because of their mounting liquidity problem. This bill not only opens up subsidized guaranteed loans to any student determined by his institution to have need, but it creates a new secondary market which will solve this liquidity problem. I feel that the provisions relating to the guaranteed loan program and the secondary market are absolutely necessary now. So necessary, in fact, that I would be happy to support legislation which would be limited to these areas if that would make it easier for our subcommittee to report out a bill this session.

I express the hope of all those who are joining in introducing this bill that it can still be helpful in bringing our subcommittee around to exercising its responsibility. I invite every Member to read the following summary of this bill and help convince other members of our subcommittee to overcome their fears about facing the issue of student unrest by stating that they will oppose additional amendments on that subject:

SUMMARY OF PROPOSED "COMPREHENSIVE HIGHER EDUCATION ACT OF 1970"

TITLE I—STUDENT ASSISTANCE

Part A—Extends EOG program for three years. Removes distinction between "initial year" and "renewal" grants. Prohibits discrimination against transfer students. Eliminates matching requirements. Requires Commissioner to develop guidelines to help institutions distribute aid so that students with similar financial circumstances receive similar aggregate amounts of financial assistance under this part and work study. Eliminates State allotment formulas. Allows institutions to transfer up to 20% of its EOG funds to work-study.

Part B—Extends the Guaranteed Student Loan Program and the Special Allowance provisions for three years. Increases the ceiling on total new loans which can be Federally insured each year from \$1.4 billion to \$1.8 billion. Requires that students eligible for interest subsidies (during school and

grace periods) must be determined by their institutions to be in need of the amount of their insured loans. (The current income ceiling of \$15,000 is removed.) Continues present 7% maximum interest rate for subsidized loans to students determined to have need. The Special Allowance would be paid only on such loans. Sets maximum rate of interest for non-subsidized loans (for which students with no need are eligible) at a maximum of 7% plus the most recently published rate for the Special Allowance. (Thus, the maximum interest rate on these loans would be 10%.) Increases aggregate ceiling of both subsidized and unsubsidized loans from \$7500 to \$10,000. Provides for Federal insurance of interest as well as principal.

Part C—Extends work-study for three years. Eliminates State allotment formulas. Allows institution to transfer up to 20% of its work-study funds to EOG. Requires Commissioner to develop guidelines to help institutions distribute aid so that students with similar financial circumstances receive similar aggregate amounts of financial assistance under this part and the EOG program.

Part D—Extends cooperative education for three years. Authorizes funds to explore new methods of cooperative education.

Part E—Amends general provisions to allow a carry-over of unused EOG and work-study funds. Does not require adherence to the Truth in Lending Act for Federal student loan programs.

Part F—Establishes a Government-sponsored private corporation, the Student Loan Marketing Association, to serve as a secondary market and warehousing facility for insured student loans.

Part G—Consolidates and broadens programs presently authorized under Section 408 of the Higher Education Act of 1965 (Talent Search, Upward Bound, and Special Services for Disadvantaged Students).

Part H—Extends NEA loan program for three years. Eliminates State allotment formulas. Allows carry-over of unused funds. Terminates forgiveness features. Raises annual loan limit from \$1000 to \$1500. Allows institutions to turn over uncollectable notes to the Commissioner.

TITLE II—EXTENSION AND AMENDMENT OF EDUCATION PROFESSIONS DEVELOPMENT ACT

Part A—Extends Part A of EPDA for three years (National Advisory Council and program to attract qualified persons to the field of education).

Part B—Extends the Teacher Corps for three years.

Part C—Extends for three years and amends the program for attracting and qualifying teachers to meet critical teacher shortages. Encourages and provides compensation for volunteers. Increases amount available for administration of the State Plan from 3% to 5%. Eliminates provision requiring that no more than one-third of the funds under this section be used for teacher aides.

Part D—Extends for three years and amends the program for improving training opportunities for non-higher education personnel. Encourages volunteers to assist teachers, especially in classes for the educationally disadvantaged, and allows the volunteers to be compensated. Encourages new developments in undergraduate teacher education programs. Encourages parents, school board members, and selected community leaders to participate in training programs. Allows Commissioner to make payments to the Secretary of the Interior to carry out this program on Indian Reservations.

Part E—Extends for three years and amends programs of training for higher education personnel and broadens authority for granting fellowships to anyone preparing to serve as teachers, administrators or educational specialists in institutions of higher education. Increases authorizations to \$90,-

000,000 in FY 72 and such sums as may be necessary for the two succeeding years.

Part F—Extends for three years programs for training vocational education personnel.

TITLE III—NATIONAL FOUNDATION FOR HIGHER EDUCATION

This title creates a new independent agency, the National Foundation for Higher Education, to encourage excellence, innovation, and reform in postsecondary education. Activities of the Foundation would come under a National Council for Higher Education, appointed by the President, representing the general public and all segments of postsecondary education. Provides for a Director (level III on the Executive Schedule), Deputy Director (level IV), and four Assistant Directors (level V). Authorizations for appropriations are set at \$75,000,000 for FY 1972, \$125,000,000 for FY 1973, \$200,000,000 for FY 1974, and such sums as may be necessary thereafter.

TITLE IV—LIBRARIES

Extends for three years title II of the Higher Education Act of 1965. Increases the amount for Special Purpose Grants (Section 204) from 25% to 50% of the sums appropriated for Part A, College Library Resources.

TITLE V—DEVELOPING INSTITUTIONS

Extends for three years and amends title III of the Higher Education Act of 1965. Removes the five-year eligibility provision for institutions offering less than the bachelor's degree. Allows a Professor Emeritus to come from another developing institution.

TITLE VI—PROHIBITION OF CERTAIN DISCRIMINATION

Part A—Prohibits discrimination on the basis of sex in any program or activity (unless designed principally for the benefit of one sex) which receives financial assistance under a program administered by the Commissioner of Education or the Secretary of Labor.

Part B—Amends Part C of the Civil Rights Act to authorize the U.S. Civil Rights Commission to study and investigate discrimination on the basis of sex.

Part C—Amends Section 13(a) of the Fair Labor Standards Act of 1938 to remove the exemption of executive, administrative or professional employees from the provision requiring equal pay for equal work.

TITLE VII—HIGHER EDUCATION FACILITIES

Part A—Extends for three years the Higher Education Facilities Act of 1963.

Part B—Amends title III of the Higher Education Facilities Act of 1963 by adding a provision allowing the Commissioner to insure mortgages for academic facilities at private, non-profit institutions receiving annual interest grants under Section 306.

TITLE VIII—EXTENSION OF CERTAIN PROVISIONS OF EXISTING LAW

Extends for three years title VI of the National Defense Education Act (Language Development), title I of the Higher Education Act of 1965 (Community Service and Continuing Education), and title VI of the Higher Education Act of 1965 (Financial Assistance for the Improvement of Undergraduate Education).

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks:

"How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

THE OLD IN THE COUNTRY OF THE YOUNG

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. BRADEMAS. Mr. Speaker, one of the most thoughtful and perceptive articles I have seen recently concerning the situation of older persons in our country is to be found in the August 3, 1970, issue of Time magazine.

The article, "The Old in the Country of the Young," follows:

THE OLD IN THE COUNTRY OF THE YOUNG

Edward Albee once wrote a play about a middle-aged couple who, before putting Grandma permanently in the sandbox with a toy shovel, gave her a nice place to live under the stove, with an Army blanket and her very own dish. The play contains more truth than allegory. One of the poignant trends of U.S. life is the gradual devaluation of older people, along with their spectacular growth in numbers. Twenty million Americans are 65 or over. They have also increased proportionately, from 2.5% of the nation's population in 1850 to 10% today.

SIMILARITIES OF YOUTH AND AGED

While the subculture of youth has been examined, psychoanalyzed, photographed, deplored and envied, few have wanted even to admit the existence of a subculture of the aged, with its implications of segregation and alienation. Strangely enough, the aged have a lot in common with youth: they are largely unemployed, introspective and often depressed; their bodies and psyches are in the process of change, and they are heavy users of drugs. If they want to marry, their families tend to disapprove. Both groups are obsessed with time. Youth, though, figures its passage from birth; the aged calculate backward from their death day. They sometimes shorten the wait: the suicide rate among elderly men is far higher than that of any other age group.

The two subcultures seldom intersect, for the young largely ignore the old or treat them with what Novelist Saul Bellow calls "a kind of totalitarian cruelty, like Hitler's attitude toward Jews." It is as though the aged were an alien race to which the young will never belong. Indeed, there is a distinct discrimination against the old that has been called ageism. In its simplest form, says Psychiatrist Robert Butler of Washington, D.C., ageism is just "not wanting to have all these ugly old people around." Butler believes that in 25 or 30 years, ageism will be a problem equal to racism.

We have time to grow old—the air is full of our cries.—SAMUEL BECKETT.

ISOLATION OF THE ELDERLY

It is not just cruelty and indifference that cause ageism and underscore the obsolescence of the old. It is also the nature of modern Western culture. In some societies, explains Anthropologist Margaret Mead, "the past of the adults is the future of each new generation," and therefore is taught and respected. Thus, primitive families stay together and cherish their elders. But in the

modern U.S., family units are small, the generations live apart, and social changes are so rapid that to learn about the past is considered irrelevant. In this situation, new in history, says Miss Mead, the aged are "a strangely isolated generation," the carriers of a dying culture. Ironically, millions of these shunted-aside old people are remarkably able: medicine has kept them young at the same time that technology has made them obsolete.

Many are glad to end their working days. For people with money, good health, careful plans and lively interests, retirement can be a welcome time to do the things they always dreamed of doing. But for too many others, the harvest of "the golden years" is neglect, isolation, anomie and despair. One of every four Americans 65 or over lives at or below "the poverty line." Some of these 5,000,000 old people were poor to begin with, but most are bewildered and bitter *nouveaux pauvres*, their savings and fixed incomes devoured by spiraling property taxes and other forms of inflation. More than 2,000,000 of them subsist on Social Security alone.

Job discrimination against the aged, and increasingly against the middle-aged, is already a fact of U.S. life. While nearly 40% of the long-term unemployed are over 45, only 10% of federal retraining programs are devoted to men of that age. It is often difficult for older people to get bank loans, home mortgages or automobile insurance. When the car of a 68-year-old Brooklyn grocer was stolen last winter, he was unable to rent a substitute. Though his driving record was faultless and he needed a car for work, he was told falsely by two companies that to rent him one was "against the law."

Youth is everywhere in place

Age, like woman, requires fit surroundings.

—RALPH WALDO EMERSON.

SEPARATE COMMUNITIES

Treated like outsiders, the aged have increasingly clustered together for mutual support or simply to enjoy themselves. A now familiar but still amazing phenomenon has sprung up in the past decade: dozens of good-sized new towns that exclude people under 65. Built on cheap, outlying land, such communities offer two-bedroom houses starting at \$18,000, plus a refuge from urban violence, the black problem (and in fact blacks), as well as generational pressures. "I'm glad to see my children come and I'm glad to see the back of their heads," is a commonly expressed sentiment. Says Dr. James Birren of the University of Southern California: "The older you get the more you want to live with people like yourself. You want, to put it bluntly, to die with your own."

Most important, friendships are easy to make. One relative newcomer to Laguna Hills Leisure World, Calif., received more than 200 get-well cards from her new neighbors when she went to a hospital in Los Angeles. There is an emphasis on good times: dancing, shuffleboard, outings on oversized tricycles and bowling (the Keen Agers v. the Hits and Mrs.). Clubs abound, including Bell Ringing, Stitch and Knit, Lapidary and "tepees" of the International Order of Old Bastards. The I.O.O.B. motto: "Anything for fun." There is, in a sense, a chance for a new start. "It doesn't matter what you used to be; all that counts is what you do here," said a resident of Sun City, Ariz.

To some residents the communities seem too homogeneous and confining. A 74-year-old Californian found that life was flavorless at his retirement village; he was just waiting for "the little black wagon." Having begun to paint seascapes and landscapes at 68, he moved near an artists' colony, where he now sells his landscapes and lives happily with a lady friend of 77.

In silent synods, they play chess or cribbage...

—W. H. AUDEN.

In fact, less than 1% of the elderly leave their own states. The highest proportion of the aged outside Florida is in Arkansas, Iowa, Maine, Missouri, Nebraska and South Dakota—on farms and in communities from which youth has fled. In small towns, the able elderly turn abandoned buildings into "senior centers" for cards, pool, slide shows, lectures and pie socials. In Hebron, N. Dak. (pop. 1,137), grandmothers use the balcony of the former J.C. Penney store for their quilting. But there is little socializing among the rural aged, who often subsist on pittances of \$60 a month, and become even more isolated as public buses disappear from the highways, cutting off their lifelines to clinics, stores and friends.

A third of the nation's aged live in the deteriorating cores of the big cities. On Manhattan's Upper West Side, thousands of penniless widows in dingy single-room-occupancy hotels bar their doors against the alcoholics and dope addicts with whom they share the bathroom, the padlocked refrigerator and the telephone down the hall. "Nine out of ten around here, there's something wrong with them," says a 72-year-old ex-housekeeper living on welfare in a hotel on West 94th Street. "I get disgusted and just sleep every afternoon. Everybody dying around you makes you kind of nervous." Terrified of muggings and speeding cars, the disabled and disoriented do not leave their blocks for years on end, tipping anyone they can find to get groceries for them when their welfare checks arrive.

Close to a million old people live in nursing homes or convalescent facilities provided by Medicare. A new growth industry, nursing homes now provide more beds than hospitals. They are badly needed. But in many of the "homes," the food and care are atrocious. Patients have even been confined to their beds merely because bed care entitles the owners to \$2 or \$3 more a day. Mrs. Ruby Elliott, 74, recalls her year in a California nursing home with fear and bitterness: "It's pitiful, but people are just out for the money. That whole time I was among the living dead."

Fewer than half of the country's 25,000 nursing homes actually offer skilled nursing. Arkansas Congressman David Pryor recently visited twelve nursing homes near Washington, D.C. "I found two where I would be willing to put my mother," he said. "But I don't think I could afford either one on my \$42,500 congressional salary." Pryor is trying to set up a congressional committee to investigate long-term care for the aged.

How terrible strange
To be seventy.

—SIMON AND GARFUNKEL.

MEDICAL MOBLEYS OF THE AGED

Almost everyone hates to think about aging. Doctors and social scientists are no exception. "They think one shouldn't look at it too closely, as though it were the head of Medusa. It is considered a morbid preoccupation," says one anthropologist. But the acute problems and swelling ranks of the American aged have lately stimulated a number of new behavioral studies that are more scientific than any ever done before. They show among other things, that people age at very different speeds and that many changes formerly attributed to age are actually caused by other factors. The cliché that a man is as old as his arteries, for example, has been found to be misleading. It is probably more accurate to say that a man is as sick as his arteries, and that such sickness is caused by diet and stress rather than by age.

The ability of elderly people to memorize and recall new information has been ex-

haustively tested at the Duke University Center for the Study of Aging and Human Development. They can do it, but they need more time than younger people. Their responses are apparently slowed down by anxiety; an older person's goal is less to achieve success than to avoid failure. Changes in the blood of elderly pupils showed that they were undergoing the physiological equivalent of anxiety without being aware of it. Drugs that changed this physiological happening helped them, and their performances improved. Dr. Carl Elsdorfer, who conducted the experiments, suggests that what initially slowed down his subjects was not so much of their age as their attitude toward their age.

BETTER TO FIGHT GETTING OLD

Old people may be ridiculed when they try to act young, but according to San Francisco Psychologist Frances Carp, it is better to fight age than to accept it. In America today, "acceptance of old age holds out few if any rewards," she says. Those who surrender often become debilitated by a devastating "elderly mystique"—and victims of self-fulfilling prophecies. For example, doctors at the University of Illinois studied 900 old people living at home and found many so sick that they could not walk to the door. They had lived for months without medical attention because they felt that they were old and therefore were supposed to be sick.

Actually, the overwhelming majority of the aged can fend very well for themselves. Only 5% of aged Americans live in institutions; perhaps another 5% remain bedridden at home. True, four out of five older people have a chronic condition. "But chronic diseases must be redefined," says Duke's Dr. Elsdorfer. "I've seen too many depressed people leaving their doctor's office saying, 'My God, I've got an incurable disease.' Chronic illness gets confused with fatal illness. Life itself is fatal, of course, but as far as most chronic illnesses go, we simply don't know what they do to advance death. The role of the doctor has to change. Now that infectious diseases are on their way out, the doctor must stop thinking about cures and start teaching people how to live with what they have."

New findings show that hypochondria, or "high body concern," one of the most common neuroses of the elderly, can often be cured. According to Dr. Ewald Busse, director of the Duke study center, if a man's family "keeps criticizing him unjustly, makes him feel uncomfortable, unwanted, he may retreat into an imaginary illness as a way of saying 'Don't make things harder for me, I'm sick and you should respect me and take care of me.' It is clear from our studies that if the older hypochondriac's environment changes for the better, he will too. He will again become a reasonable, normal person. This is quite different from the reaction of the younger hypochondriac, who is much sicker psychologically and much less likely to respond to a favorable change in environment."

Recent studies bear out Sex Researchers Masters and Johnson's findings that men who enjoyed sex earlier in life can, if all else goes well, continue to enjoy it. Questionnaires over a ten-year period at Duke showed that the same men's interest in sex changed little from age 67 to 77, although there was a slight drop in activity. Result: a gradual widening in what the researchers coolly call the "interest-activity gap." A much lower proportion of women continued to be interested in sex after 67, but they managed to keep their interest-activity graph lines close together. "It depends on the individual," an elderly San Franciscan points out. "All ages have sexy people."

People expect old men to die,
They . . . look
At them with eyes that wonder when.

—OGDEN NASH.

MISCONCEPTIONS ABOUT SENILITY

A common and unfortunate diagnosis of many aged people is that they are senile, a catchword for a number of conditions. There may be organic brain damage—for example, the brain may run short of oxygen because of impaired blood flow. But many of the "senile" actually have psychological problems. One 70-year-old retired financier, who insisted on calling his successor at the company all the time and had all sorts of paranoid suspicions, was diagnosed as having organic brain disease. A combination of psychotherapy and a new job as treasurer of a charitable organization helped the man to recover completely. Other "senile" patients actually suffer from malnutrition, or have simply broken down out of loneliness, perhaps caused by a temporary overload. As one old man put it: "There is no one still alive who can call me John." Explains Harvard Psychoanalyst Martin Berezin: "The one thing which neither grows old nor diminishes is the need for love and affection. These drives, these wishes never change."

Actually, senile traits are not peculiar to the aged. A group of college students and a group of the elderly were recently rated according to the characteristics of senility, and the students were found to be the more neurotic, negative, dissatisfied, socially inept and unrealistic. The students, in sum, were more senile than their elders. Other studies have shown that the percentage of psychiatric impairment of old persons is no greater than that for younger groups.

But younger people are usually treated if their psychological problems are severe. Says New York Psychologist Muriel Oberleder: "If we encounter unusual nervousness, irritability, depression, unaccountable anger, personality change, apathy or withdrawal in a young person, we make sure that he is seen by a physician. But when those symptoms appear in elderly people, they are considered par for the course of old age. We rarely consider the possibility that elderly people who have had a breakdown can recover." Dr. Berezin successfully treated a 70-year-old woman who had a severe breakdown, her first. She had been picked up for drinking, setting fire to her home and other bizarre behavior, including chalking off a section of the sidewalk and claiming it as her own. In therapy, she revealed that she had yearned all her life for marriage and children. Eventually, she mastered her grief and regrets, settled down and began to enjoy the people around her.

PSYCHOTHERAPY HARD TO GET FOR OLD

Psychotherapy has never been easily available to the aged. Since it demands so much time and effort, it is considered better to expand it on those who have a long life ahead. There is also the still-powerful influence of Freud. If one's behavior is believed to be programmed in the first years of life, one cannot hope to change that program substantially during old age. (Freud, who contributed to age-ism, was also its victim. At 81, discussing "the many free hours with which my dwindling analytical practice has presented me," he added: "It is understandable that patients don't surge toward an analyst of such an unreliable age.")

. . . I reach my center.
my algebra and my key,
my mirror.
Soon I shall know who I am.
—JORGE LUIS BORGES.

LIFE-CYCLE PSYCHOLOGY

Most psychologists have simply ignored the process of aging. Says Harvard's Erik Erikson: "It is astonishing to behold how (until quite recently and with a few notable exceptions) Western psychology has avoided looking at the whole of life. As our world image is a one-way street to never-ending progress, interrupted only by small and big catastrophes, our lives are to be one-way streets to

success—and sudden oblivion." But lately Erikson and other psychiatrists have become interested in all stages of man's development, and the "aging" that goes on at every stage.

One practitioner of "life-cycle psychiatry," Washington's 43-year-old Dr. Butler, believes that the possibilities for psychic change may be greater in old age than at any other period of life. "Little attention has been paid to the wish to change identity, to preserve and exercise the sense of possibility and incompleteness against a sense of closure and completeness." When a person's identity is maintained throughout old age, "I find it an ominous sign rather than the other way around. If the term needs to be used at all, I suggest that a continuing, life-long identity crisis is a sign of good health."

Though many believe that age accentuates personality characteristics, Dr. Butler notes that "certain personality features mellow or entirely disappear. Others prove insulating and protective, although they might formerly have been impairing, such as a schizoid disposition." Some doctors suggest that neuroses and some psychoses burn themselves out with age, and note that the rate of mental disorders declines after the age of 70.

Carl Jung, who lived with great vigor until the age of 85, saw aging as a process of continuous inward development ("individuation"), with important psychic changes occurring right up to the time of death. "Anyone who fails to go along with life remains suspended, stiff and rigid in mid-air," Jung wrote. "That is why so many people get wooden in old age; they look back and cling to the past with a secret fear of death in their hearts. From the middle of life onward, only he remains vitally alive who is ready to die with life, for in the secret hour of life's midday the parabola is reversed, death is born. We grant goal and purpose to the ascent of life, why not to the descent?" Erik Erikson agrees: "Any span of the cycle lived without vigorous meaning, at the beginning, in the middle, or at the end, endangers the sense of life and the meaning of death in all whose life stages are intertwined."

*Better to go down dignified
With boughten friendship at your side
Than none at all. Provide, provide!*
—ROBERT FROST.

MIDDLE AGED V. OLD AGED

The problems of the aged are not their concern alone. Since reaching the age of 70 or 80 is becoming the norm rather than the exception, more and more of the middle-aged—even when they retire—have elderly parents and other relatives to care for. For the "command generation" there are two generation gaps, and the decisions to be made about their parents are often more difficult than those concerning their children. Various community agencies sometimes help, and in Manhattan a private referral service is kept busy helping distraught people find the right place for parents who can no longer live at home. One 81-year-old woman was persuaded to go to a nursing home when her daughter, with whom she had always lived, married late in life. To her own surprise, she is happier than she was before, taking great pride in reading to and helping her older roommate. A difficult decision of the middle-aged is how to allot their resources between children and parents and still provide for their own years of retirement, which may well extend for two decades.

ORGANIZED LOBBYING

The next generation of the aged may be healthier, certainly better educated and perhaps more politically aware. Those over 65 are now a rather silent minority, but in number they are almost exactly equal to the nation's blacks. Since none are below voting age, the aged control a high percentage of the vote—15%. More and more are banding together. The American Association of Re-

tired Persons, for example, helps its nearly 2,000,000 members get automobile insurance, cheaper drugs and cut-rate travel. A more politically oriented group, the 2,500,000-member National Council of Senior Citizens, played a major role in pushing through Medicare. Now the group is lobbying to improve Medicare, which helps the sick but does not provide checkups, by including some sort of Preventicare.

Aside from health, money is the most pervasive worry of the aged; income maintenance is a major need. Private pension plans need attention too. According to one informed estimate, only 10% of the people who work under pension plans actually receive any benefits, usually because they do not stay long enough to qualify. As presently arranged, pensions also tend to lock older workers into their jobs and, if they become unemployed, to lock them out. They are then denied jobs because it is too expensive to let them join a pension plan.

*Come, my friends,
'Tis not too late to seek a newer world.*
—TENNISON.

PROBLEMS OF RETIREMENT

Will able 70-year-olds have more opportunities to work in the future? Probably not. Instead of raising the age of mandatory retirement, business and labor may lower it, perhaps to 50 or below—making workers eligible even earlier for social insecurity. Aside from those fortunate few in the professions—law, medicine, dentistry, architecture—most of the people over 65 who are still at work today are farmers, craftsmen and self-employed tradesmen, all categories whose numbers are shrinking. Of course, people cannot work hard forever. Each manages according to his own clock, but at long last he is likely to lose much of his strength, his drive and adaptability. Witness the gerontocracy that slows down Congress and the businesses that have failed because of rigid leadership. But there are still many areas where the aged can serve and should, for aside from humane consideration, they can provide skill and wisdom that otherwise would be wasted.

New plans to recruit, train and deploy older workers to provide much needed help in hospitals, special schools and elsewhere will be discussed at the White House Conference on Aging scheduled for November 1971. Meanwhile, a few small-scale programs point the way. One is Operation Green Thumb, which hires retired farmers for landscaping and gardening. Another is the International Executive Service Corps, which arranges for retired executives to lend their management skills to developing countries. Hastings College of Law in San Francisco is staffed by law professors who have retired from other schools. A federally financed program called Foster Grandparents pays 4,000 low-income "grandparents" to care for 8,000 underprivileged youngsters. Although they have numbered only in the hundreds, most elderly volunteers in Vista and the Peace Corps have been great assets. "We know about out-houses and can remember when there weren't any refrigerators," says Nora Hodges, 71, who spent two years in Tunisia and is now associate Peace Corps director in the Ivory Coast. "People in underdeveloped countries rate age very highly. When we meet with this appreciative attitude, we outdo ourselves."

*Begin the preparation for your death
And from the fortieth winter by that
thought
Test every work of intellect or faith.*

W. B. YEATS.

MID-CAREER CLINICS

Life would be richer, students of aging agree, if a wider repertory of activities were encouraged throughout life. Almost everyone now marches together in a sort of lockstep.

They spend years in school, years at work and years in retirement. Youth might well work more, the middle-aged play more, and the older person go back to school. Former HEW Secretary John Gardner wants to see "mid-career clinics to which men and women can go to re-examine the goals of their working lives and consider changes of direction. I would like to see people visit such clinics with as little self-consciousness as they visit their dentist." As Psychiatrist Robert Butler puts it: "Perhaps, the greatest danger in life is being frozen into a role that limits one's self-expression and development. We need Middle Starts and Late Starts as well as Head Starts."

To get a late start does not necessarily require a federal program. Many an enterprising individual has done it on his own. Mrs. Florida Scott-Maxwell, who at the age of 50 began training to become a psychotherapist, recently wrote down her reflection about aging in *The Measure of My Days*. "My seventies were interesting and fairly serene," she noted, "but my eighties are passionate. I am so disturbed by the outer world, and by human quality in general, that I want to put things right as though I still owed a debt to life. I must calm down."

*Old age should burn and
rave at close of day.*

—DYLAN THOMAS.

SOCIAL INVOLVEMENT

How socially involved older people should be is a question in hot dispute among students of aging. Some believe in the "theory of disengagement," which holds that aging is accompanied by an inner process that makes loosening of social ties a natural process, and a desirable one. Others disagree. Says Harvard Sociologist Chad Gordon: "Disengagement theory is a rationale for the fact that old people haven't a damn thing to do and nothing to do it with."

After analyzing lengthy interviews with 600 aged San Franciscans, Anthropologist Margaret Clark found that engagement with life, rather than disengagement, contributed most to their psychological well-being. But not when that engagement included acquisitiveness, aggressiveness or a drive to achievement, super-competence and control. To cling to these stereotypical traits of the successful American seems to invite trouble, even geriatric psychiatry. The healthiest and happiest of the aged people in the survey were interested in conserving and enjoying rather than acquiring and exploiting, in concern for others rather than control of others, in "just being" rather than doing. They embraced, Dr. Clark points out, many of the values of today's saner hippies. Similarly, religion often teaches the aged in spite of their physical diminishment, to accept each day as a gift.

The ranker injustices of age-ism can be alleviated by governmental action and familiar concern, but the basic problem can be solved only by a fundamental and unlikely reordering of the values of society. Social obsolescence will probably be the chronic condition of the aged, like the other deficits and disabilities they learn to live with. But even in a society that has no role for them, aging individuals can try to carve out their own various niches. The noblest role, of course, is an affirmative one—quite simply to demonstrate how to live and how to die. If the aged have any responsibility, it is to show the next generation how to face the ultimate concerns. As Octogenarian Scott-Maxwell puts it: "Age is an intense and varied experience, almost beyond our capacity at times, but something to be carried high. If it is a long defeat, it is also a victory, meaningful for the initiates of time, if not for those who have come less far."

THE PROSPECTS FOR LIVING EVEN LONGER

The biology of aging is no better understood today than was the circulation of the blood before William Harvey. "We probably

age because we run out of evolutionary program," according to Dr. Alexander Comfort, director of the Medical Research Council Group on Aging at University College, London. "In this we resemble a space probe that has been 'designed' by selection to pass Mars, but that has no further built-in instruction once it has done so, and no components specifically produced to last longer than that. It will travel on, but the failure rate in its guidance and control mechanisms will steadily increase—and the failure of homeostasis, or self-righting, is exactly what we see in the aging organism."

Until recently, Dr. Comfort doubted that these built-in instructions could soon be altered, or the components made to last longer. Because of advances in genetics and molecular biology, however, he now believes that some method to reduce the rate of aging and to extend vigorous life by at least 15 years will be discovered within the next two decades. This extension would be in addition to the roughly five-to-seven-year increase in average life expectancy that will take place when medicine conquers cancer and vascular diseases.

More than 20 different highly speculative theories of aging are now being tested in scientific laboratories round the world. The method or methods by which the human life-span will be extended depend on which of these theories turns out to be correct. Some of them have to do with genetic engineering—attempts to alter the program of the cell by changing the coding on the DNA molecule. But nongenetic theories will probably pay off sooner. One current favorite holds that aging occurs because certain giant molecules in human cells eventually get bound together. These immobile aggregations clog the cells, reduce their efficiency and eventually cause them to die. In Wisconsin, Dr. Johan Bjorksten is trying to find suitable enzymes, most likely from soil bacteria, that will reduce these massed molecules to small fragments that could be excreted from the cells. Such enzymes would probably be injected daily into the body with a hypodermic syringe; if the injections were begun early enough, the result might increase a man's life-span by 30 years.

