EXTENSIONS OF REMARKS

HORTON LAUDS MONROE COUNTY FEDERATION OF WOMEN'S REPUBLICAN CLUBS BRUNCH AND AWARD RECIPIENTS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. HORTON. Mr. Speaker, there are many people who go unnoticed, who are not in the public eye, but who leave a tremendous mark on society.

Such women were honored at the Monroe County Federation of Women's Republican Clubs Brunch, last Saturday, August 8.

The brunch, which I was privileged to attend, commemorated the 50th anniversary of women's suffrage. I was extremely pleased to be included in the commemoration and I felt the experience presented good ammunition for the equal rights amendment which is coming to the floor of the House of Representatives for a vote today. I am a sponsor of the equal rights amendment and I shall vote in its support.

A quote of Susan B. Anthony, woman suffrage leader, used at the brunch is quite appropriate today.

Woman has shown equal devotion with man to the cause of freedom and has stood firmly by his side in its defense. Together they have made this country what it is.

The four women awarded at the brunch were Mrs. Helen Amiger, Sister Francis, Mrs. Manuel Goldman, and Mrs. Ralph Leidy. These women exert a tremendous impact on our community. They do not seek, nor do they receive national acclaim, and yet they are examples of women who realize their responsibility to the entire community and without whom the city of Rochester would be a little dimmer.

They see a problem area they want to correct, they work on it, no matter how small, and then they go to the next area for correction. They respond to the needs of the community. They do not sit back and moan, "What can I, as one person do?" They go ahead and do it, and in the end their achievements are amazing.

Mrs. Paul M. Speigel presented the awards and I would like to share with my colleagues a portion of her remarks on the recipients:

Today, we are honoring doers and achievers in the Greater Rochester Community. We have so many, Mrs. Harper Sibley, Mrs. Walter Post, Mrs. Frank Gannett, Mrs. Hawley Ward, Mrs. Lester Berlove, and Mrs. Mildred Johnson, that it would be impossible to honor each of them. Therefore, the committee tried to pick recipients who quietly go about their business, unsung publicly, and do and achieve because of their deep feelings for their fellow men and women.

Our first recipient, Mrs. Helen Amiger, has worked at doing and achieving in the black community. A resident of Hanover Street, she activated a Girl Scout troop there in 1963 and was a Scout camp counselor in 1965.

She was the first bus matron when open enrollment started and two of her own children were among the first to be bussed. When she discoverd that some of the children did not have lunches, she started preparing lunches for them to carry. She then became active in PTA and started the movement for hot lunches in school 6. She was president of the Catherine Street organization which has been successful in securing traffic lights at important corners where children cross.

In addition, she activated the day care center at Baden Street settlement and worked there from January 1967 to March 1969. She is now working in the activities program at Baden Street and has started a program for 5 and 6 year olds.

Mrs. Amiger also organized the Concerned Mothers, which is an organization of mothers who have children and problems of emotional and psychological nature.

She was elected to the board of directors of Baden Street Settlement in 1964. She is now on the urban renewal committee of the Baden Street Settlement and is a member of the staff.

As you can see, Mrs. Amiger's concern is for the children and her achievements will be the cornerstone on which many black children will build.

Sister Francis is Mother Superior at the Holy Angels School and Home on Winton Road. The work of the sisterhood began in France over 300 years ago when a missionary priest witnessed the plight of girls and women who were trying to lift themselves from a life of degradation, once they were made to see there was a better way of life. They found very little help from society at large. After a few unsuccessful attempts, the missionary, a truly foresighted social reformer, discovered that he would need women in charge, women of strong enough character to impress upon the girls the dangers of the life to which they were exposing themselves. That is how the sisterhood came into being. Today they are in ten countries, working with teenagers from broken homes, striving to rehabilitate them in every sphere of their lives. They also work with parents whenever possible.

Holy Angels in Rochester was founded in 1930 to serve the community and surrounding areas. In addition to the main house, there are two cottage homes where family living experience is provided. They hope in the future to provide a half-way house somewhere in the city for girls who cannot return to their homes.

The home and school have state board approval and diocesan approval—two difficult taskmasters, and Sister Francis is young for this responsibility, but brings creative intelligent responsiveness to her tasks.

She attended Duquesne University and Regina Mundi Institute for Sisters in Rome. Sister Francis came to the Holy Angels staff in 1954 and she has been secretary, director of novices, teacher, principal and, since 1968, superior. On the personal side—and Sister Francis doesn't know that I know this—she is a nature lover and has great empathy for God's creatures. In addition, she writes delicately beautiful poetry.

Mrs. Manuel Goldman, our next recipient, has been extremely modest. However, her long periods of devotion to her special interests represent many, many hours of service.

She was named to the Board of Directors at Baden Street Settlement in 1951, and 19 years later is still serving on it. She was its president from 1958–1961.

Mrs. Goldman was a member of the youth board from its beginning until 1968, and was its president for 3 years.

Currently she is giving her capable efforts to a committee established in 1968 by the Health Council to investigate school mental health services. She was appointed chairman of this vital committee. In two short years the committee issued a booklet containing ten recommendations.

Mrs. Goldman says of her work "The one we felt most strongly about was an experimental program called the Primary Mental Health Project, which was in one school—#44." This identified early (as early as first grade) school maladjustment and through the use of aides, professionally trained, developed a program treating these children on a one to one relationship.

The committee has remained in existence in an attempt to extend the program. This year it was put into five more city schools and five in the county.

Mrs. Goldman and her fellow committee members have truly pioneered in this field—another woman who has given greatly of herself to the community.

Mrs. Major Mary Leidy, a native of Ohio, trained at the New York City School for Salvation Army Officers. Upon completion of her studies, she was ordained and commissioned and sent to serve in Cleveland.

After she was married, she and her husband commanded Salvation Army centers in Painsville, Youngstown and Akron, Ohio. In 1964 they were appointed to Rochester.

Here, as elsewhere they work as a team. She has the women's program as her responsibility—unwed mothers, services to institutions, and spiritual counseling. During the summer the entire family, including her own three children, move to Troutburg to a camp for underprivileged children. Approximately 400 children from the inner city receive spiritual, mental and physical guidance under her influence.

Incidentally, founded in England in 1865 by Rev. William Booth, the Salvation Army was established in Rochester in 1890. Closely associated with the organization here is Mrs. Ida Post who gave me a quotation about Mrs. Leidy which says it far better than I. Mrs. Major Mary Leidy is truly an instrument in God's hand—always ready and willing to serve Him and humanity, irrespective of race, creed, nationality and status of life. Because of her faith, her selfless understanding and compassion, she is highly respected and loved by all whom she serves and by all of us who deem it a privilege to serve God with her.

I think we can be very proud of the women in the Rochester community, represented by these four award recipients. The one outstanding trait of our recipients which is common to all of them is humility. Each said, "I can't accept this for myself" and I actually had to convince them that in doing so they would bring great credit to their organizations and, perhaps, further their work through your knowledge of it.

Mr. Speaker, I would like to share the program with my colleagues. The welcome was given by Mrs. Edna F. Daly, the Pledge of Allegiance by Mrs. Don W. Cook, and the invocation by Mrs. Joseph Ziemniak. Mrs. Edna F. Daly introduced the guests, Mrs. Paul M. Spiegel presented the awards, and Mrs. Edward S. King introduced Mrs. Wilma Rogalin who was the main speaker.

The honored guests included Mrs. Wilma Rogalin and Mrs. William F. Dwyer.

The brunch was extremely well planned and I would like to commend the brunch committee which included Mrs. Edward

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

S. King, and Mrs. Paul M. Spiegel, co-chairmen; Mrs. James G. Burdett, hostess; Mrs. Girlie Goodwin and Mrs. Lauretta Johnson, tickets; Miss Jean Arnold and Mrs. Tessie Hawkins, decorations; Mrs. Robert Traub, arrangements; and Miss Vera Wilson, communications.

The officers of Monroe County Federation of Women's Republican Clubs deserve special recognition. They are Mrs. Edna Daly, president; Miss Jean Arnold, first vice president; Mrs. Shirley Whelpton, second vice president; Mrs. Mildred Beisheim, treasurer; Miss Josephine Lombardo, recording secretary; and Mrs. Lola Franklin, corresponding secretary.

STATEMENT OF HON. ROBERT TAFT, JR., BEFORE THE SUBCOMMITTEE ON NATIONAL SECURITY POLICY AND SCIENTIFIC DEVELOPMENT OF THE HOUSE COMMITTEE ON FOREIGN AFFAIRS, AUGUST 5, 1970

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. TAFT. Mr. Speaker, the Subcommittee on National Security Policy and Scientific Development of the House Committee on Foreign Affairs, of which I am a member, has just concluded hearings on a very crucial and timely topic. The hearings dealt with the proper role of the President and the Congress in the deployment and commitment to combat of U.S. Armed Forces abroad.

We have seen a growing debate concerning the authority for the involvement of U.S. Armed Forces in Southeast Asia. It is my hope that the subcommittee, with the insight gained through the hearings, will report out a resolution which will spell out the proper function of both the President and the Congress in this important area.

I have introduced a resolution, House Joint Resolution 1302, which I feel does much to grant to Congress its correct role in the formation of U.S. foreign policy. On August 5, I testified before the subcommittee on behalf of the resolution, and I am happy to include my testimony as part of the RECORD:

STATEMENT OF HON. ROBERT TAFT, JR., BEFORE THE SUBCOMMITTEE ON NATIONAL SECURITY POLICY AND SCIENTIFIC DEVELOPMENT OF THE HOUSE COMMITTEE ON FOREIGN AFFAIRS, AUGUST 5, 1970

Mr. Chairman and Members of the Subcommittee, it is a privilege to appear before you today to testify on behalf of House Joint Resolution 1302, which I introduced in the House on July 9 of this year. This Resolution, like others which the Subcommittee is considering, deals with the authority of the President to commit and deploy U.S. forces abroad without the express consent of Congress. The Resolution also contains a general statement of principle of the United States foreign policy objectives in Southeast Asia. In this connection, it repeals the Gulf of Tonkin Resolution passed by the House and Senate in the summer of 1964.

We have been witnessing, in this country, a growing debate concerning the authority for involvement of U.S. armed forces in Southeast Asia. Much of this debate relates to the question of when the President may intervene with U.S. forces without the prior authority of Congress. Arguments as to who has what power have escalated and this has contributed to the general confusion and frustration which has pervaded the country for the past few months. It is extremely critical, therefore, that Congress act to allay this confusion and frustration, and to define more clearly the proper roles of the President and the Congress in foreign policy formation and execution.

Therefore, we see that there is an attempt to define clearly the Constitutional authority to declare war—the Congress declares war and the President then functions as Commander-in-Chief of our forces. A lack of clarity arises, however, when we have situations which call for the use of U.S. armed forces, but which do not call for or result in a declaration of war. This is now more the pattern than the exception and under the UN Charter it is likely to continue to be. What then are the powers of the President? What actions can he take without Congressional authorization? It is to these questions that I have tried to address myself in authoring this Resolution. I hope that we can do something to strike a constitutionally sound balance between the executive and the Congress.

In tangling with this question, I admit to the Committee that I may have some inherited hang-ups. Not all Tafts have seen eye to eye on the proper powers of the two branches. In a 1916 Yale Law Review article, my grandfather, William Howard Taft, propounded the case for strong executive power. In part he stated, "When we come to the power of the President as Commander-in-Chief, it seems perfectly clear that Congress could not order battles to be fought on a certain plan, and could not direct parts of the army to be moved from one part of the country to another."

In 1951 my father wrote a book entitled, *A Foreign Policy for America*. In Chapter 2 of the volume, he stated the case for more Congressional involvement in military deployment, stating that "in the case of Korea, where a war was already under way, we had no right to send troops to a nation, with whom we had no treaty, to defend it against attack by another nation, no matter how unprincipled that aggression might be, *unless* the whole matter was submitted to Congress and a declaration of war or some other direct authority was obtained." I feel that many of the observations in Chapter 2 of that book, "The Place of the President and Congress in Foreign Policy", are extremely timely today, and I therefore ask that they be incorporated into my testimony.

Mr. Chairman, I offered my Resolution in the hope that it will provide a clear statement of the proper role of the President and of the Congress in the formation and execution of our foreign policies.

Part I of my Resolution makes it clear that the President may not commit U.S. troops for combat abroad except under certain circumstances. Even under these conditions the Resolution requires a full Report to the Congress within 48 hours.

The first such condition is when the Executive, in his sole discretion, finds that the territory or the armed forces, are under attack or imminent threat of attack. There have been criticisms of this defense of territory and forces doctrine, which is embodied in this provision, and it has even been claimed that the doctrine has been and may be used to justify offensive actions. While I do not feel that all of these criticisms are entirely justified, I would urge the Subcommittee to analyze them in the course of our hearings.

The second type of situation in which the President should be allowed to use the armed forces without prior Congressional action is in the fulfillment of treaty obligations. This is clearly related to the question of our national commitments. I endorse the call for careful re-evaluation of our present commitments. If they are beyond our interests and capabilities, formal abrogation by the Senate and the President may be in order.

The third general situation in which the President need not consult with the Congress is in the implementation of a previous declaration of war. Many have argued that the Gulf of Tonkin Resolution was the functional equivalent of a declaration of war. Speaking for myself, I never have agreed with this view and I feel it lies more in the defense of our forces category. I favor its repeal in the context of an affirmative statement by Congress on the policies under which our armed forces are withdrawing from Southeast Asia.

Finally, the President may use the armed forces when necessary to exercise the inherent right of self-defense pursuant to established principles of international law or Article 51 of the Charter of the United Nations. The exact extent of this provision is not clear. I have included this provision to examine and try to define where we should act to protect our citizens or vital national interests, wherever they may be on land, on the seas, in the air, or in space.

Having listed the four types of situations in which the President may act without prior Congressional authority, the Resolution then states that the President shall notify the Congress within 24 hours of all action which he has taken pursuant to his findings. In the event Congress is not in session, the President is required to convene the Congress in an extraordinary session within 48 hours of his action, and notify them of his activity. The Congress may then approve, disapprove or call for modification of the action which the President has taken.

Part I of the Resolution deals realistically and responsibly with those occasions when Congress can and should work with the President. I believe Congress should be concerned with all deployments of U.S. armed forces for combat purposes from the dispatching of small groups of military advisors to the large scale deployment of forces requested by a beleagured state. My Resolution does not attempt to limit or define exactly when a President can informally "promise" or "commit" the United States to a course of action, nor does it try to determine whether a specific act is "war" so as to require Congressional approval. Instead, Part I deals directly with the Presidential ordering of armed forces outside of United States territory for combat purposes. The President may not so order this movement without prior Congressional approval unless one of the four specific conditions of Part I is met. I believe that these conditions are more limited than many now assert.

But the Resolution goes further by requiring that even when the President is expressly empowered to act, he *must* promptly report his actions to Congress. (It should be noted that this reporting requirement is meant to apply to all significant changes in the disposition of American forces for combat, whether or not prior related acts have already been reported and/or approved.) At that time, Congress can review the actions of the President, and take whatever further action it deems appropriate. A perfect example of the potential use of the Resolution's provisions is the recent incursion into Cambodia. If President Nixon had been operating under the Resolution, he would have reported his action to the Congress. Based upon my estimate of the situation, I believe firmly that the Congress would have ratified his actions as to the sanctuaries at the very least; I know I would have so voted. The decision to go into Cambodia would not then have been that of President Nixon

alone, but rather, it would have been that of the President, the Congress, *and* of the people through the Congress. Had the action been so ratified, I doubt that there would have been the violent protest which resulted from the President's action, which was necessarily singular for security reasons at its inception.

Finally, I would like to note that I intend this reviewing function of Congress to apply even when action pursuant to a treaty commitment is involved. If the President acts to deploy for combat pursuant to a treaty, this action should be reviewed by Congress under their war and other powers, and then either approved or condemned. I do not believe that the Senate, by consenting to a treaty, can constitutionally bind the House to render an automatic war decision. Thus, to take an extreme example, even if a valid treaty obligation required the President unconditionally to commit our armed forces, the House and Senate have the constitutional power to require him to cease. While such a situation may not ever arise, I think it is important that the principle be clearly established. The proper way to avoid the problem is by the terms of the treaty, making the commitment contingent on constitutional authorization.

Part II of my Resolution calls for a general statement of policy in Southeast Asia. It adopts the Nixon or Guam Doctrine that the primary duty of defense must rest upon the nations of the region involved. This principle is a marked improvement over the open-ended commitments developed by the Kennedy and Johnson Administrations. The Resolution states the policy of the United States to provide economic and military assistance and, when requested, to those nations whose territorial integrity is threatened by aggression.

The Resolution further puts the Congress clearly on record as favoring orderly and irreversible withdrawal of our combat forces from South Vietnam, as the South Vietnamese assume the primary responsibility for the defense of their country. This approach is far sounder than the setting of a fixed, public timetable for complete withdrawal, which I feel will only cause confusion and could lead to a prolonging of hostilities.

Part III of my Resolution repeals the Gulf of Tonkin Resolution. As I stated earlier, I feel that the repeal should be accompanied by an affirmative statement of our policy in Southeast Asia, and I have provided such a statement in the first two parts of my resolution.

In considering this and other such Resolutions, I realize that we are dealing with a delicate balance of power between the President and the Congress. I am by no means attempting to hamstring our President, as I feel we must not deprive him of the flexibility needed to safeguard the nation in an age when decisions must often be made immediately or on very short notice. What I am attempting to do is to set out clearly the actions which the President may or may not take without prior Congressional approval. The adoption of such a Resolution would do much to give a responsible foreign policy—one which is based upon solid constitutional grounds and which would do much to prevent the division which unshared decisions can provoke. It is this type of foreign policy which America needs for the Seventies, and which we as Members of Congress should seek for the Seventies and for the years to come.

It is this type of policy which will allow the Congress to assume its proper active role of speaking for the nation in the important area of commitment to combat and deployment of U.S. armed forces. It is my hope that this Subcommittee will report out a Resolution which will appreciate the delicate balance between the President and the Congress and which will put to rest much of the unwarranted confusion which exists today. There is no pride of authorship in my effort, but the principles it embodies should prevail. The confidence of Americans in our decision-making processes should be strengthened, and to do this for international problems, demands action by this Subcommittee, the whole Committee, the House and this Congress.

THIS FABULOUS LAND

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. FLOWERS. Mr. Speaker, I take this opportunity to offer for inclusion in the RECORD an editorial from the August 6, 1970, issue of Graphic, an outstanding newspaper from my hometown of Tuscaloosa. Karl Elebash, Jr., editor and publisher of the paper, and currently serving as president of the Alabama Press Association, has just returned from a special civilian orientation program arranged by the Air Force. I believe his thoughts, impressions, and conclusions drawn from the experience are well worth noting by all of us.

The editorial follows:

THIS FABULOUS LAND

Back in 1946 and 1947 a Greenville, Ala., native was assigned as the first professor of air science at the University of Alabama in the newly designated Air Force Reserve Officers Training Corps. He was a colonel named Thomas K. McGehee.

Now he is a three-star general, commander of the U.S. Air Force Aerospace Defense Command with headquarters at Ent Air Force Base, Colo. The command administers, trains and equips all U.S. Air Force aerospace defense resources to defend North America, except Alaska. ADC also supervises preparation of Air National Guard resources earmarked for air defense. These combined forces are organized by ADC and made available to the commander in chief of the North American Air Defense Command (NORAD).

Last week the editor of Graphic, along with three other representatives from the Alabama Press Assn., was a guest of Lieutenant General McGehee for a special five-day civilian orientation program. The purpose was to show what the Air Force is doing and what problems it faces.

Never before has your editor been privileged to participate in such an informative, exciting and stimulating assignment. The trip began last Wednesday morning at Tyndall Air Force Base, Panama City, Fla. There we were met by Brig. Gen. James L. Price, commander of the Air Defense Weapons Center. Along with some 40 others, including members of the Florida press, radio and television and other civilians from the Panama City area, we boarded a four-engine C–54, nicknamed the Grand Old Lady.

We flew to Colorado Springs in just over six hours. Alabama never looked so good until we had witnessed the parched fields of Oklahoma and Kansas and parts of Texas. But Colorado was just as beautiful as the pictures indicate. Pikes Peak, 14,000 feet plus, loomed up out of the plains, visible 150 miles away. The breath-taking sight made one reflect upon the courage of the pioneers, who after crossing the hot plains first witnessed the great peak. It was Gen. Zebulon Montgomery Pike who first saw this breath-taking sight.

At General McGehee's Aerodefense Command headquarters the editor, who once was a buck private in the Air Force and later served as a lieutenant with the Eighth Air Force in England, saw more brass than in four years during World War II. Later we found that some 35 general officers are based in beautiful Colorado Springs. Defense money had made it double in size in the past 10 years. They have no Census complaints.

Aside from ADC and Ent Air Force Base, Colorado Springs is headquarters for the North American Air Defense Command and the site of the Army's Fort Carson and the Air Force Academy.

General McGehee's staff were most articulate. They told what the ADC mission is and what it needs to do the job. Our best air defense planes are 10 years old. They are not as fast nor as efficient as the best the Russians have. Defense spending cutbacks, largely because of the nation's heavy expenditures in Vietnam, have prevented the Air Force from getting the kind of planes and equipment it needs.

When one sees the dedication of such men as Alabama's General McGehee and his brilliant officers, you realize how ridiculous is the current protest-inspired downgrading of the military. To hear the draft-card-burners and assorted doves and neo-isolationists tell it, the military is eager to get us into war and kill more American youths.

When you learn this mission and hear this story, you know and understand that the military hate war the most. In fact their mission is to prevent war. The ADC's underlying mission is to show such force and efficiency that it helps deter the Russians or any foreign power from making that first attack which could lead to nuclear holocaust. That would be doomsday and no one wants that, least of all the military who know what horror it would mean.

The Aerospace Defense Command (ADC) under General McGehee is the U.S. Air Force component of the North American Air Defense Command (NORAD), and provides more than 70 per cent of the personnel and equipment used by NORAD. NORAD is a two-nation, four-service military organization charged with defending both Canada and the United States against air attack.

To do the job, the command has available an international team of specialists, provided by armed services of both the partner nations. Members of the U.S. Army, Navy, Marine Corps and Air Force and the Canadian Armed Forces serve in NORAD. They are stationed at locations all across North America and at many widely separated points throughout the world. They man radar outposts scanning sky and space for signs of hostile action, squadrons of supersonic fighter interceptors, ground-to-air missile batteries, and the command posts that would direct the defensive battle for North America.