The "free radical" theory of aging, if proved correct, would probably lead to a simpler method of rejuvenation. Free radicals are fragments of molecules with a high electrical charge—which by their oxidizing properties can cause changes in the body such as hardening of the arteries. An antioxidant, which can be produced cheaply and taken in pills, is supposed to deactivate the free radicals, thereby retarding the aging process. One such antioxidant, BHT, has already dramatically increased the life-span of mice by 50%.

Even today the population over 75 in the U.S. is increasing at two and a half times the rate of the general population. If the average life-span is significantly further increased, the population would indeed become aged, a trend which would be accelerated by a drop in the birth rate. As to vigor, when the breakthrough comes in aging research, people in their 70s and 80s should have the energy of those in their 50s and 60s today. Ideally this would produce a greater number of selfless, highly educated wise men who could undertake complex new projects for the benefit of mankind. But few believe that it would work this way. Most observers suggest that increased longevity would only magnify today's ambiguities and uncertainties in defining the role of the elderly.

Would vigorous octogenarians keep the reins of politics, business and family finances, frustrating the powerless younger generations? Or would they be pushed out of power and wander around, bitter and disgruntled,

unable even to talk the same language as their juniors, like Swift's awful immortals, the struldbrugs? Would conflict between generations supersede hostility between classes and races? How could insurance and pension plans continue payments for decades longer? Will aging control become as vital an issue as birth control? In short, the changes resulting from a drastic extension of the life-span, or even from a series of life-extending bonuses, may eventually exceed those brought about by splitting the atom or man's voyages to the moon.

A NOT-SO-NEW FARM PROGRAM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ASHBROOK. Mr. Speaker, it was hoped that finally a new approach would be taken to our perennial farm problem, but, when all was said and done in the House last week, we were saddled with more of the same shopworn legislation.

I insert at this point the text of my Washington Report of August 12 which comments on this disappointing action:

A NOT-SO-NEW FARM PROGRAM

One of the most persistent criticisms I have expressed about the Congress during the years I have served here has been its tendency to avoid confronting problems directly and, instead, dishing up more of the same unworkable "solutions" and adding program on top of program.

Rarely do we go to the root of any problem. Rarely does Congress consider scrapping a program and starting over. Rarely do we really overhaul programs that truly need changing. In most areas—tax structure, trade programs, welfare, foreign aid, to name a few—the tendency is to add one more layer on the existing jerry-built structure, make minor revisions, but never come to real grips with the problem. For example, our tax laws are a hodgepodge of exemptions, concessions, preferences and contradictions, yet no reform is in sight. No better example of this tendency can be cited than the farm program which passed the House last week, 212-171. The vote itself indicates the lack of popularity of the bill. The Agriculture Committee worked on this legislation for 18 months and yet, when it brought the bill up for debate, virtually every supporter told all of the reasons he didn't like the bill but that it was "necessary to pass it anyway." The rarest person was a fervent supporter of this compromise legislation.

Politics is the art of compromise. Don't get me wrong—I recognize that opposing points of view must be forged into legislation which is often the amalgam of many ideas. In this case, however, we knew we were dealing with a failure, but we voted to continue it. I say "we" in the sense of the House of Representatives because I did not support the bill.

There was some compromise on the bill, but it was at the expense of the Midwest farmer. If you ever doubted that cotton was king, the new farm program should prove it once and for all. Cotton farmers will have 400,000 additional acres to plant next spring, courtesy of this legislation. What about our farmers? Stripped of the verbiage, the legislation continues the expensive failures of the past and virtually assures the concept of low market prices for wheat and feed grains. What has happened under these farm programs of the past? Consider these figures:

	1950 (July)	1970 (July)
Corn (per bushel).....	\$1.44	\$1.24
Wheat (per bushel).....	\$1.99	\$1.23
Oats (per bushel).....	\$0.76	\$0.58
Cotton (cents per pound).....	39.11	22.65
Soybeans (per bushel).....	\$2.93	\$2.72
Cottonseed (per ton).....	\$52	(^c)
Beef cattle (per hundredweight).....	\$24.40	\$27.90
Hogs (per hundredweight).....	\$20.90	\$23.90
Soybean oil (cents per pound).....	13.10	11.40
Cottonseed (cents per pound).....	15.20	14.20

^c No quote (March, \$47.10 per ton).

The bill was virtually a carbon copy of the 1965 act which is an admitted failure and will hold out little hope to the farmer that this slide in farm prices will be reversed. A fact of life for the farmer is the consumer-orientation of politicians who have made the farmer the scapegoat in the laudable effort to keep prices down. Many of you will recall former Secretary of Agriculture Freeman bragging to the housewives that he had "kept farm prices down." He periodically dumped farm products into the market to accomplish these goals. Our new Secretary of Agriculture has not been that cynical to the farmer but he doesn't deserve any credit for helping him either.

Politically, there is the tendency to promise the impossible. Secretary Freeman said in 1965 that his farm program would do three things: reduce the cost to the taxpayer, increase the income of the farmer and hold prices down for the consumer. We have become so accustomed to accept the rhetoric of our leaders that no amount of political doubletalk seems to offend us any more. Clearly, no program can accomplish these inconsistent goals. The farmer deserves a fair shake, he isn't getting it. Congress didn't even try to improve his lot.

By continuing the patchwork of crop controls and subsidies that have become imbedded in the farm program, Congress once more missed a fine opportunity to meaningfully bring about long-overdue reform of our agriculture program. It is little wonder that the public has lost much of its respect for the United States Congress as an institution. I find it harder to defend it each and every year.

JIM LUCAS IS BURIED IN HIS HOMETOWN

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. EDMONDSON. Mr. Speaker, during the last few days I have placed in the CONGRESSIONAL RECORD a series of tributes to war correspondent Jim G. Lucas, who recently died in Washington.

Today I want to conclude this series, as it should be concluded, with the tributes paid to Jim in his hometown, Checotah, Okla., where he was buried.

An eloquent account of Jim's funeral from the July 27, 1970, edition of the McIntosh County Democrat, published in Checotah, tells better than I can of the esteem Jim's hometown held for him.

A tribute even more special appeared in the same edition of the Democrat. It is in the form of a letter to Jim, written by Mrs. Rubye Buford, who was one of Jim's high school classmates.

In this letter, Mrs. Buford clearly portrays the genuine character and gentle-

ness which made Jim a great writer and a great man.

Mr. Speaker, I insert these two articles in the RECORD:

FINAL TRIBUTES PAID JIM LUCAS

Last rites were held at the United Methodist Church in Checotah at 2:30 p.m. Saturday for Jim Lucas, famous Pulitzer prize winning war correspondent, who died last week in Washington after a long battle with cancer.

Reverend Paul Caskey read the 10th verse of the 46th Psalm, which he said was Jim's favorite quotation, "Be still and know that I am God." Reverend Caskey used the verse often in speaking of Jim's steadfast faith during a lifetime of service in the Marine Corps and in the field of journalism.

Reverend Caskey said, "The life cycle for every man comes to its completeness, whether it be early or late. This man enjoyed life. His writings became a part of our lives."

The choir with Mrs. R. J. Koch, at the organ, sang two of Jim's favorite hymns, "Come Ye Disconsolate," and "Day is Dying in the West."

The flag draped casket leaving the church, passed between two rows of an honor guard composed of members of the Veterans of Foreign Wars of Tulsa, led by Nevin Black, post commander.

Pallbearers included: Britton Tabor, Lee Stidham, John Stone Young, Allen Matthews of Pitcher, Bob Foresman of Tulsa, and R. J. Koch.

Seated with the family were Earl Richert, editor-in-chief of the Scripps-Howard newspapers and Colonel Tom Fields, representative of General Lewis W. Walt, commandant of the Marine Corps. Both men, who flew in Saturday from Washington to attend the funeral rites, were long time close friends of Jim's.

Jim was buried beside his father and mother in the family plot in Greenlawn Cemetery. A Marine honor guard from the base at McAlester met the cortege of mourners. The men in dress blues fired a gun salute. Two Marines standing at either end of the casket slowly folded the flag and presented it to Colonel Fields, who in turn presented the flag to Bob Lucas.

Amos Lewis, bugler of the Tulsa V.F.W. post, sounded taps before Rev. Caskey conducted the final graveside rites.

Bob Lucas recently found an old paper that Jim had written when he was 18 years old. Bob said the philosophy of life expressed by his brother never changed during his life time and the paragraphs were read at both of Jim's services.

Bob says, "To place these two paragraphs in proper perspective, it's necessary to know that they were written only three or four years after our parents had died suddenly within 15 months of each other."

They also were written at the rock-bottom of the great depression, a period of real (not imaginary) difficulty which crumpled the fortunes of many families, including our own, and drastically changed their ways of living.

Jim and I were living with Grandmother Lucas, in that old gray house, across the street from the Baptist Church. Although a teen-ager, Jim had known tragedy and troubles, but his faith had not weakened.

In today's age of affluence, many teenagers don't understand the meaning of the word "depression." Many of us do understand.

Although he had lived elsewhere 28 years, Checotah, and eastern Oklahoma, always was "back home" to Jim.

Jim's paragraphs read:

"At the outset, let me make it plain that this autobiography is not a protest against life, for while I may become bitter as I reflect over the past, it is not mine to question the judgment of the Lord. I do not

scorn life. (Does any boy at the age of 18 scorn to live?) While it has given me much grief, much pain, many sorrows, it has also given me many pleasures, has been kind to me, and I have shared generously in the good things of life. It is for the Shelleys and Byrons to rise to new heights of revolutionary fury in futile, vain protest. I am neither a Shelley nor a Byron, not even a Coleridge. Life is God's Supreme Work—all of God's works are good.

I shall not attempt to paint life as a sordid picture. Though I have seen the sordid, I know the beautiful. I have seen what is often referred to as the true nature of man's baseness. I have seen the beauty of pure character. Many there are who have endured more than I have, many there are who will go through more in the future."

A LETTER TO JIM (By Rubye Buford)

DEAR JIM: I meant to write a letter to you when I first heard that you were ill. But I didn't. I did lots of other things, not nearly so important. In his sermon Rev. Paul Caskey said, "If Jim is happy, he is reporting. Reporting the good news." So maybe it is not too late. Perhaps in some way you will know about this letter.

I just wanted to tell you how much your friendship has meant to me through the years and how much I have admired you. I was impressed back in high school when you first said you were going to be a foreign correspondent. It sounded like an exciting impossible dream. But you had the courage to make that schoolboy dream come true. You had a remarkable talent but I realize it took lots of work and dedication to stand so tall in a fraternity of great writers.

You were always important to us here at home. But somehow we just didn't realize how important you were to your country. Oh, we knew you had been commissioned on the battlefield, had won the Pulitzer prize, and the Ernie Pyle award not once but twice. We knew you were the only reporter ever called upon to brief the president of the United States and one hundred governmental leaders on the status of a war, had received the Bronze Star, had been wounded in Viet Nam, had written three books, and many other things.

But you came home from time to time, bringing the world to our door and you were just Jim Lucas, happy to be back for a visit. You were modest and quiet and you never mentioned that last week you lunched with a movie or TV celebrity or dined with a general. You didn't tell us about the vast audiences to which you spoke or the vital conferences when your opinion was sought. You moved casually among us with the same old smile, asking about children and grand children, delighting in eating home cooked food, specially fried chicken. Often as you walked your lips moved perfecting your speeches as you did when you were on the high school debate team.

We were so proud of your accomplishments and we realize now that this high esteem was shared by thousands of others across the land. A Washington newspaper devoted all but a few inches of its front page to your life and death and the banner headline read, "America's most famous war correspondent dies." There were editorials, eulogies in papers from New York to Chicago, San Francisco, Madison, Wisconsin. The news was brought to T.V. audiences on every network. President Nixon and Vice-President Agnew wrote letters of condolence to the family. General Lewis W. Walt, commandant of the Marine Corps, presented a eulogy at the memorial service in Washington. Hundreds of good friends, including some of the most prominent journalists, military men, and government figures of our time, gathered to pay homage. Calls and telegrams came from around the globe.

And then you came home, Jim, for the last time.

We entered the church and saw the red, white and blue flowers your family had chosen and the casket draped with the flag you loved so well and we understood that we had the privilege of attending a final rite for a really great American.

A young man from Tulsa came in, distressed at being late. He didn't know any of the family. Had never been in Checotah. You were once his Sunday school teacher and Boy Scout leader and he said, "I just wanted to be here. He made such a tremendous impact on my life." And what more meaningful epitaph can a man have than that?

You made an impact on many lives, Jim. You had this wonderful ability to see and to hear. You saw the faces of men in battle, heard the cries of anguish, saw the pain, the glory, and told the world about it. With your simple, carefully chosen words you painted a true picture that every man could understand.

You called yourself a hawk. But you were a hawk who hated war. You learned to hate it in three terrible wars in which this country has fought. You were a member of the Marine Press Corps in World War II and a famous war correspondent in the Korean and Viet Nam campaigns. You covered these wars from the fox hole, from the beach raked with heavy fire, from the hospital tent, the jungle and the rice paddy. You probably knew more about war first hand than most anyone could and you told me how you hated it and how proud you were of American fighting men. You said, "They are the finest."

It is amazing, Jim, that through all this you never became cynical and your faith in God and in man's integral dignity never wavered. After the battle of Saipan with its terrific toll, you wrote in our paper, "There have been moments when I did not expect to survive but the Lord has been good to me." You still have the same philosophy of life you wrote about at 18. Actually your spirit never changed at all. In your heart you have been forever young, forever enthusiastic, sure of man's worth.

And now in the quiet hush of a small town cemetery you lie at peace beside the pioneer ancestors that helped establish a new state. The cortege of cars that traveled slowly from the church was met by an honor guard of marines in full dress uniform. After the men fired a gun salute, the ceremoniously folded flag was presented by Colonel Tom Fields of Washington to your brother, Bob.

Then on this still summer day, from a short distance away, a bugler sounded the taps. As the poignant sadness of the notes reminded us of many men and many battles and the tears rolled unheeded down our cheeks, we knew that the tones of the bugle were saying farewell to another hero. Farewell, Jim. Goodbye, dear friend. And thank you.

RUBY.

A TRIBUTE TO A YOUTH GROUP STRUCK BY TRAGEDY

HON. SPARK M. MATSUNAGA
OF HAWAII

IN THE HOUSE OF REPRESENTATIVES
Thursday, August 6, 1970

Mr. MATSUNAGA. Mr. Speaker, over the last few years we have all seen instances where a violent incident has provoked an even more violent and regrettable reaction. Although this lawless reaction can never be condoned, we can nevertheless understand how flagrant injustice can often set off a conflagration. Recently in Chicago such a violent in-

cident occurred during the convention of the Japanese-American Citizens League. Two young girls had been brutally knifed in their hotel room; one was dead. Under different circumstances, the Junior JACL'ers might have erupted in righteous rage.

But they did not.

These young men and women instead fashioned themselves into an extension of the authorities who were investigating the tragedy. As the article from a recent issue of the Pacific Citizen relates, they conducted themselves in a remarkably poised manner.

I commend the members of the Junior JACL for their responsible actions in the wake of tragedy. They have set an example for the Nation's youth to emulate. In the hope that it may be given the wide readership it deserves, I include the article from the Pacific Citizen into the CONGRESSIONAL RECORD:

MURDER STUNS CONVENTION; YOUTH MAIN-TAIN CALM, ORDER

(By Edison Uno and Raymond Okamura)

CHICAGO.—Total bedlam could have erupted among the many Junior JACLers who were in the Palmer House last week (July 16) when the brutal murder of Evelyn Okubo, 18, was discovered around 10:30 p.m. However, the young people reacted in a calm manner and took immediate action to control the situation.

Young adult JACLers and Jr. JACLers on the scene immediately assessed the emergency, gave first-aid to the surviving victim, notified police and hotel security, sealed off the 7th floor, searched the hallways for the suspect, stationed guards at the murder room, and stationed guards at all of the entrances to the hotel.

Most of the senior JACLers were attending the Mike Masaoka Testimonial Dinner six blocks away and were not aware of the tragedy until they began coming back to the Palmer House at 11 p.m. Remaining at the Palmer House were a number of young adults and students who were busy preparing materials for the next day of the convention.

YOUTH MOBILIZES

The youth took all precautions and mobilized their forces to care for the victims and conduct an intensive search of the building. "They acted like adults," commented a national JACL officer who was one of the first to return to the Palmer House.

No one panicked under the emotional stress of the gruesome discovery. Within moments the situation at the Palmer House was under control. After the ambulance arrived to take the injured victim, Carol Ranko Yamada, 17, to the nearest Henrotin Hospital, the young adults went to the hospital to protect the only eye-witness to the murder. The JACL young adults maintained a rotating 24-hour guard until the Chicago Police arrived to take over the guarding duties.

The senior JACL delegates upon returning to the Palmer House were notified of the tragedy by monitors stationed at all entrances to the hotel, and were asked to assemble on the 6th floor. The impact and emotional shock dampened the convention atmosphere, however, the senior JACLers took immediate steps to assist the youth who skillfully had the situation under control.

By 11:30 p.m. both the police and the senior JACL officers arrived and took over the investigation and arrangements. The officers, delegates and staff all helped make arrangements for the Jr. JACLers who were beginning to react with emotional outbursts upon realizing the magnitude of this tragic event.

All the Junior JACL delegates were removed from their 7th floor rooms and placed

in a large conference room on the 6th floor where security, blankets and pillows were provided for the night.

The Junior JACL Convention was cancelled, and the next day, arrangements were made to send the youth home. The JACL officers, Jr. JACL advisers, and conference officials worked with the hotel management and airlines to expedite the departure of Jr. JACLers to their homes.

Veteran police inspectors and news reporters who swarmed into the hotel shortly after midnight expressed their commendation for the mature and adult manner of all of the young people under very adverse emotional circumstances.

The tragic death of Evelyn Okubo was an incident that could have happened anywhere to any one. But when it did happen, the young people displayed remarkable poise and the ability to move into action.

THE EQUAL RIGHTS AMENDMENT

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mrs. DWYER. Mr. Speaker, in anticipation of the motion which will be offered next Monday, August 10, to discharge the Committee on the Judiciary from further consideration of the proposed equal rights amendment to the Constitution, I include in the RECORD two items which may be of interest to our colleagues: The text of the letter from Virginia R. Allan, chairman of the President's Task Force on Women's Rights and Responsibilities, transmitting the Task Force report to the President, dated December 15, 1969, and the text of my testimony in support of the equal rights amendment before the Senate Judiciary Committee's Subcommittee on Constitutional Amendments this past May.

I hope both items will help communicate to our colleagues the broad range of discriminations which continue to inhibit women's access to full equality under the law and a sense of the importance of taking early remedial action by approving the resolution proposing the equal rights amendment. They follow:

PRESIDENTIAL TASK FORCE ON
WOMEN'S RIGHTS AND RESPONSIBILITIES,
Washington, D.C., December 15, 1969.

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

DEAR MR. PRESIDENT: As President of the United States, committed to the principle of equal rights for all, your leadership can be crucial to the more than half our citizens who are women and who are now denied their full constitutional and legal rights.

The quality of life to which we aspire and the questioning at home and abroad of our commitment to the democratic ideal make it imperative that our nation utilize to the fullest the potential of all citizens.

Yet the research and deliberations of this Task Force reveal that the United States, as it approaches its 200th anniversary, lags behind other enlightened, and indeed some newly emerging, countries in the role ascribed to women.

Social attitudes are slow to change. So widespread and pervasive are discriminatory practices against women they have come to be regarded, more often than not, as normal.

Unless there is clear indication of Administration concern at the highest level, it is unlikely that significant progress can be made in correcting ancient, entrenched injustices.

American women are increasingly aware and restive over the denial of equal opportunity, equal responsibility, even equal protection of the law. An abiding concern for home and children should not, in their view, cut them off from the freedom to choose the role in society to which their interest, education, and training entitle them.

Women do not seek special privileges. They do seek equal rights. They do wish to assume their full responsibilities.

Equality for women is unalterably linked to many broader questions of social justice. Inequities within our society serve to restrict the contribution of both sexes. We have witnessed a decade of rebellion during which black Americans fought for true equality. The battle still rages. Nothing could demonstrate more dramatically the explosive potential of denying fulfillment as human beings to any segment of our society.

What this Task Force recommends is a national commitment to basic changes that will bring women into the mainstream of American life. Such a commitment, we believe, is necessary to healthy psychological, social, and economic growth of our society.

The leader who makes possible a fairer and fuller contribution by women to the nation's destiny will reap dividends of productivity measurable in billions of dollars. He will command respect and loyalty beyond measure from those freed from second-class citizenship. He will reaffirm, at a time of renewed worldwide emphasis on human rights, America's fitness for leadership in the community of nations.

His task will not be easy, for he must inspire and persuade government and the private sector to abandon outmoded attitudes based on false premises.

Without such leadership there is danger of accelerating militancy or the kind of deadening apathy that stills progress and inhibits creativity.

Therefore this Task Force recommends that the President:

1. Establish an Office of Women's Rights and Responsibilities, whose director would serve as a special assistant reporting directly to the President.
2. Call a White House conference on women's rights and responsibilities in 1970, the fiftieth anniversary of the ratification of the suffrage amendment and establishment of the Women's Bureau.

3. Send a message to the Congress citing the widespread discriminations against women, proposing legislation to remedy these inequities, asserting Federal leadership, recommending prompt State action as a corollary, and calling upon the private sector to follow suit.

The message should recommend the following legislation necessary to ensure full legal equality for women:

- a. Passage of a joint resolution proposing the equal rights amendment to the Constitution.

- b. Amendment of Title VII of the Civil Rights Act of 1964 to (1) remove the burden of enforcement from the aggrieved individual by empowering the Equal Employment Opportunity Commission to enforce the law, and (2) extend coverage to State and local governments and to teachers.

- c. Amendment of Titles IV and IX of the Civil Rights Act of 1964 to authorize the Attorney General to aid women and parents of minor girls in suits seeking equal access to public education, and to require the Office of Education to make a survey concerning the lack of equal educational opportunities for individuals by reason of sex.

- d. Amendment of Title II of the Civil Rights Act of 1964 to prohibit discrimination because of sex in public accommodations.

e. Amendment of the Civil Rights Act of 1957 to extend the jurisdiction of the Civil Rights Commission to include denial of civil rights because of sex.

f. Amendment of the Fair Labor Standards Act to extend coverage of its equal pay provisions to executive, administrative, and professional employees.

g. Amendment of the Social Security Act to (1) provide benefits to husbands and widowers of disabled and deceased women workers under the same conditions as they are provided to wives and widows of men workers, and (2) provide more equitable retirement benefits for families with working wives.

h. Adoption of the liberalized provisions for child care in the family assistance plan and authorization of Federal aid for child care for families not covered by the family assistance plan.

i. Enactment of legislation to guarantee husbands and children of women employees of the Federal government the same fringe benefits provided for wives and children of male employees in those few areas where inequities still remain.

j. Amendment of the Internal Revenue Code to permit families in which both spouses are employed, families in which one spouse is disabled and the other employed, and families headed by single persons, to deduct from gross income as a business expense some reasonable amount paid to a housekeeper, nurse, or institution for care of children or disabled dependents.

k. Enactment of legislation authorizing Federal grants on a matching basis for financing State commissions on the status of women.

4. The executive branch of the Federal government should be as seriously concerned with sex discrimination as with race discrimination, and with women in poverty as with men in poverty. Implementation of such a policy will require the following Cabinet-level actions:

a. Immediate issuance by the Secretary of Labor of guidelines to carry out the prohibitions against sex discrimination by government contractors, which was added to Executive Order 11246 in October 1967, became effective October 1968, but remains unimplemented.

b. Establishment by the Secretary of Labor of priorities, as sensitive to sex discrimination as to race discrimination, for manpower training programs and in referral to training and employment.

c. Initiation by the Attorney General of legal actions in cases of sex discrimination under section 706(e) and 707 of the Civil Rights Act of 1964, and intervention or filing of amicus curiae briefs by the Attorney General in pending cases challenging the validity under the 5th and 14th amendments of laws involving disparities based on sex.

d. Establishment of a women's unit in the Office of Education to lead efforts to end discrimination in education because of sex.

e. Collection, tabulation, and publication of all economic and social data collected by the Federal government by sex as well as race.

f. Establishment of a high priority for training for household employment by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

5. The President should appoint more women to positions of top responsibility in all branches of the Federal government, to achieve a more equitable ratio of men and women. Cabinet and agency heads should be directed to issue firm instructions that qualified women receive equal consideration in hiring and promotions.

Respectfully submitted,

VIRGINIA R. ALLAN,
Chairman.

Elizabeth Athanasakos, Ann R. Blackham,
P. Dee Boersma, Evelyn Cunningham, Ann
Ida Gannon, B.V.M., Vera Glaser, Dorothy

Haener, Patricia Hutar, Katherine B. Mas-
senburg, William C. Mercer, Alan Simpson,
Evelyn E. Whitlow.

STATEMENT OF REPRESENTATIVE FLORENCE P.
DWYER

Mr. Chairman. History shows that it took approximately 50 years to secure the adoption of the 19th Amendment to the Constitution of the United States guaranteeing to women the right to vote.

History also shows that the Equal Rights Amendment to the Constitution has been pending before Congress for the past 47 years.

I conclude, therefore, that these hearings—for which I want to express my deep appreciation—are both timely and long overdue.

This is not meant to suggest that hearings have not been held before on the Equal Rights Amendment. They have—twice. Nor do I mean to suggest that we still have three more years to meet the 50-year deadline for action. We don't.

Never before have women's demands for equal rights and responsibilities been so strong or so widely broadcast. Never before has the fundamental justice of these demands been so manifestly apparent and so generally acknowledged. And the Equal Rights Amendment is an essential objective of these demands.

Gentlemen, now is the time for action.

The immediate nature of the need for action has been well summed up by Miss Virginia Allan, chairman of the Presidential Task Force on Women's Rights and Responsibilities. In her letter to President Nixon last December transmitting the Task Force report, Miss Allan warned of the "danger"—and I quote—"of accelerating militancy or the kind of deadening apathy that stills progress and inhibits creativity," unless the leadership necessary to stimulate action is forthcoming.

Since I believe this to be true, it is a fair question to ask why we've waited so long. The same question could be asked about the 50 years it took to adopt the 19th Amendment. And I suggest the answer is the same to both questions: fear and uncertainty about the consequences of treating women as responsible citizens coupled with an archaic attitude about the role of women in our society.

Just as it was true, however, of the 19th Amendment, so it is true of the Equal Rights Amendment: women want only what is their due. They want to be treated as whole citizens. They want to be recognized as having a full stake in the life of our nation. Consequently, they also want the means necessary to fulfill this role: the right to earn a living and obtain an education, to make a contribution equal to their talent, to receive the job and promotional opportunities commensurate with that talent, to provide an equal measure of security for themselves and their families, and not only to vote but to participate fully and equitably in the public and political life of their community and country.

To a surprising extent, women do not today enjoy access to these rights and to the related legal protections on which the rights depend. I will not take the committee's time to catalog exhaustively the legal and extra-legal disabilities which women still face today. They range from laws prohibiting women from working in certain occupations and excluding women from certain colleges and universities and scholarship programs, to laws which restrict the rights of married women and which carry heavier criminal penalties for women than for men. The documentation is extensive, and one of the most recent studies is also one of the best. I refer to the memorandum report on the Equal Rights Amendment by the Citizens' Advisory Council on the Status of Women published in March of this year, a report that the Committee may want to incorporate as a part of this hearing record.

Most assuredly, Mr. Chairman, adoption of the Equal Rights Amendment will not revolutionize our society. It will not even, by itself, solve the whole problem—no more than did the 19th Amendment. What it will do—and this is of fundamental importance—is to remove the ambiguities and repeal the remaining legal discrimination which, together, have placed so many women's rights in a position akin to that of a ping-pong ball being bounced between the courts and the Congress. Legislative remedies could correct this condition, it is true, just as court interpretations of the 5th and 14th Amendments could be extended to prohibit all legal distinctions based on sex. But nothing in this Equal Rights Amendment would preclude any of this from occurring and certainly there is no more valid a way to protect fundamental rights than by an appropriate appeal to the Constitution itself.

With an issue of this kind, so colored by misunderstanding and misinformation, it may be more important to see what adoption of the amendment will not do, rather than what it will do. No more than was true of the 19th Amendment, adoption of the Equal Rights Amendment will not destroy the difference between the sexes. It will not require an equal number of women members of the House and Senate. It will not separate women from their time-honored roles as wives and mothers and homemakers.

On a more serious level, other objections to the amendment seem equally unfounded. I do not believe the courts will be flooded by litigation arising from this amendment, but if it happens it will only be because the worst fears of women are borne out and there is massive resistance to compliance. Nor will it impose new burdens or deny new benefits to any group, but rather it will assure that all are protected in the same way and all are held to the same responsibilities. In every respect, the rule of reason and appropriateness and common sense will apply as they do today when, for instance, some men are drafted and some are exempted for a variety of appropriate reasons.

In other words, Mr. Chairman, adoption of the amendment can only add to the nation's resources since it will help to remove inhibitions which have denied to the country the talents and interests and commitment of millions of citizens who happen to be female.

Not all at once and not automatically—let me add—since women, like other minorities whom they resemble at least in spirit, will require time and experience and confidence in order to utilize fully the new opportunities which adoption of the amendment will open to them. But it will be a new beginning and the country can only profit from it.

I say this in full awareness that a great many women do not now care very much, one way or the other, about the Equal Rights Amendment or about the wider struggle to obtain equal opportunity for women, nor would they use the opportunities once they became available. But this has been historically true of all peoples denied equality, just as it is true that all men do not equally concern themselves with their own rights and responsibilities.

The important thing, I suggest, is that no American—regardless of sex, race, religion or nationality—should be arbitrarily denied rights and opportunities which are essential components of his humanity and citizenship whether or not anyone else values them or cares to use them. They belong to the person, as a person.