Headquarters for NORAD, commanded by U.S. Air Force General Seth J. McKee, is a hollowed-out mountain in the Colorado Rockies that makes anything in Mission Impossible look believable. We could not believe our eyes as we entered a small hole in Cheyenne Mountain outside of Colorado Springs. This 9,565-foot mountain shields a steel city of 11 structures and a population of more than 1,800. The heart of the complex is NORAD's Combat Operations Center, nerve center and hub of the North American air defense system.

After touring this fantastic facility, the orientation party was flown to Houston for a tour and briefings at NASA's Manned Spacecraft Center. The spectacular achievements of this moon tour guidance center are known to the television and newspaper reading world.

A side event of this tour of a lifetime was a visit to Houston's Astrodome, appropriately self-styled as the Eighth Wonder of the World. It could well be, but NORAD's Cheyenne Mountain complex should not be counted out.

In conclusion, we state without equivocation our belief that this nation has strength and the resources, both human and material, to defend itself and its freedoms. To see the broad expanses of our great land and to realize the strength of its people, as evidenced by the brilliant and dedicated men it charges with the responsibility of planning, building and commanding its defenses, is to be inspired with confidence and greater appreciation of the blessings of this nation.

THE REVEREND MELVIN GIRTON, SR.

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. JACOBS. Mr. Speaker, when it comes to improving one's community, talk is easy.

But the Reverend Melvin Girton, Sr. of the Christ Missionary Baptist Church in Indianapolis talks little and softly but carries a big program.

All of Indianapolis, and, because of his example, all of the United States owes a debt of gratitude to the matter of fact and quiet dedication of this outstanding minister.

The following two articles describe his activity:

[From the Indianapolis News, June 27, 1970]

"HOUSE OF SECOND CHANCE" GIVES PAROLEES JUST THAT

(By Philip Allen)

The Christ Missionary Baptist Church, 1001 Eugene, under the pastorate of Rev. Melvin B. Girton Sr., has pioneered what may be the first black-owned halfway house in Indiana.

Called "La Maison de Duexime Chance" (House of the Second Chance), the project began in 1968 when the parsonage adjacent to the church was converted to house parolees from the Indiana Women's Prison.

So far, the inter-racial home has provided a new life and residence for five women paroled from the Women's Prison. One parolee has been fully rehabilitated and continues to live in the "House of the Second Chance" to help other women with their problems.

The Rev. Mr. Girton said, "We have given a home to five young women who have paid their debt to society and deserve a 'second chance.'

"We provide them with the facilities of the building, with a counseling resident matron, and, most of all, we hope to prove that our church wants to help them meet their personal, economic and spiritual problems," he said.

He explained that his "house" will take people no one else will take. "Social workers many times don't care for people," he said, "but the church is a ministry of care and we provide spiritual guidance along with new associations of freedom for these women."

The soft-spoken pastor said the halfway house is entirely ownued and operated by his church, although he has received outside assistance from the Indianapolis utilities.

He said one problem he faces—besides having enough money—is getting the women to develop good work habits.

"Many of these girls don't like the type of jobs they get," he explained. "But their education usually is limited and we do the best we can under the circumstances."

The Rev. Mr. Girton cited Goodwill Industries and the Community Action Against Poverty programs as being especially helpful in providing work for the parolees.

MISTAKE TO TURN AWAY FROM GOD

The former president of the Baptist Ministers Alliance said his operating premise for his "second chance house" is "a change of heart."

"I think it's a mistake to turn away from God," he said. "The Lord can give us the strength to face any problem we might have. I'm not afraid of people with problems."

Speaking out against penal philosophy, the Rev. Mr. Girton said, "Unless we have some programs that really change the root of a prisoner's life, we will continue to have riots in the prisons. In this way we need the church, more education, industry, everyone interested in helping."

"I want another house for men," he said, "although I want to keep the one we have near the church, since I'm legally responsible for these people."

"The future of it all—our children, our world community—depends upon the outreaching mission of the church," he explained. "And the church must relate to all people, especially in this crush of militancy and social action."

"I'm not interested in making Baptists of these women," he said, smiling, "just giving them a new heart."

[From the Indianapolis Star]

VICE MAYOR OF ATLANTA TO HELP CHURCH REACH MORE PEOPLE

(By Isabel Boyer)

Christ Missionary Baptist Church, under leadership of its pastor, The Rev. Melvin B. Girton Sr., has achieved the first Negro halfway house in Indiana.

Known as "La Maison de Duexieme Chance" or "House of the Second Chance," the home has provided a new life and residence for five women paroled from the Indiana Woman's Prison. The home is intended to be interracial.

The Rev. Mr. Girton has emphasized the need for spiritual guidance, regular employment and new associates to start these women on a new life. One parolee decided to stay in the House of the Second Chance to help the new residents as they come in.

Mrs. Birdie Whiteside, matron at the home, has another special ministry to the sick and elderly. She visits them regularly in private and nursing homes, and in hospitals, and adds special little remembrances at holidays to let them know they are not forgotten.

A new vocational program is being undertaken at the church. Called "Discovery," it is directed at young people who are interested in learning printing, linotype, and other allied skills.

The Rev. Mr. Girton needs presses, materials, and people to put the program in action.

Christ Missionary Baptist Church helped more than 4,000 young people during one of its summer programs, The Rev. Mr. Girton said. In person-to-person encounters, two alcoholics obtained a new start, he added.

He is convinced there are unlimited opportunities for his church to help others, and wants to enlist the total community in the effort.

RENEWED FAITH IN THE PRESIDENT OF THE UNITED STATES

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. ARENDS. Mr. Speaker, the Harris poll, which often asks the kinds of questions that bring responses critical of the President, has made an astonishing discovery, astonishing at least, I am sure, to many of my dovish friends—most of the American people feel the President was justified in ordering American troops into Cambodia.

Mr. Harris tells us this morning that 61 percent now regard that action as justified.

That, incidentally, is an interesting percentage because just last week the Gallup poll showed that 61 percent of Americans think the President is doing a good job.

Coincidentally, Mr. Harris has found that the number of those who doubt the President's credibility has dropped from 46 to 38 percent.

Mr. Speaker, I believe the poll indicates strongly that the American people have a renewed faith in the President of the United States. That fact can only augur well for the Nation.

PROPOSED B–1 BOMBER NOT JUSTIFIED

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. FRASER. Mr. Speaker, an article on the B–1 bomber, called "A Horse of Sorts," has been written by the gentleman from Pennsylvania (Mr. MOORHEAD). It appears in somewhat abbreviated form in the current issue of P.I.C. News, the newsletter of the Public Information Center. The center is a nonprofit, nonpartisan organization devoted to matters requiring change.

Due to the timeliness of the subject I am happy to have the P.I.C.'s article reprinted here in full:

A HORSE OF SORTS

Congress is now considering, with an almost total lack of publicity, the Air Force request for a bomber to succeed the B–52. The new B–1, if approved, will eventually cost the taxpayer between twenty and thirty-five billion dollars; a commensurate return value is by no means assured.

I say this because I am not wholly convinced that such expensive manned bombers can be justified in the missile age. And I am certainly not convinced that the role of aerial missile platform cannot be filled by our present B–52s almost as satisfactorily, and at far less cost.

With the budget as tight as it is this year, marginal military capabilities must be justified with more than the usual rigor.

I must confess a suspicion, however, that the moving spirit behind this proposal is more one of nostalgia than of analysis. It strikes me as motivated chiefly by a love of airplanes. I do not mean by this to disparage the integrity or competence of my friends in the Air Force. All people—I daresay even Congressmen—come in time to feel an ease and familiarity with the tools they use. This leads quite understandably to the belief that those tools can be adapted to any new situation. Much of the time that is true.

Yet eventually requirements will change beyond the ability of an old weapon to meet them, and a new one must be found. While the utility of tactical aircraft is beyond question—and I am ready to support a sound program for its further development—the role of strategic deterrence has altered more than many bomber pilots may

care to admit. My preliminary research, to which I shall refer shortly, suggests that we have now reached a point where acquisition of a new strategic bomber must be viewed with skepticism.

Such points have occurred periodically through history. They are never easy to identify, and particularly not in contemporary events. My opinion must therefore be tempered with some caution. Still, however, I am reminded at this moment of nothing so much as the use of jousting armor in 1500, cavalry in 1914, or the battleship "New Jersey" in 1968. These were all familiar weapons systems, of proven utility but retained beyond their effective lives. Their owners not infrequently met with disaster as a result.

I am afraid that the cavalry case may be instructive for us today. In general Americans were quick to see that improved infantry organization and the products of the Machine Age had doomed the older, more aristocratic model of war. As early as 1864 General Sherman could report, "I have not seen in this war a cavalry command of 1,000 that was not afraid of the sight of a dozen infantry bayonets." The same quickness was lamentably absent from an English Army with a deeper stake in the old values. Seven years after the mud and trenches of the First World War, Sir Douglas Haig would still try to breathe life into them. "Some enthusiasts today talk about the probability of the horse becoming extinct and phophesy that the aeroplane, the tank, and the motor-car will supercede the horse in future wars . . . I am sure that as time goes on you will find just as much use for the horse—the well bred horse—as you have done in the past."

An anonymous officer spoke to the same point: "Cavalry will never be scrapped to make room for the tanks; in the course of time cavalry may be reduced as the supply of horses in this country diminishes. This depends greatly on the life of fox-hunting." And that statement, impossibly, was made in 1921. Old values die hard.

Similar lessons, more relevant to our own country, may be drawn from the recommissioning of the "New Jersey." This operation cost some $45 million, but may indeed have been well-conceived. My point is a different one. It is that, well-conceived or not, the operation was backed by a wave of enthusiasm and nostalgia for the capital ship and wars that were somehow cleaner and braver. My point is that nostalgia is still a present factor, to be watched for and guarded against; it was not buried forever in the trenches of the Marne.

I fear it has reemerged in the B–1. While there are many grounds on which the plane can be questioned, the most central one is budgetary. By any realistic cost accounting the plane does not seem the sensible way to spend our resources. Allow me to elaborate on this one topic with a consideration of four elements:

1. The system cost
2. The system capabilities
3. Probable effect on strategic stability
4. A rough comparison with the cost-effectiveness of alternative systems.

SYSTEM COST

My best estimate for the minimum system cost is $20.27 billion. This is based on an extrapolation from Air Force figures, and so to the extent it errs it probably does so on the conservative side. The breakdown is this:

Estimate:	*Billion*
Sunk Research and Development (R. & D.)	$0.25
Prototype procurement	2.33
Procurement of ca. 250 planes (including AGE, initial spares, training aids and technical data)	9.30
O&M for 10 years (operations and maintenance)	3.75
SRAM R.T.D. & E. (short-range attack missile)	.42
SRAM procurement (for 2,800)	$0.80
SRAM AGE (aerospace ground equipment)	.19
SRAM warheads	.50
SRAM O&M for 10 years	.40
Estimate with USAF figures	17.94
13 percent overrun allowance (the average of recent major systems)	2.33
Total estimate	20.27
Addenda:	
Addition to O&M to reflect general overhead by raising the figure to $13.95 billion. This follows a rule-of-thumb of 150 percent of aircraft procurement cost for 10 years' operation	10.20
Addition to procurement-cost figure to match trade journal estimates of $12 to $13 billion	3.00
High total estimate	33.47

At present, commitment has been made to the B–1 program only through the development phase. Details of cost and contracting for the later phases are correspondingly tentative.