I also acknowledge, Mr. Chairman, that many people—women as well as men—would deny that women are deprived or discriminated against. The mere fact, however, that they do not feel or see in their own lives and experience a pattern of discrimination which has been thoroughly documented over and over again should not blind or deafen us to

the claims and rights of those who have, in fact, experienced discrimination.

I am reminded, in this respect, of a story told about the late Senator from New York, Robert Wagner. A leader in the fight for progressive social legislation in the 'thirties, Senator Wagner was challenged one day by a friend who pointed out that Wagner was living proof that the country didn't need such legislation since he, Wagner, had risen from his position as a poor immigrant boy on the streets of New York to one of the most prominent and powerful places in America.

"If you can do it," the friend said, "so can others."

Senator Wagner replied instantly.

"Make no mistake about it," he said, "I was lucky."

We shouldn't, Mr. Chairman, have to depend on luck when it comes to the fundamental rights and responsibilities of American citizenship.

Thank you.

VETERANS' PROGRAMS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. REID of New York. Mr. Speaker, I introduced yesterday six bills which are necessary to make our veterans' programs more responsive to the needs of our veterans and servicemen.

The first of these bills would authorize educational assistance and home loan benefits to wives of members of the Armed Forces who are missing in action or prisoners of war. These women, who frequently have children and who must assume the full responsibility of continuing family life in their husbands' prolonged absence, often pass many years in which they are not eligible for widow's benefits yet have to provide a home for their dependents.

This legislation would also extend educational assistance to the children of POW's and MIA's. A POW or MIA's entitlement for home loan benefits shall be reduced by the amount of entitlement used by his wife should he return home to the United States.

The second and third bills I am introducing today have to do with easing credit for veterans who wish to obtain home loans. One of these bills would establish a statutory maximum interest rate at 6 percent for VA guaranteed and direct loans and expand authority to make direct loans to veterans where private capital is unavailable at this rate; the other would raise the allowable limit on the amount of each direct housing loan made by the VA from \$21,000 to \$27,000.

Passage of this legislation, would, in my opinion, be effective in lowering home interest rates by private institutions inasmuch as it would symbolize a positive commitment on the part of our Government to do so. Even at a lower rate of return, the safety of a Government guaranteed home loan could make it preferable to investors in the private sector.

As an alternative, in certain metropolitan areas where it is impossible to borrow money at the 6-percent rate, a veteran could obtain a direct home loan

from the Veterans' Administration. We in the House of Representatives on July 20 passed legislation to help facilitate this by providing that \$5 billion be transferred from the national service life insurance fund to purchase these home loans.

At this time, the allowable amount for a VA direct home loan is \$21,000. This is a totally unrealistic figure, particularly in metropolitan areas, often forcing our veterans to obtain substandard or insufficient housing for their families.

In 1969, the median price of new homes sold with conventional mortgages ranged from \$30,300 to \$30,700. The \$27,000 figure for direct VA home loans that I propose here today, when coupled with an approximate 10 percent downpayment, would allow a veteran to purchase such a home for him and his family without paying the exorbitant rates that are prevalent at this time. We must remember that these veterans have given from 2 to 4 years to the service of their country—some even 10 to 20 years—years where they have not been increasing their salaries at the rates civilian salaries are advancing today.

The final three bills I am introducing today would improve the quality of medical care available to our country's veterans and their families. The financial difficulties of the Veterans' Administration are well known particularly with regard to hospital services and construction, and I am pleased by the efforts of the Congress to increase VA funding for fiscal year 1971. However, having the funds available is only half the battle: Arrangements must be made to insure that this money is utilized to the best advantage of each individual veteran and to all our veterans in need of care.

The purpose of the first of these three bills is to improve medical care in veterans' hospitals, to provide hospital and medical care to certain dependents and survivors, and to update the methods of recruitment and retention of career personnel in the Department of Medicine and Surgery. I feel this bill is a necessity, particularly in light of conditions and inadequate staffing in VA hospitals as depicted recently in the news media.

Through enactment of this legislation, the VA Administrator would be advised to take appropriate measures to establish a minimum ratio of two full-time employees to each patient in general hospitals, and one full-time employee to each patient in neuropsychiatric hospitals. At this moment, VA hospitals normally maintain a 2½ or 3 to 1 staff patient ratio. The need to lower this ratio to a minimum of 2 to 1 becomes more apparent when we take into account the fact that the present ratio includes not only the doctors, nurses, vocational nurses and other medical people on the staff, but also the clerks, cooks, dishwashers, typists, laundry workers, and general maintenance people.

This bill would also allow our veterans' hospitals to furnish, on a limited basis and only when not interfering with the immediate needs of the veteran patients themselves, hospital care to the dependents of veterans who are totally disabled; widows and children of some veterans;

and the non-service-connected disabilities of veterans who also have service-connected disabilities.

Provision is also made for overtime pay for nurses and licensed vocational nurses in VA hospitals, which will put the VA on a more equal basis with private and community hospitals when recruiting staff. These nurses work under very trying conditions; having to contend with supply shortages as well as overwork due to the high vacancy rate in many hospitals. The enactment of provisions providing overtime and holiday pay differentials is a necessity if the VA is to enjoy a competitive position when vying for our Nation's limited supply of nursing personnel.

Salaries for physicians would also be improved by this legislation, and the retirement plan for physicians is clarified.

The second medical care bill I am introducing today would provide veterans residing 100 miles or more from VA facilities the option to receive hospital care in other than VA hospitals. The passage of such legislation would have a twofold advantage: it would help relieve the crowded conditions in some of our veterans' hospitals—such as the Bronx VA hospital—and also would allow a veteran in need of hospitalization to receive medical care at the hospital nearest his home. Having a loved one hospitalized works enough of an emotional hardship on both the veteran and his family; having him hospitalized a great distance away works a physical hardship as well.

Legislation is also needed, in my opinion, to authorize the Administrator of the Veterans' Administration to set aside, out of the 125,000 beds he is authorized to establish, 8,000 beds for the treatment of eligible veterans who are afflicted with alcoholism or drug addiction. My third medical care bill also states that the care given these veterans shall be provided by staff personnel with specialized training in the cure and prevention of alcoholism and drug addiction, and that these beds shall be activated within specialized units of a design which the Administrator considers to be most efficient for providing inpatient and outpatient care with respect to alcoholics and drug addicts.

In the past few years, incidents of drug abuse by members of the armed services have begun to equal, if not overtake, the number of such known incidents of alcohol abuse. The Veterans' Administration hopes that by January 1971 it will have limited facilities available in four hospitals for the treatment of drug addiction and the complications resulting therefrom.

It is estimated at this time that alcoholism or drug addiction are factors in at least one out of five of the psychiatric cases treated by the Veterans' Administration. Those veterans whose alcoholism or drug addiction is related to or a catalyst of a psychiatric disorder receive help and treatment. However, many veterans with no noticeable mental disorders who are victims of alcoholism or drug addiction have to be turned away from VA hospitals because the facilities to treat them effectively are not available.

This bill would provide for the necessary facilities and the intensive training

necessary in order to provide qualified staffing. Frequently, alcoholism and drug addiction profit from group therapy with other afflicted persons, as well as from individualized attention and care, and by setting up specialized care units this would be possible.

All these bills, Mr. Speaker, are necessary because we have an obligation to those who have served their country to provide them with the best possible treatment and care.

SOUTH KOREA—BASTION OF ASIAN LIBERTY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. DORN. Mr. Speaker, I believe that before one-third of the U.S. troops in Korea withdraw, South Korea's air defense power should be increased. In addition, she also needs assurances of modernization of present defense facilities to compensate for the planned withdrawal. In general, South Korea seeks three types of military modernization—more firepower, better mobility, and improved communication. Most South Koreans are reacting strongly against the U.S. troop reduction. South Korea's military establishment is not adequate to cope with Communist air forces in the North because, South Korea has only about one-third the capability of the North Korean air force. Of a 900-unit North Korean air force, more than half are supersonic jets, including four squadrons of Mig-21's. The gaps between South Korean and North Korean air forces was temporarily filled by reinforcements of United States aircraft since the Pueblo incident in 1968. Since that incident, the United States has provided almost \$100 million in additional assistance for the South Korean armed forces, including a squadron of 18 Phantom jets. However, because of present budgetary reasons, the number of U.S. Air Force planes that have been provided has declined.

Young, developing South Korea has made tremendous progress in the last decade under the patriotic and strong leadership of President Park Chung Hi despite an overburdened defense budget. It is a most important outpost for the defense of Japan and the Pacific. In addition, it must be remembered that Korea has dispatched a larger percentage of troops to Vietnam than any other Asian nation to protect South Vietnam from Communist aggression. The South Korean people have manifested a courage, gallantry, and devotion to freedom seldom witnessed in world history. I am proud of her armed forces and proud of her devoted people.

Mr. Speaker, we are in Asia. What we do there will decide the future of that continent. When one sees what Americans are doing to help Korean development and security, his faith is reaffirmed that there is nothing the United States cannot do when its resolution equals its capacity. The easy course is to ask Amer-

icans to ignore what is happening in Asia, especially in Korea. If we take the wrong course now and get out, then assuredly in 10 years or less, circumstances will force our return. Some Americans have not recognized the responsibilities that our world position forces us to bear. America stands as the champion of freedom, the only country powerful enough to bring hope to those who fight for their liberty. We cannot escape the responsibilities this entails.

Mr. Speaker, it has been my pleasure to have working in my office for the past 3 months Mr. Park Yung Moo of Korea. Mr. Park is a congressional fellow, sponsored by the American Political Science Association, and is also a student at Georgetown University. In Korea he is with the Armed Services Committee of the National Assembly. Since being in America, Mr. Park has been an outstanding ambassador of good will and has contributed much to a better relation between America and Korea.

Mr. Speaker, the following splendid editorial concerning South Korea appeared recently in the Columbia, S.C., State. I commend this outstanding article to the attention of my colleagues in the Congress and to the American people:

SOUTH KOREA MUST REMAIN BASTION OF ASIAN LIBERTY

One danger (among many) of a too-hasty withdrawal of United States forces from South Vietnam is the possibility that something of a psychological momentum may develop in Washington to withdraw U.S. forces from South Korea as well.

The inclination to do so already is evident in congressional and executive circles alike, but, thus far, steps in that direction have been tentative and cautious. And well they should be, for the American stake in the independence and security of South Korea is even more important than that of South Vietnam.

South Korea is the northern anchor of what is hoped ultimately to become an armed ring around the eastern rim of Asia—a ring aimed at containing Communist aggression within the present Bamboo curtain.

It is the aim, not only of the Nixon administration but of the free nations of Asia as well, that the Pacific countries eventually will be able to provide their own defenses against encroachment or threat from the Chinese Communists and their allies. But this is a goal, not a reality, and the U.S. presence in South Korea is essential for reasons of morale as well as military security.

Last week's conference between U.S. and South Korean officials at Honolulu left undetermined, or at least unannounced, any timetable for reducing the U.S. contingent of more than 60,000 troops now in Korea. Constructive agreements were disclosed which contemplate beefing up South Korean defense capabilities (including production of defense hardware) and the stationing of additional U.S. aircraft on the peninsula.

South Koreans have strong ties with the United States, for it was U.S. military strength which really made possible the salvation of their land from Communist domination and U.S. fiscal aid which underwrote the development of much of their steadily growing economy.

And Americans should never forget that, of all the Asian friends and pseudo-friends of the United States, only Korea provided armed assistance of any consequence to the U.S. effort in South Vietnam. Some 50,000 South Korean troops have performed valiantly and well in South Vietnam for the last several years.

But gestures of mutual appreciation are overshadowed by practical considerations of maintaining an effective U.S. presence in Asia until free Asians can insure their own safety.

South Korea is all the more important as a bastion of U.S. strategy in the Far East now that Okinawa is to revert to Japanese control. And since Japan shows little inclination to develop a defense capability equal to task of deterring further Chi-Com aggression, it is questionable just how much reliance the U.S. can place upon the Japanese in terms of defending the North Pacific. No such doubt exists with respect to the South Koreans. They have lived through the trial and torment of Communist domination and know how hard and sacrificial a struggle must be made to oust Red invaders. Furthermore, they know that Premier Kim II Sung stands ready to "re-unify" all of Korea by force and under Communist dictation once he sees a chance of success.

As one of the few footholds of freedom on the continent of Asia, South Korea deserves the continuing support of the United States—and of free men everywhere.

BIAGGI BACKS GUARDSMEN'S RIOT TRAINING

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. BIAGGI. Mr. Speaker, I recently inspected the New York Army National Guard summer training camp to determine how well these men were being prepared to handle any outbreak of civil disorders. It would be an understatement to say I was greatly impressed with their proficiency.

I have made several inspections of Army operations in the past; and unfortunately, in too many cases the conditions that I saw were not satisfactory. Also, my personal investigations of deaths of members of the Armed Forces have revealed several cases of improper procedure and possibly irregular causes of death. However, such was not the case in my inspection of the New York National Guard unit.

This country has seen much violence in its streets, on its campuses, and in public and private buildings of late. Bombings and terror attacks are becoming the custom rather than the exception. Riots have replaced rhetoric in the realm of political radicalism. The recent outbreaks at Kent State that led to the unfortunate deaths of four students must not be repeated again.

There appears to be no immediate end in sight to these apoplectic fits of passion that explode in the streets of our cities and towns. Those that must defend the lives and property of innocent citizens, therefore, must be as capable and well-prepared as possible to meet all contingencies.

I am convinced that the training the New York National Guardsmen are receiving will develop a riot control unit with no equal in these United States. The very real staging of riots is the best preparation for the guardsman. To the observer of one of these simulated situations, it appeared that bloodshed would occur at any moment, but these repetitive exercises condition the men so that they

remain calm and in control, thus avoiding unnecessary loss of life and injury.

This same rigorous training and preparation should be extended to our police departments, also. In most cases the policeman or the State trooper is the first line of defense against the rioter or disrupter. These men, while well qualified in the area of criminal apprehension, are sometimes unprepared to act against the mob of rioters bent on destruction.

Moreover, for all those who must deal with riot control problems, the training must go beyond simple street tactics and handling of weapons. There must be a real psychological preparation for the abuse that the policeman or guardsman receives and the tension that develops under these extreme conditions. Those charged with enforcement of the law and maintenance of order must also be taught to guard against letting personal prejudices and feelings interfere with the objective and proper execution of their duty.

The National Guard riot control training program in New York is a good one. I would hope that the other States are developing such a top quality program for their own National Guard. Likewise, such training should be extended to all law enforcement agents who face the difficult task of dealing with a destructive and dangerous crowd of rioting persons. I am including a press report of my visit to the New York National Guard camp at this point in the RECORD for the information of my colleagues:

BIAGGI BACKS GUARDSMEN'S RIOT TRAINING

"Eggs were pelted at the soldiers. Someone threw a dead cat at a guardsman and protesters charged the air with ethnic and racial epithets, but the men stayed calm. Nobody would have been killed if it had been a real civil disorder." That is how Rep. Mario Biaggi (D-Bronx) described a simulated riot experienced by New York Army National Guardsmen during summer training.

The congressman is preparing a report based on an inspection of riot control courses given New York Army National Guardsmen during part of the two-week summer training program of the famed 42d Infantry (Rainbow) Division.

Biaggi plans to testify before the presidential commission on campus violence about what he found during a tour this week of Camp Drum, the reserve's summer training ground in Watertown, N.Y.

The panel was formed to study student unrest after the fatal shooting by Ohio State National Guardsmen of four students at Kent State University in May.

The congressman met with Maj. Gen. Martin H. Foery, commanding general of the Rainbow Division, checked instruction given to Bronx enlisted men about quelling civil unrest, and observed the field training of troops.

Biaggi, who visited the base to check reports that enlisted men were being subjected to indignities in the program of training to control civil disturbances, called Foery "cooperative."

"The men are exposed to very realistic conditions of insult, abuse and indignities, conditions which simulate those encountered during a civil disorder," he said.

"REALISTIC TRAINING"

"It's part of realistic training and they should be required to endure it, because in the end it will serve their purpose well, the guard's purpose better—but more important, it will serve our community and prevent

a repetition of the Kent State disaster," Biaggi added.

"I can understand why some feel they shouldn't be subjected to this kind of riot training. It doesn't fit their initial concept of the National Guard, but these are changing times and the men must learn to fill new roles."

Biaggi noted that guardsmen had pitched in to handle mail until the dispute that tied up the nation's mail was settled. They're also expected to cope with the new American phenomenon of campus unrest," he said.

Biaggi talked with officers and men from the Bronx. He asked Lt. Arnold Trezza of 4056 Pratt Ave. how the food was.

OKS THE COOKING

"Considering it's military chow," said Trezza, "they do a fantastic job. We've got a bunch of cooks here who might well be professionals."

Biaggi said that morale, unlike that at many of the military bases he had visited, "is good despite outdated equipment."

"The regular Army could learn a lot from the Guard's Rainbow Division. We've got to stop treating the National Guard like a stepchild. It's the military unit closest to the people and should be better supported with modern equipment," he said.

REBUTTAL BY NORTH AMERICAN ROCKWELL TO CRITICISM OF THE "MILITARY-INDUSTRIAL COMPLEX"

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. CHARLES H. WILSON. Mr. Speaker, we are all aware of criticism being leveled at Defense Department contracting procedures and also at defense contractors for various reasons and with differing motivations. Constructive criticism is an essential element necessary to maintain any viable system. Unfounded criticism for the sake of sensationalism or gathering publicity without regard to the consequences that the publicity will cause is, of course, to be decried. The question of what is valid criticism is often difficult to determine and such a determination will naturally reflect the position of the parties involved.

I personally feel the situation with which we are faced today has largely resulted from our tragic involvement in the war in Indochina. The huge cost in terms of loss of life which is incalculable and in terms of adverse effects on our economy which is reflected by our soaring inflation rate accompanied by a recession, has cast a spotlight on the defense industry and the military establishment. Our continuing involvement in Southeast Asia, an involvement that I advocate we withdraw from as rapidly as possible, has brought about this close scrutiny of defense industry practices and procedures.

For my colleagues' information, I am inserting into the RECORD the text of a speech delivered by Robert Anderson, president and chief operating officer of North American Rockwell, before the Commonwealth Club in San Francisco on July 10, 1970. Mr. Anderson's subject was "The Assault on American Industry"

and I feel he sets forth many of the problems confronting industry and what must be done to insure the proper defense of our Nation. He obviously is speaking as a representative of a corporation that is quite involved in the defense industry which he so states in his remarks. His statements, however, deserve the widest possible circulation, for all too often we tend to become inundated with only one point of view and lose our objectivity.

It is my opinion that the Vietnam war has caused us to not fund research and development on certain weapons systems that are needed to properly safeguard this country. An end to the war in Asia, with the withdrawal of all our troops, is a drastically needed step in the direction of improving and protecting the American society in which we live. Constructive criticism leading to an elimination of inefficient contracting and production methods is another step in the right direction. However, let us be very wary of the harm that can be brought about by overzealous charges and blind attacks on an industry vital to our survival, an industry staffed by sincere, competent, patriotic citizens whom I feel have been maligned by those who wish to destroy rather than build and use rhetoric rather than reason.

I will continue in my efforts to eliminate waste in defense contracting and to funnel additional money into deserving domestic programs which unfortunately are underfunded. I also will continue to support the members of the aerospace industry who play a vital role which I feel allows us the opportunity to turn to domestic issues and gives us the chance to try to solve those problems.

The speech now follows and I commend it to my colleagues' attention:

THE ASSAULT ON AMERICAN INDUSTRY

(Remarks by Robert Anderson)

Gentlemen: The military/industrial relationship that we hear so much about in this country was not invented in 1968 or 1969.

It's existed for nearly two hundred years, but it's only become a significant factor with the advent of sophisticated weapons systems which demand the closest teamwork between industry and the government.

That teamwork has meant much to this nation's security.

Yet, despite the high priority we all place on national survival, the defense industry today is being subjected to incredible denunciation. The attack has a violence unparalleled in American history.

Although some of the provocative headlines would have us believe otherwise, most Americans do not believe that large corporations are inherently evil, or that preparation for defense is of itself immoral.

Yet so vehement have been the attacks, that many sincere people are troubled when they read of excessive profits, cost overruns, lack of government control over expenditures, and so on.

We have a two-fold danger facing us in the continued harangue by those who oppose this relationship. The first is the undermining of public confidence in the integrity of defense procurement. The other is the destruction of morale of the dedicated men and women who are part of the defense establishment—whether in government or industry.

The critics have had the field to themselves, confident that there would be no vigorous opposition, and hoping that there

would be just silent acceptance of the charges.

To refute that thought is the reason I'm here today. This is the right time and the right audience—American businessmen who can form a serious judgment, not on what is spectacular, but on what is factual.

I can't be entirely objective in my approach, for North American Rockwell is one of the nation's major aerospace contractors and was recently awarded the very large Air Force B-1 weapons system contract.

However, I do believe there are two factors that enable me to take a broad view of the entire controversy. First, North American Rockwell is one of the major aerospace companies that is substantially engaged in both commercial and government activities. Also, in my own case, because I came from the automotive industry less than three years ago, I believe I can view the matter with a new perspective.

Aerospace represents a great portion American industry. There are one million, two hundred thousand people employed in building this country's military and commercial aircraft, its defense missiles, its space vehicles, its advanced guidance systems and its rocket engines. It's the largest manufacturing employer in the nation.

Aerospace in 1969 had sales of more than 28 billion dollars. Its export sales of more than 3.1 billion dollars made it the biggest industrial contributor to our balance of payments.

The opponents of this business, which has contributed so much to the military security and the economic growth of the country, have rallied around the phrase, "the military-industrial complex," giving the words an accusatory ring.

It was General Eisenhower, as you know, who originated the phrase when he urged the nation to guard against "the acquisition of unwarranted influence by this complex," and he has been quoted out of context ever since.

Completely lost in the sound and fury created by those who picked up only the partial statement is the full meaning of his remarks. "A vital element in keeping the peace," General Eisenhower continued, "is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction . . . We can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions." End Eisenhower quote.

It is essential to keep in mind that the role of the military-industrial complex is not in making public policy, but in carrying it out. Viewed in that respect, industry and government must work together toward common goals. It would be a national disgrace if they did not.

Fortunately, the two have always worked together and practically all of us in this room have been witness to the results.

You remember the morning of April 12, 1942, when Jimmy Doolittle lifted the first of his B-25 bomber squadron from the decks of the carrier *Hornet* and headed for Tokyo. How do you assess the value of Doolittle's bravery combined with the military-industrial effort that placed those bombers at the right place, at the right time?

Perhaps some of you were in the B-17 bombers flying over Germany when the first of the P-51 Mustang long-range fighters drew alongside to afford protection. Who can correctly assess the contribution of the industry that developed the aircraft which helped turn the tide of the air war?

We do not confine our security contributions to aircraft alone. Many of you remember the strident urgency of 1954, 1955, and 1956 when it became known that this nation could very well be on the receiving end of Russian nuclear intercontinental ballistic missiles.

We had the Atlas ICBM propulsion system ready—on time; we had the Thor intermediate ballistic missile propulsion system ready—on time.

These achievements and events are fresh in our minds yet we are witnessing today, with these continuous unwarranted attacks on our defense industry, a gradual erosion, a weakening of this nation's defense posture. That, gentlemen, is a matter of grave concern.

John Kennedy, in his inimitable manner, could alert the nation with a ringing statement.

"There can be only one possible defense policy for the United States.

"It can be expressed in one word.

"The word is *first*.

"I do not mean *first*, but.

"I do not mean *first*, when.

"I do not mean *first*, if.

"I mean *first—period*."

End of Kennedy quote.

To the critics, however, the words of Eisenhower and Kennedy are nothing more than rhetoric, and rhetoric which they twist to other ends.

Let's look at some of the charges.

One of these pertains to the size of the defense and aerospace industry. "Most of the big military contractors," they say, "could not survive without weapons business,"—with the implication that corporations are influencing defense expenditures.

True, there are a handful of major aerospace companies almost entirely devoted to government work. However, according to Moody's Industrials, the defense portion of the 25 largest prime defense producers in 1969 accounted for less than one-seventh of their total business. Most aerospace companies are becoming increasingly diversified, with a wide range of commercial and industrial endeavors. Typically, they subcontract half of their prime contracts.

Let me assure you that American industry can survive without the so-called "crutch" of defense spending. Nevertheless, the defense industry is being hurt badly by the ceaseless attack on the integrity of its highly skilled employees who see years of dedicated effort being dismissed as of no importance or as of outright moral harm.

Another belief propagated is that spending for aerospace and defense needs has grown during the past five or six years at the expense of providing for health, income security, aid to the poor, education, and other social programs.

First, let me emphasize that it is the elected representatives of the people, and not industry, who rightfully set national priorities.

The significance of Congressional-established national priorities was stated with great clarity last December by Dr. Arthur Burns, now chairman of the Federal Reserve Board, who said, "The explosive increase of federal spending during (the decade of the '60s) is commonly attributed to the defense establishment, or more simply to the war in Viet Nam."

"The fact is, however," Dr. Burns continued, "that civilian programs are the preponderant cause of the growth of the federal budget. When we compare the budget of 1964 with the estimates for this fiscal year, we find that total federal spending shows a rise of \$74 billion, while defense outlays are larger by only \$23 billion. . . . Thus, the basic fiscal fact is that spending for social programs now dominates our public budgets."

Dr. Burns' comments are underscored by the fact that in this current fiscal year, we will spend less on defense as a percentage of our gross national product—7 percent—than in any one year in the past 20 years.

Today, an estimated 36 percent of the Fed-

eral budget is allocated for defense—this is in contrast with the 61 percent in 1952.

More than half of the defense budget of 77 billion dollars is for personnel and operating costs. Military personnel costs this year are around \$23 billion. Another \$22 billion goes to operations and maintenance. Less than half is used to procure equipment and services from industry.

Moreover, in those declining percentages there is a hidden fact that could spell acute danger for this nation.

This country is in second place behind the Soviet Union in the development of new weapons system. Let me repeat, *we are behind the Russians at this moment*.

The Soviet Union has invested the equivalent of \$16 billion this year in defense-related research, development and applications. What has the United States allocated? \$13 billion dollars—three billion less than the Soviet Union.

Those figures, by the way, are taken from statements by Dr. John S. Foster, Director of DOD's Defense Research and Engineering. Continuation of that downward trend, spurred by these relentless attacks, is a direct threat to America's long-time confidence that it can meet any challenge in defense, in atomic energy, or in space.

What adds to the seriousness of this lagging research and development effort is the certainty that never again will we have the luxury of time to catch up if an enemy attacks. Never again will we have the nearly two years between the invasion of Belgium and the sinking of the *Lusitania*. Never again will we have a year and more between the Battle of Britain and the disaster at Pearl Harbor.

Defense-related research and development is a vital activity.

However, the critics are suspicious of any activity, including research and development, because of what they contend are the "fat profits" in aerospace participation.

What IS the profit picture?

The most penetrating and exhaustive analysis of corporate profits was a study by the Logistics Management Institute, a non-profit organization, which compared the profits of 40 companies substantially engaged in defense production, with 3,500 companies not engaged in defense.

The results of this broad-based analysis showed that profit on sales for the commercial and industrial companies was almost double that for defense-related works, and profit on investment in non-defense efforts, since 1963, was 40 percent to 74 percent greater.

Last November, Congress authorized the General Accounting Office to undertake a study and review, on a selected basis, the profits made by contractors and subcontractors where there is no formally advertised competition.

The results of that study will be available at the end of this year, and I am convinced they will support the previous LMI study.

At North American Rockwell, we've had a striking demonstration of this disparity in percentage of profits. Our Commercial Products Group, last year, had sales which amounted to only 40 percent of the \$2.6 billion corporate total—yet that group contributed over 75 percent of our entire corporate earnings.

What could be more graphic than those percentage figures?

Related to this matter of profits is another popular myth about the supposedly low risk involved in aerospace programs. The critics would have the public believe there is no risk in advancing the frontiers of technology; or to the extent there is risk, that the Federal Government underwrites all the risk involved in space and defense programs.

Again, the facts just do not support this belief.

Until recently, when there was a change in

the contract ground rules, financial risk had shifted so heavily to the industry side that a company could be betting its corporate existence that it would be able to remain afloat while producing the goods or services required by the Government.

As an automotive man, I was amazed by my first encounter with the Total Package Procurement Concept.

The fixed-price total package procurement process embraces the entire span of a program from concept through development, into production. The concept was supposed to eliminate both schedule slips and unpredictable cost increases. Further, it was intended to balance the contractor's commitment along the thin line between appropriate financial risk, on the one hand, and catastrophic corporate loss on the other.

In practice, the concept not only delayed the procurement of many needed systems and equipment, but it also fostered an utterly unrealistic budgeting process.

The Harvard Business Review referred to this concept as "being at war with reality." It simply did not recognize the facts of life as known by American industry.

Can you imagine an automobile manufacturer contracting at a fixed price to deliver a model 1977 automobile six years from now? And an automobile, let me add, is infinitely less complicated than a modern weapons system.

That's exactly what was asked of the aerospace industry.

Those much-publicized cost overruns were not synonymous with waste; neither were they a symbol of excessive profits. Rather they were the surface reflection of the cost uncertainties inherent in developing and manufacturing advance systems.

No business is ever perfect, of course, but what is never captured in the blazing headlines of cost overruns is the reality of endless changes, of inflation, of the costly impact of solving problems which could not be foreseen. These are the realities which accompany the advancement of technological frontiers.

It was thought in the last decade that these cost risks could be contained by the magic formula of the fixed-price contract. Many companies—and many procurement specialists within the Department of Defense—knew better. Even the procurement policies which were established—carefully read—recognized the distinction between producing an advanced system and producing a system which had been fully developed and engineered.

Unfortunately the distinction was lost sight of and the policies were applied unrealistically.

Despite all this, if a company wanted to stay in the business, it had to go along. It was like walking blindfolded in a mine field—and we've seen some of the results.

I do not need to recount the story of the many companies which have suffered a severe contraction of profits, and in some cases very large losses.

It is encouraging to note that the unrealistic policies of the past have been recognized by the Department of Defense as just that: unrealistic.