The $2.33 billion committed to prototype procurement will buy roughly the following:

1. Five flying prototype airframes, plus two more for fatigue and static testing, from North American—$1.25 billion, which incentive fees could raise to $1.35 billion.

2. Forty powerplants—$406.65 million, including incentive fees.

3. Avionics systems for the five flying prototypes—$500 million.

Four weapons systems are being considered for the B–1, which would also be used on the B–52 and the FB–111. It is therefore difficult to apportion their cost to any one bomber, and the figures here lend themselves to manipulation. In the calculations above I took a simple route and costed the entire SRAM project to the B–1, and took no account of the subsonic cruise armed decoy (SCAB) or the short- and long-range Bomber Missile Defenses. It would be desirable to recompute this when more information becomes public. In any event, when we discuss the comparative cost of retaining the B–52 in service the SRAM will be costed entirely to that plane and the two figures will cancel out.

A final production decision is not planned until after the prototype flies. It will probably be made in the summer of 1974, and the initial operational capability is planned for 1978.

SYSTEM CAPABILITIES

The effectiveness of the bomber is more difficult to quantify, because its capabilities may be looked at from two perspectives. First, what kind of weaponry can it deliver? And second, *how* does it go about the delivery?

A. Firepower

Any evaluation of "effectiveness" turns on the question of what capabilities we are buying. The firepower of the B–1 is designed to suffice, if need be, as an independent deterrent. Its basic armament will be the SRAM, and air-to-ground missile of some 25–50 miles' range.

Its warhead is of the intermediate size between 20 KT and 1 MT. I would guess it to be between 100 and 400 KT, or some 5 to 20 times the size of the Hiroshima bomb. Twenty to thirty of these missiles can be carried internally by a plane, and additional ones mounted on underwing pylons. I would suppose, however, that this represents the maximum lifting capacity and that some trade-off will have to be made between range and payload.

For long-range work the figure might be some fifteen missiles. Since these would be a mix of SRAM and the SCAD decoys, the net effectiveness should be reduced to perhaps 8 or 10 SRAMs per plane.

Assuming a buy of 250 planes, this would suggest a force of 2500 deliverable warheads. That will be reduced by the number of planes not operational at any one moment. Assume 15% are used for training or are undergoing major overhaul. Of the remaining 212 planes only a certain percentage can be continuously maintained on 15-minute alert. It is 40% for the B–52s; the target for the B–1 is 60%. Taking the intermediate figure of 50%, or 106 planes, then some 1060 missiles will be ready for delivery on short notice.

CEP is said to be well under one mile, but this might be only relative to the launching aircraft and therefore ultimately limited by the accuracy of the plane's own navigation. I suspect that after so long a flight this may be valid to within only two miles or so.

The first aspect of capability—firepower—is therefore roughly this: some 1060 deliverable warheads, of a few hundred kilotons, with a CEP in the neighborhood of two miles or less.

B. Strategic mix

Proponents of the B–1 also argue for a second entire perspective on its capability. Not only does it deliver X megatonnage, but delivers it in a manner conferring unique benefits. The B–1 is a manned bomber and its production will give us a strategic force "mix" quite apart from any incremental damage it might do. The mix is justified by three arguments:

First, that it will guarantee our deterrent and our Assured Destruction Capability, by hedging against possible Soviet development of counters to both our Polaris and the Minuteman. They could achieve this, for example, by the combination of partial first-strike and strong ABM capabilities.

Secondly, the mix is considered valuable for forcing a diversion of Soviet resources. So far as they desire to defend themselves against a bomber attack, they must construct a new system especially adapted to that purpose. This undertaking can be quite expensive.

And third, in the event that deterrence does fail, the manned aircraft should provide a more flexible, selective, and restrictive war-fighting capacity than missiles would do.

PROBABLE EFFECT ON STRATEGIC STABILITY

These two lines of argument on behalf of the B–1 must be analyzed separately.

The first, that the B–1 will provide us with incremental firepower, can be readily met by showing that this is not the most cost-effective method of adding megatonnage—even if that is desired. This will be discussed in more detail in the next section.

The strongest arguments for the B–1 are therefore the second group dealing with the desirability of the strategic mix. Comparative cost is less relevant here: the capabilities are by definition those unique to the manned bomber.

The relevant questions then become three: Would the manned bomber also have undesirable effects on strategic stability, producing a net minus? If not, would we still prefer to forego this particular capability altogether rather than meet such a heavy cost? And if a bomber mix is still deemed essential, would we get more for our money by retaining and modernizing our B–52 force?

It appears on balance that the B–1 may well detract from strategic stability. To be sure, it will probably help discourage a *calculated* attack. It will make our deterrent more varied and difficult to neutralize, and so improve its credability. But it is difficult to believe that its credability will be called into question in any case. To prompt a rational attack on this country a Soviet defense must not only be devised, but it must work with extreme reliability. Russian leaders must be confident that they can destroy over 95% of our forces; "clearly unacceptable damage"—loss of some 25% of their population and 75% of their industry—will result from failure to meet this figure. It seems in-

conceivable that this level of confidence will be attained.

On the other hand, however, an attack need not be motivated by the calculation of gain. It can also come from the fear that you will be still worse off if you delay. In such cases it is important to be fast on the draw, to strike first. The B–1 would tend to create such pressures, so fatal to negotiation and prudent action. If one plane carries 10 missiles, and several planes are at one base, then in moments of strain and ambiguity there will be a strong temptation for the Soviets to pre-empt. The well-designed deterrent should present no such temptation to the enemy; there should be no profit in precipitate action, and the strategic force should be adapted to the political end of fostering restraint and deliberation. The enemy should be able to destroy less than one of your missiles for each of his own that he expends. In no case should he be able to destroy many for the price of one. Yet by concentrating vulnerable targets at relatively few points the B–1 program would do precisely that. Even if some "mix" is deemed important, a different and less concentrated system should be chosen.

Given the plane's questionable effect on the nuclear balance, there seems no good "strategic-stability" reason for meeting its extremely high cost.

COMPARATIVE COST-EFFECTIVENESS

Still less should we be tempted to procure it simply for its incremental firepower. In the first place, our gross megatonnage seems quite sufficient at the present. A survivable Assured Destruction Capability of 400 warheads remains secure into the forseeable future.

And even if it is judged that some further megatonnage is necessary, there are cheaper means of attaining it. Let us assume that the 1060 SRAMs available are not preempted. Still that force can be roughly duplicated by 13 additional Poseidon boats (assuming 50% are on or near station) or by accelerating the conversion of those 500 missile silos now scheduled to retain the old Minuteman II. There are recognized disadvantages to both courses, and development of the ULMS seems an option preferable to either of them, but the present point is that they are less undesirable than the B–1, and far cheaper. The Poseidon boats would cost about $8 billion to procure and operate for ten years; the Minuteman force, on quite rough figures, should have an incremental cost in the neighborhood of $4–6 billion.

The most apt comparison, however, is with the retention and modernization of our present B–52 force. To extend this program for ten years beyond 1978 should cost $7.36 billion, computed on the same basis as figures yielding the B–1 cost of $20.27 billion. It breaks down as follows:

	Billion
Annual cost:	
O & M	$0.35
Modernization	.01
Half the cost of the surveillance and warning system (the other half being costed to the missile systems)	.11
Dispersal bases	.03
Annual cost in present dollars	.50
Addenda:	
10-year cost in present dollars	5.00
SRAM program costs—the five items from the previous table, with two figures modified to reflect the smaller number of missiles needed: less $0.46 billion in procurement, less $0.30 billion for warheads	1.77
Modification and support costs to adapt the B–52s to the SRAM	.59
Total cost estimate	7.36

Certain overhead costs are omitted from this figure, but are also omitted from the corresponding B–1 figure of $20.27 billion, and so factor out.

The incremental cost of the B–1, in other words, is some $12.91 billion over the B–52 . . . and quite arguably the older plane will still provide a "mix" sufficient to complicate the calculations of Soviet planners. The B–1's advantages in speed and operating altitude do not seem impressive; and if trade journal procurement figures are accepted the cost increment rises to $15.91 billion. It is doubtful that the improved capabilities are worth that much to us.

I will not belabor the reader with a list of other things we can do with thirteen or sixteen billion dollars. We are all aware of them. I would like to conclude only that money spent on this plane will be money badly spent. I have tried to indicate that it is an anachronism—a very fine horse, I have no doubt, but a horse none the less.

DO WE NEED TO EMPHASIZE THE FLAG IN CHILD-REARING?

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. BOB WILSON. Mr. Speaker, with my colleagues permission, I would like to insert the following article in the RECORD, written by Erma Bombeck, a gifted special correspondent for the San Diego Evening Tribune. In her article she demonstrates with unusual insight, how we as parents can become so caught up with teaching our children the "social amenities" that we forget to take the time to tell them what democracy is and what our flag stands for.

The article follows:

DO WE NEED TO EMPHASIZE THE FLAG IN CHILD-REARING?

On television the other week a group of students were talking about their confrontation with New York construction workers. "We made a mistake," said one of the students. "We attacked their symbol . . . their flag. We shouldn't have done that. It's important to them."

The phrase stuck in my mind. "Their flag. Their symbol." I thought it was theirs, too. Or is it? As a parent, I guess I always thought respect for the flag was congenital. Is it possible I was so busy teaching the basics, I never took the time to teach "flag."

"Oh say can you see by the dawn's early light . . ."

("Don't slouch. Pick up your feet. Don't talk with food in your mouth. Stop squinting. Turn that radio down. Get off the phone. Tie that shoestring before you trip on it.")

"Shoot if you must this old gray head but spare your country's flag . . ."

("Don't snap your gum. Stop eating all that junk before dinner. Sit up straight. Look at me when I talk to you. Your eyes are going to stay crossed someday. Get your homework done. Wear boots.")

"I pledge allegiance to the flag of the United States of America . . ."

("Shut that door behind you. Get the mud off your shoes. Quit rustling that bag. Go to sleep. Don't slam that door. Leave your sweater on. Get a haircut.")

"If anyone attempts to haul down the American flag, shoot him on the spot."

("Stop fidgeting. Keep your feet on the floor where they belong. Don't talk back. What do you say to the nice lady? Wash your hands. You're letting in flies. Pick up that mess.")

"We came in peace for all mankind."

("You're going to be late. Eat something. Bring me the change. Hang that up. Brush your teeth. Apologize. Get your elbows off that table. Got a clean handkerchief. Tuck your shirt in. Be home early.")

Did I forget to tell them it was their flag they hoisted over Mount Suribachi? Their flag that waved over Peggy Fleming at the Olympics? Their flag that draped the coffin of John F. Kennedy? Their flag that was planted in the windless atmosphere of the Moon? It's pride. It's love. It's goose bumps. It's tears. It's determination. It's a torch that is passed from one generation to another.

I defy you to look at it and tell me you feel nothing.

ARCHIE MANNING GIVES GOOD ADVICE

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. GRIFFIN. Mr. Speaker, it is my unique pleasure, today, to call my colleagues' attention to remarks made by a prominent young Mississippian that reflect what is right with America today.

The young man in question is Archie Manning, the All-American and Heisman Trophy contender from the University of Mississippi.

Mr. Manning is not the kind of football player pictured in the popular stereotype. His conduct, off the field, is that of a modest gentleman. His academic record, in the field of business administration, is one to be proud of as he has maintained almost a "B" average.

In remarks to a group in his hometown, Manning reaffirmed his commitment to the principles of good citizenship and responsible participation in the democratic process.

I submit his remarks as they appeared in the Port Gibson Reveille in an editorial by Mr. Edgar T. Crisler on Thursday, July 30, 1970:

ARCHIE MANNING GIVES GOOD ADVICE

Excerpts from a speech made by Ole Miss quarterback Archie Manning July 17 at his hometown of Drew, Miss., have been received by Mississippi newspapers. A number of newspapers are quoting his remarks. It is noteworthy that Archie Manning, considered to be one of the great college quarterbacks in America today, appears to have sound concepts on the most important game—"life." We are publishing his remarks below with the fervent hope that young readers, especially, will read and heed his words. The text of the speech follows:

Citizenship is very similar to an athletic contest.

To compete in life requires the same kind of preparation to compete in football or any other sport. To be successful in either requires full preparation. You must prepare yourself in such a way that you can do your best at all times.

To be successful in citizenship as in athletics it is necessary to train faithfully, which requires self-discipline and often makes it necessary to give up some pleasures that would be temporarily pleasant, but in the long run, would defeat your effort.

One of the most important parts of preparation is obtaining an education and much of the success you have later will be determined by how well you apply yourself during the early stages of your life.

In life, as on the athletic field, you should always strive for excellence and do the very best you can with what you have. At first, it may seem that you can accomplish very little, but everyone has some talent which can be developed through determination, dedication, and with responsible guidance which is always within reach of those who really want to try.

There is another very important similarity between preparation for citizenship and preparation to compete on the athletic field. Each participant must respect and obey the rules. It would be impossible to conduct an athletic contest if all the contestants obeyed only the rules with which they agreed and felt free to violate those rules which stand in their way.

No athletic contest could be successfully conducted if those who are participating refuse to accept and abide by the rules of the game.

We must never forget the rules of society must be followed. This means that laws must be obeyed. If the rules of football are unsatisfactory, the way for change to be made is through proper appeals to the rule-making authorities, not by attacking the referee whose responsibility it is to enforce the rules. The same thing is true in life. The way to change laws is through influencing law-making authorities in a proper way and not by attacking those whose duty it is to enforce the law.

One of the most valuable assets an individual can have is a keen mind and a strong body. Young people should especially keep this in mind in our present society where the opportunity and temptation is growing to seek pleasure and entertainment by doing things that harm both mind and body. For instance, an entire life can be ruined in the few moments that a young person experiments with narcotics. The temptation may be great to be "in" and to do the "thing" with everyone else and it sometimes will take courage to do the right thing instead of doing the "in thing."

TAXES ON NONRETURNABLE BOTTLES

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. SCHEUER. Mr. Speaker, I have before me a ream of petitions—over 10,000 of them—which have come into my office in support of H.R. 15959, the "bottle bill" which I introduced last February. Through taxes on nonreturnable bottles, the bill provides clear incentive for the manufacturing and purchasing of returnable, recyclic bottles. These petitions sprung up spontaneously throughout the country as knowledge of the bill spread. The lists come from California, Montana, Arizona, Connecticut, New Jersey, New York, Minnesota, Maryland, Michigan, and Pennsylvania. That citizens took the time to circulate these unsolicited petitions demonstrates clearly their distress over the solid waste problem we are facing.

The proliferation of nonreturnable bottles and cans is one of the most obvious and obnoxious elements of the litter problem and is of deep concern to our constituents. I urge my colleagues to recognize the urgency of the solid waste crisis and take practical, feasible steps to meet it, before we are all buried under a deathly pile of suffocating wastes.

WHY ALL THE FUSSING ABOUT BUSING?

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. BINGHAM. Mr. Speaker, one of the most distinguished members of the psychiatric profession in the country, Dr. Lawrence S. Kubie, of Sparks, Md., has written a most pertinent comment on the thorny issue of busing of schoolchildren. Many of the comments on this subject create more heat than light. Not so Dr. Kubie's statement, which puts the matter in proper perspective.

I commend Dr. Kubie's statement to my colleagues and other readers of the RECORD:

WHY ALL THE FUSSING ABOUT BUSING?

In the early 50's under the auspices of a committee of distinguished non-political, non-partisan citizen-educators, a young M.I.T. graduate made a study of some of the problems of the school system of the State of Connecticut. To his surprise he found that one of the major expenses was for the transportation of school children; and that this was equally true for local and regional schools, good schools and bad schools, big schools and little schools, public and private schools, and both in rural and urban settings. Everywhere transporting children to and from schools was a major expense; sometimes amounting to as much as 50% or 60% or more of the whole school budget. Tearing one's hair over this does not help. It is one of the inescapable consequences of many seemingly contradictory factors, e.g. both population density and population dispersal. The tendency of some people to concentrate and the opposite tendency of others to spread out over wide areas play equally determining roles. All of this is still true today.

Therefore it is not surprising that in cities, counties or suburbs, we see school buses lined up in front of schools in the mornings and again in the afternoons and sometimes in the middle of the day as well. Recently I counted 23 school buses in front of one junior high school.

When I still lived in New York City the children who went to private schools were bussed. Sometimes the bus routes took them on an hour's ride from the city to schools in outlying areas. A few who were not bussed chose to go by subway. Others were driven in private cars by parents who made up their own car pools, so as to lessen the driving load for each. Evidently bussing, in one form or another, is the order of the day in our largest cities as well as in country districts.

This would seem to mean that whether we like it or not the bussing which has been going on everywhere is here to stay, unless we can return to the era of the small local village school. This "little red school house" may well have certain educational advantages over larger schools (as well as some disadvantages); but as long as de facto segregation of housing continues, the small school that serves small localities will automatically continue to be segregated; while the regional school which serves diverse areas may automatically help to bring about more mixed schools; but only if bussing is planned with this goal in mind.

What most critics of bussing seem to have failed to realize is that for decades the bussing of groups of students has also served inadvertently to perpetuate de facto segregation. No bus, no subway train, no car pool can go everywhere. Each must have a certain route; and on this route it necessarily gathers in children from homes which usually represent a certain degree of homogeneity. Therefore to the degree to which the distribution of homes among racial groups is segregated, busses will automatically tend to entrench segregation in the school system, unless plans are carefully made to correct this.

This is why the current furor about bussing is unrealistic. The question is not whether we should bus children to school. Without basic changes in the distribution of housing and the distribution of schools, we cannot avoid bussing! The realistic issue is whether it is possible so to plan bus routes that each bus will gather in a more representative sample of children, so that the busses will no longer serve to perpetuate segregation.

PI SIGMA ALPHA AWARD TO EASTERN ILLINOIS UNIVERSITY

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. SPRINGER. Mr. Speaker, Pi Sigma Alpha, the National Political Science Honor Society, recently bestowed its 50th anniversary award for overall excellence to the society's Delta Psi chapter at Eastern Illinois University.

This award reflects great credit on all student members of the chapter and particularly their faculty adviser, Dr. Y. P. Chen, professor of political science, who is working on Capitol Hill this summer on the staff of our colleague, the Honorable SPARK M. MATSUNAGA, Representative from the great State of Hawaii.

Eastern Illinois University, located at Charleston, in the 22d Congressional District, which I represent, is one of the most rapidly expanding institutions of higher education in our State. Last year, the president of the Pi Sigma Alpha chapter, there was John Keith of Hillsboro, Ill., and his successor will be Pat Allen of Joliet.

I heartily congratulate them on the recognition they have received from the national society and know they can look forward to another stimulating year.

The following announcement of the award to the Eastern Illinois University chapter was carried in the May 27 newsletter of Pi Sigma Alpha:

EASTERN ILLINOIS AND CLAREMONT WIN CHAPTER CONTEST AWARDS

The Pi Sigma Alpha Committee of Judges for awards for submissions of "the most interesting and stimulating programs" of Chapters announced that Delta Psi Chapter at Eastern Illinois University and Delta Epsilon Chapter at the Claremont Colleges have been awarded first and second places respectively in the 50th anniversary awards for overall excellence. Pi Sigma Alpha celebrates in 1970 its fiftieth anniversary as the acknowledged honor society for the study of political science.

The Committee of Judges consisted of Dr. George S. Blair, Professor of Political Science, Claremont Graduate School, Chairman; Dr. Charles O. Jones, Professor of Political Science, University of Pittsburgh, and Dr. Dwight Waldo, Albert Schweitzer Professor in the Humanities, Syracuse University. (Professor Blair, Claremont, did not participate in the ranking of the entry from the Claremont Colleges.)

The National Council of Pi Sigma Alpha decided at its meeting in September 1969 that prizes would be awarded to the two chapters which reported the most interesting and stimulating programs during the spring term of 1969 and the fall term of 1969, or both. Awards include expenses to attend meetings of the American Political Science Association and of Pi Sigma Alpha in Los Angeles in September 1970. Faculty advisers and chapter presidents of Delta Psi and Delta Epsilon will be the recipients of these awards.

A LOOK AT TAX REFORM

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. WALDIE. Mr. Speaker, a constituent of mine, Mr. Robert Powell of Walnut Creek, Calif., is a registered chemical engineer by profession, but harbors a deep interest in economic matters and now has a grave concern about the future of our Nation's economy.

Mr. Powell has sent me a letter addressed to all the Members of the Congress and it is my pleasure to place it in the CONGRESSIONAL RECORD.

The letter follows:

WALNUT CREEK, CALIF.,
January 26, 1970.

To: The U.S. Congress.

TAX REFORM

Your 1969 tax reform was a good start! It attacked most of the injustice, but the degree of change fell far short of what ultimately must be done. Indeed it seemed to accept Mr. Nixon's thesis that the way to control inflation is to perpetuate great injustices in our tax laws. Understanding economics well, I accept the fact that the changes needed must be spread over 3–5 years. Further, that a surtax is unavoidable as an emergency measure, but it should be only that, for it aggravates the injustice. The crux of the problem is that fairness and justice, per se, must be the major objective of reform—and of our national goals and priorities! That is precisely why the Pilgrims came here in the first place and is therefore the essence of our heritage. It is crucial to our nation's survival.

A Harvard professor recently theorized that people are poor because they are incompetent rather than incompetent because they are poor. To advance such a theory as the rule rather than the exception is a callous, heartless 1970 version of Marie Antoinette's "Let them eat cake"! Also it misunderstands (or chooses to ignore) the nature of man! With due respect to Mr. Agnew you cannot change that nature by ignoring people like me and listening to him. The Greeks had a way of killing the bearers of bad news. Our culture is developing a 1970 version of that practice too. Armageddon here we come!

BUILT-IN INFLATION

Much has been properly said about wages and salaries as a cause of inflation. Nothing has been said about the wages of money, i.e., interest, as a cause of inflation. Yet recent developments can literally bankrupt us. The subject must be understood and actions taken upon that understanding. Consider the following:

1. The national debt is over $300 billion and corporate bond debt about $425 billion, a total of $725 billion.

2. The annual interest on these debts is about $52 billion of which $15 billion is due to increases in the last 3 years—up 40% in 3 yrs!