Under Deputy Secretary of Defense David Packard we have new, positive, realistic thinking on this contract question. Recently, he issued a milestone directive that talks common sense regarding improvement in the management of programs, the necessity for practical trade-offs between operating requirements and engineering design, risk assessment, and sensible program scheduling.

The Secretary placed his finger on the solution when he said, and I quote, "When risks have been reduced to the extent that realistic pricing can take place, fixed-price type contracts should be used." End quote.

With the major contracts now being let by the Department of Defense, industry will be able to fulfill its responsibilities more ef-

fectively and efficiently than in the past. They allow the latitude necessary in developing these highly complex, highly sophisticated weapons systems, while at the same time giving the Government its full dollar's worth.

The critics who err about the size and influence of defense procurement also err in assuming defense spending is out of control. In fact, one Senator's own words contradict his assertion that, quote "Military spending in the United States is out of control," unquote. The Senator also says, "A great many gimmicks should be done away with. The services should reduce or stop, because of their obvious ineffectiveness, such programs as PERT, PEP, Value Engineering, Human Engineering, and the Zero Defects concept." End of quote.

Encompassed by these terms, PERT, PEP, and so on, is a tremendous achievement by both industry and the Department of Defense—the establishment of a systematic methodology to carry out extremely complex tasks. Without these techniques of program control and employee motivation this country would have been unable to field the Minuteman missile, or to land men on the moon, or to carry out a host of other difficult projects.

Let me stress that the very purpose of these advanced management concepts is to save time and money and to produce the best possible product. Their effectiveness is demonstrated by the fact that they are being adopted on almost every complex project in civil construction, and in commercial and industrial fields.

We're not trying to stamp out constructive criticism. We expect it; we can learn from it. But we are entirely opposed to the extremists who aim, not at correction, but at destruction. They want to disband our military establishment, and abandon our defense-related capacity.

John Kenneth Galbraith, for example, has stated that the solution of all our ills is nationalization of the defense industry.

What would be the consequences of nationalization? Another post office operation? In July 1969 Fortune Magazine said: "There is some danger that the generally competent and innovative American aerospace industry could become simply a job shop to government." "The Companies," Fortune said, "Could end up in the situation of the old-fashioned American shipyards, which relegated the design function to the Navy's former Bureau of Ships or to outside naval architects, and thereby lost the production efficiencies that accrue when designs are drawn with productivity in mind."

To me, nationalization would be national disaster, and I believe the best answer to Mr. Galbraith was the silence that greeted his proposal.

In this troubled world beset by man-made problems in population, in transportation, in housing, in communications, and in pollution, there is need for exactly the type of expertise demonstrated by the aerospace industry during this past year in America.

The problems facing us are gigantic, nation-wide, even world-wide in scope. Their solution will require technical skill and management skill of the highest order. The best management, in terms of inventiveness is in the industry that has built the world's foremost supersonic, trisonic, and hypersonic aircraft; the industry that has developed "miracle" guidance systems; the industry that has ringed this nation with defensive ICBMs, and bridged the gap to the moon.

But I do not want to leave you with the mistaken impression that we stand now as pillars of strength ready to take on all adversaries. We have been hurt by this endless tirade of abuse, and all of us in business must act vigorously to overcome this constant erosion of American defense capability.

We are determined to resist that erosion.

Our positive refutation to the strident, uninformed voices will be our continuing effort to furnish the most efficient and effective systems required for the defense of this nation.

This nation must continue its technological leadership. To default, to let that leadership slip away to Russia without further protest, means the passive acceptance of major risks in our national security.

And without security all else is fruitless.

America's defense shield must not be shaped by harangue and denunciation and newspaper headlines.

It must continue to be forged in the councils of the Presidency, within the Joint Chiefs of Staff, and in the Congress of the United States.

The need for a strong industrial base, for a strong, free American industry to help carry out their decisions, is self evident.

In this technological age, let us continue to answer the world-wide technological challenge.

Let the industry that has responded so many times before get on with the job.

Gentlemen, thank you.

LOCAL CORRECTIONAL INSTITUTIONS REQUIRE FEDERAL STANDARDS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. KOCH. Mr. Speaker, all too frequently the conditions under which the prisoners in our local jails live are forgotten because, after all, prisoners do not vote. But it is in the interest of society at large to consider the effect of permitting jails to operate as they do, where the conditions too often harden and embitter the prisoners. The failure to provide at least decent minimum physical standards and rehabilitation services for the prisoner is responsible in great part for the large rate of recidivism.

The city of New York is no less delinquent than many other cities in this country. An outstanding report on the condition of the Male Detention Center in New York City known as the "Tombs" which contains a prison population made up for the most part of those awaiting trial was recently published in the New York Daily News authored by Donald Singleton. The conditions depicted and my own personal observations of that facility and others in the city of New York make it even more urgent that we consider Federal legislation on this subject. Our colleague, ABNER MIKVA, has introduced H.R. 16794, the Correctional Service Improvement Act. I urge our colleagues to press for hearings on that bill.

The articles by Donald Singleton follow:

PRISONS ONLY CORRUPT; THEY DO NOT
CORRECT

(By Donald Singleton)

What kind of a place is it where innocent people are stripped of their civil rights and locked away in crowded, fetid cells for long months and years?

What kind of a place is it where the government feeds and houses its animals better than the human prisoners locked behind its bars? Where people who have only been ac-

cused of crimes are treated the same as—or worse than—convicts serving prison sentences?

What kind of a place is it where freedom is a commodity with a price tag? Where one man goes free, simply because he has a certain amount of money; and another is locked up, simply because he is poor?

What kind of a place is it where officials operate behind locked doors, unobserved by a public or a free press?

Is that place Russia? Or Cuba? Or Red China? Is it some cynical and corrupt South American dictatorship, or an African nation in the throes of birth?

Perhaps.

But, as difficult as it may be to believe, New York City is also that kind of a place. The people who have seen our prison system in operation pray that they may never be unlucky enough to be caught up in the crude, slow-grinding cogs of the medieval machine called the New York City Department of Correction.

Right now, more than 8,000 men and women are being held in the department's severely overcrowded detention facilities to await trials. The conditions of their confinement are inhumane, unsanitary, even barbaric. Most of the rights of citizenship are taken from them.

Yet it is one of the most basic concepts of our system of justice that every man is innocent until he has been proved guilty. That is not merely rhetoric, but the spirit of our law. So the 8,000 detainees in our prisons are legally innocent people.

JAILS ONLY CORRUPT; THEY DON'T CORRECT

Every night, dozens of detention prisoners in the Manhattan House of Detention for Men (The Tombs) are forced to sleep in a cell, with the third man on the cement floor. The cells were built for one man; they are 6 feet wide and 7 feet, 9 inches long, or a total of 46½ square feet of floor space—15½ square feet per man.

Yet the Bronx Zoo's male spotted hyena is given a cage which is 18 feet wide and 22 feet long, or 396 square feet of floor space—396 square feet for a hyena, 15½ square feet for a man.

We boast that our system of justice is fair and unbiased. We like to think that no one is penalized unfairly for any reason.

Yet, take a look in any cellblock of any city prison and you will see a sea of black faces—unofficial estimates are that the prison population is 60% black, 20% Puerto Rican and 20% white.

This may stem from complex causes. It is surely a manifestation of society's broader racism, the racism which leaves blacks at the bottom of the economic heap, possibly more involved in crime, certainly less able to afford high-quality legal counsel or bail. Whatever the causes, city prisons reflect at least de facto segregation.

Ask City Correction Commissioner George F. McGrath for the cause of his problems, and he will cite, among other factors, a lack of public interest in the prison system, and a correspondingly low priority in allocation of city funds.

Yet the city's correction institutions are, by McGrath's own orders, practically off-limits to the public. The official policy is that "responsible individuals and groups" are invited to visit prisons; but the security checks, personal interviews and other clearance procedures set up by the department stand as effective barriers to visits. Only a relative handful of people actually do enter the prisons.

Even representatives of the news media are not given truly free access to these public buildings. Prior to my tour of the institutions, I expressed concern that since my schedule was known to the wardens, giving them time to prepare for my visit, I might not see a true picture of what goes on. Mc-

Grath assured me that no special preparations would be made.

Yet, after the visit, I obtained a copy of an official confidential memo to one of the wardens, informing him of my impending inspection tour and warning him: "As warden of the institution, you are the only person permitted to be interviewed by Mr. Singleton. No correctional personnel nor inmates are to be interviewed."

I made a written, formal request for permission to interview inmates, on the ground that this was a journalistic necessity.

McGrath denied the request, saying that there were plenty of ex-prisoners around to interview, and adding: "On the negative side, the intrusion you request could and probably would be considered by the inmates as a solicitation to come up with stories, the more imaginative the better, to satisfy a newsman who wants to sell papers, and might even precipitate disturbances depending upon the extent of provocation which became engendered in such discussions."

Furthermore, McGrath has gone out of his way on more than one occasion to suppress criticism of him or his prison system.

In 1969, for example, a Brooklyn grand jury reportedly issued a presentment which is believed to have documented, in scathing terms, a number of scandalous conditions in the Brooklyn House of Detention.

McGrath, together with the office of the city medical examiner, reportedly went to State Supreme Court, then to the Second Department of the Appellate Division, where an order to suppress the document was granted. To this day, the presentment has not been released.

Ask McGrath what his job is, and he will say it is primarily to control people. But second, he says, it is also to correct people—to straighten out their attitudes, to uplift them, to rehabilitate them, to teach them trades, to give them basic education, to break their cycles of crime.

Yet, the number of prisoners involved in real rehabilitation or training programs on any given day is only 200 or 300—a mere fraction of the total sentenced population of 6,000 (more than 2,000 of whom have been transferred to bleak, state-operated institutions upstate because of crowding problems in city prisons).

There are a few training programs; but far too few to treat every inmate. There are a few academic classes; but there are empty classrooms that are unused because of shortages of teachers. There are vocational courses; but in many of the trades taught, ex-convicts are not eligible for employment in the outside world.

In the shortest, bluntest of terms, our correction system is a failure, a flop. It doesn't work.

This failure is a tragedy from the viewpoint of those who are caught up in the system, because it makes their prison time pure punishment, sheer torture. In place of rehabilitation, there is boredom. In place of scholastic lessons, there are the lessons given freely by experienced criminals of all kinds.

Furthermore, the people behind bars usually feel powerless to protect themselves against brutal, criminal treatment at the hands of other inmates or of the guards. There are stories of homosexual gang-rapes, of beatings by guards or other prisoners, of all manner of harassment.

The actual extent of this brutality, however, cannot really be ascertained. Because of their feelings of helplessness, inmates are reluctant to report such incidents. If an inmate complains about a brutal guard, that same guard may be back in the same post in a week, with a new grudge; if an inmate complains about a fellow prisoner, one of the man's buddies may slide a shank (a knife-like weapon made from a spoon handle) into the complainer's back some afternoon in the day room.

The result is a calm sea of silence on the surface, and a wrenching undercurrent of stories too convincing, too probable to be scoffed at.

McGrath's official position is that every serious complaint is turned over to the appropriate district attorney for investigation and prosecution. But it is obvious that the official position doesn't solve the problem. Because the vast majority of complaints are never even made, except possibly in silent prayers after the cellblock lights have been switched off for the night.

The prisoners are not the only ones who suffer, however. Because of the failure of our city's Department of Correction—and for that matter the failure of most correction efforts throughout the nation—society is the real victim.

The injury to society can be measured in the statistics compiled by police departments, courts and prison systems from one end of the country to the other, statistics which show that up to 70% of those convicted of crimes are repeaters. If they had been "corrected" the first time around, they would not have been back.

Think of it this way: If we could truly correct every person convicted of a crime, our crime rate would show an immediate drop of up to 70%. Up to 70% fewer stolen cars. Up to 70% fewer burglaries. Up to 70% fewer robberies and muggings and assaults. Up to 70% fewer men behind bars.

Making changes in our correction system would be difficult and expensive; but how expensive is the alternative? As the President's Commission on Law Enforcement and Administration of Justice wrote in its Task Force Report in 1967:

"The costs of action are substantial. The costs of inaction are immensely greater. Inaction would mean, in effect, that the nation would continue to avoid, rather than confront, one of its most critical social problems; that it would accept for the next generation a huge, if not immeasurable, burden of wasted and destructive lives. Decisive action, on the other hand, could make a difference that would really matter within our time."

A CASE OF DEATH AND NOONDAY DEVIL

(By Donald Singleton)

It is not easy to work up a strong case of sympathy for James Overstreet, who died on Dec. 22, 1967, in a cell in the reception area of the Tombs, Manhattan's house of detention for men.

Overstreet's official records contain little except negative information about the 40-year-old ex-con. He was arrested on Oct. 18, 1967, on the sidewalk at Eighth Ave. and 41st St., where, according to police, he was seen standing over a fallen victim, brandishing a knife and screaming. The victim struggled to his feet, staggered to the curb and fell dead.

Overstreet was booked on a murder charge and remanded to the Tombs without bail. A short time later the murder charges were dropped, however, as police had come up with a new suspect who they said actually struck the fatal blow. But Overstreet was still held on parole violation.

There are only two other unusual entries in the prisoner's records. The first is a notation that on Dec. 22, 1967, he went berserk outside his seventh-floor cell in the Tombs, attacking Correction Officer Lawrence Watson and biting off Watson's ear.

The second entry, on the same day, in Overstreet's autopsy report—he was brutally gang-beaten to death following his attack on the guard.

Although the case was presented to a grand jury, which returned a no-bill finding, the details of the murder never have been fully reported to any news medium.

My investigation of Overstreet's death involved many hours of tape-recording interviews with public officials who took part in the formal probe. I spoke at length with one eyewitness who had never been questioned in the case. And I obtained several documents which never have been released to the press before.

What emerged from all of this was two distinct and conflicting versions of the last few minutes in the life of James Overstreet.

The first version—the official one—is that Overstreet was beaten to death by his fellow inmates, who jumped on him and attempted to restrain him from attacking the guard. According to this version, the inmates were too vigorous in their restraining of Overstreet, and injured him fatally.

The essence of this official story can be found in the autopsy report by Associate Medical Examiner Elliott M. Gross.

The report shows that Gross talked to five "Witnesses or Informants:" Assistant District Attorney Gina Gallina and Mel Ruskin; Pasquale Cafaro, deputy warden of The Tombs; Albert Nenna, warden of The Tombs; and Dr. Nicholas Sallani, attending surgeon of the Department of Correction.

DEATH AND THE NOONDAY DEVIL

After interviewing those officials, Gross wrote the following:

"Deceased was in a common passageway on seventh floor of prison where he had been incarcerated since Oct., 1967, awaiting disposition on a homicide charge. While Correction Officer Lawrence Watson was in the process of locking in inmates after the lunch period, deceased, unprovoked and from behind, assaulted Officer Watson and bit off his ear.

"Other inmates attempted to restrain the deceased while Correction Officer Arthur Hodges, the second officer on the floor, sounded an alarm. This was recorded at 11:55 a.m.

"Eight officers, including a superior, responded and assisted in the restraint of the deceased, placing his hands behind his back and handcuffing him; his legs were bound in a straightjacket.

"The officers then took the deceased into an elevator, at which time he was described by Officer Wilds as 'somewhat limp,' and he was brought down to the reception area on the first floor.

"Dr. Sallani attempted resuscitation with a positive displacement respirator without response, and deceased was pronounced dead at 12:10 p.m. by him. The clinic record of the deceased shows that he reported for sick calls almost daily and was given terbutaline and benadryl for asthma.

"Body of the deceased is examined while it is lying on its back in detention cell No. 1 of the reception area. The body is fully clad in a blue sweater, gray trousers, white undershirt, and green boxer shorts. Traumatic injuries of the scalp, face and left chest are evident."

The report goes on to list as "Cause of Death:"

"Contusions of face and neck; fractures of skull, hyoid bone and larynx; contusions of brain; shock; (Contributory)—granulomatous inflammation of liver, spleen, lungs and kidneys. History of assault while being subdued after unprovoked assault on prison guard. Homicidal."

When I talked to Dr. Gross, I asked him whether the asthma could have been a contributory factor in the death. "It might have made him die a second or two earlier, I can't say," Gross replied. "But the beating would have caused the death in any event."

This version of the murder is backed up in Warden Nenna's report to Correction Commissioner George McGrath:

"With the sounding of the emergency alarm, Captain Hugo Hansen and a number of correction officers responded (and) found

Overstreet, still being held from furthering his attack upon the two officers, who were, at this time, both incapacitated.

"The emergency squad officer thereupon removed Overstreet from the 'D' section to the bridge, and placed handcuffs upon him and bound his legs with a restraining cloth . . . Overstreet was removed from the seventh floor to the receiving room. Dr. N. Sallani began to examine Overstreet. The inmate lapsed into unconsciousness and ultimate death."

"It seemed clear to me at the time that the prisoners had injured Overstreet fatally in restraining him," said Ruskin, the former assistant district attorney who is now in private law practice on Long Island.

But there was a second version of the affair, and neither Ruskin nor, possibly, the grand jury, ever heard it.

I got the second version from a man who was incarcerated on the seventh floor of The Tombs on the day of Overstreet's death. He is reluctant to have his name published, or to testify, although he did not rule out the possibility of testifying. He gave me the names of several men who allegedly witnessed the incidents he described. This information is available to the District Attorney upon request.

Here is my interview with this former inmate:

Q: "What happened that day?"

A: "Overstreet he went crazy, berserk, and he bit the officer's ear off. I was looking at the whole thing. About four or five inmates grabbed him off the officer. They just restrained him—didn't one inmate hit him. They held him back, and then the officers came.

"When the officers came up on the floor, the inmates were just holding him, over on the side, there. You know, his eyes were real wild, like, and he wasn't hurt. And they handcuffed him behind. 'They put his hands behind him and handcuffed him, and they marched him to the elevator. He was alive when he got on that elevator—common sense tells you if the man was dead, they wouldn't handcuff him.

"They got on the elevator and closed the door, but we ran up like to go to the barber-shop. There's a cat-walk, and you can look flat down into the elevator. The elevator started down and then it stopped, between floors, like. We could see down through the top of the elevator, you know, the little glass door.

"Then this big black officer, the one I recalled his name to you, he got in front of the boy and he started beating him all in his stomach, all in his body. He weighed two-something, and he was just throwing them up into the boy's midsection and all, and we seen the boy go down.

"I imagine there were eight or nine of us watching in the elevator, because we were all looking down from the catwalk, then the officer hollered, 'All clear the catwalk,' but at first there were eight or nine of us looking down there.

"And then the elevator went on down, and a few fellows in the receiving room, inmates, you know, coming back from court and all, said he was dead when they got him off the elevator. And we didn't believe that he was dead, you know, until later that night the report was confirmed by officers changing shifts. But he was definitely alive when he left the floor . . . those guards beat the man to death."

Q: "Were you called to testify before the grand jury?"

A: "No, I didn't want nothing to do with it. Like the captains came around and asked who saw it, you know, what happened. I saw it all but I didn't want to be involved. The inmates who went to help restrain Overstreet, they went to testify, you know. I think they took them and gave them a special meal or something in the officers' dining hall and all."

Q: "Did they lie?"

A: "Well, you see, all those guys that gave statements, they had heavy charges, you know, and they was looking for a way out. And they was like drowning men grabbing for a straw."

Q: "Why didn't you and some of the others testify truthfully as to what you really say happened, then?"

A: "You know why? Because if I was to go and give a statement as to the true facts, as I gave you, I would receive the short end of the stick as long as I would be there."

"I would be the object of punishment—go to the bing (punitive segregation) for every little thing. I didn't want to be on their list, and no one else would, either."

"Because it's all to your disadvantage. You know your mail would be misplaced. Just little things. You'd get shook down (searched) for nothing at all, and you'd go to the bing for every little thing, like talking to somebody in the commissary line or in the movie, you know. And one of the sick police (guards) might try to discipline you physically, you know. . . ."

Those are the two versions. You can believe either one. Or, you can believe that both are partly true—perhaps Overstreet was beaten both by the inmates and by the guards.

The grand jury made it clear which version it believed. In its one-paragraph finding, it wrote:

"The Grand Jury of the County of New York, after hearing witnesses who testified in the death of James Overstreet, who was killed on Dec. 22, 1967, by the concerted actions of several inmates of the Manhattan House of Detention for Men, in attempting to prevent the deceased from killing a correction officer, dismissed the proceedings and made an entry upon its record."

You can believe what you want.

I know that I would not be surprised if a group of prison guards beat up an inmate who had just bitten off the ear of a fellow officer.

I know that I would not be surprised to learn that several men accused of murder had lied under oath in the hope that their action would buy them some favored treatment.

I know the man who told me about the assault in the elevator. I spent a lot of time with him. And I do not believe he is a liar.

But, most of all, I know that if I were a prisoner in The Tombs, or any other jail, for that matter I would think twice or three times before I testified against a brutal guard. And, after thinking it over, I just might decide that the best course of action was to keep my mouth shut.

Who knows what really happened? Perhaps the real truth lies buried with Overstreet.

(Next: An insider's report on The Tombs.)

THE TOMBS AND LIVING DEAD

(By Donald Singleton)

"The name of it, the Tombs, that's the best name in the world for it. You couldn't think of a better name because that's just what it is: A big old tomb full of mummies. Just sitting there. You walk in and look at the guys, see them sitting at tables, staring into open space, some of them playing cards like dead people.

"You ever picture dead people playing cards? You know, they don't even care if they win or lose: 'By me,' they say, 'by me.' You know, being an amateur writer, I observe these things a little more closer than the average guy. So I looked, and said to myself that this just like a real tomb full of mummies, everybody in a daze, day after day, every day the same. You just come out of the cell and sit at the table. Flop down. Every day like every other day."

His name is Avery, Junius Ellis Avery, and he's from Baltimore. He's 36 years old. He has children, but no wife.

He's sitting in the very gloomy parlor of his home, actually his mother's home, one of those little row houses in North Baltimore with the white marble stoops. They don't look like slums on the outside, but on the inside they are old, crumbling slums, with thick layers of damp, worn linoleum on the floors, and extension cords snaking through the pink roach powder along the baseboards. The parlor is tiny, but Avery sits, bunched up, on a corner of the sofa, hugging his knee like a security blanket. Because to Avery, this room is terrifyingly huge. This is his first full day home since he became the World's Greatest Living Expert on the Tombs.

"When I first came there they didn't have no mattresses. For 18 months, I slept on the springs. I used to get blankets, I guess I had 20 blankets, and I'd put them on the springs. Every time they had a shakedown they'd take them but when they'd leave I'd go and get 20 more. I'd steal them off the big hand truck in the hallway. Now they got mattresses and they don't even clean them. You know, a bum will come in, a skid, and he'll lay down on it and wet himself and everything, and after he's gone they'll just put the mattress over in the corner and give it to the next guy. . . ."

Junius Avery arrived in The Tombs on April 4, 1967, as a fugitive from justice, on a warrant charging him with breaking into a house in Baltimore. At his arraignment that day in Criminal Court, it was explained to him that if he wished he could sign papers and waive his rights to extradition proceeding. He did not wish. Bail was set at \$5,000. It might as well have been \$5 million.

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"The worst part of being there, I guess, is being around those police that are fools, that come in with attitudes. That's the hardest thing about it. It's hard against the inmates. They come in there, they might have domestic problems, or, you know, you don't know what happened to them on the street, but they take it out on certain inmates. I've seen them, man, just unnecessarily take things away from inmates.

"Each time the shift changes, you know, if you don't know what guard is coming on, you say to yourself, well, what if one of those fools is coming on, you know. That means a hard way to go. They're not going to turn the TV on, or the radio on, or they make you wait to get out the mall. You know, just a hard way to go. It's a mental strain, a lot of mental strain. The guards that are fools, I just stayed away from them. I didn't go anywhere near them. If there was something I needed or wanted, and they were the only ones around, I'd just do without it, that's all."

Avery is wearing a new sport shirt, slacks and loafers. The first thing he did when he got out of jail was to buy new clothes. They don't let you buy clothes in The Tombs—no new clothes, no Playboy magazines, no midnight snacks. None of that, even if the law does say you are an innocent man, as those who are in The Tombs are. For The Tombs is a detention house for those who have not been tried, and people are still innocent until it's proved otherwise.

"One thing they could do would be to give a man more decent food. The food's rotten. It's nothing. They don't prepare it correct. They just don't care. Like the rice; they give you a lot of rice. The rice is dry, it don't have no taste. Like the Spanish rice, it's dry like paper, and it has some kind of dry meat cut up in it. Chicken, some of the chicken you bite into is so half-raw that blood runs out.

"I used to hate powdered eggs. It made me sick. I could smell it when it came up on the floor. Powdered eggs. They give you powdered eggs, string beans, white potatoes. The potatoes have lumps in 'em, the eggs have

lumps in 'em, the string beans are cold and hard. I used to hate that meal."

Avery says he fought extradition for one simple reason: Innocence. He admits he's done plenty of wrong in his life, but not the wrong he was accused of doing. So he fought stubbornly, represented by a succession of Legal Aid Society lawyers, against extradition. In his hearings and appeals, he says, his case was postponed time and time again, usually because the district attorney was not able to proceed. Avery said he stopped counting after the 50th postponement. He was finally extradited to Baltimore on May 19, 1970, after three years, one month and two weeks in The Tombs, a facility for temporary detention. Although he did not receive a certificate, that made Avery The World's Greatest Living Expert on The Tombs—one one had ever been there that long before. The bitter irony in Avery's story is the twist at the ending: When the housebreaking charge came up in court in Baltimore the day after his extradition from The Tombs, it was dismissed for lack of prosecution.

Q: How did you pass the time in jail?

A: When I first went there, I studied law books a lot. I wanted to know everything I could about extradition, you know? And I guess for my first 15 months, that's mostly what I did. I stayed in those law books all the time. I read.

Q: How about recreation, exercise?

A: Recreation is poor. Actually, the only recreation you have, you have the movies, from around October to May. Our cell block used to go to the movies every Monday at 1 o'clock. And when the movies isn't in process, you go up on the roof, up on the top of The Tombs. They have a square place with wire net over the top. It used to be that if it was sunshine, you'd just go up there and walk around, walk around in a circle. But last year, Mr. Green, the library official, he started to bring the band up there, you know, the band from the prisoners that's doin' time. That was nice.

Q: Did you ever have three men in your cell?

A: Yeah, but each time I complained about it so much they took the third man out. Because it's too crowded, you know. I realize that they did it because they had to do it, because everybody has three men in his cell. But I always told them, you know, I've been there so long, and I'd say I had a nervous condition or something, and they'd take the third man out.

Q: What did you miss most?

A: Well, first of all, my family, my mother. Then, I tell you, a lot of times I wish I could just buy one decent meal, you know, a medium rare steak, candied sweets, green peas, maybe a little cole slaw. And maybe a tall glass of orange juice. I love orange juice.

Q: What about sex?

A: Well, that's something you just have to adjust your mind to, say you can't have, that you have to do without. Face it, you know.

Q: Did you have many visitors?

A: No, well, see, like, people . . . you know, the only thing, I didn't like them to come all the way there to see me.

Q: Well, did you have any visits at all in three years?

A: No.

If anything, Junius Avery's story is a searing indictment of our judicial system. No legal procedure should take longer than eight or nine months, from arrest to final appeal, according to the President's Crime Commission and other study groups. A three-year extradition proceeding is a monstrosity by anybody's definition.

But Avery's story is also an indictment of our city's detention facilities. Why should a legally innocent man be forced to share a small, dirty, locked cell with one or two other men, with dirt, with roaches and lice and mice? Why should he be deprived of recrea-

tion, exercise, of contact with his family? Why should he be given less humane treatment than sentenced convicts?

What might three years of this do to a man?

"My writing was the most important thing to me, I guess. It was a means of escape. Actually, I would write so much I would escape reality, you know, get away from it for days and days at a time. Just write, write, write, and actually get away from that place. I'd write letters, and then I'd write stories and send them to magazines and things."

I asked the Department of Correction to comment on Avery's case. This was the official statement: "Junius Avery was incarcerated on April 4, 1967, and discharged from the Manhattan House of Detention on May 19, 1970. He was held on an extradition charge to the State of Maryland. This unusual delay was caused almost entirely by the activity of Mr. Avery and his counsel in resisting extradition." In other words, it was Avery's own fault. I asked him about this reaction when I spoke with him in Baltimore:

"Well, you see, that's unfair," he answered. "Because that's what extradition is, to not be taken bodily across a state line. This is what the extradition law is for, so if you just sign, you're not getting your privileges. What would be the purpose of having the extradition laws, if you had to waive them? I just wanted to know that was happening against me."

All Junius Avery wanted from New York City was the item that is written down in the Fourteenth Amendment to our Constitution. The item is called due process.

Q: How did it feel when you walked out of the court in Baltimore?

A: Oh, man, I can't even describe it. Too good to be true. One of the best feelings I ever had in my life. Better than I had even imagined. Better. Fresh air, nobody holding onto you, no handcuffs. Oh, man. It was being born again. . . ."

THE DEPARTMENT OF CORRECTION COULD STAND SOME

(By Donald Singleton)

The branch of city government which operates our prisons is called the Department of Correction. Considering the amount of the department's energy and resources which go into the business of correcting people, that is a generous title.

For Correction Commissioner McGrath is only able to spend \$3.5 million—out of a \$61.3 million budget in 1969-70—on pure rehabilitation.

Even with funds coming from outside, McGrath's department manages to make rehabilitative training available to only a relative handful of the 6,000 sentenced prisoners who have been placed in his custody.

Worse yet, many of the programs which pass for rehabilitation actually have the potential for doing more harm than good. Consider a few examples:

One of the most popular vocational training courses on Rikers Island is the barber school in the New York City Reformatory, a part of the Board of Education's PS 189. The instructor, well liked by the boys, has had remarkable success in turning out students who are highly skilled in hair styling. Indeed, most of his graduates could go to work in any barber shop in the city. There is a hitch, however—New York State often delays or denies applications for an apprentice barber's license when the applicant has a prison record.

The by-laws of the New York City Board of Education state that a public school education must be provided for every child between the ages of 6 and 17. There are an estimated 600 boys in this age group housed in the Adolescent Remand Shelter on Rikers Island, charged with crimes, awaiting trial.