3. This amounts to some $750/year/wage earner. (who ultimately pays).

4. The true interest rates for NEW loans now averages more than 9%. Money invested at 9% compounded, doubles each 8 years! It is axiomatic that such rapid growth in investments in money will prohibit even modest growth in all other areas of investment. Permitting such a condition to perpetuate means catastrophe!

5. Some 5% of the population owns 90% of the total debt. Clearly 5% of the population is receiving excessive benefits at the expense of the other 95%. That is not the objective of a government which seeks to be democratic!

This great disparity can be brought into focus by analyzing the investment of a Landlord at 6% vs. 9% interest—a hypothetical case of a $20,000 rental home bought for $5,000 down. Taxes and insurance are the current rates in Walnut Creek, Calif. Other cost elements are conservatively estimated, and from them a break even monthly rent is calculated:

Monthly payment	9 percent	6 percent
1. $15,000 amortized over 25 years	$125.88	$96.65
2. Taxes, present rates	47.00	47.00
3. Insurance, present rates	5.50	5.50
4. Depreciation, standing line over 50 year life 33.50×9/6	50.00	33.50
5. Maintenance at 1 percent of purchase price 16.67×9/6	25.00	16.67
6. Subtotal	253.38	199.32
7. Vacancy rate at 3 percent	7.60	5.98
8. Equivalent interest on $5,000 down payment	37.50	25.00
9. Break even rental price	298.48	230.30
10. Resale price $20,000×115 percent	23,000	23,000
11. Broker commission at 6 percent	1,320	1,320
Closing cost (some paid at purchase)	550	550
Balance due on $15,000 note	13,995	13,495
Recapture of downpayment	5,000	5,000
Loss (profit) from rent	2,910	(1,180)
12. Total resale deductions	23,775	19,195
13. Gross profit (loss) from resale	(775)	3,805

[1] Obviously a $20,000 home cannot be rented for $298.48. Assume $250 per month is tops. Can the landlord make out by renting it 5 years and selling at an inflated price? For that calculation assume the resale price goes up 3 percent per year average, or 15 percent total.

The lesson is obvious. At 6% interest the landlord's profit was generous. He could have rented the house for $230/month and still have done well, but at 9% he takes a real loss! If we would avoid catastrophe, we must understand and apply the lesson to our national policies.

Respectfully yours,

BOB POWELL.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 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?

A NEW ECONOMIC DIPLOMACY FOR THE 1970'S

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. BOW. Mr. Speaker, I am pleased to offer for the RECORD a position paper on the subject of future U.S. foreign policy, particularly economic policy, developed by the Asian-Pacific Council of American Chambers of Commerce. I am indebted for this paper to T. M. Hague who is both a Canton, Ohio, constituent and the president of the Japanese operations of the Goodyear International Corp.

The paper applauds the new direction in foreign policy recommended by President Nixon and offers suggestions on how that policy may be effectuated through cooperation between our Government and American businessmen abroad. It offers specific suggestions for the Departments of State and Commerce and for AID which deserve thoughtful consideration. I commend it to the attention of all Members:

A NEW ECONOMIC DIPLOMACY FOR THE 1970'S

American businessmen resident in the Asian-Pacific area welcomed some of the fresh thinking expressed in the United States foreign policy statements released by President Nixon on February 18. Speaking on economic and political intentions in Asia and the Pacific, President Nixon stated, "Our goal must be particularly close cooperation for economic development. . . . Our most effective contribution will be to support Asian initiatives in an Asian framework . . . the fostering of self-reliance is the new purpose and direction of American involvement in Asia . . ." On speaking of peace through partnership—The Nixon Doctrine—Nixon stated, ". . . Our contribution and success will depend not on the frequency of our involvement in the affairs of others but on the stamina of our policies. . . . This is the approach which will best encourage other nations to do their part and will most genuinely enlist the support of the American people. . . ." In speaking on international economic assistance, Nixon stated, ". . . When I came into office it was clear that our present assistance program did not meet the realities or needs of the 1970's. It was time for a searching reassessment of our objectives and the effectiveness of our institutions. . . . One truth is already clear: a new American purpose and attitude are required if economic assistance is to contribute to development in the new environment of the '70's."

American businessmen representing United States private enterprise with industrial and financial interests in Asia and the Pacific, who are individual and personally concerned with the strength of the United States economic position in this region are attempting to respond positively and constructively to the President's message. Also, we have shared the President's concern over our deteriorating balance of payments position since in our business we are directly and immediately affected. Our own competitive capability has been seriously undermined by inflationary costs importantly attributed to the drain on U.S. financial resources created by non-productive military expenditures in our area with questionable result, while our competitors who do not share a similar political-military responsibility or financial burden have benefited at our expense. In short, we too are concerned, recognize as the President states that something indeed is wrong

and have accepted the President's challenge to do something about it.

Our point of departure has been in trying to define our concern. As private businessmen with long and continuing residence, and therefore direct and first-hand experience in all Asian-Pacific countries where American enterprises are allowed to operate, we have the most realistic and meaningful available repository of empirical knowledge on conditions in this part of the world. We have attempted to mobilize the information resources of the more than 3,000 representatives of U.S. business belonging to American Chambers of Commerce in Korea, Japan, Okinawa, Taiwan, the Philippines, Hong Kong, Vietnam, Thailand and Australia whose operations encompass generally the entire geographic area in the Asia/Pacific region. While we recognize that as private businessmen we do not have access to certain U.S. Government strategies which result in some political and military priorities, our case is no more unique than that of the vast majority of citizens in this part of the world, upon whom the viability or success of these strategies must depend.

We find the "grass roots" consensus to be that the United States presently has no coordinated foreign and economic policy program. Our fundamental policy in the last two decades, insofar as the Communist world is concerned, has been one of attempted containment. This is a negative policy at best and has always forced us into the position of reacting to actions taken by Communist governments. However noble our motives and however altruistic our ideals, negative policies cannot possibly result in a different direction for our foreign policy than history displayed for the past 25 years. Implementing this policy, reactions to political moves and thrusts by Communist forces have necessarily come swiftly, often without permitting the necessary reflection which might show the full consequences of the reaction. Thus, our attempted solutions have often produced new problems as serious or more serious than those against which our actions were aimed. Too often, the very people we are attempting to help have been the real victims of the "solution," and frequently the victims have been worse off after our "assistance" than before.

We also find in our consensus that obsession with military and political priorities has not developed the economic stability and self-reliance which are emphasized as prerequisites for lasting peace. In many cases the opposite is true, and our government "official overpresence" has had an irritating and economically disastrous effect on the very nations we wish to support. Further, our efforts to reduce the U.S. military burden through cooperative agreements apparently have resulted in an even greater and more costly U.S. military commitment.

The resentment against "official overpresence" receives growing attention. During his recent visit to Washington, D.C., Indonesian President Soeharto stated in a public meeting that he believes the major powers should keep their troops out of Asia, and that aid to Asia in the future must take the form of economic assistance, granted without political conditions. Earlier this spring, Foreign Minister Thanat Khoman of Thailand made a similar statement, asking for more economic partnership and assistance to Asian countries from the developed countries and avoidance of political and military interference in the domestic affairs of small, non nuclear nations of the region. At an ever-increasing rate, similar statements are being reported in the public press, by foreign leaders such as Foreign Minister Romulo of the Philippines, as well as government and business leaders in Indonesia, Singapore, India, Pakistan and elsewhere.

Furthermore, similar statements are heard almost daily by American businessmen as they travel the length and breadth of Asia and the Pacific basin. In face to face meetings, Asian government and business leaders are constantly stressing to American businessmen that aid must be in the form of economic partnership with industrial and financial assistance.

Based upon our grass roots experience and analysis we agree with President Nixon that a "new American purpose and attitude are required . . ." and we therefore suggest a new concept of "economic diplomacy" for the 1970's, a union of thought, effort and purpose between private enterprise and government to serve the best interests of the United States.

In the final analysis the economically sound and self-reliant nation is the best deterrent to forces unfriendly to the United States, and it follows that economic diplomacy of the nature suggested should be of equal importance to the military and political strategies, and certainly more durable, although in our government's "management by crisis" approach which has typified the post-World War II record, it would appear that its promotion of lasting stability with a truly economic purpose has suffered from lack of attention. Economic self-interest is a far more viable and durable peg on which to hang a diplomatic hat than the vague semantics of "democracy" (for countries who are not ready for or interested in the U.S.-style from what they know of it), or "self-determination" (for nations clearly unprepared to make such a decision).

Focusing on Asia, a few facts become evident. First, the most fundamental of the problems of this region and its people are best met with a well-spread private payroll. All economic factors bringing growth, stability and potency to this payroll will do more to keep free Asia from its hereditary political morass than can the military might of the western and Communist worlds. Political and military might, vital as each is at its needed time, in no way provides the continuity of growth which characterizes the healthy market.

Despite historic and current instances of imaginative leadership among our financiers and industrialists, despite the broadest and richest home economic base ever known, (and perhaps because of it) Americans have yet to prove ourselves overseas to be the real economic innovators having the recognized force of government behind us. Therefore, our thinking must now encompass the political and industrial state as one superimposition in its overseas work. This implies a full concert of effort. It implies enlightened and purposeful government participation, the honest acceptance, at the highest levels, of a commercial goal, an acknowledged cohesion of interest between the civil servant and the earner abroad, true coordination of their efforts and a mutuality of purpose for the American entity abroad.

We have only to turn to the unparalleled economic rehabilitation of Japan to see vivid proof of how a well defined "economic diplomacy" can be successful. The intense detail and scope with which the Japanese Government and Japanese business circles cooperate to achieve the economic goals of Japan are not equalled in any other advanced nations of the world. It may very well be that there has never been, in the history of the world a country which has so clearly defined its long-range goals, and which has achieved such a close cooperation between government and business to pursue a national purpose. Almost no step is taken, almost no negotiations are entered into, without a full evaluation of all possible consequences, and a determination whether the proposed action is in the best interests of the country's long-range economic goals.

While we respect and admire the progress of Japan, we do not suggest that we emulate her, or her business community. We recognize that differences in our cultures would make it difficult for us to achieve identical cooperation between government and industry which Japan displays. Nevertheless, up to the present, America has always been a country of revolutionaries. We have always been able to bring imaginative and original solutions to difficult problems. Therefore, we think that the concept of economic diplomacy which will envision the resources of American private enterprise working in close cooperation with the U.S. Government in Asia and the Pacific in a well defined and planned program of economic objectives will contribute an important dimension to the foreign policy objectives of the United States. Specific examples which we suggest will implement the economic diplomacy required for the era of the '70's and '80's:

1. The *concept* of "economic diplomacy" must be accepted by the United States Government as a keystone of its foreign policy. There must be overt recognition that private business, cooperating in and with a foreign economy can make the major and lasting contribution to building self-reliance and self-respect within the host nation and thus further the national interests of the United States. Opportunities for economic partnership and industrial assistance must receive priority at least equal to opportunistic military and political objectives which at the best are of short range and questionable viability.

2. There must be a conscious reorientation within our Department of State, including operating Embassies abroad, on the necessity for "economic diplomacy". Specific instructions charging all concerned representatives of our Government must be issued directing aggressive and positive support for such goals. Some specific suggestions:

(a) Where available and feasible, the embassy should be staffed by a civilian advisor to the ambassador. This advisor would function solely as a business advisor, and would carefully avoid becoming involved in military or political matters. These advisors would be chosen for their business capabilities and for their specific knowledge of the area in which they serve. Such advisors would provide additional flexibility and expertise to the State Department, and would offer the advantage of not having additional duties and responsibilities which might affect their objectivity.

(b) The Department of Commerce should be required to further develop its involvement in U.S. policies abroad. Department of Commerce could be made responsible for providing the civilian advisors to ambassadors referred to above.

(c) The United States Government, acting with American business interests, should foster and promote the growth of multi-national corporations originated and oriented toward American business corporations. The United States should state this goal as a clear policy of the nation, as promoting the long-term benefits of the United States.

3. Recognizing the vital role of private enterprise in "economic diplomacy", all loan, grants and other funds expended as aid and assistance to less-developed countries shall be channelled through existing private American financial institutions and business organizations on an incentive basis, such as low interest rate loans, guarantees against certain risks, etc. This approach will lead to efficient use of funds, will result in the transfer of technology, capital and management skills in the most useful manner, and

will prevent the loss of substantial percentages of the aid through graft and corruption, administrative and bureaucratic red-tape, etc. In addition, it will insure that American industry participate on a lasting basis in the form of economic partnership so greatly desired by recipient countries. American private enterprise as well as American labor will also benefit from the aid granted by the United States instead of channelling economic benefits to other *developed* countries through multi-national organizations.

COMMUNISM VERSUS GUN OWNERSHIP

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. SCHMITZ. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

EDITORIAL: COMMUNISM VERSUS GUN OWNERSHIP

"Lenin has indicated that the Communist strategy is deeply concerned with two objectives: (1) the arming of the 'right' people, and (2) the disarming of those 'reactionaries' who might meet violence with violence. Communists, like holdup men, have no overweening desire to be shot. Both the Communist and the thug prefer to deal with a disarmed citizenry. Both the Communist and the criminal have proven through the years that they can and will obtain the arms and explosives that they want."

The foregoing is quoted from an AMERICAN RIFLEMAN editorial of Nov., 1949, entitled "Simple Arithmetic" The last paragraph of the editorial explains what the title means:

"Only when the loyal majority has been legally disarmed do we need fear the violence of the illegally armed, disloyal minority. This is not ideology. It is simple arithmetic."

Present Communist opposition to Americans owning guns is clearly indicated by the cartoon reproduced (next page) from the Soviet Russian publication *Trud*, p. 3, Feb. 4, 1970. The sign on the shop window has been translated as: "Unrestricted sale of firearms." While the gun dealer bows happily, two beefy characters walk away from his shop loaded with what appear to be fully automatic arms.

Quite obviously it appears from *Trud, Izvestia* (See AMERICAN RIFLEMAN, June, 1968, p. 16–17) and some other publications issued closer to home that the Communists would like to see private citizens in the United States deprived of firearms. There is hardly any secret about this. Certainly it is Communist policy wherever in the world Communism has been felt.

When a Lutheran church in Oregon sponsored 28 Latvian and Estonian immigrant refugees from Communism, one of them with a doctor's degree and command of seven languages told NRA Member Henry L. Bottemiller that only 5% of Russians are Communists. "When I asked how 5% could control the rest," Bottemiller wrote, "my friend answered with a remark that I will never forget. He said: 'They have all of the guns.'

Some Americans still aren't capable of believing that the Communists, abroad and at home, are among those who eagerly want to see Americans disarmed. They dismiss this as a silly notion and lecture anyone who suggests it as if he were a stupid child.

So THE AMERICAN RIFLEMAN went directly to the authenticated declarations of Communist leaders in the Library of Congress to determine their attitude toward private ownership of firearms.

Assistant Editor John M. Snyder, who holds a master's degree in political science, was assigned to research the writings of the so-called fathers of the Communist Russian Revolution of 1917: Lenin (nearly assassinated in 1918 by a disillusioned woman radical with a pistol), Trotsky (assassinated in 1940 with an ax) and Stalin (supposedly victim of a medical plot in 1953). Here is just a part of what he found:

From LENIN: " . . . one of the basic conditions for the victory of socialism—the arming of the workers and the disarming of the bourgeoisie." (From Lenin's *Collected Works, The Basic Tasks of the Dictatorship of the Proletariat in Russia*, Moscow: Progress Publishers, 1965. Vol. 29, p. 108. U.S. Library of Congress reference: English, DK-254.L3A2323.)

"Make mass searches and hold executions for found arms." (From Lenin's *Collected Works*, Vol. 35, 4th edition, p. 286. CONGRESSIONAL RECORD, p. 13311.

"Only the Soviets can effectively arm the proletariat and disarm the bourgeoisie. Unless this is done, the victory of socialism is impossible." (From Lenin's *Collected Works, Theses and Report on Bourgeoisie Democracy and the Dictatorship of the Proletariat, March 4, 1919*. Vol. 28, p. 466. U.S. Library of Congress Reference: English DK254.L3A2323.)

From TROTSKY: To insure quick Communist victory in civil warfare, there "arises the necessity of disarming the bourgeoisie and arming the workers, of creating a Communist army. . . ." (From *Manifesto of the Communist International to the Proletariat of the entire World* in *A Documentary History of Communism*, ed. by Robert V. Daniels, New York. Random House, 1960, Vol. 2, p. 90. U.S. Library of Congress Reference: HX40.–D3.)

From STALIN: "If the opposition disarms, well and good. If it refuses to disarm, we shall disarm it ourselves." (J. V. Stalin, *Reply to the discussion on the Political Reports of the Central Committee*, Dec. 7, 1927. Stalin's *Works*, Vol. 10. p. 378. U.S. Library of Congress Reference: English, DK268.S75A–267)

The word *bourgeoisie* which crops up so often in the remarks of Lenin and Trotsky is French for middle class. The Communists twisted it into an epithet or dirty word for anyone who disagreed with them. Nowadays the bourgeoisie who are to be disarmed include everyone who would oppose a Communist takeover of any country including the United States. The thrust of current Soviet propaganda makes that clear.

A CONSTITUENT'S PRAYER FOR AMERICA

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. RIEGLE. Mr. Speaker, one of my constituents, Mr. Joseph Gabriel, of 6108 North State Road in Davison, Mich., has sent me a copy of a "prayer for America"—and has requested that I insert this prayer into the CONGRESSIONAL RECORD so that all Americans will have the opportunity to use it. Therefore, upon the request of Mr. Gabriel, I insert his prayer into the RECORD at this point:

PRAYER FOR AMERICA

Come home, America, from Vietnam and Laos and Cambodia where we are wasting young blood in support of a political regime that does not have the respect of its own citizens.

Come home, America, from the bitterness and evil of racism to the dignity of brotherhood.

Come home, America, from the politics of manipulation and division to the politics of hope and reconciliation.

Come home, America, from boasts of a silent majority to the higher ground of conscience and responsibility.

Come home, America, from the intimidation of the free press to the guarantee of the Bill of Rights.

Come home, America, from the hunger of little children, from the loneliness of the aging poor, from the despair of the homeless, the jobless, the uncared-for sick, to a society that cherishes the human spirit.

RABBI SAUL WHITE

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. BURTON of California. Mr. Speaker, on Friday, August 14, at Sabbath eve service and at an ecumenical service on Saturday, August 15, Congregation Beth Sholom and the many friends of Rabbi Saul White will honor him on the occasion of the 35th anniversary of his ordination and for the great service which he has rendered these past 35 years to Congregation Beth Sholom and to the people of San Francisco.

In addition, Rabbi and Mrs. White will be honored at a reception on Sunday, August 16.

It has been my privilege to be associated with this outstanding man on many occasions in the continuing struggle for social, economic, and racial justice. Rabbi White has always been a firm voice in behalf of the dispossessed in our community and he has tirelessly worked in their behalf.

Rabbi White has truly heeded the words of Isaiah and has striven to "undo the heavy burdens and to let the oppressed go free."

I could not let this important anniversary go by without making note of it and sharing with you the brief biography of this fine man which Congregation Beth Sholom has so aptly titled, "We Celebrate."

I am sure my colleagues will wish to join with me in expressing our best wishes to Rabbi White.

The biography referred to follows:

WE CELEBRATE

Rabbi Saul E. White—Shaul Elchanan ben Ephraim—whose 35th year of ordination as Rabbi and spiritual leader of Congregation Beth Sholom we celebrate this month—was born in Kolno, Poland on Shavuoth in 1908—to Ephraim and Eva White. At the age of 12 he came to the United States and enrolled as a student at Yeshivah Yizchak Elchanan—then situated on East Broadway, now known as the Yeshivah University. He attended Brooklyn Public Schools, Boys High School and New York University, Tarbuth Teacher Institute of the Jewish Theological Seminary and Jewish Institute of Religion, Hebrew Union College. He holds the degree of B.S. in Education from N.Y.U., M.H.L and Rabbi from J.I.R. In 1964 he was awarded the honorary degree of Doctor of Divinity from the University of Judaism in L.A.

Upon graduation from the Rabbinical Seminary and before his call to Beth Sholom the Rabbi married Ruth Shapiro, daughter of Abraham and Minna Shapiro. Ruth, a graduate of Brooklyn College and an actress on

the Broadway stage, had to choose between two careers. Rabbi Stephen Wise suggested that our Rabbi go to Bluefield, West Virginia, where a small congregation would allow time for study and reflection and to perfect his tennis. Joe Karesh, now Judge Karesh, and Rabbi Louis Newman advised the new Rabbi that a congregation was emerging in the Richmond district of San Francisco and he might make a go of it. The Rabbi arrived on the Overland, moustached and smoking his eternal pipe and was met by a committee of elders, who sensed that someone had made a serious mistake. They were polite and had an informal reception at the then Koffee Kup, later Zim's.

The Rabbi recalls with some amusement that the discusion that evening as reported to him was whether he be let go at once or wait until after the High Holidays. The Rabbi has been with us 35 years. Three children were born to Ruth and Saul. The eldest, Shalene, is married to Elliot Bernstein, lives in Salt Lake City and is the mother of two girls and a boy. Linda, married to Dr. Terry Michels, lives in Oakland and is the mother of two sons. David, 22, has completed his studies at U.C. at Berkeley and in the fall will enter the Jewish Theological Seminary in New York to prepare for the Rabbinate.

Since his coming to Beth Sholom as its first and only Rabbi, the congregation has grown from 30 families to nearly 600, and with another 500 families on the periphery, Rabbi White has made his imprint on the Jewish and general community. An early advocate of Zionism and a Jewish State, he traveled far and wide to bring the message to Jewish and Christian audiences. He has been heard in every city of our state and in neighboring states. The Rabbi has lectured at many of the Universities and for a number of years was on the faculty of the Starr King School of the Ministry. A number of churches have had Rabbi White as an annual guest preacher. Rabbi White has served a number of times as the President of the Board of Rabbis of Northern California and Chairman of the San Francisco Council of Rabbis. At various times he was the President of the San Francisco Zionist District, Jewish National Fund, member of the Board of Directors of the Jewish Welfare Federation, etc.