Four hundred of the boys are getting schooling. Another 200 boys have requested schooling, but there are not enough teachers. For the past two years, Warden James Thomas has had several additional classrooms available, and has made repeated requests to the school board for another eight teachers. The requests have never been filled, and the 200 boys spend their long days with the rest of the 2,000 inmates of the shelter, slouched in front of day room television sets.

More than half of the juvenile offenders who complete serving their sentences are discharged with no followup services in the community. They are taken in a green Department of Correction bus to the Astoria Blvd. station of the BMT subway and dropped off.

Hundreds of prisoners have been trained as truck drivers, plumbers, electricians and bakery workers during their prison terms. Yet, the Department of Motor Vehicles sometimes denies licenses to ex-cons for long waiting periods. And many of the unions representing plumbers, electricians and bakery workers exclude ex-cons.

There is no way to measure the harm done by any of the above examples, but it is certain that harm is done.

Most prisoners are people who have been beaten down so hard, and for so long, that they are practically without hope. To raise their hopes by teaching them a useful, valuable trade and then to dash those hopes on the rocks by making it difficult for them to work at that trade, can only breed bitterness.

Much of what passes for rehabilitation, of course, is not capable of raising the hopes of even the most uncrushable Pollyanna. Many of the programs are little more than charades which seem designed strictly for the sake of appearance.

Examples of this type of program are the typing class and the sewing factory in the Women's House of Detention.

The typing class consists of a tiny room with a few tiny desks, a chartboard and a half-dozen broken-down, beat-up looking typewriters. The sewing factory is a big room with a lot of big tables and sewing machines, where inmates' uniforms are manufactured.

On the day I toured through the house, the six students in the typing class, tapping the keys disconsolately, looked bored half to death; the 12 women in the sewing factory stitching drab swatches of gray cloth together, looked worked half to death.

These examples only cover a small minority of prisoners, those fortunate enough to receive even a smidge of rehabilitation. For the rest, the vast majority, there is nothing but the boredom and the kind of make-believe training to be found in the many "work gangs" which paint, cook, clean and otherwise simply keep people busy.

Here is what the President's Commission on Law Enforcement and the Administration of Justice had to say about such programs in its 1967 report:

"When labor is forced and unrewarded either in money or in pride of accomplishment, there is little motivation to strive for diligence or skill."

"These features have characterized much of the drudgery to which prisoners have been subjected. When the period in which assigned work is expected to be done is several times the period really needed to complete it, there is little motivation to work diligently."

"When 'work' involves only the most menial tasks or is carried out with antiquated equipment and methods, it is of little help in training offenders for later employment."

That, then, is the state of correction within the New York City Department of Correction. There is education, but not enough for everyone who is legally entitled to receive it; there is job training, but for jobs which sometimes are not open to ex-convicts; there

is work, which ranges from menial to meaningless. And then there is boredom.

The single best-selling item in most prison commissaries is Pall Mall cigarettes. These are popular for two reasons. First, because they are long and unfiltered, they can be cut in half—this, in effect, doubles one's supply of smokes. But second, the cigarettes are prized for their red-and-white patterned packages. Inmates save the packages and pass the endless hours folding them into intricate, checkered picture frames, chains and crosses to decorate their cells. The decorative value is second to the therapeutic.

Does the Department of Correction frequently fail? Perhaps. But no more so than practically every other correctional system in the world. Most prison systems are short of money, facilities and ideas. Most fail.

And perhaps the failure is a human one—perhaps there simply is no way to take a human being off the wrong track and put him on the right track.

This is the possibility raised by Warden Raymond McOlone of the New York City Reformatory. McOlone likes to tell this true story to illustrate his point:

In 1966, prior to McGrath's arrival, the manager of a well-known Park Avenue hotel became interested in the problems of rehabilitating prisoners, and he decided to do something about it. So he went to Rikers Island and obtained special permission to start a training program for select inmates.

The warden assisted the man in selecting eight inmates who seemed to be the best-motivated, most willing and most intelligent available. The hotel manager then set about teaching the inmates all he knew about salad-making and pastry-baking, which was considerable.

For the next four months the man spent one or two evenings a week with his students, working in the prison's kitchen. At the end of this time, he was satisfied that the boys were all qualified enough to hold down jobs in any fine hotel kitchen.

The man told the boys that when they were released, there were jobs begging to be filled. All they had to do, he said, was call him at the hotel the day they were released, and he would either hire them himself or make arrangements for them to be hired in a competitor's hotel. The pay would be at least \$135 a week.

That would seem to be a near-perfect rehab program: the training was thorough; the job was meaningful; the pay was good; there was a certainty of employment.

How many of the boys called upon their release?

None.

The story may not really prove anything. But it does give some idea of how easily these rehabilitation programs can break down without full aftercare services—who knows, if someone had simply driven the boys directly to the hotel, they might all be employed regularly today.

McGrath is well aware of the difficulties, but he insists that, despite evidence to the contrary, progress is being made. He points with pride, for example, to the community-based work-release program in Brooklyn, where a small group of prisoners are allowed to go to work outside by day and return to custody by night.

But that program involves only a maximum of 60 men, and it is totally dependent upon federal Model Cities funds. If the federal funding is cut, the city's program goes down the drain. There is another work-release program, too, operated by McGrath's department on Rikers Island. But it involves only 28 men out of the more than 4,000 on the island.

There are other federal possibilities, like the progressive bill sponsored by Rep. Edward I. Koch, the Manhattan Democrat-Liberal. This, if adopted, would pump hundreds of millions of dollars into the effort to up-

grade state and local prison systems. But Congress has never given any indication that it is willing to spend large sums of money on the problems of correction. The future of Koch's bill is far from certain.

Finally, McGrath says this:

"When you come right down to it, you can take 10 psychiatrists, 10 psychologists, 10 social workers, 10 teachers, 10 guidance counselors and 10 parole officers, and give the 60 of them just one convict to correct, and you can't be sure that they'd correct even that one person."

"There are no easy answers in this business. No easy answers and certainly no guarantees."

McGRATH ON PRISONS AND THE PRESS

(In researching his articles on "Crime and the Prisons" Don Singleton asked Commissioner of Correction George F. McGrath for a written statement of his department's policy against permitting in-depth reporter interviews with inmates. The following is substantially the commissioner's reply:)

I have made it clear that you have complete access to each and every facility and to every part of each institution and operation, day and night, seven days a week, so that nothing has been hidden from your view. This was not, as you know, a special dispensation to you personally, but is and has been the policy of the Department since I have been Commissioner for all of the news media. . . . The media in this city have taken full advantage of this policy and our operations are very fully covered. . . .

Based on many years of experience in the prison field and on my knowledge of what goes on in the rest of the country, I believe we are very liberal in this regard.

With respect to the rights of inmates to communicate with persons beyond their immediate supervisors, we also maintain a liberal attitude. Inmates can without restriction, and frequently do write to myself, the courts, the district attorneys, the Mayor, Governor, Senators, Congressmen, state and city legislators as well as family and friends are free to state whatever they wish.

Complaints which are brought to the attention of the commanding officers of any installation, to me or to my office, are carefully investigated, in each case, and appropriate action is taken. District Attorneys and the City Department of Investigation are promptly notified of any matters which suggest criminal wrongdoing. . . .

This administration encourages visits from responsible persons and groups, other than newsmen. Many people in political life, grand juries, educators, clergy and social agency personnel visit our institutions and talk freely with inmates. You are aware of the fact that we recently distributed some 1900 questionnaires to inmates of the Manhattan House of Detention for Men and returned their sealed and uncensored replies to a Congressman who desired to get this kind of probing information.

We do have one limitation of which you complain. That is, that interviews of inmates by newsmen are restrained to their reaction to entertainment events, their feelings upon graduating from some of our programs, their thoughts on special occasions. We do not permit in-depth, private interviews with newsmen. To make up for this, however, we offer, as I did to you, to assist in making arrangements for interviews immediately upon release from the institutions when, of course, the ex-inmate is totally free from all restrictions. Many reporters, television interviewers, and others, have utilized this means to obtain first-hand accounts for men and women within minutes after their release.

In your letter of May 27th you state that you will not follow this procedure indicating that such interviews would be unreliable be-

cause the newly discharged ex-inmates would be "in a euphoric state and certainly would not be in any condition to comment objectively on anything." On the basis of my experience and observation and the comments I have received from your colleagues who have done such interviews, I believe you are badly mistaken. As a matter of fact, I believe that comments at that time would be far more objective and informative.

You request that you be permitted "to spend an afternoon and evening with the inmates of any randomly selected quadrant in the New York City Reformatory—(and) the Manhattan House of Detention for Men—to talk openly with the inmates of these institutions about any and all matters."

My decision is to deny your request for reasons that are both positive and negative. On the positive side, to accomplish what you want, i.e. information that is factual, honest and objective about what goes on in our institutions and in the minds of our inmates, you have available to you, with our cooperation, limitless numbers of ex-inmates who are departing our custody and control and who can speak to you with a freedom that cannot be duplicated "on the inside" and with an honesty and fairness that would be superior to views expressed while still confined.

On the negative side, the intrusion you request could and probably would be considered by the inmates as a solicitation to come up with stories, the more imaginative the better, to satisfy a newsman who wants to sell papers, and might even precipitate disturbances depending upon the extent of provocation which became engendered in such discussions. As a reporter interested in reporting what goes on in a truthful fashion, I am sure you can see how prone this procedure would be to error and bias.

In addition, to permit all newsmen and writers the kind of interviewing conditions requested by you would be an unbearable burden upon our staff, facilities and time in these days of extreme overcrowding with the problems this presents. We would be literally swamped with requests we could not deny.

In summary, I believe you are making a request which is, under all the circumstances, not important to the subject of your inquiry and which attacks a long established and carefully considered policy which is a most liberal one in terms of the inmates' right to air grievances and be in touch with the outside world, the right of the public to know in detail about what goes on in our correctional and detention institutions and the right of the press to have maximum access to evaluate and report on our prison communities.

DOES JAIL HAVE TO BE LIKE THIS?

(By Donald Singleton)

(Last of a series)

When George McGrath came to take over New York City's correctional programs five years ago, he had a grand plan in his briefcase, a plan to establish an organization worthy of the name Department of Correction.

Both five years have passed, five years of the tough realities of life in New York City, and McGrath has been forced to lower his sights and watch helplessly as many of his goals fade further into the distance.

"I came here to be Administrator of Correctional Services," he said in a recent interview. "I was supposed to head up the prisons, parole and probation—the whole ball of wax. That was the way it was supposed to be."

Most experts believe that this is the way it should be—no correction system can really function properly if it includes nothing but locks and bars. There should be a continuum of care, from the instant that a person is arrested to the instant of his release.

There should be humane, comfortable de-

tention facilities for those unable to post bail and for the minority—the few hundred accused murderers—not eligible for release on bail. Those who are detained, those who are innocent until found guilty, should have minimum restrictions on their civil rights.

There should be probation, a sort of controlled, monitored release, for guilty persons deemed not in need of imprisonment.

There should be the correctional institution—the prison—for those considered to be in need of vigorous handling. This institution should be capable of performing the seemingly impossible task given it by society of rehabilitating people while punishing them.

And finally, there should be parole, an aftercare operation to assist the prisoner in making the difficult transition from the totally controlled world of prison to the chaotic world outside the bars; from his role as prisoner to his role as productive citizen.

This was not to be in New York, however:

Instead of such a single, centralized system, the administration of the city's correctional affairs has been divided—chiefly to cut the city's costs—between state and municipal governments. But at the price, unfortunately, of bureaucratic entanglements.

"As it turned out, there was so much opposition to control of probation being taken away from the courts—and there still is such opposition—that they decided to leave probation out," McGrath said. "Then, we did have parole, but about a year after I got here the state expressed a willingness to take over parole, at their expense."

"Now, it was an agonizing decision to make. The mayor relied on me very heavily. But I have to say that the State Parole Commission is one of the best in the nation, standards-wise, program-wise, etc. Now, looking at the city's financial situation, I could not see beefing up our parole system to those standards. So, reluctantly, I joined in the dissolution of the empire here, and I let the state take over parole."

"So I am left with prisons."

The problem goes beyond centralization. When McGrath arrived on the scene on March 30, 1966, his institutions held two-thirds sentenced prisoners, those in need of "correction," and only one-third detention prisoners, those awaiting trials and unable to post bail. At that point, McGrath's main job was correction.

But now the ratio has reversed itself—of the 14,000 prisoners in McGrath's care, more than 8,000 are awaiting trial and less than 6,000 are under sentence. Subtract the 2,000 sentenced prisoners who have been transferred to state institutions, and that leaves McGrath with only 4,000 of his 14,000 prisoners to be corrected. Thus most of McGrath's energies necessarily must be devoted to what he calls "warehousing people" instead of rehabilitating them.

By far the most significant result of this reality has been the squeeze which has been placed on the detention prisoners. The Tombs almost always has three men sleeping in cells designed for one. The Adolescent Remand Shelter on Rikers Island is perpetually crowded above its optimum capacity.

This crush will be eased when a new Rikers Island facility for 1,000 adolescents is completed in 1971. There also is a scheme—backed so far by \$200,000 for planning purposes—to build an addition to the Tombs.

The newest building under construction within the system, a new Women's House of Detention on Rikers Island, could provide some obviously needed relief. When the new women's facility opens, within the next few months, this will empty the present house in Greenwich Village. Hundreds of male prisoners could be moved from their overcrowded quarters in The Tombs to this building, which is more modern than most prisons in the state, which is structurally sound, which is more aesthetic than most prisons and

which would cost untold millions of dollars to replace.

But political considerations being what they are, this partial solution may never occur. Community groups in the chic Village area have long made unpleasant noises about having all those unsavory prostitutes and their visitors in the area. And the site of the building at 10 Greenwich Ave. would be worth millions of dollars as an office or apartment building site. Thus, pressure has been applied on City Hall.

Should the Women's House be taken away from McGrath's department, a new building would be needed. That would cost huge quantities of money. But money is in short supply in the department.

Indeed, most U.S. correction departments are hampered by a lack of money in their attempts to develop good systems.

McGrath has schemes for improved detention methods. For example, he is eager to expand work-release programs to include detention prisoners. "That three-in-a-cell business is just horrifying, it's a crime," he says. But, always, a shortage of money prevents plans from becoming realities.

What is a good system? There are as many answers to that question as there are experts.

Mel Rivers, president of the Fortune Society, an organization of ex-convicts striving for prison reform, says the key to correction work is attitudes—the attitudes of the wardens, correction officers and others working within the system. If correction officers are guards, and if the prisons are primarily for punishment, then there can be no real rehabilitation, Rivers says.

The attitudes among some guards are clearly evident. As I toured through the various prisons in the company of a warden or other high-ranking officer, many correction officers we encountered snapped a military salute. "We are a quasi-military operation," one officer said.

"As long as they come on like cops or soldiers, they're not going to be giving off positive vibrations," Rivers comments.

There is one prison in the nation where most of the very latest theories have been put on trial. This institution, which could become a model for all future prison development, is the Robert F. Kennedy Youth Center in Morgantown, W. Va., operated by the Federal Bureau of Prisons.

At Morgantown, there are no bars. The 250 inmates are called students; and the correction officers are called counselors. The students wear civilian clothes (except for newcomers, who wear khakis for a short while after arrival), and counselors wear slacks and blazers.

While the Kennedy center has only been in operation for a couple of years—too short a time to measure its success or failure—federal officials are optimistic that the results will be measurably better than the results of traditional approaches.

The Youth Center is expensive—the daily cost per inmate is \$25, as compared with a daily per-inmate cost of \$9.02 for the New York City Reformatory on Rikers Island. But if boys are corrected in Morgantown and only housed on Rikers Island, who is to say which system costs society the most in the long run?

And that brings us to the final question in the matter of corrections: Can you rehabilitate criminals without rehabilitating the society that breeds criminals? Can you stop a boy from stealing by teaching him a trade, and then send him into a society which stops him from getting a job because he is an ex-con, or because he is black, or poor, or on welfare, or without a high school diploma?

This is how Warden James Thomas of the Adolescent Remand Shelter on Rikers Island summed it up one recent afternoon:

"Rehabilitation? I'll tell you what. If you'll take all these boys, and give each one of them a nice house, and two cars, and

a pretty wife and a few beautiful kids, and a good, challenging job at \$10,000 a year—give them all that, and then I'll promise to rehabilitate at least 80% of them.

"But give them a few classes here, and a little vocational training, and a prison record, and send them back out into the slums of the city, and I'm not making any predictions at all about rehabilitation."

INCREASED FUNDS FOR URBAN MASS TRANSIT

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. EILBERG. Mr. Speaker, Mayor James H. Tate of the city of Philadelphia and president of the U.S. Conference of Mayors, has written to me with his concern over the necessity of providing increased funds for long-term financing of expanded urban mass transit programs and changing of the highway trust fund into a broader and more inclusive transportation trust fund.

Because the issue is so important and so timely, I wish to enter correspondence received from him on the RECORD. The following is a letter from Gov. Francis W. Sargent of Massachusetts to Mayor Tate, after which appears Mayor Tate's response to Governor Sargent. I am certain that my colleagues will be impressed with the information provided. I am also including Governor Sargent's letter to Senator RANDOLPH:

STATE HOUSE,
BOSTON, MASS., July 23, 1970.

HON. JAMES H. TATE,
Philadelphia, Pa.

DEAR MAYOR TATE: I am writing to you in an urgent appeal for your help and support.

On February 11, 1970, I announced to the people of Massachusetts that I was reconsidering much of the proposed interstate highway construction in the Metropolitan Boston area. I did this in order to institute a new era of balanced transportation policy in Massachusetts. It is my conviction that transportation planning must become responsive to the unique needs of each state and not remain rigidly restrictive as some of our present planning has become.

A transportation system performs a critical function in our society; it is woven into the very fabric of our social economic, and even political life. In urban areas, transportation choices significantly influence land use patterns. The survival of many of our viable urban communities depends on transportation decisions. Our environment, in many diverse ways, has also been deeply affected by our present policies. Of great concern to me, in light of our highway-oriented policies and the resulting decay of our urban mass transit systems, is the plight of the poor, the young, the elderly, and other disadvantaged groups. Almost fifty per cent of families earning less than \$3,000 have no car at all; they and many others must rely heavily for their mobility and economic opportunity on the quality and diversity of a region's mass transportation alternatives.

However, all citizens benefit from mass transportation facilities—either rail or bus. Mass transportation service has many environmental benefits; it not only takes less land than highways, but produces less air pollution. Even those who still drive their own cars benefit from reduced congestion.

Unfortunately, our present transportation funding policies do not provide adequate financial support for mass transportation

facilities. And we should not be misled into thinking that this is a problem simply for our large urban areas. Out of the 258 transit systems that have been abandoned since 1954, 208 were in communities of 50,000 population or less. Thus, the problem is national in scope. I feel it is imperative, therefore, that we begin to create a responsive, thoughtful, and balanced national transportation policy.

One solution for our present transportation dilemma is to increase the funds available for long-term financing of expanded urban mass transit programs. Congressional approval of the Mass Transportation Assistance Act of 1969 would be an important step in this direction. This Act has already passed the Senate. The Senate version (S. 3154) provides, among other things, for an appropriation of \$3.1 billion to be allocated over a five-year period. The House Banking and Currency Committee, however, has proposed an increase in the actual appropriations to \$5 billion over five years. The Bill (H.R. 18185) has been reported out favorably by the House Banking and Currency Committee and will now go to the House floor for debate. I strongly urge you to give the House Banking and Currency Committee's version (H.R. 18185) vigorous support in the House of Representatives.

However, passage of this legislation is only a beginning. It has been estimated by the Department of Transportation that 28 to 34 billion dollars will be needed to begin to meet the nation's mass transportation requirements. A significant long-term commitment must be made. The Senate Public Works Committee is now considering legislation to redirect our transportation priorities. I enclose a copy of a statement that I submitted to that Committee.

It is essential that we work for the introduction of greater flexibility into our national transportation policy. Therefore, I appeal to you to help change the Highway Trust Fund into a Transportation Trust Fund. A Transportation Trust Fund will allow funds, heretofore restricted to use only for interstate highway construction, to be employed for highways, mass transit, airports, and railroads. In view of the serious distortion of the nation's transportation development created by the restrictive nature of the present Highway Trust Fund, passage of the Transportation Trust Fund should introduce a new era of responsible and flexible transportation planning.

I know you realize the seriousness of our present transportation problems. Therefore, we must work together and urge other interested individuals and groups to develop, with us, a meaningful solution to this crisis. I hope I will have the opportunity to work with you on these very important matters.

With best wishes,

Sincerely,

FRANCIS W. SARGENT.

PHILADELPHIA, PA.,
August 3, 1970.

HON. FRANCIS W. SARGENT,
Boston, Mass.

DEAR GOVERNOR SARGENT: Thank you for advising me with respect to the efforts to change the Highway Trust Fund into a broader and more inclusive Transportation Trust Fund.

We in the National League of Cities and the U.S. Conference of Mayors, have been working in this direction for some time.

I certainly appreciate your support at the Governor's level.

You may be sure that I will bring this to the attention of our Congressional representatives as well as the staff of the National League of Cities—U.S. Conference of Mayors. With all good wishes and kindest personal regards, I remain

Sincerely yours,

JAMES H. J. TATE,
Mayor.

STATE HOUSE,
Boston, July 28, 1970.

HON. JENNINGS RANDOLPH,
Chairman, Senate Committee on Public Works, Washington, D.C.

DEAR MR. CHAIRMAN: Your distinguished Committee is now considering a subject of vital concern to the citizens of Massachusetts: the need for a single Transportation Trust Fund. In May of this year, I personally appeared before the Public Works Committee of the House of Representatives to testify on this important matter. May I commend you and your Committee for holding public hearings on this subject, and may I take this opportunity to present some thoughts on the need for a Transportation Trust Fund.

We have tremendous inadequacies in our transportation system today—inadequacies which have resulted from short-sightedness in planning for our future needs. To date, highways have dominated our transportation thinking because the Highway Trust Fund has been the dominant form of financial support for transportation. Federal funding policies have restricted Governors and Mayors, in many cases, to the construction of roads. We cannot have a balanced transportation system unless we have balanced funding of transportation programs.

In Massachusetts, we are moving to correct the existing imbalance. I have already submitted to the Massachusetts Legislature an amendment to the state constitution that will permit state highway trust funds to be used for transportation purposes in general. The principle behind this move is simple: funds should be allocated for a particular transportation purpose, not for a particular transportation mode. Funding policies should be flexible, so as to permit state and local governments to select the best option available to them; real decision making should be as close to the local residents as possible. In the past it has been the prevailing practice to limit the expenditure of highway tax revenues to further highway construction. The cost of construction is only part of the overall expense to communities and regions. It should be our obligation to include in any future planning the social costs of these roads as well, including the costs of air and noise pollution, community disruption, housing shortages, and subsequent loss of real estate taxes. General funding for all related transportation purposes is the only answer.

State and local governments should be permitted to incorporate the values and ideas of the citizens of the region when designing transportation facilities and networks. The transportation planning process is one that requires constant experimentation and reevaluation, thus making it desirable that different regions attempt to develop networks that mix and integrate different modes of transportation. For example, if it is governmental policy to support intercity transportation, there should not be separate support for various modes—such as airlines, railroads, and highways. A general intercity transportation funding mechanism should be designed to permit a specific determination of which form is most appropriate in each individual case.

More flexible funding policies on the federal level are essential to permit the construction of transportation facilities to match the unique local transportation needs.

Therefore, I feel that a major element of the Federal Aid Highway Act of 1970 should be increased flexibility. In order to meet the demands of the future, we must recognize the enormity of our transportation problem. We can then begin to meet these demands by liberalizing our funding policies, by integrating modes of transportation, and by recognizing transportation as a public right—inherent in the national character of the American people. Congress can start on this task now, by enacting legislation combining now separate transportation funds into a single Transportation Trust Fund.

Thank you again, Mr. Chairman, for the opportunity to present these views to your Committee.

With best wishes,
Sincerely,

FRANCIS W. SARGENT.

**CONGRESSIONAL MEDAL OF HONOR
AWARDED TO MARINE CPL. WILLIAM D. MORGAN OF PITTSBURGH**

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, we in our congressional district are proud of the honor given Marine Cpl. William D. Morgan for his dedication and devotion to his country, the American people, and his fellow Marines.

William Morgan was born in Pittsburgh, Pa., and attended the Mount Lebanon Elementary, Junior High, and High Schools. In 1966 William Morgan enlisted in the U.S. Marine Corps Reserves. He was discharged from the Reserves in 1967 to enlist in the Regular Marine Corps. In 1968 Corporal Morgan was transferred to Vietnam where he served as rifleman, fire team leader, and squad leader with Company "H," 2d Battalion, 9th Marines, 3d Marine Division. It was during operations in Vietnam that Corporal Morgan lost his life.

In addition to the Congressional Medal of Honor, Corporal Morgan's medals and decorations include: the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal with two bronze stars, and the Republic of Vietnam Campaign Medal.

I am including in my remarks the public statement on the presentation of the Congressional Medal of Honor to William D. Morgan, the citation accompanying the medal, and the background of the Congressional Medal of Honor.

The American people should be proud indeed of Cpl. William Morgan for his gallantry and heroism and devotion to country.

MARINE CPL. WILLIAM D. MORGAN

WASHINGTON, D.C., August 6, 1970 (USMC).—Marine Corporal William D. Morgan was posthumously awarded the Medal of Honor for gallantry in action in Vietnam by President Nixon in a ceremony today.

Corporal Morgan was honored for heroism while serving as a squad leader with Company H, Second Battalion, Ninth Marines, Third Marine Division. He was the 42nd Marine to earn the Medal of Honor in Vietnam.

On February 25, 1969, while participating in Operation Dewey Canyon, one of the squads of Corporal Morgan's platoon was temporarily pinned down and sustained several casualties while attacking a North Vietnamese bunker.

Observing that two of the wounded Marines had fallen in a position dangerously exposed to enemy fire, he initiated an aggressive assault against the hostile bunker. While charging across an open road, hostile fire mortally wounded him, but his diversionary tactics enabled the remainder of his squad to rescue their casualties and overrun the enemy position.

The 22-year-old corporal joined the Marine Corps in Pittsburgh, November 18, 1966,

and went through recruit training at Parris Island, S.C.

Prior to his assignment with the Third Marine Division, Corporal Morgan served a one year tour of sea duty with the Marine Detachment aboard the USS Newport News.

In Vietnam he also earned the Purple Heart and the Vietnam Service Medal with two bronze stars.

Corporal Morgan is the son of Mrs. Helen L. Morgan of 427 Serrano Drive, Mount Lebanon, Pa.

PRESENTATION OF MEDAL OF HONOR

The President of the United States in the name of The Congress takes pride in presenting the Medal of Honor posthumously to Corporal William D. Morgan, United States Marine Corps for service as set forth in the following Citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a Squad Leader with Company H, Second Battalion, Ninth Marines, Third Marine Division in operations against the enemy in the Quang Tri Province, Republic of Vietnam. On 25 February 1969, while participating in Operation Dewey Canyon southeast of Vandegrift Combat Base, one of the squads of Corporal Morgan's platoon was temporarily pinned down and sustained several casualties while attacking a North Vietnamese Army force occupying a heavily-fortified bunker complex. Observing that two of the wounded marines had fallen in a position dangerously exposed to the enemy fire and that all attempts to evacuate them were halted by a heavy volume of automatic weapons fire and rocket-propelled grenades, Corporal Morgan unhesitatingly maneuvered through the dense jungle undergrowth to a road that passed in front of a hostile emplacement which was the principal source of enemy fire. Fully aware of the possible consequences of his valiant action, but thinking only of the welfare of his injured companions, Corporal Morgan shouted words of encouragement to them as he initiated an aggressive assault against the hostile bunker. While charging across the open road, he was clearly visible to the hostile soldiers who turned their fire in his direction and mortally wounded him, but his diversionary tactic enabled the remainder of his squad to retrieve their casualties and overrun the North Vietnamese Army position. His heroic and determined actions saved the lives of two fellow marines and were instrumental in the subsequent defeat of the enemy. Corporal Morgan's indomitable courage, inspiring initiative and selfless devotion to duty upheld the highest traditions of the Marine Corps and of the United States Naval Service. He gallantly gave his life for his country.

MEDAL OF HONOR

The Medal of Honor is the highest award for bravery that can be given to any individual in the United States. In judging men for receipt of the medal, each service has established its own regulations. The deed must be proved by incontestable evidence of at least two eyewitnesses; it must be so outstanding that it clearly distinguishes the recipient's gallantry beyond the call of duty from lesser forms of bravery; it must involve the risk of his life; and it must be the type of deed which, if he had not done it, would not subject him to any justified criticism.

The idea for the Medal of Honor was born during the Civil War as men fought gallantly and oftentimes displayed great heroism. George Washington originated the Purple Heart in 1782 to honor brave soldiers, sailors and marines. From that time until the Civil War, Certificates of Merit and a "brevet" system of promotions were used as military awards. The first military decoration formally authorized by the American Government as a badge of valor was the Medal of Honor for enlisted men of the Navy

and Marine Corps. It was authorized by Congress, and approved by President Abraham Lincoln on December 21, 1861. The medal for the Army and Voluntary Forces was authorized on July 12, 1862.

The medal is awarded "in the name of the Congress of the United States" and for this reason, it is often called the Congressional Medal of Honor. It is only on rare occasions, however, that Congress awards special Medals of Honor. An Executive Order, signed by the President Theodore Roosevelt on September 20, 1905, directed that ceremonies of award "will always be made with formal and impressive ceremonial" and that the recipient "will, when practicable, be ordered to Washington, D.C., and the presentation will be made by the President, as Commander in Chief, or by such representative as the President may designate."

The Navy Medal of Honor is made of bronze, suspended by an anchor from a bright blue ribbon, and is worn about the neck. The ribbon is spangled with a cluster of 13 white stars representing the original States. Each ray of the five pointed star contains sprays of laurel and oak and is tipped with a trefoil. Standing in bas-relief, circled by 34 stars representing the 34 States in 1861, is Minerva who personifies the Union. She holds in her left hand the fasces, an ax bound in staves of wood, which is the ancient Roman symbol of authority. With the shield in her right hand, she repulses the serpents held by the crouching figure of Discord. The reverse of the medal is left blank allowing for the engraving of the recipient's name and the date and place of his deed.

MIDDLE EAST TALKS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. DERWINSKI. Mr. Speaker, the President's persistence may finally produce Middle East peace talks which, if successful, would be a major diplomatic accomplishment.

This point is very effectively discussed in a WBBM radio (Chicago) editorial Tuesday, July 28, which I place into the RECORD:

MIDDLE EAST TALKS

President Nixon is on the edge of accomplishing what seemed like an impossible task only a short time ago. It appears that his quiet efforts will bring about potential peace talks between Israel, Egypt and Jordan.

This has not been a simple job. The President first had to convince the Russians that it was in their best interests not to try and prevent such talks. Convincing the Russians of almost anything is a tough proposition.

Once that was done, the President and his aides had to convince Egypt's President Nasser that he should agree to a cease-fire and one way or another meet with Israel. The same process had to be applied to Jordan and once again to Israel.

All of this does not mean that peace is just around the corner in the Middle East. It involves plenty of risks. Syria and Iraq have refused to recognize a cease-fire. The Palestine guerrilla movement likewise will not accept a cease-fire. Israel is being asked to overlook potential attacks and not strike back at this sensitive moment in history.

It seems to us that there is a germ of a chance that some kind of peace can be produced in the Middle East. We believe that President Nixon is on the right track in his quiet, diplomatic steps toward getting

peace talks started. If those talks should prove fruitless however, it won't be because the President has not tried to accomplish the task.

NATIONAL ECONOMY

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROSTENKOWSKI. Mr. Speaker, on Monday, the executive council of the AFL-CIO began its midsummer meeting in Chicago. At this time the council released a very interesting statement relating to the state of the national economy. I feel that this penetrating analysis clearly describes the economic crisis which confronts us. It offers, I believe, several constructive measures which can and should be implemented to help alleviate the pressures that Mr. Nixon's recessive economic policies have created. I am placing this statement in the RECORD for my colleagues' attention:

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON THE NATIONAL ECONOMY

The worst combination of economic trends continues to plague the American people. Unemployment is rising, the cost of living continues to climb, and interest rates remain close to record levels.

After more than one and one-half years, the Administration's policies have produced an economic recession and extortionate interest rates, while inflation is still not under control.

All Americans are being squeezed by the accelerated rise of living costs—from 4.2% in 1968 to 5.4% in 1969 and about 6% since December. Wage and salary earners are being pressed further by cuts in working hours which reduce take-home pay, and by layoffs.

In June, real spendable weekly earnings of non-supervisory workers in private non-farm employment—over 47 million wage and salary earners—were below year-ago levels for the fifteenth consecutive month. Moreover, the buying power of weekly earnings, after federal taxes, was less than in 1965. Most workers have had little if any gain in the buying power of their earnings in the past five years, after only modest improvements in 1960-1965.

Unemployment started its upward trend in the spring of 1969, as the Administration's tight squeeze on the economy began to choke off economic activities. Between last December and June, unemployment jumped 1.1 million—to 3.9 million or 4.7% of the labor force. While the growing numbers of unemployed are concentrated among unskilled and semi-skilled workers, there have also been increasing layoffs of skilled, technical and professional workers. Twenty metropolitan areas are now classified by the Labor Department as "areas of substantial unemployment"—up from six early last year.

Residential construction has been set back drastically, both by a lack of available funds and by extortionate interest rates. Housing shortages are spreading and the decay of central-city areas continues. Even the pick-up of housing starts, reported in June, leaves the nation only about half-way to the 2.6 million yearly level needed to meet the Congressional goal of 26 million dwelling units in 10 years.

The modest easing of the Federal Reserve monetary policy, after practically no growth in the money supply during most of 1969, has been utterly inadequate to spark a

decisive economic upturn. Moreover, the Administration's hold-down on federal expenditures curbs the needed expansion of sales, production and employment.

Cutbacks of business plans for plant and machinery outlays, in the coming weeks—with accompanying cuts of inventories—can deepen the recessionary trend.

But even if the decline should bottom out during the next several months, as the Administration predicts, unemployment is expected to continue to rise through the remainder of 1970 and into 1971. Moreover, high unemployment is expected to remain into 1972, on the basis of the Administration's own forecast. A major and growing share of the burden of the Administration's economic policies is being borne by wage and salary earners.

There is no substantial rise of economic activities in sight.

A small increase of sales and production, in the year ahead, will be far from sufficient to create the large and growing number of job opportunities that are needed. Productivity is rising and reducing manpower requirements per unit of output. And military production is heading down, without government reconversion plans. At the same time, the normal growth of the labor force of about 1½ million a year is being augmented by returning GIs. Only a decisive and sustained rise of economic activity can create enough jobs for the unemployed and the growing labor force.

The AFL-CIO has repeatedly urged the government to adopt selective, pinpointed measures to curb the specific causes of inflation, without creating a recession and rising unemployment. We have also repeatedly urged the government to plan for a swift and socially useful conversion from military production. If the government had followed such policies, it would have curbed the amount of credit going to the blue-chip corporations for mergers, conglomerate takeovers, gambling casinos and investments in foreign subsidiaries. It would have provided the means for the needed flow of money into housing. It would have provided offsets to declining defense production. And there would have been no tight-money, high-interest rate squeeze on the economy.

But the Administration chose to choke off economic expansion. Instead of selective measures to aid the economy, the Federal Reserve and the Administration chose severe economic restraint. But the Federal Reserve used selective measures to reduce margin requirements for purchases of stock to encourage stock market speculation and to remove the interest rate ceiling on 30-to-90 day bank deposits of at least \$100,000—to aid the banks, the blue chips and the wealthy.

So layoffs and production cutbacks are spreading, while living costs continue to climb. The price structure, as a whole, is now set, so that when sales start to move up, profits will shoot through the roof, as they did from 1961 into 1969.

Last December, Congress granted the President broad authority to curb the specific causes of credit inflation, to impose interest rate ceilings and to expand credit for needed housing, public facilities and regular business operations.

Confronted by the President's failure to use this authority, we urge the Congress, again, to direct the Federal Reserve System to establish selective credit controls, to establish maximum interest rates on specific types of loans and the allocation of credit to where it will do the most good for America. We believe this is a matter of great urgency—to direct the flow of available credit, at reasonable interest rates, into housing, public facilities and the regular operations of business.

We urge the Congress to adopt the legislation needed to require that a portion of such tax-exempt funds as pension, college endow-

ment and foundation funds—as well as bank reserves—be invested in government-guaranteed mortgages to help meet the goal of 26 million housing units in 10 years.

Government action is needed to curb the price-raising ability of the dominant corporations and to curtail the greatly increasing concentration of economic power in a narrowing group of huge corporations and banks. In pursuit of this objective, a thorough investigation by the Congress of the structure of the American economy is long overdue.

The specific causes of soaring pressures on living costs, such as physicians' fees, hospital charges, housing costs and auto insurance, should be examined and practical, sensible measures to dampen these pressures should be developed.

Above all, policies are needed to revitalize the economy—to get America on the road to full employment as rapidly as possible.

If the President determines that the situation requires overall stabilization measures—after the establishment of selective credit controls—the AFL-CIO will cooperate. But such mandatory controls must be equitably placed on all costs and incomes—including all prices, profits, dividends, rents and executive compensation, as well as employees wages and salaries.

The House has already given these powers—with the exception of profit controls—to the President on a stand-by basis. Obviously profit freezes would have to be included to achieve equity if controls are ever imposed.

We need an expanding supply of money and credit, at reasonable interest rates, to stimulate the required expansion of economic activity.

We need the full funding of federal appropriations for such socially vital requirements as housing, education, health care, community facilities and hospitals—and the federal government must establish a public-service employment program to create jobs for the long-term unemployed and seriously underemployed in providing badly needed public services. The soundest way to balance the federal budget is to balance the American economy.

We urge the Administration and the Congress to move immediately to measures that can quickly get America on the road to full employment—with job opportunities, at decent wages, for all those who are able to work and seeking employment.

CORPORATIONS THAT EXPLOIT TAXPAYERS WITH THE CROP PAYMENT PROGRAM WILL BE BUSY CHANGING FINANCIAL STRUCTURE

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. WIDNALL. Mr. Speaker, with faint hope that "a half a loaf is better than none" will come true, I plan to observe the effectiveness of the new crop subsidy limit in the Agriculture Act of 1970, which the House passed August 5.

The \$55,000 limit per crop per year on cotton, wheat, and feed grains is supposed to cut the crop payment program by some \$50 million, but I doubt it. For this estimate presupposes there will be no evasion whatever by the recipients.

The defeated proposal of \$20,000 per producer per year which I voted for,

would have cut the program by \$171 million, period.

The bill as passed gives this definition in section 101:

The Secretary shall issue regulations defining the term 'person' and prescribing such rules as he determines necessary to assure a fair and reasonable application of such limitation: *Provided*, That the provisions of this Act which limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such land are farmed primarily in the direct furtherance of a public function, as determined by the Secretary.

This section 3 of title I is fraught with loopholes. Contrast it with the provision of the defeated Conte-Findley substitute which I supported:

The Secretary shall issue regulations defining the term "person" and prescribing such rules and further limitations as he determines necessary to assure a fair and reasonable application of such limitation and to prevent the circumvention or evasion of such limitation, whether the circumvention or evasion be attempted by means of the subdivision of farms, production allotments or bases thereof through sale or lease, or by other means; *Provided*, That the provisions of this Act which limit payments to any person shall be applicable to lands owned and operated by States, political subdivisions or agencies thereof.

The approved version pales by comparison to the defeated.

I visualize those corporations that are each taking taxpayers for half-million dollars and more a year will shift lands to wholly owned subsidiaries or divisions, claim feed grain would be grown where they claimed wheat once would have been grown and perform all manner of financial legerdemain. Then where one company came to our Department of Agriculture for a \$4.4 million welfare handout, now 27 entities will come to the Department and ask for about \$165,000 each. The 27 will channel their windfall into one conduit and the one company's coffers will again bulge with a \$4.4 million bonanza.

My expectations for side steps such as this are so great and my hopes for cutbacks in the payment program are so faint, that I voted against the Agriculture Act of 1970.

DDT CAUSES MUTATIONS IN RATS

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. OBEY. Mr. Speaker, a recent article in the New York Times indicates that FDA geneticists have found that DDT causes mutations in rats. With little comfort we also learn that scientists consider this discovery "predictable" in light of earlier research which has shown that DDT causes cancerous tumors in animals.

The question remains, Mr. Speaker, do we have the will to do something to prevent the environmental disaster which is also predictable if we continue to allow the release of toxic substances such

as DDT and mercury into our air and our waterways.

The article appears below:

[From the New York Times, Aug. 4, 1970]

DDT FOUND TO CAUSE MUTATIONS IN RATS

(By Nancy Hicks)

The insecticide DDT causes mutations in rat genes, a Food and Drug Administration geneticist has reported. This is the first time that DDT has been found to cause mutations in an intact mammalian system.

The research, conducted by Dr. Marvin Legator, chief of the F.D.A.'s cell biology division was termed "predictable" by the geneticist in light of earlier reports showing that DDT causes cancerous tumors in animals.

All cancer-causing substances in mammals have so far been shown to cause mutations too, and this conclusive finding is a "logical extension" to the body of knowledge on DDT, he said.

Dr. Legator, who performed much of the early research on the cancer-producing potential of cyclamates, reported his current findings last week at a private biological seminar at the Brookhaven National Laboratory on Long Island. A transcript of the session was made available to the press yesterday.

In his research, Dr. Legator used the Dominant Lethal Test, a recently perfected method of detecting mutation-producing agents in mammals.

TESTING PROCEDURE

Each week for eight weeks, he took a new group of at least 10 rats and gave them one relatively large dose of DDT, either orally or by injection. The maximum dosage—80 kilograms for each milligram of rat—should be equivalent to a heaping teaspoon for a 22-pound man.

Once a week for the next eight weeks after treatment, each group was mated with an equal number of females. A few weeks later, the uterus of each female rat was inspected.

If all were well, there would be a fetus present in eight out of 10 cases. In some, there would be scars on the uterus, indicating that a baby had been growing, but that something had interrupted its development and caused it to reabsorb into womb.

Approximately 4 per cent of the fetuses of female rats mated with untreated male rats, used as a control group, reabsorbed. This figure jumped to 13.3 per cent of the fetuses of female rats who had been mated with males treated two weeks before conception.

The two-week period, Dr. Legator said later in a telephone interview, represents the period of time it takes a sperm cell to grow from immature germ tissue to a mature reproductive cell. It was the only week after treatment that showed a significant difference.

The fact that the change—the reabsorption—is seen in the untreated female shows that some change in the genetic structure in the cells of the male took place. Dr. Legator said.

FINDING DISPUTED

Dr. Samuel S. Epstein of Children's Center Research Foundation in Boston, has performed the same dominant lethal test on mice but found that DDT had no mutagenic effects. This species differentiation is quite common he said.

Critics of this method of testing complain that massive doses of any substance will cause ill effects in an animal, but this is not the question, Dr. Legator said.

About 250 substances have been tested using the dominant lethal procedure, and only 4 per cent have been shown to cause mutations in animals, he said. This is true even when the dose is almost strong enough to cause death; either a substance causes mutations, or it does not, he said.

While DDT has been shown to cause mutations in rats but not in human beings, it

should be considered "guilty until proven innocent," Dr. Legator contended.

"If we must err, let us err on the side of the angels. Every known cancer-producing substance, with the possible exception of arsenic, could have been picked up with animal studies," he said.

The use of DDT in this country had been on the decline over the last few years until last fall when studies showing that it caused cancerous tumors in animals caused the Federal Government to severely limit its use.

Since that time, several states have banned it, and several conservation groups have petitioned the F.D.A. and the Department of Agriculture to remove it from the market.

When this failed, the groups filed suit in the United States Court of Appeals in Washington, and the Secretary of Agriculture was ordered to suspend its registration for interstate shipment within 30 days or show cause for not doing so. The case is still in litigation.

ASTRONAUT RECEIVES FRENCH AWARD

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. MILLER of California. Mr. Speaker, I had the high privilege and honor of being present at the French Embassy when the Honorable Charles Lucet, Ambassador of France to the United States, presented the medal of the "Chevalier de la Legion d'Honneur" to Astronaut James A. Lovell, Jr.

The world acclaimed Astronaut Lovell's feat of landing on the moon. It was a "feat" for all the world, and it has had a great effect on the people of the world, unconsciously drawing them closer together.

I commend the excellent speech made by His Excellency, the French Ambassador, on this occasion and I make it part of this RECORD:

ASTRONAUT RECEIVES FRENCH AWARD

It is a great and signal honor for me to present to you, in compliance with instructions I received from the President of the French Republic, the insignia of the "Chevalier de la Legion d'Honneur" and accordingly induct you into our foremost national order.

You know, Commander, that the French people and all French citizens have followed with great admiration, great concern and passionate attention your exploits as well as those of all the astronauts before you.

As the pilot of Gemini VII you and Colonel Borman succeeded in December 1965 in achieving the first space rendezvous. You did even better in November 1966 aboard the Gemini XII when you succeeded in taking the first pictures of a solar eclipse from space.

Then came the period of the Apollo missions. Allow me to tell you very humbly that on December 21, 1968, I was on the Cape where I watched the launching of Apollo VIII, the first manned-space vehicle launched by a Saturn V rocket. I will never forget the spectacular sight of this majestic flight into space. As a regular visitor to Cape Kennedy, I was there again in July 1969, at the launching of Apollo XI, an historical date for men who were to set foot on the moon for the first time in history. Armstrong, Aldrin and Collins are likewise "Chevaliers de la Legion d'Honneur."

To you, my dear Commander Lovell, I wish to say that I and all Frenchmen believe

that the flight of Apollo XIII which you commanded was likewise remarkable and admirable.

You as well as Haise and Swigert, who accompanied you, knew how to face the greatest difficulty men could ever encounter after the two oxygen tanks exploded halfway between the earth and the moon.

We have always admired American achievements and the unbelievable precision of American technique in all occasions. Here, however, something entirely different was involved. The crucial point was not machines, but courage, self-control and presence of mind.

With the help of the Houston Control Center and all NASA services and thanks to its chief administrator, Dr. Thomas Paine, to whom I wish to pay homage, you succeeded in bringing the capsule and its passengers at the right time to the right place under unbelievably dangerous conditions. We were extremely concerned but your calmness and success were incomparable. Half-failures are sometimes greater than victories. You have given us an unforgettable lesson. Even in the exploration of space with the aid of machines, which produced by our industries can nevertheless fail, even as we humans, you have shown that in every situation success is determined by man, his courage and his self-control.

Thanks to your example and the examples of the astronauts who preceded you and of those who will come after you, we know that space can be conquered and explored and that the moon, a planet about which poets have been dreaming, will also be the earth's great suburb and soon the starting point for further adventures.

You have opened to us unprecedented prospects that will arouse our imagination and you have spurred our age-old desire to cross new frontiers. Thanks to you this frontier is now the starry sky.

We must not forget that these stupendous conquests have not changed men's dispositions and infirmities overnight. Conflicts, wars and violence will always be with us. But we know, and let us state unreservedly, that we have only to look to the sky in order to know where our future fate lies, and where final reconciliation among mankind can be effectuated. Space with all its perils now appears to us as the illimitable area for true international cooperation.

You have shown us the way and you have shown greatness in adversity. We thank you from the bottom of our hearts.

Therefore, on behalf of the people and the government of France, whose admiration for you and your colleagues is boundless, I will now utter these time-honored words.

CONGRESSMAN BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. SCOTT. Mr. Speaker, I would like to insert my August newsletter in the RECORD at this point. Since coming to Congress I have attempted to keep constituents informed by monthly newsletters, and the current issue may also be of interest to the membership:

YOUR CONGRESSMAN BILL SCOTT REPORTS

Congressional Recess: Congressional sessions are reaching a point where they are almost continuous but it is expected the House will recess this year for approximately three weeks beginning on August 14 and

continuing through September 8. Because it is an election year, it is also anticipated that we will recess about the middle of October and resume the session after the November election. The House seems to be able to transact business faster than the Senate and this may be because of its far more stringent limitation on debate. A number of House passed appropriations bills remain in the Senate for consideration and this is the primary obstacle to final adjournment. Of course, decisions on scheduling of legislation and the length of sessions of the Congress are made by the leadership of the majority party.

Washington Staff: Mrs. Flo Ellen Hart of Falls Church is another valued staff member in the Washington office. Flo studied English and journalism at West Virginia University and was with the Joint Congressional Committee on Internal Revenue Taxation before joining our staff in 1967. She primarily handles correspondence and research relating to legislation and is knowledgeable about all phases of the office work. Inasmuch as she is married to an attorney, her interest in law and legislation understandably goes beyond her daily chores.

Veterans' Hospitals: The Veterans Administration operates hospitals at Richmond, Hampton and Salem, Virginia. There has been some discussion of the possibility of rebuilding and relocating the Richmond facility known as McGuire Veterans Hospital. The Virginia Department of the American Legion by resolution adopted at its last State Convention expressed some reservation about moving the Richmond facility from its present 183 acre site to a downtown location adjacent to the Medical College of Virginia. I visited both the Richmond and the Hampton facilities a few weeks ago, talked with both members of the staffs and patients and inspected existing buildings. Patients indicated that they were receiving excellent treatment at both facilities and while the staff at Hampton did seem to feel that some modernization was desired, they appeared generally satisfied with this facility. The contrary, however, appears to be true at Richmond's McGuire Hospital and the staff indicated that they were limited in serving the patients by inadequate hospital facilities. The basic question in my mind is whether new facilities should be constructed at the present site; whether a hospital facility for acutely ill patients should be constructed adjacent to the Medical College with the present facility retained for other patients; or whether the entire facility should be moved to downtown Richmond. The Administrator of Veterans Affairs has been advised of the views of The American Legion and my own observations, as has the Chairman of the House Committee on Veterans' Affairs. There is no doubt that more modern facilities need to be constructed in the Richmond area.

D.C. Crime Bill: It is hoped that the comprehensive Crime Bill, recently signed by the President, will lay the foundation for a substantial reduction in crime within the District of Columbia. The bill changes many other aspects of criminal law and procedures in the city of Washington even though emphasis has been given to such features as pretrial detention and the no-knock provision. The bill establishes a new Superior Court, provides for additional judges and court personnel and is expected to speed up the trial of accused individuals. Wire tapping authority is also expanded and defendants over the age of 16 may now be tried as adults for serious crimes.

Although a co-sponsor of the entire bill, the title relating to the transfer of the administration of Lorton Correctional Institution from the District of Columbia government to the U.S. Bureau of Prisons was of special interest. This title was included in the version passed by the House but was

eliminated in conference at the insistence of the Senate conferees. Members of the House District of Columbia Committee, however, have indicated that the Lorton measure will be included in a subsequent bill favored by the Senate, with the thought that the House can exert more influence for its retention.

The 213-page Crime Bill is not a panacea for every problem confronting our capital but, in my opinion, is a reasoned response to a continuous increase in lawlessness. It is expected that state legislatures will examine its contents and adopt a number of its provisions. The House Judiciary Committee has under consideration proposals to extend some of the provisions of this local bill to crimes committed on federal reservations throughout the country and to other instances where federal criminal law prevails.

Airport Policemen's Salaries: Events of recent months have made us all aware of the importance of qualified and well-trained police at our airports. However, at the present time a personnel shortage exists in the police forces at both National and Dulles Airports which could jeopardize the safety of airline passengers and the public alike. This shortage, which results in part from a low pay scale, is critical and must be eliminated. I have, therefore, joined with Congressman Broyhill in sponsoring a bill which would increase these salaries to a scale slightly below that of the metropolitan police.

Quantico: The Department of the Navy has advised that the construction of utilities and barracks buildings at the Quantico Marine Base, having an estimated total cost of \$1,711,000, has been released from the 75% deferral of direct federal construction programs established by the President and it is planned to award construction contracts on these items by next January.

Academy Appointments: Any young men interested in filing an application for the Military, Naval, Air Force and Merchant Marine Academies should contact our office promptly so that an application form may be furnished for completion and filing prior to September 1, 1970, for the academy classes beginning in June, 1971. Applicants must have attained the age of 17 and not have reached their 22nd birthday at time of admission.

The Coast Guard has advised our office that the deadline for submitting applications for the next nationwide competition is December 15, 1970. Appointments to the Coast Guard Academy are tendered solely on the basis of an annual nationwide competition. The age requirements are the same as for the other academies and requests concerning admissions should be addressed to the Director of Admissions, U.S. Coast Guard Academy, New London, Connecticut.

Census Enumeration: We have received a number of complaints from local officials who feel that the preliminary census figures are below their expectations. These have been referred to the Bureau of the Census for consideration. However, as this is being written, we have a letter from one constituent indicating her forms had not been picked up and asking what action she should take. Of course, this may be an exception, but if you know of anyone whose census form has not been collected, please advise them to send it to the Chief, Field Division, Bureau of the Census, Washington, D.C. 20233, in order that it may be checked against the enumeration records. Certainly we would like the census to be as complete as possible.

Equal Rights for Women: The House will soon consider a constitutional amendment guaranteeing equal rights for women. The majority of Members of the House (218) have signed a discharge petition to take the proposal away from the Committee on the Judiciary to which it had been originally referred. On August 10 it will be in order for the House to vote to discharge the Commit-

tee, debate the proposed constitutional amendment and then take a vote. While I have doubt as to the wisdom of this legislation, many women's groups favor it and a vote against it might well be considered a vote against womanhood. I intend to support the measure.

Travel To Communist Countries: Last fall legislation was co-sponsored to give the Secretary of State authority to restrict travel to a foreign country or area by our citizens if the Secretary decided that the country is at war with the U.S., at war with any country, or where insurrection is in progress or where the travel would impair the conduct of U.S. foreign policy. No hearings had been scheduled by the Judiciary Committee to which this bill was referred. I have recently urged the Chairman of this Committee to hold hearings. The need for legislation of this type has been shown by the recent permission given to one of the convicted Chicago Seven who has been allowed to go to Cuba.

Housing Shortage: In order to help ease the critical housing shortage in the country, I have joined in sponsoring legislation which would insure that barriers to efficient construction will be eliminated from local building codes in those instances where homes are being built with Federal money. By eliminating such restrictions on the use of advanced techniques, production of the needed volume of good homes at a lower cost can be realized. This bill, of course, contains safeguards which will make certain that new technology is practical and will provide safe housing.

Publications Available: The following bulletins are available for distribution. Please check the ones you would like to receive and return this slip.

- Guide to Budgeting for the Family
 - Apples in Appealing Ways
 - Clothing Repairs
 - Freezing Combination Main Dishes
 - Home Canning of Meat and Poultry
 - How to Buy Fresh Fruits
 - Keeping Food Safe to Eat
 - How to Buy Meats for Your Freezer
 - Nuts in Family Meals
 - How to Tailor a Woman's Suit
 - Part-Time Farming
 - Storing Vegetables and Fruits
- Name _____
Address _____

A COMPREHENSIVE VIEW OF THE ENVIRONMENTAL CRISIS

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. BURTON of Utah. Mr. Speaker, I believe that my colleagues will find the following finely detailed article by Theodore H. White of great interest because it affects us all. The article documents the past history of conservation movements and describes the intensity of interest presently directed toward improving the quality of the environment. Unfortunately, much of this effort is uncoordinated, complex, overlapping, and underlapping. But the awesome corrective problem faced by the Government in attempting to deal with abuses to the environment remains, I believe Mr. White's article, which appeared in the June 26, 1970, *Life* magazine, needs no further comment:

How Do We Get From Here to There

(By Theodore H. White)

In the dream, it works something like this: The huge hall of Environment Control is lit from above. Operators below press controls and the translucent dome glows with jet streams slashing the Upper Atmosphere, shaping the world's weather. Other controls are pressed and the glow changes color. Now it illuminates the Middle Atmosphere over America, showing regional smog-bearing inversions that may lock over cities within hours. In and out of walls glide panels on which river basins shine with flood-crest warnings or change hue to show rise-and-fall of pollution. Central Energy Control occupies an adjoining hall where lights wink on a giant map as gas, coal, water power and nuclear fission pour their energy into the national electricity grid, swinging from midnight lull to morning peak. At planning sessions Energy Control's panels slide back to show the same grid five, 10 or 20 years hence, marking future power plants designed for maximum efficiency and safety. Nearby, in the Surveillance Center of Environmental Health Services, pesticides, oxides, nitrates, adulterants, all 30,000 chemicals used by industry or everyday life are indexed, cross-referenced, computerized for interactions and contaminations. Over in the Office of Land Use maps show America today and America in 1980, 1990, 2000—open spaces preserved in a system of planned new cities, new industries, new transport nets and free shorelines that must hold the 100,000,000 Americans to be added in the next generation.

In Washington today men who nurse such dreams believe that some day this ultimate National Center for Environment Control will be larger than the Pentagon. The Pentagon protects America from foreign enemies; Environment Control must protect America from Americans, which is more difficult.

But between Dream and Reality falls Politics. No one in Washington opposes the Dream—it is only that no one agrees on how to get here from here. For over a year congressmen and senators, clubwomen and fishermen, flower-children and commuters, students and professors, editorialists and TV commentators have joined to make environment the No. 1 issue on the political fashion parade. The last defenders of smog, sewage, smoke, pollution and noise have hushed. All that remains is for someone to give government to the movement—which is most difficult of all.

"Gouverner," say the French, "c'est choisir"—to govern is to choose. And what Richard Nixon has chosen in the past two months out of the cascade of papers, reports and options before him are the emergency first steps in a master plan for the American environment. What he is about to offer the nation for debate is a program which will raise hard questions: Which committees of Congress must be outraged, which departments of government ripped apart; how much of the political debris of the past is to be discarded immediately? What traditional liberties of initiative and enterprise must be given up to preserve the larger liberty of life for the Americans of tomorrow?

There come rare moments in a President's term when politics and history coincide. For Nixon, in mid-passage of his troubled presidency, such a moment is now. Politically, the last issue of fashion on which he still holds people, Congress and media with him lies in the Great Environment Crusade. Historically, he must seize this moment before it goes the way of the Cause of the Cities, the Crusade for Civil Rights, the War on Poverty. For if he does not make the most of this crest of concern for America's ravaged environment, then time and space may have closed over the nation for good before the next wave comes. Time and space had been

shrinking for almost three centuries before the first ripple of concern began to make a wave in American politics. "Conservation" was the phrase that Theodore Roosevelt used to call American attention to the new condition. In 1890, the census had declared America was entirely settled, it no longer had a frontier. Thus, on coming to the Presidency in 1901, Roosevelt brought politics to bear to preserve for tomorrow the wilderness wonders he had known in his youth. He would preserve, "conserve" it all—unspoiled skies, clear streams, the wildlife resources that were vanishing, from pigeon to buffalo. To this day the Department of the Interior, Roosevelt's chosen agency for the job, bears as its emblem the buffalo.

It was more than saving buffaloes that stirred the next wave of concern a generation later—it was man's own plight. When Franklin Roosevelt became President, the winds of the mid-30s were scouring the dust bowl, while the Mississippi valley, stripped of trees and sod, was flooding uncontrollably. Tree-belt windbreaks, Soil Conservation Service, TVA and CCC all followed in response—to be interrupted by war.

Then, with the war over, the cause of environment was stilled for another generation, and in a spasm of unplanned growth, Americans added half as much again to their population, and as much new production to what they already had as total Russian and German production combined. As automobiles tripled in number, a cocoon of poison fumes began to shimmer over new highways. Cities draped their towers in acrid shawls of smog, lakes bobbed with organic sewage and plastic refuse, blue-claw crabs were vanishing from the coves of the Chesapeake to the Great South Bay, scientists packaged chemicals in foods and poisons in spray cans. And the two natural containers of the environment, the air and the water, finally vomited back on Americans the filth they could no longer absorb. Man, said some concerned observers, was beginning to emulate the gorilla, an animal which defecates in its own sleeping place; but such people were dismissed as kooks.

"When we came in, in 1960," says Stewart Udall, former Secretary of the Interior and the leading environmentalist of the Kennedy-Johnson Cabinet, "not a single new national park had been set aside since 1947, and all but five percent of the country's free coastline was shut off. The Eisenhower administration," continues Udall, "had thought pollution was a local matter. So we all sat there like spectators and watched Los Angeles wrestling with smog—it was their problem. I came in as a classic conservationist—you know, preservation of nature and seashores, of birdlife and wildlife, of endangered species. Then gradually it came over me that man himself was an endangered species, that we were part of the same chain of life as the birds. Only in the last three years I was in office did I see it as a whole piece. We'd erred in thinking environment was simply a matter of managing natural resources. What had to be managed was man himself. We had to have a concept that considers man as the significant focus. We brought the country to an awareness of the problem: Nixon's job is to give it management."

A JUMBLE OF LOBBIES AND FEUDS

In his first week in office Richard Nixon talked of a new environmental agency he planned to set up to think about the lakes, the mountains, the seas. A small-town boy, he had seen Southern California overrun and fouled by people, industry, cities. Now, he insisted, he would come to grips with the problem.

But whenever any President tries to grip a problem, he must come to grips first with the stubborn instruments of the govern-

ment he inherits. Trying to find an overview of this problem, Nixon first deputized White House Aide John Whitaker, a geologist, to come up with an environmental program by early fall. But Whitaker could find general answers nowhere. "I finally had to call up every Cabinet officer," says Whitaker, "and ask them to detach one young man from their office to work with me as a task force to get any kind of picture of what was going on." By fall Nixon had instructed the Ash Council on Government Reorganization to unravel the tangle of overlapping, contradictory agencies and bureaus dealing with environmental action—and the Ash Council came up with a list of 44 major agencies in five major departments inextricably deadlocked in something called the Environment Game. In a few more months the Library of Congress, consulting its indexes, expanded that list to 84 bureaus. And by fall, as politicians rushed to join the environment crusade of 1969, as students clamored for answers, it was quite obvious that there were no simple answers for their two great questions: Why don't they do something about the environment? How did we get in such a mess?

To answer such questions, investigators would have required a three-dimensional chart, with at least seven different kinds of colored ribbons and a stereoscopic viewer to make clear even the simpler relationships of the players in the Environment Game. Beyond this, there was the tangle of lobbies, committees, pressure groups, ambitions and bureaucratic feuds which had to be sorted before one could begin to see the mess clearly.

Almost each of the 80-odd agencies which shared management of the American environment had a history of its own, crusted over with an entrenched lobby, an entrenched congressional committee, an entrenched bureaucracy, each ferociously defending its own prerogatives. Such bureaus had been born variously of a national crisis, a public outrage, a scientist's insight or a President's dream—but all reflected that hoary first principle of American government: when something itches, scratch it.

Some of the scratch marks were over a century old: the Coast and Geodetic Survey dated back to Thomas Jefferson, the Coast Guard to Alexander Hamilton. Each successive wave of concern had left behind, like flotsam on a beach, a tidemark of new bureaus or expanded older bureaus. The Department of Interior, Theodore Roosevelt's favorite tool, clustered the Geological Survey, the Bureau of Land Management, the Bureau of Mines, Fisheries, Reclamation and still others. To the Department of Agriculture, with all its traditional bureaus, Franklin D. Roosevelt had added Soil Conservation, Rural Electrification Administration and others. Eisenhower had set up the Department of Health, Education and Welfare. It now held the Public Health Service, the National Institutes of Health, Bureau of Radiological Health, Occupational Safety, others. The Department of Army controlled the Corps of Engineers. Beyond, freewheeling on their own, were, among others, TVA, the Atomic Energy Commission, the Interstate Commerce Commission, the Federal Power Commission, the Federal Communications Commission.

On top of all these were even newer bureaus. It had been Congress, rather than the press or the Executive, that had first rung the alarm in the 1960s. A trio of outstanding senators—Muskie, Jackson, Nelson—had lobbied the environment ball at the White House and the White House had reacted. Chief among the newer agencies were the Air Pollution Control Administration (located in HEW), and the Water Quality Administration (located in Interior). A perhaps apocryphal story illustrates how the pattern was shaped. Lyndon Johnson, so the story runs, had tried to reach Stewart Udall on the

telephone to talk about a water-pollution problem. Udall doesn't control water, he was told. "Well, he should," said Johnson after a moment's reflection. "Get water transferred to Stu."

Even while Richard Nixon, all through 1969 and early 1970, tried to make sense of the apparatus he was trying to grip, it grew more complicated. As the Environmental Crusade accelerated, politicians wildly tried to stay abreast. Congress, for example, told the Department of Health, Education and Welfare to protect everyday life from the radiation of TV sets, microwave ovens or X-rays—but then it neglected to appropriate money for the task. Environment was a Klondike of gilt-edged, risk-free political issues, and any legislator could score by tacking his name on a bill. At one point, at the end of 1969, an official of the Office of Economic Opportunity telephoned a White House staffer to ask, "Can we get more money for our budget if we prove poverty causes pollution?"

Without clear direction from the top the bureaucracies clashed as they had for years, only more so. The National Park Service (Interior) feuded with the Forest Service (Agriculture). The latter's job was to serve timber and grazing interests while the former sought to keep forests inviolate as nature created them. Health experts at HEW were convinced that hard pesticides like DDT were dangerous not only to birds and fish but also to man. Experts of the Department of Agriculture, however, spoke for the interests of farmers whom pesticides promised high crop yields. A dam the Federal Power Commission might approve was, in the eyes of the Fish and Wildlife Service, an atrocity. Federal agencies clashed not only in Washington with each other, but with mayors, governors, city planners.

THERE'S PLAIN GOLD IN GARBAGE

Where agencies did not clash they overlapped or worse, underlapped. "You can't say all problems fell between two stools," said an investigator of the Ash Council. "Some fell between six stools." Rats, for example, are a menace to slum dwellers in congested cities. Everyone hates rats, including the United States government. But trying to locate command of the Federal Rodent Control program is as difficult as locating COSVN in Cambodia. The war on rats involves Interior (Fish and Wildlife Service), Agriculture (Agricultural Research), Health, Education and Welfare (NIMH and FDA), the White House (Office of Economic Opportunity) and, at last count, no less than six other agencies.

Other larger problems fell nowhere. As early as 1950, government scientists knew Lake Erie was dying. Yet no one was responsible—not the fringe of cities from Toledo through Cleveland to Buffalo which dumped sewage in the water, not the steel industries which poured in acid pollution, not the farmers whose manures and high-nitrate fertilizers drained off into streams that, ultimately, eutrophied the lake. So Lake Erie died because, for 20 years, while all watched and mourned, no controlling branch of government was responsible for averting tragedy.

A traditional government bureau, charged with a specific problem, might attack it with good will and then find itself trapped in the revolving doors of administration. The Bureau of Mines is usually cartooned as the tool of the "interests." In actual fact it swings from decade to decade in response to pressure, with no philosophical guidance whatsoever. BuMines was born in 1910 in response to public horror; almost 3,000 miners a year were being killed by a brutal industry, and the bureau was created, initially, to protect them. In World War II, however, as mineral after mineral became critically short, BuMines became a prospec-

ing agency to find uranium, molybdenum, copper, nickel. After the war, with a glut of minerals, the bureau became an outright marketing agent for the mining interests seeking new outlets and uses for surplus metal. In the past three years Congress has plunged it into the Environment Game to become involved in smoke control, pollution of mountain streams by strip mines in Appalachia, junk automobile disposal and garbage recycling. But each of these adventures tangles the bureau with many other players. In Madison, Wis., for example, the bureau jointly operates with the Forest Service and HEW an experimental garbage disposal plant. The three agencies are trying to separate refuse: paper (a forest product), from organic garbage (a health and rodent threat), from scrap metals (which the bureau sees as treasure trove). Bureau specialists feel cities can make an actual profit out of refuse disposal. "There's just plain gold in this garbage business," said one specialist. "Gold from lost jewelry, silver by the ton from photographic products, metallic iron and aluminum. Even tin cans are useful; we need them for copper processing." But, he continued, even three agencies cooperating are not enough. The real problem of garbage recycling begins with picking it up in city streets, and that is the responsibility of HUD and HEW—who do not want it. "We'd take it gladly, if someone told us to," he continued.

Until this summer, therefore, despite all public, philosophical and political outcry, there has been no one overall managerial plan in America's much-touted effort to pass on a livable environment to her children.

What is about to happen now is a first step in that direction.

"You have to take it step by step," says a White House aide, "and you have to balance the dangers. If we don't do something now, the country is going to hell. And if you try to do too much all at once, the whole apparatus could break down. We could make super-super Department of Environment and Natural Resources, but that would have to absorb Agriculture and Interior, as well as HEW, HUD, and DOT. It would wind up as the Department-of-Practically-Everything. Then there's politics—not only what Congress and the Committees will stand for, but the reaction of business and farming and scientific interest groups. Everyone thinks he can get hurt, or at least squeezed, in a reorganization. So we're doing the maximum we think we can manage, or get away with without throwing Congress into convulsion."

Thus, the first step on the White House drawing boards, after nine months of study, is a new master body tentatively called the Environmental Protection Authority, or EPA. Here will be gathered Water Control and Air Control, Solid Wastes, Pesticides, Radiation Hazards, all torn from present departments or congressional committees and united as a national environmental police force. "You can't separate these agencies," said Amory Bradford, former general manager of the New York Times, who formulated the first recommendations for the Ash Council. "They have to function together. We found that if Air Pollution Control tells a power plant to get fly-ash out of the air, the plant dumps fly-ash in the water; and if Water Quality Control tells us to get the fly-ash out of the water, the plant collects it and makes it a solid waste problem." How effective the new agency will be depends on its chief, for whom a quiet search has begun. The new chief, who will report to the President directly, would have almost dictatorial powers to set continental standards and regulations, vertically and horizontally, conduct common research, bring industries and cities to trial. A weakening could make the new agency another reshuffle of paper boxes; and overbearing chief could aggravate to shock the normal trauma of political surgery.

Bolder in imagination is NOAA, National Oceanic and Atmospheric Agency, which will be set up simultaneously with EPA. Under NOAA's roof, in the Department of Commerce, will be gathered the master sciences to explore the entire fluid envelope of the globe, the throbbing, interacting drivewheels of energy in ocean and atmosphere, which charge and recharge the fundamental batteries of life for all organisms from plankton and pupae to man and mountain goat. Ripped away from the Navy would be its Oceanographic Data and Instrument Centers; from Interior its Marine Mining, Commercial Fisheries and Anadromous Fish; from the Army's Corps of Engineers its Great Lakes Survey; from the National Science Foundation its Sea Grant program of research. These would be joined to Commerce's ESSA (Environmental Science Services Administration) which already clusters the U.S. Weather Bureau, the Coast and Geodetic Survey, and Radio Propagation labs. The surveillance of NOAA's scientists would run from the interior Great Lakes, through the vast continental shelves with their minerals and oil, probably as far as Antarctica.

The first of the new master bodies, the Environmental Protection Authority, would monitor and regulate man's everyday life within the thin membrane of activity scratched by our smokestacks and smirched by our leavings. The second, NOAA, would monitor the global container, the entire hollow of sky and inelastic surface of earth which holds us all from outer space to ocean depths. It would try to learn how man's pollution has already harmed the oceans and affected its life down to bottom ooze, or affected its atmosphere up to the emptiness where NASA and the astronauts take over. EPA would tell men how they must live within the weather and climate; NOAA's function would be to explore, to predict long-range and short-range, what is happening to that environment—and then go on to actually try to change that climate and its weather.

Already in place on the Administration's master plan is, of course, a third body, the Council on Environmental Quality. Up to now the understaffed, 6-month-old council has been a fire brigade, rushed in to pass judgment on a project like the cross-Florida canal, or invited to give quick opinion on the noise effects of the supersonic plane. In the new thinking the council would be the President's eyes and ears for his entire government. Every department and bureau of government—Defense and Transportation, Agriculture, Interior, Housing and Urban Development, and all the others—would have to send their plans to the council to be cleared for environmental impact as they now send such plans to the Budget for clearance on costs.

Beyond these three organs are yet other fancies, not yet programmed on paper: a suggestion that America have a National Energy Council which would absorb the Atomic Energy Commission, the Federal Power Commission and other agencies dealing with total energy needs; a suggestion that America have a National Land Use Board which would absorb the Army's Corps of Engineers, the Forest Service, the National Parks and all others who plan or regulate the use of land for parks, industries, towns or expansion. There is, finally, a suggestion from the Ash Council—rejected for the moment by the White House—that all such resource-oriented agencies be combined for long-range planning in a new Department of Natural Resources. Thus, on the far horizon, would be a system where four major voices replace the present cacophony of 84 bureaus.

For the moment, however, it appears that the Administration will be content if it can master the managerial and political questions its immediate proposals raise. How, for example, can one be sure that one is breaking off "the bureaucratic joints" along the proper

cleavage line: Will the farm lobby let all pesticide control be transferred from the friendly Department of Agriculture to the austere new EPA? Can one satisfy the sports fishermen by leaving trout under Fish and Wildlife in Interior and giving all other fish to NOAA? Or another set of questions: How can one find or train the proper people to staff even present schemes? By 1974 we will need 28,000 air-quality analysts to man planned controls, and today we count only 2,700. Money can be found for training, but training cannot be speeded. "We can get money," says John Ehrlichman, Nixon's chief domestic counselor, "but making the money useful is like squeezing bread through a keyhole."

NIXON WANTS TO BITE THE NAIL NOW

Beyond, rise questions of law and philosophy: Should the Department of Justice create a new division, like its present Anti-Trust Division, to prosecute the environmental offenders brought to court by the EPA? Or do we need an entirely new system of courts, like the Tax Court of the Internal Revenue Service, specializing in the jurisprudence of environment? Or in the name of the safety of a larger mass of citizens, an entirely new philosophy of law, curtailing men's right to move, build, discard as they will.

No one, not even the architects of the present planning, are satisfied with what they must present and debate in the next few months. "In the business of government," says Murray Comarow of the Ash Council, "any movement from hideous to bad is progress, from hideous to fair is spectacular. Some of the ideas we've served up could move things from hideous to somewhere between bad and fair." John Whitaker, the President's man on environment, puts it more bluntly: "We could sit here for three more years and still not come up with a perfect plan. But the job of government is to act. This is our chance to line up the silent majority and the underprivileged on the same side. Nixon wants to bite on the nail now. Politically, this is the time to go."

This Administration is faced with the most difficult problem of domestic government since the New Deal reorganized the economy 40 years ago. No one then could tell what might happen as the bureaucratic gamesmen of that time doodled boxes on paper, drew lines between them, talked "trade-offs," lopped off agencies and added bureaus in a contraption no one was ever quite sure would work. What was at stake was too important for simple administrative patterns to solve: it depended on the politics and spirit with which Franklin Roosevelt could infuse a revolution.

Since then, Americans have seen some great patterns of government thrive and others wither, their vitality dependent always on their connection with the politics and forward thinking of the times. Many once-powerful regulatory agencies of government have been strangled by the simple technical narrowness of their thinking. Divorced from the wellsprings of science or public philosophy, they have become anachronisms or become prisoners of interests they were supposed to control.

Emergency agencies, however, masterpieces of American administrative genius, have flourished. Over and over again, when faced with a national crisis, American government has been able to spawn single-purpose agencies which override all bureaucratic entrapments. The Marshall Plan, which revived Europe, was one such agency; NASA, which reached the moon in its allotted decade, was another; the Atomic Energy Commission was a third spectacular of this genre. But such crisis agencies operate best over a limited time span, reaching a peak of brilliance when the best civilian talent of the nation is recruited by the urgency. Then they fade

as the best men depart, and urgency degenerates into housekeeping.

Now, American politics must entertain Richard Nixon's first major original approach to government in an adventure that must combine both emergency action and long-range housekeeping. Promising to decentralize Washington and return power to local government, he will now propose a system that will enlarge the authority of the Federal Government ven more than did Roosevelt's New Deal. Over the long run, if this new system is to be effective, it must control not only General Motors, but the local garage men who spill crankcase oil in sewers. It must control not only ocean-going tankers and offshore drilling, but beach buggies that ravage sand dunes and pleasure boats that flush toilets in lakes.

The echoes in the White House give one the sense of a politically buffeted President, gingerly but stubbornly balancing inevitable political controversy against options that define real needs. One senses a firming of presidential thinking—his recognition of the inescapable need to impose absolute national standards of control so that no industry can escape its costs by shifting plants and jobs from stern states to lenient states. One senses a groping as he attempts to strike a balance between the zero-limit fanatics on the one hand, those who advocate zero radiation, zero smog, zero pollution, zero population increase in a static future America and, on the other hand, what remains valid in the robust older tradition of growth. There is also the increasing echo of his favorite, personal idea, the new cities program. "You have to see Nixon," said one of his closest aides, "as a man who knows that villages like Whittier, where he grew up, are dead. And as a man who lived in New York for five years, traveling between Wall Street and Fifth Avenue in his limousine, and not liking what he saw. Somewhere in between he has this dream of spreading America out and planting it with entirely new medium-sized cities, not suburbs but planned cities. But that gets you to a national land-use policy, which is a whole other can of worms."

No cool rearrangement of bureaucratic boxes on paper will solve the problem by itself; only a presidential presence and sense of direction can translate today's concern into tomorrow's reality. The game being played is being played on a world scene; in Europe, in Asia, in Russia, men wrestle with the same problem of man's growth in limited space. What must emerge in the next few weeks is not only the first large glimpse of this President's feeling for the nation's future, but also his resiliency in offering the world a style of American leadership it has forgotten.

HOW LONG, MR. PRESIDENT,
BEFORE YOU REPLY?

HON. WILLIAM (BILL) CLAY
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Thursday, August 6, 1970

Mr. CLAY. Mr. Speaker, on July 23, Congressmen STOKES, HAWKINS, and I wrote to President Nixon indicating our concern for the President's failure to give audience to black Representatives or consideration to the problems of black America. We await the President's reply and hope that he will see fit to invite audience with representatives and elected officials of black America.

In our letter to the President, we stated: Since you assumed office, you have traveled to all corners of the earth emphasizing your concern for many problems and pledging

American efforts towards solutions. But you have not come to black America. Race relations have not improved since the request of black Members of Congress to bring their concerns to you, but have advanced to a more critical state. If this country is to enjoy internal domestic tranquility, it is imperative that you have an audience with the legitimate and representative leaders of black America to discuss the grievances of 25 million black citizens. The request and invitation should come from you.

Mr. Speaker, in the July 26 Sunday edition of the New York Times, Mr. Robert B. Semple, Jr. documented the domestic trips of the President. As he follows the President over the country these past 2 years, Mr. Semple points up that the visits of the President do not include any scenes with the black, the poor, or with the students. The allegation that this President is in conscious pursuit of a political strategy which excludes the interests and welfare of black Americans is supported—even in this account of his U.S. travels. It is regrettable that the President's trip to St. Louis did not include even a 10-minute detour through the notorious Pruitt-Igde public housing project—that it did not take him through the streets of poverty which plague our inner city, like others across the Nation.

I submit for the attention of my colleagues Mr. Semple's account of the way Mr. Nixon goes about seeing the "people" and the motives which do and do not play a part in his itinerary:

NIXON: MANY MOTIVES BEHIND ALL THOSE TRIPS

(By Robert B. Semple, Jr.)

SAN CLEMENTE, CALIF.—When Richard Nixon arrived at El Toro Marine Air Base near here a few weeks ago, reporters were astounded to hear him lecture his Senate critics on the virtues of sampling the public pulse. "I think that sometimes the Senate would do better to do what the House does, to get out throughout the country and see what the country is thinking . . . There is sort of an intellectual incest [in Washington] which really reduces the level of the dialogue, and you have to go to the country now and then to get a real feeling of what people are thinking."

What bemused the assembled writers was the fact that these unchallengeable assertions were coming from a man who had been accused of isolating himself from some of the crucial intellectual currents of his time, and whose sampling of the public pulse, that day, had consisted of a speech to 15,000 true-blue members of the Junior Chamber of Commerce in St. Louis and a few chats with servicemen at scattered military bases.

The President's peripatetic ways have become more pronounced in recent weeks, but the two-fold rationale advanced by his associates when he first started traveling last year remains the same. First, they say, these trips give him a good reading of the public temperament. Meanwhile the people themselves get to see government in action on a first-hand basis, an argument that has also been used to justify the creation of the Western White House itself.

"Government is not an exclusively Eastern institution," Herb Klein, the President's director of communications, once told a reporter. "The San Clemente operation gives Westerners a symbolic share in the business of government, pulling West closer to East and unifying the nation."

SOME SKEPTICISM

All this is now part of the litany of the White House, and while nobody in his right mind faults the President for traveling or for rooting in such a lovely place as San Clemente, there are a few skeptical souls who wonder whether the official litany is (A) nothing short of ridiculous and (B) really necessary to justify what should by all rights be an incontestable Presidential prerogative.

It is not, for example, unfair to ask whether it is possible to grasp what "the country" is thinking when the country, insofar as the President has seen it in the past six months, has consisted of the cream of Philadelphia society gathered for a tribute to Eugene Ormandy; 10 city mayors gathered for a symbolic Urban Affairs Council meeting in Indianapolis; the employees of the Hanover sewage treatment facility near Chicago; 50,000 folks gathered for the Billy Graham Crusade in Knoxville; 15,000 Jaycees in St. Louis; the members of the Appalachian Regional Commission in Louisville; and the crowd packed into Cincinnati's Riverfront Stadium for baseball's All-Star Game.

One could not find in any of these peaceful, deferential, and sober assemblies much evidence of the blacks, the poor, the students or, for that matter, the wealthy and the powerful.

A FEW HANDSHAKES

When pressed, White House aides will concede that the President really doesn't do much talking to the "folks" and the security situation and the demands of his schedule in fact make it impossible for him to do more than shake a few hands. They contend with some justification that the conferences with the mayors and governors are useful exercises.

What they will not concede, however, is that there is anything even remotely political about the President's travels, not to mention the places he travels to. Yet there are many who believe that what he is really trying to do is consolidate his grip on "Middle America," and when one examines his recent itinerary this is hardly an unreasonable conclusion.

With the exception of the Ormandy concert in Philadelphia, an unscheduled New York City dinner to mollify disgruntled French President Pompidou, and a quick trip to Houston to decorate the Apollo 13 ground crew, all the places he has seen since January were winners for Mr. Nixon in 1968: Indiana, Tennessee, Missouri, Kentucky, Ohio, North Dakota, Utah and, of course, California, where he clearly hopes to reestablish his identity as a Californian—a sometime thing in the past—and improve on the slim margin by which he carried the state two years ago.

Mr. Nixon himself revealed more than his aides are willing to admit in a wholly honest admission of political motives during his arrival remarks in Louisville week before last: "I remember my many visits all over this state," he said. "I am also well aware of the many warm receptions we have received, and although this is not a political visit, every time I have been on the ticket Kentucky has come through for us and I have appreciated that."

There have been other indications that Mr. Nixon is not merely flying around the country for his health or intellectual enrichment; and, given the political quotient of his itinerary, there has been occasional grumbling about costs. It is not cheap to ferry about half the Cabinet in a Boeing-707, and it is an admitted fact that the Western White House alone costs taxpayers about \$250,000 in fixed installation expenses, and well over \$100,000 in annual operational costs.

PRESIDENTIAL RIGHT

The irony, of course, is that the grumbling would be less intense if the White House

did not claim so much for its voyages or tell so little about their true purposes. There are many good and simple things accomplished when the President hits the road. People appreciate the fact that the Government is coming to them, even if it is only a small slice of the Government and their exposure to it fleeting indeed. The President can unlimber his rhetorical muscles—to wit, his plea in St. Louis for national reconciliation. He learns something, and he usually gets a well-earned rest.

Beyond this, the President was quite right when he observed that Washington breeds a kind of "intellectual incest" worth escaping from. But the point is that the means of escape are not provided by the canned and docile audiences of servicemen and Nixon voters which are routinely served up to him. The President escapes and educates himself through the simple physical fact to getting away from it all.

One example will suffice. Herb Klein once argued to a reporter—his claims were corroborated by subsequent inquiry—that the President really got excited about the pollution issue during a San Clemente trip last August when he and Bebe Rebozo, his longtime friend, took a leisurely, unplanned automobile ride down the California coast and suddenly discovered the terrible ecological damage that human beings had done to their environment since Dick Nixon was a boy in Yorba Linda.

A revelation of this sort is what getting out of Washington it all about—more important to the nation and probably to the President himself than all the rhetoric about unifying the nation with a portable Presidency, which his aides eagerly claim, and the political benefits of his travels, which they do not acknowledge.

The following is a list of the principal trips President Nixon has made around the country since taking office, exclusive of those to Key Biscayne and San Clemente, (although some of the stops were made en route to and from those vacation retreats).

1969

Kansas City, Mo., March 21, to see Harry Truman.

Abilene, Kan., April 12, for funeral of Dwight Eisenhower.

Norfolk, Va., April 26, to crown Tricia queen of the Azalea Festival.

Columbia, S.C., May 3, to see former Gov. James Burns, Louisville, Ky., for the Kentucky Derby.

Madison, S.D., June 3, for dedication of Karl E. Mundt Library at General Beadle College.

Colorado Springs, Col., June 4, for commencement address at Air Force Academy.

San Francisco, Aug. 21-22, for meeting with South Korean President Park.

Colorado Springs, Sept. 1, for National Governors Conference.

U.S.-Mexican border, Sept. 8, for Amistad Dam dedication; Gulfport, Miss., to view Hurricane Camille damage.

New York City, Sept. 18, to address U.N. General Assembly.

Roanoke, Va., Oct. 28, to campaign for Republican candidates.

Morristown and Hackensack, N.J., Oct. 29, to campaign for Republican candidates.

Cape Kennedy, Nov. 14, for Apollo 12 launch.

Fayetteville, Ark., Dec. 6, for Texas-Arkansas football game.

New York City, Dec. 9, for Football Hall of Fame dinner.

1970

Northampton, Mass., Jan. 9, for birthday party with Julie and David.

Philadelphia, Jan. 24, for party for Philadelphia Orchestra and conductor Eugene Ormandy.

Indianapolis, Ind., Feb. 5, for urban affairs

meeting with small city mayors; Chicago for reception by Mayor Daley.

Chicago, Feb. 6, to view new water purification plant.

Houston, April 8, to congratulate NASA workers; Honolulu to greet returning Apollo 13 astronauts.

Knoxville, Tenn., May 28, for Billy Graham crusade.

St. Louis, June 25, for Junior Chamber of Commerce convention.

Louisville, Ky., July 14, for Appalachian regional meeting; Cincinnati for All-Star baseball game.

Fargo, N.D., July 24, for meeting with North Plains Governors; Salt Lake City for Pioneer Days Rodeo and meeting with Mormon leaders.

PUBLIC DEMAND FOR CONSUMER PROTECTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROSENTHAL. Mr. Speaker, the public demand for more effective consumer protection from the Federal Government is growing. It is imperative that Congress enact significant consumer legislation this session to reduce the inequities of the marketplace that are plaguing the general public and making the present inflation even more onerous. The following August 5 New York Post editorial is one of many which recently have directed themselves to the issue and recognized the importance of congressional action:

SHOPPER'S SPECIAL

Perhaps the only good thing about inflation and rising prices is that shoppers are now more insistent on quality and performance in the products they buy than ever before. This new public awareness has not been lost on members of Congress in this election year, and suddenly there appears a solid chance to obtain strong consumer protection legislation.

A bill sponsored by Reps. Rosenthal (D-Queens) and Dwyer (R-N. J.) has been reported out of the House Committee on Government Operations and should reach the floor sometime early next month. It provides for an independent Consumer Protection Agency in the Executive Branch and an Office of Consumer Affairs in the White House. Consumer crusader Ralph Nader calls the measure "the most important consumer legislation ever considered by the U.S. Congress."

Over in the Senate, the outlook is also encouraging though a little less certain. Liberal Republicans on the Senate Government Operations Committee—Sens. Javits (N.Y.), Percy (Ill.) and Mathias (Md.)—have been hedging on a bill similar to the House measure. Apparently sensing an opportunity to clean up their spotty report cards from the White House, these Senators have tried to shape the bill more to the form of the Administration's original consumer protection legislation, denounced by most consumer advocates as a sell-out.

In their defense, the GOP liberals argue that they are striving to produce a bill which will not be so objectionable to the White House that Administration officials will hamper its effectiveness once it is law. Sentiment in the Senate is overwhelmingly in favor of a forceful consumer bill, so the committee has become the key theater of action in the over-

all battle. This is no time to be timid in pressing for the toughest measure possible to protect shoppers from untested products and marketplace malpractices.

THE STORY OF STANLEY LADD

HON. JOHN BRADEMAM

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. BRADEMAM. Mr. Speaker, one of the leading figures in the congressional district I have the honor to represent is Stanley J. Ladd, who has served as president of the St. Joseph County, Ind., AFL-CIO Council.

Although Stanley Ladd is a dedicated member of the American labor movement, he has been equally dedicated to the principle that the men and women of organized labor must demonstrate their concern for other community and national problems beyond those that directly affect working men and women.

Mr. Ladd has, therefore, won a position of respect in his home community on the part of every segment of the citizenry.

I recall with particular vividness my own work with Mr. Ladd in the difficult weeks and months immediately following the shutdown in late 1963 of the Studebaker automotive plant in South Bend. Mr. Ladd joined other area leaders in coming to Washington to meet with officials of the executive branch of the Federal Government and those of us in Congress who were working to help meet some of the problems posed by this event.

Mr. Speaker, I am pleased to pay this tribute to Mr. Ladd and to insert at this point in the RECORD the text of an article by Ray Gregg, business writer for the South Bend Tribune, "The Story of Stanley Ladd," published in the South Bend Tribune of Sunday, August 2, 1970:

THE STORY OF STANLEY LADD

(By Ray Gregg)

For 30 years or so, Stanley J. Ladd has devoted his time, of which there is not enough, and his talents, of which there are many, to organized labor and to community service.

And to set the record straight, there is no division of loyalty in these endeavors, which at times may appear to give Ladd a kind of split personality.

"My position has been," he explains, "that what is good for the community is good for labor."

This is a refreshing paraphrasing of the statement of a well-known automotive executive who asserted some time back that what was good for his company was good for the rest of the country.

For Ladd, a good community is his primary concern, and organized labor thereby is the beneficiary.

For the automotive executive, big business and its well-being was of primary concern if the nation were to realize its growth potential.

THE EARLY YEARS

While the 1970 Ladd is much like the 1960 Ladd, there is a distinct difference from the 1950 Ladd and a much wider gap from the Ladd in 1940 who was beginning to show an interest in the affairs of Bendix Local 9, of which he was an early member.

There is no comparison between the 1970 Ladd and the 1930 Ladd. He has made the best possible use of the intervening years to know himself, educate himself, apply his abilities to the best advantage and express sincerely his concern for his fellow man.

But Ladd, even with the unique aspects of his personality, is only one of many labor leaders who have matured with the labor movement since the 1930s, when the Great Depression and impossible working conditions gave birth to industrial unionization.

As president of the St. Joseph County AFL-CIO Council, Ladd observes with pride, "We've got the smartest group of local union presidents we've ever had."

"The big majority of them is fully aware, as am I that what's good for the community is good for labor. For years, the big international unions, like the United Auto Workers, of which I've always been a member, have sought through continually expanding educational programs to instill the concept of community service."

REUTHER LINK

Ladd's thinking reflects much of the philosophy of Walter P. Reuther, longtime president of the United Auto Workers, who recently was killed in an airplane crash.

Closely associated with and a personal friend of both Walter and May Reuther, who met death with her husband, Ladd led the Bendix Local 9 delegation at the 1947 UAW international convention in all-out support of the Reuther ticket and Reuther's election to the presidency.

Ladd, with Reuther, remembered the breadlines of the 1930's, the meager wages, . . . if a man were fortunate enough to get a job . . . the times when a worker might get his fingers severed in a machine and be fired without workmen's compensation.

There could be little surprise that the emerging unions were militant. In reflection, who now could oppose Reuther's desire to want workers to have something to show for their years on the job—security when it was time to retire, good education for their children, medical services when they were ill?

Ladd attended every UAW international convention when Reuther was president. But a time came when Reuther made a decision with which Ladd could not agree: the withdrawal of the UAW from the AFL-CIO.

"I think it was one of the greatest disappointments of my life when this happened," recalls Ladd. "I believe that the house of labor should have remained unified. The withdrawal of the UAW not only was costly in terms of financial support but also it tended to weaken labor."

With the departure of the United Auto Workers from the AFL-CIO, Ladd might have been forced to give up the presidency of the St. Joseph County AFL-CIO Council, which he had held since the merger of the American Federation of Labor and the Congress of Industrial Organizations became effective in Indiana in 1958.

However, he previously had become a member of Local 1686, Federal Labor Union for Office Workers, and the affiliation enabled him to retain his AFL-CIO membership and his county leadership in labor. Before his election as AFL-CIO president, he had served as president of the St. Joseph County CIO Council since 1951.

"I was as militant and aggressive as the rest when I first got into the labor movement," Ladd remembers. "But management had the same ideas, too."

"In the old days, the only way labor and management knew how to bargain was with a ball bat. We still have our differences—and big ones at times—but we've found we can do a lot more with words than with clubs."

1949 STRIKE

Even as late as 1949, Ladd was not too reluctant to look the other way when clubs appeared. That was the year when, as president of Bendix Local 9, he led 7,500 employees of the Bendix Products Division on a 72-day strike. Feelings were bitter, and the Bendix plant premises were like a tinderbox.

But words, not ball bats, finally resolved the issues. From South Bend, the scene of negotiations shifted to Indianapolis, where Gov. Henry F. Schricker tried to mediate the differences between Ladd's bargaining committee and Millard E. Stone, Bendix Products director of industrial relations, and his team.

After Gov. Schricker's attempts failed, a call came from Washington, interested because of Bendix's defense contracts. An Air Force plane took the negotiators to Washington, picking up Reuther in Detroit on the way.

The issues were resolved and the agreement was ratified by the union membership after 18 hours of down-to-earth bargaining in the Pentagon offices of Air Force Secretary W. Stuart Symington.

But out of the 1949 strike, Ladd gained a new appreciation of community co-operation. Two years later, he and his erstwhile opponent, Stone, lined up on the same side of the fence and undertook to help in re-writing the constitution and bylaws of the United Fund.

"Our work together on this project enabled both Mr. Stone and me to gain a better understanding of each other as well as to gain a deeper insight into the community as a whole," says Ladd.

"It was one of the outstanding experiences of my life, and I shall never forget it."

COMMUNITY SERVICE

Ladd never has forgotten it. He was a charter member of the United Fund and has been a director of it and its parent organization, United Community Services, since 1951. In 1960, he was elected president of the United Fund, the fifth leader in the country to be awarded such a distinction.

The United Fund and United Community Services has not been a one-year or even a few years' job for Ladd. Every year since 1952, he has received a United Fund Award for Outstanding Services to the Community. He has been a campaign chairman, labor participation chairman, a member of the executive board and a vice-president.

Born in Detroit in 1910, Ladd moved to South Bend with his parents as a child, attending grade school here and graduating from South Bend High School, phased out this year as Central High School.

This was the extent of his formal education, although he has attended AFL-CIO and UAW summer courses at Purdue University and Indiana University on union activities, community service and political action. He also attended the UAW Time Study and Engineering School in Detroit.

But what Ladd has lacked in formal education, he has made up in his ability to assimilate knowledge and his boundless energy. His working day can begin with a telephone call any time after he arises at 5 o'clock. He usually is at his office in the Marycrest Bldg. by 6. The day ends when the work is done, most of the time late at night.

ONE-MAN OFFICE

Because of the limited finances available, Ladd has no office staff. He answers the telephone himself and writes his own letters. When he is off to a meeting, which can be at any time of the day or night, the office is unattended.

"If it wasn't for the fine co-operation I get from international unions as well as

from the national and state organizations of the AFL-CIO, there are many things that wouldn't get accomplished," notes Ladd.

Ladd says that an understanding wife helps, too. His understanding wife and volunteer helper in many projects is the former Zelma (Sally) Vaerewyck, whom he married in 1940. They have two children, Mrs. Marion Louise Hess, and Thomas Lee Ladd, and two grandchildren.

"My wife and children keep telling me to slow down, and I try to, but there always seems to be something to take care of or a meeting to attend.

"Mostly I'm able to grab a little rest at odd times during the day. If nothing is too urgent, we sometimes can spend a little time at our cottage at Indian Lake. But there's no time for long vacations."

The St. Joseph County AFL-CIO Council, like all other AFL-CIO central bodies throughout the country, is supposed to have a staff of paid workers to give "service to the membership of the AFL-CIO over and above the service a local union can give."

Ladd adds, "Unfortunately, the St. Joseph County AFL-CIO Council has only one full-time staff member. That's me."

As the only one of the staff, he is expected to:

Answer all telephone calls, regardless of time, day or night.

Receive and answer all communications.

Do all the typing of letters, plus stencils.

Operate the mimeograph and the address machines.

Prepare and turn out all meeting and special bulletins, as well as those requested by local unions, especially small locals that are short on funds.

Answer "all questions asked of you," from pollution, to taxes to community needs. "If you don't have the answers, find them."

In this regard, many hours of research at times are required, either by writing to the state or national AFL-CIO, going through the files of public and newspaper libraries, checking with local, state or national government agencies, or inspecting the council's files.

"After questions are answered," Ladd points out, "many times a solution may be needed for the problem that exists. Again, it is the duty of the staff to find the solution."

ADDITIONAL RESPONSIBILITIES

If the foregoing agenda isn't enough to keep Ladd busy, here are a few other items to be taken care of:

The Council must be prepared at all times, if called on, to sit down and not only help draw up a local union agreement but also help negotiate it, as well as draw up a local union's constitution and bylaws.

The Council, through its president, must keep abreast of every movement in the community and be ready to take labor's position on any issue.

The president must be, in effect, a lawyer, a counselor, a time study expert, a physician, a research director, a politician and analyst, a Social Security adviser, a parole sponsor for some member or some member's child who may have gotten into trouble, a character witness, a typist, a bookkeeper, an office worker and a machine operator.

Would you want to take over Ladd's job now? There's more to it:

The president must accept all speaking engagements. Since the Council does not have a speech writer, the president writes his own. He must speak to some 20 high school classes a year, plus Junior Achievement, plus social functions, plus union meetings, ad infinitum.

The Council must provide grade, high school and college students with union material, as requested, besides having a staff member available for interviews by students working on such projects as these on labor.

The president must work with all agencies trying to induce industry to move to the area.

NEW INDUSTRY

In this field, Ladd was a staunch supporter of the original Committee of 100 in its efforts to attract new business to the South Bend-Mishawaka community.

Later, he expressed disagreement with the organization's program as not aggressive enough and not oriented in the right direction. The Committee's functions, with additional projects, now are conducted by the Industrial Council and the Council for Economic Progress of the South Bend-Mishawaka Area Chamber of Commerce.

Despite the continuing efforts to bring new industry to South Bend, Ladd, with other labor and civic leaders, has noted reluctance on the part of several major companies to establish operations here.

"However hard we try, our endeavors seem to reach a dead end eventually with the persistence of a so-called bad labor-management relations image in the community," comments Ladd.

"Somebody—and I wish I could find out who he is—apparently is responsible for spreading these reports for his own particular purpose.

"Sure, South Bend was the scene of the first sitdown strike (Bendix in the 1930s), but that's long past. There've been other bitter labor-management disputes, too, but no more than the average, and perhaps less, in other cities of our population group."

Ladd says that the next time the Chamber of Commerce has a good industrial prospect, he'd like very much to be able to talk privately with representatives of the company and let them know of the concern that organized labor has for the future of the community.

To continue with Ladd's list of duties:

The president must attend all U.S. House or Senate committee hearings in the area or even outside the area, if requested by the AFL-CIO state or national organization.

The president must appear before the State Legislature and its committees when they are considering labor legislation.

The president is expected to lead all legitimate fund-raising drives in the labor community, such as the United Fund or hospital development.

If asked by the AFL-CIO director, the president must help to organize any unorganized plant or shop in the area.

The president must help in all AFL-CIO strikes on call by the international union involved.

This last mandate brings to mind Ladd's role in settling a two-year strike a few years ago by members of a local union of the International Union of Electrical Workers employed by Lock-Joint Tube Co. here.

After the dispute had dragged out endlessly with no apparent moves toward settlement, international officers of the IUE asked Ladd to intervene. He went to the bargaining table with local union representatives and the late Joseph Woodka, Lock-Joint president. With the help of attorney Nathan Levy, an agreement was hammered out in a 20-hour session.

COMMUNITY SERVANT

There is one more order which the national AFL-CIO directs to its county presidents. They must serve on as many community agencies, committees and commissions as possible.

So, Ladd not only is a member but also is active in at least 30 groups on national and local levels, ranging from the St. Joseph Valley Regional Institute of the Indiana Vocational Technical College Board to the Labor-Management Commission of South Bend-Mishawaka and the board of Michiana Public Educational Broadcasting Corp.

Ladd's business and volunteer work takes

him everywhere and at about any time. For example, he was a member of the delegation that went to Milwaukee to present South Bend's All-America City application. His presentation to the jury was credited with being substantially instrumental in bringing the award to South Bend.

"I believe it's a great community and that South Bend and Mishawaka have great community leaders," declares Ladd. "I believe these things deep in my heart, and I want other people to know about them." Again, Ladd was among the community leaders who worked long and hard hours after Studebaker Corp. shut down its automobile manufacturing plant here at the end of 1963.

"My feeling is that the community leadership is tops," says Ladd. "There always are people available who want to do something. This probably was best demonstrated in the Studebaker closing, when we all worked together—business and labor—without asking or caring about anyone's identification."

Ladd remembers the occasion when he, with Louis Tiedge, area industrial relations director for Bendix, and Eli D. Miller, general manager of the South Bend-Mishawaka Chamber of Commerce, went to Washington to attend a national conference of the Federal Mediation and Conciliation Service. The three made up the only combined labor-business delegation at the meeting.

"After we had explained the purpose of the Labor-Management Commission of South Bend-Mishawaka and our co-operative efforts to improve labor-management relations," observes Ladd, "a labor delegate from Alabama appeared to think I was doing labor a disservice by working with management to solve community problems."

"I told him that Eli Miller or Louis Tiedge had no intention of joining a labor union and that I certainly had no intention of joining the Chamber of Commerce or becoming a Bendix executive."

"Further, I told him that any South Bend-Mishawaka community problem is just as much labor's problem as management's and that we worked together as people who shared an interest in total community development."

Ladd almost, but not quite, got back to his baseball bat days before winding up his indictment of the Alabamian in a few well chosen words.

He recalls declaring, "Don't ever come to South Bend or Mishawaka with your biased views, or Mr. Miller, Mr. Tiedge and I will take great pleasure in joining forces to run you out of town."

CRITIC OF COMMUNISM

Ladd is no witch hunter, like a late senator from Wisconsin, but any intimation that Communists are trying to infiltrate labor's ranks can arouse his anger much more quickly than a bullheaded management negotiator at the bargaining table.

The latest object of his wrath was a pamphlet directed to labor union members, which called for a "National Rank-and-File Action Conference" in Chicago.

"It's not the statements made in the pamphlet so much, although I disagree with some of the intent, but it's the names of the so-called sponsors," noted Ladd. "I know many of them to be out-and-out Reds."

The pamphlet proclaims that the conference proposes "to defend trade unions against attacks from government and corporations . . . to defend the right to bargain and strike . . . to defend the membership right to ratify contracts . . . to defend and advance the rights of black and all minority workers . . . to build rank-and-file power . . . to get labor moving . . . to take the offensive against racism, inflation and corporation attack, for economic well being for all . . . to end the war—to get out of Asia."

HONORED CITIZEN

There hardly has been a local civic project of any consequence in the last 25 years or so in which Ladd has failed to play an active role or express either his personal views or those of his constituents. It began when he was serving his apprenticeship as a steward in Bendix Local 9 in union and community affairs.

It has continued more strongly than ever since the night of April 5, 1956, when Ladd was invited to the Indiana Club by Elmer Wiseman, general secretary of the YMCA, on the pretext he was to attend a community service meeting.

It was a surprise party, instead. When Ladd walked into the hall, he received a standing ovation from the 300 persons present—union members, executives in business and industry, civic leaders, governmental officials.

To climax the ceremonies, Paul D. Gilbert, a civic leader himself, presented Ladd with a clock on which was engraved, "In Appreciation to Stanley Ladd, Honored Citizen of South Bend."

Gilbert, then president of the Committee of 100 of South Bend and Mishawaka, organized to bring new industry here and help existing industry, told the guests that Ladd "has won a lot of things for labor but in return he has seen to it that labor has fulfilled its obligation to the community."

And Gilbert added, "Today, because of his vision, there are leaders of organized labor participating in every worthwhile civic activity."

"United Fund goals are met, hospitals are built, other drives are successful and many things are happening to prove that here in South Bend and Mishawaka labor and management are partners in progress."

IMPORTANCE OF THE NIXON-DIAZ ORDAZ-ECHEVERRIA MEETING

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. ROYBAL. Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD at this point a very thoughtful editorial entitled, "Importance of the Nixon-Diaz Ordez-Echeverria Meeting," which appeared in the Sunday, August 2, edition of the newspaper *Diario Las Americas*.

The editorial stresses the vital importance of continued good relations with our sister American Republics to the south, and particularly with Mexico, our immediate neighbor, with whom we share a common border.

I was especially happy to read such a forward-looking editorial appearing in a newspaper of the stature of *Diario Las Americas*, since it is the only inter-American newspaper printed in Spanish in the United States with national and international circulation. It is published daily in Miami, Fla., by two brothers, Francisco and Horacio Aguirre.

The editorial follows:

IMPORTANCE OF THE NIXON-DIAZ ORDAZ-ECHEVERRIA MEETING

Recently, following a visit to the President of the United States by the Mexican Ambassador in Washington, Licenciado Hugo B. Margain, the White House announced President Nixon's decision to go to that neighboring country accompanied by his wife. Un-

doubtedly, this presidential announcement has significant importance for Latin America inasmuch as it points out the personal desire of the American Chief of State to travel to a country of that important region of today's troubled world. As it happens whenever a Chief of State travels, his presence will provide the opportunity, in this case an exceptional one, for an exchange of views not only with the current President, Licenciado Gustavo Diaz Ordaz, but also with the President-elect, Licenciado Luis Echeverria.

The United States-Mexico border is, as we have said at other times in this same editorial column, the number one border of this great country in relation to two hundred forty million inhabitants who in Latin America follow whatever happens there as reflection of what can be expected in the practical relations of the United States with the rest of the Hemisphere. We mention the border because in it there exist latent problems that have recently been worsened by the dissolution of the Mexico-United States Friendship Commission by the latter nation, for the way in which the operation "Intercept" is applied, and for the investigation that, upon President Nixon's request, has conducted the Tariff Commission of the United States Congress, that has threatened to revoke "Sections 806.30" and "807.00" of the import tariffs of this country. Such revocation would affect one hundred sixty-five assembling plants existing along the border and which employ nineteen thousand Mexican workers, whose wages mean for them an income of approximately seventeen million dollars annually.

Against the possible negative impact of the preceding, we must point out as a definitively positive fact on the part of President Nixon's Administration, the appointments of Messrs. Hilary Sandoval, Jr., as Administrator of the Small Business Administration; Martin Castillo, Chairman of the Cabinet Committee on Opportunities for the Spanish-Speaking; Antonio F. Rodriguez, Coordinator, Special Activities of the White House for the Spanish-Speaking; and Carlos Villarreal, Administrator, U.S. Urban Mass Transportation. All these high and influential officials are of direct Mexican descent and surely will advise President Nixon on the plans of his visit to Mexico.

President Nixon will have the opportunity to discuss some important matters bearing on the relations between the United States and Mexico, and certainly on the inter-American relations also, with the present and the already elected future President, from which it is to be expected there will be good results for the friendship between the two bordering nations.

SENATE DEBATE ON SAFEGUARD HAS IMPLICATIONS FOR MANKIND

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. COHELAN. Mr. Speaker, the rationality on the current debate on the ABM is hard to fathom. We are receiving indications that the SALT talks will limit the ABM systems. Reports suggest that the ABM will be limited to Moscow and Washington.

Yet we have high ranking administration spokesmen saying that there is a need for additional site deployments as "a bargaining chip"—a costly one at that.

On top of this most people who are knowledgeable about the system are not convinced that it will work. Most technical analysis from competent scientists testify that the integrated systems of missiles, radars, and computers will not be operational.

I do not want to go into technical arguments here but it seems to me that the leading indicator of uncertainty has to be the shifting opponent to which the ABM was directed. We all remember that the Secretary of Defense himself admitted this year that the ABM would not impede a Soviet first strike capability.

Yet all this leads to the new rationale of "bargaining chip," a bargaining chip that requires additional sites. Although I do not accede to this level of logic, I am willing to use anything to achieve a meaningful arms limitation. But I submit, Mr. Speaker, that the use of this bargaining chip would be just as valuable if we remain at the two sites under construction because only testing can go on in the Pacific Islands.

The entire debate with its irrational overtones bespeaks the logic that goes to the entire arms race. Marquis Childs elaborates on this point in his perceptive article entitled "Senate Debate on Safeguard Has Implications for Mankind." I commend the reading of this article to my colleagues and insert it at this point in the RECORD:

SENATE DEBATE ON SAFEGUARD HAS
IMPLICATIONS FOR MANKIND

(By Marquis Childs)

The talks going on in Vienna, looking to a limitation on strategic arms (SALT) in agreement with the Soviet Union, could conclude in late summer with a bold and yet limited gesture on defensive missiles. This would be a demonstration—a demonstration of brutal political power—calculated to enhance the Nixon administration on the eve of the congressional elections.

But if those presently masterminding the Vienna talks have their way it will not turn out like that. The brutal political demonstration will be put aside in the hope of eventually achieving a more comprehensive agreement, including offensive as well as defensive missiles.

The Vienna round will close, if events go as currently foreseen, with a broad statement that the two sides are on the verge of agreeing to agree, with no specifics written out. Then when the talks resume some time in the late fall in Helsinki the tough task of bargaining on numbers of offensive missiles will begin, just before Christmas and this is a remoter hope—a comprehensive agreement could adorn the world's Christmas tree.

Now, in this administration events do not always go as the masterminds wish. The matters being dealt with are incredibly complex, the hope for agreement infinitely more difficult and far-reaching than the limited test ban or the nuclear nonproliferation treaties. The stratosphere in which the scientific-technical-political debate goes on—in Vienna, Washington and undoubtedly Moscow as well—is far above the comprehension of all but a few scientists and specialists in nuclear arms.

But one thing should be clear to the most elementary mind. If the SALT talks end in failure, the cost of the arms burden will grow by many billions of dollars, with less and less of the federal budget left for the desperate domestic needs of a society in bad trouble.

Just ahead is a profound political split

with an important bearing on the negotiations in Vienna. The military appropriations bill up before the Senate contains \$19.2 billion for Safeguard Phase II of the antiballistic missile system. The masterminds say this must be approved because it is a bargaining counter on the table at Vienna.

A powerful bloc in the Senate made up of both Democrats and Republicans is determined to knock it out. The reason is put in the most rudimentary form by Majority Leader Mike Mansfield: Because it won't work.

A large body of scientific opinion, including the science advisors to both Democratic and Republican presidents, holds that as presently conceived, based on a giant warning radar of dubious reliability, Safeguard simply could not function against incoming missiles and the decoys meant to baffle the radar. Since the Russians have access to this scientific opinion, what is the good of a bargaining chip that doesn't work?

The administration has its own witnesses insisting to the contrary. The case for keeping Safeguard Phase II, adding four other missile sites to the two presently being developed, is roughly as follows:

We are close to an agreement on defensive missiles in Vienna—a limitation to the protection of Moscow and Washington—but if the Senate eliminates Safeguard, the Soviets will have no reason to sign up for a standstill. They will have been given a free ride regardless of the argument over whether Safeguard provides a guaranteed functional defense against incoming missiles.

The decision to hold off on ABM agreement, if indeed it is a firm decision, is not wholly related to forgoing the advantages of a 10 stroke on election eve. The conviction of the masterminds is that without a comprehensive agreement, covering offensive, as well as defensive missiles, both sides would begin to beef up the offensive. The pace of Soviet development of the block-buster 25-megaton SS-9s has been repeatedly cited as cause for an expanded Safeguard system.

The Senate debate is likely to go on longer than anyone has anticipated. The administration is currently confident that the votes are there for approval and by a wider margin than last year when Phase I sneaked through by a single vote. But at the same time those who express this confidence add wryly that they were also confident that they had the votes for confirmation of G. Harrold Carswell to the Supreme Court.

The cycle is a curious one on this quiescent season when most people are thinking about beaches, mountains, vacations. At one periphery is the conference table at Vienna, where week after week the dialogue continues behind a curtain of secrecy with only the most generalized hints about progress and businesslike exchanges. At the other extreme is the Senate of the United States, where honest men contend pro and con in debate open to the world over Safeguard.

The outcome will say a lot about the fate not of one nation or the other, but of mankind itself. That is the far reach of a contest fought out half in darkness, half in light.

MR. HORTON SALUTES CHARLES
O'BRIEN, NEWSPAPER PUBLISHER
ON HIS RETIREMENT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

Mr. HORTON. Mr. Speaker, it is difficult, sometimes, to put feelings into words when an old friend retires. I sup-

pose retirement is a happy moment for many, while it is somewhat sad for others.

In the case of my old friend Charlie O'Brien, of the Wayne County Herald-Eagle weekly newspaper, I suspect retirement is a combination of both happy and sad emotions. Knowing Charlie as I do, however, I have a strong feeling that even though he is selling his business, he will not really retire from activity in the publishing and printing business, but will probably just cut down somewhat on his participation.

In fact, Charlie was quoted as saying that he would still be in there helping one of the new owners, when the change-over is actually made.

Charles Leslie O'Brien is a real old-timer in the publishing and printing field. For almost half a century he has been a small town newspaper publisher and job printer. It would not be easy for a man like that suddenly and abruptly to stop all work in the business he has so loved and in which he has been so successful.

Charlie and his wife Marietta have been so prominent a part of life, and practically all activities, in and around Clyde, N.Y., that I am sure the other good citizens in the area just will not let them fade away. There will always be a demand on them for their time and energies and for their participation in the things that are good for the community.

Recently, another newspaper, the Geneva Times, did a feature story on Charlie O'Brien's retirement. Anne Maloy, the reporter, did an excellent job of telling the story of Charlie's background and qualifications, as well as describing the situation which will see two gentlemen take over the jobs that Charlie has been doing.

He has sold the printing business to Wayne Morrison of Clymer, in Chautauque County, and he sold the weekly newspaper to Ray Kenyon of Lyons.

I congratulate both of these men for their wisdom in wanting to carry on the splendid work that Charles O'Brien has been doing. I wish them well and continued success.

As for Charlie, I can only say I hope he continues to enjoy life in his new status as much as he has enjoyed his activities and hard work in the past.

May I share with my colleagues in the House of Representatives the feature story by Anne Maloy, which appeared in the Geneva Times and which saluted Charlie O'Brien upon his retirement:

NEWSMAN WILL RETIRE—45 YEARS PRINTER
AND PUBLISHER

(By Anne Maloy)

CLYDE.—Surrounded by tools of the trade and with the smell of printer's ink heavy in the air, "Charlie" O'Brien puffed on the stump of his cigar and reminisced about 45 years as job printer and small-town newspaper publisher. Word was out that he is selling the job printing business to Wayne Morrison of Clymer, having sold his Wayne County Herald-Eagle weekly newspaper some six weeks ago to Ray Kenyon of Lyons.

"I'll still be in here helping Wayne, though," he disclosed and said also that Mr. Morrison will not actually take over until early September. The new owner is purchasing the entire block on Glasgow St. including

an apartment on the second floor. Included in the equipment are three job presses, three linotype machines, saws, folder, cutter, Heidelberg printing press and other miscellaneous photographic and publishing implements. His job printing includes labels, billheads and letterheads.

Charles Leslie O'Brien was born in Newark and received his early education there, later attending the Empire State School of Printing in Ithaca which was later to become part of the Rochester Institute of Technology. During these years he played semi-pro baseball. He served his apprenticeship on the Newark Courier and came to Clyde in 1936 to be associated with the Clyde Herald. His early affiliations with Clyde newspapers were with Harold Nichols and Clara Lux, and he

bought his business block from the former Citizens' Bank.

A rousing Democrat by politics, Charlie has never been afraid to stand up and be counted either on political issues or municipal affairs. His front office is lined with pictures of such figures as Al Smith, James Farley, Lyndon Johnson, Dan Carey, Peter Crotty, William McKeon and Republican Congressman Frank Horton whom he considers "a swell fellow and a good friend." He added that he would take these pictures with him when he leaves for good.

Mrs. O'Brien, the former Marietta Vandembosch, has been associated with her husband in the publication of their newspaper. Mr. O'Brien is Democratic commissioner with the Wayne County Civil Service.

Wayne E. Morrison, Sr., who is to become the new owner, published The Clyde Independent from Nov. 14, 1956 to May 25, 1960 when he moved to Clymer. Morrison, historian and antique collector, compiled and published a History of Clyde in June 1955, issuing a revised and enlarged edition last year. For a time, he published a weekly paper in Clymer but sold it a year ago. He is engaged in custom printing in Clymer where he does a mail order business all over the country, specializing in work for antique dealers.

Among his personal collection of artifacts are a Washington hand-press, buggles, cutters and a surrey. Mr. and Mrs. Morrison, the former Patricia Wright from French Creek, will live in the apartment in the building they are buying. There are three children, Katherine 15, Wayne Jr. 13, and Andy, 11.

SENATE—Friday, August 7, 1970

The Senate met at 10 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Reverend Dr. Karl B. Justus, executive director, Military Chaplains Association, Washington, D.C., offered the following prayer:

Almighty and eternal God, ruler of men and nations, who yet in Thy fatherly compassion carest for each of us with a tender love and concern that is even mindful of a sparrow's fall, extend Thy hand of blessing, guidance, and benediction to each Senator of this august body of our Government.

May the decisions made, and laws passed, in this distinguished Chamber, be those that shall issue in peace and domestic tranquillity for our great, but troubled, land. Inspire these men with vision that will help to solve our pressing problems, ever endowing them with wisdom, courage, integrity, and loyalty.

Bless our President, Richard Nixon, our Vice President, and the members of the Cabinet, all of whom are faced daily with weighty decisions.

Bless the men and women of our Armed Forces today wherever they may be, and particularly in Vietnam—and hasten the day when peace shall reign throughout the earth, when the kingdom of God will be fully established so that Thy will may be done on earth as it is in heaven. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore.

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 7, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on August 5, 1970, the President had approved and signed the act (S. 3279) to extend the boundaries of the Goiyabe National Forest in Nevada, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. ALLEN) laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Richard H. Zorn II, of Illinois, to be a Foreign Service officer of class 7, a consular officer, and a secretary in the diplomatic service, which nominating messages were referred to the appropriations committees.

(For nominations received today, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 1933) to provide for Federal railroad safety, hazardous materials control, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 17070) to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes, and it was signed by the Acting President pro tempore (Mr. ALLEN).

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, August 6, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order the distinguished Senator from Indiana (Mr. BAYH) is now recognized for 30 minutes.

Mr. MANSFIELD. With the concurrence of the distinguished Senator from Indiana (Mr. BAYH), and without taking any of his time, will he yield to me for a few unanimous-consent requests?

Mr. BAYH. It is always a privilege to yield to my distinguished colleague from Montana. Hopefully, I shall not use all of the 30 minutes allotted to me.

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO ON MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday next the distinguished Senator from Ohio (Mr. Young) be recognized for not to exceed 30 minutes, after the disposition of the Journal of proceedings and subsequent to the 15 minutes which I believe has been allocated to the distinguished Senator from Missouri (Mr. EAGLETON).

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 be authorized to meet during the session today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT OF THE TWO HOUSES

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 689.

The ACTING PRESIDENT pro tempore laid before the Senate House Con-