Reflecting his abiding interest in improving the life of the community, he now serves as co-chairman of the San Francisco Conference on Religion, Race and Social Concerns, Rabbi White not only speaks with conviction but writes with clarity and precision. For many years his column in the Emanu-el and Jewish Bulletin was widely read and discussed. He has written for Congress Weekly, the Jewish Post, the Jewish Record, the Jewish Digest, etc.

For three years Rabbi White was heard weekly on the Radio Program, Faith Forum, and has from time to time appeared on other radio and television programs.

The Congregation has voted Rabbi White a six month's sabbatical. It is anticipated that Rabbi and Mrs. White will spend their sabbatical in Israel, making their home in Jerusalem.

We look forward to many years of creative leadership of the Rabbi in our midst.

DONALD S. DAWSON HONORED

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. BOGGS. Mr. Speaker, on last Monday, August 3, the Chief of Staff of the Air Force, Gen. John D. Ryan, presented to Donald S. Dawson, on behalf of the President of the United States, the Distinguished Service Medal for his many years of exceptionally meritorious service to his country.

Many Members of the Congress have known Don Dawson for many years—as an outstanding officer of the Air Force in wartime, a conscientious Reserve Officer in peacetime, continuously maintaining a readiness to serve again in the military, as an outstanding official in various positions in the U.S. Government, and now as one of Washington's outstanding attorneys rendering a service in the highest traditions of the legal profession.

Perhaps above all, we who know Don Dawson regard him as a true and loyal friend whom we esteem, admire and respect for his high character, as well as his outstanding ability and attainments.

Don Dawson is known in the U.S. Air Force Reserve as Maj. Gen. Donald S. Dawson, past president of the Reserve Officers Association of the United States. He has given many years of dedicated service to the ROA, and has served the association in many capacities of leadership.

In his remarks to an outstanding assembly of officers and members of the Air Force secretarial staff, General Ryan spoke briefly but with expressions of pride regarding Don Dawson's service. The citation accompanying the award of the DSM reads as follows:

The President of the United States of America, authorized by Act of Congress July 9, 1918, awards the Distinguished Service Medal to Major General Donald S. Dawson, for exceptionally meritorious service in a duty of great responsibility. General Dawson distinguished himself as Mobilization Assignee, Director of Security Police, The Inspector General, Headquarters United States Air Force, from 3 November 1960 to 31 July 1970. In this important assignment, the leadership, exemplary foresight, and ceaseless efforts consistently demonstrated by General Dawson resulted in significant contributions to the effectiveness and success of the Security Police Program. The singularly distinctive accomplishments of General Dawson culminate a long and distinguished career in the service of his country, and reflect the highest credit upon himself and the United States Air Force.

Don Dawson volunteered for service in the Army of the United States early in 1943; took his basic training in Greensboro, N.C., and then electing to seek a commission in the competitive way, applied for and was accepted for the Air Corps Officer Candidate School. In training at Miami Beach, Fla., he made a splendid record and was elected chairman of the honor council of the school. He was commissioned a second lieutenant on October 16, 1943, and subsequently served in a number of posts of responsibility until the end of World War II by which time he had risen to the rank of major. He continued active in the Reserves, serving on the staff of the Secretary of the Air Force, and later as director of the Security Police, where he reached the high Reserve rank of major general. During his service, in wartime and peacetime, he earned a number of decorations, which he received and wore with dignity and merit. He also served the Air Force and the Department of Defense in a number of other positions: As a member of the Reserve Forces Policy Board—RFPB—Office of the Secretary of Defense; Chairman of the Air Force Reserve Policy Council; and member, Air Force General Officer Screening Board.

General Dawson is a native of Eldorado Springs, Mo., a graduate of the University of Missouri, and of George Washington University Law School.

He is best known to those on the Hill for the 7 years he served on the White House Staff as special executive assistant to the President of the United States, Harry S. Truman. He also served his Government as Assistant to the Federal Loan Administrator—FHA—as Chairman of the White House Loyalty Review Board; and as Director of the Liaison Office for Personnel Management, Executive Office of the President. He represented President Truman on many occasions, including the inauguration of several Presidents of some of the great nations of the Western Hemisphere, including Mexico and Brazil.

Don Dawson has also found time to engage in many civic activities, giving his energies and talents to support of the United Givers Fund, Boy Scouts of America, the National Committee on Playgrounds for Youth of America, the Boys Club of Washington, D.C., and many others. He has been Washington alumni president of the University of Missouri, Phi Alpha Delta—professional legal fraternity—and Beta Theta Pi Fraternity.

He has been the winner of the Outstanding Service Award of the American Federation of Government Employees. He was the Father of the Year in the District of Columbia in 1962.

I think it is characteristic of Don Dawson that in accepting the DSM from the President of the United States, he depricated his own contribution and rather credited many friends and coworkers whose help and encouragement he said had meant more than his own talents and work. It was especially fitting that in this characteristic manner he also paid tribute to this country and its government, and to the leaders of our country in the military services who protect our freedoms; and in a grateful allusion to the encouragement of his wife, whom we know as the lovely Ilona Massey Dawson, whose assistance and sacrifice was born of her personal experience of having been a native of and lived in a country which is denied the same degree of freedom we are privileged to enjoy in this great country.

I am sure that all of us are proud to share through our friendship this new honor and recognition which has come to a great American, Donald S. Dawson.

PRESIDENT ACTS TO MEET CRISIS OF SHORTAGE OF CLEAN FUELS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. CONTE. Mr. Speaker, I am sure I speak for many of my colleagues in ex-

pressing approval of the President's decision of August 6, 1970 directing the Domestic Council to find solutions to what he described as "the acute shortage of clean fuels for this winter."

Earlier, on August 3, 1970, I wrote the President concerning the critical shortage of No. 6 residual oil, used heavily by schools, hospitals and industry, and urged him "to develop, in close consultation with the oil industry and local marketers and consumers, an emergency plan for the period September 1, 1970 through April 1, 1971, to prevent a crisis in the coming winter."

In proposing the development of this emergency plan, Mr. Speaker, I suggested a number of possible solutions, such as decontrol of No. 2 fuel oil imports into the east coast—in some cases, No. 2 oil can be used as a substitute for residual oil—construction of residual oil refineries in trade zones, and a low-surplus residual import bonus system.

One of these proposals, construction of a residual refinery capacity, is something I and others have called for for some time. In the past, our overprivileged domestic oil industry has opposed this as unrealistic. It is ironic that these same "realists" have failed so miserably to project accurately the demand for this essential product.

For the information of my colleagues I include at the close of these remarks a copy of my letter to the President followed by a copy of the White House release announcing the study. I am gratified that Dr. Paul W. McCracken, Chairman of the Council of Economic Advisors, has been chosen as Chairman of the study committee. Dr. McCracken's selection assures that this problem will receive the urgent attention it requires.

The letter and the press release referred to follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 3, 1970.

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

DEAR MR. PRESIDENT: In recent weeks I have received numerous complaints from municipalities, utilities, hospitals and schools in my Congressional District about their inability to purchase, at any price, sufficient quantities of residual fuel oil (No. 6 fuel oil). They are particularly concerned about shortages of this product in the coming winter, when lack of No. 6 fuel could mean the closing down of factories, and cold schoolrooms, hospital wards and apartments.

The shortage presents an even more alarming, immediate danger that electric power companies will be unable to continue generating power. I understand that several of these companies will be out of the residual fuel oil on which they depend within a few weeks unless they succeed in a desperate, last-minute search for additional supplies.

In discussions with my colleagues from many parts of the country, I find that the shortage of residual fuel oil is nationwide, and that a severe crisis threatens almost all states in the upper half of the nation in the months ahead.

In short, we are facing a national emergency that calls for prompt action by both Government and industry.

Because we are in an emergency, it is essential to face facts squarely. One major cause, of course, is the increased demand due to disruptions of supplies of coal and natural gas. But the most critical fact—the root cause of the crisis—is the failure of the oil industry to project accurately the demand for this essential product. The industry has always prided itself on its "realism" and "hardheadedness." Those of us who have called into question current U.S. oil import policy are constantly attacked as being unfamiliar with the facts of world politics and economics.

But where were the realists in the oil industry several years ago when it was time to project residual fuel oil needs for 1970? Two companies, Esso and Shell, did make major investments several years ago in desulfurization facilities in the Caribbean, designed to produce substantial quantities of No. 6 oil for the U.S. market; and they are to be commended for their foresight.

But what of the other major refiners? And why is the industry so quick to come up with alibis for the present crisis, such as the new, long-overdue, anti-pollution requirements (which they have known were coming for years), the current cut-back in supply availability in the Mediterranean (which affects only 3% of the Free World crude oil supplies), high tanker rates (which affect very few tankers and almost none used by the major oil companies), and the claim that the crisis will cost the industry money (when, in fact, it is counting on higher residual fuel oil prices to improve profits in the last half of 1970).

What is the response of an industry which enjoys special privileges and benefits on the grounds of national security (the only industry, I might add, which receives such massive support from the U.S. Government), when the needs of our people are involved? If the industry is as realistic as it claims, one can only ask whether there has been conscious collusion designed to create the crisis and thereby promote a rapid increase in No. 6 fuel oil prices?

The crisis calls into serious question the advisability of shielding the oil industry from competition by Government interference in the market place.

These are hard question, but the people of my District may go without heat this Winter, and they must know why. They must know why the oil industry has failed the American consumer, and why there are continuing shortages and a continuing escalation of prices of essential petroleum products.

While these matters must be investigated, we cannot wait for prolonged studies before developing a course of action. This emergency must be dealt with now.

I realize that residual fuel imports into the East Coast are not subject to import controls. However, because the Oil Import Program has created a special and close relationship between the Executive Branch and the oil industry, I urge that you instruct the Chairman of the Oil Policy Committee to develop, in close consultation with the oil industry and local marketers and consumers, an Emergency Plan for the period September 1, 1970 through April 1, 1971 to prevent a crisis in the coming Winter. I would hope that the Plan will also be designed to halt and reverse the sharp escalation in the price of No. 6 oil which is having a severe inflationary impact on hospitals, schools and apartment dwellers, and that consideration will be given to basic changes in the Oil Import Program—decontrol of No. 2 fuel oil imports into the East Coast, construction of residual fuel oil refineries in trade zones and a low sulfur residual import bonus system—designed to prevent a recurrence of this potentially tragic situation.

There may be other devices that could be employed to meet this crisis. One way or another there simply must be greater domestic refining of residual oil. It is my personal feeling that the only way to bring this point home to our domestic industry is for you to bring the prestige of your office to bear on industry leaders.

In closing let me assure you of my cooperation and support for your efforts to meet this emergency. If there is any way that I can be of help, in my individual capacity or as Co-Chairman of the informal House Committee on Oil Import Reform, please call upon me.

With best wishes, I am,
Cordially yours,

SILVIO O. CONTE,
Member of Congress.

WHITE HOUSE PRESS RELEASE

The President has asked the Domestic Council to study the national energy situation and to develop for his consideration new or revised energy policies. The Council has been specifically requested to recommend federal actions which may be taken to alleviate the acute shortage of clean fuels for this winter and to ensure an adequate fuel supply for the next five years.

Members of the Committee which will conduct the study include Secretary of State William P. Rogers; Interior Secretary Walter J. Hickel; HEW Secretary Richardson; Dr. Lee A. DuBridge, Director of the Office of Science and Technology; Russell E. Train, Chairman, Council on Environmental Quality; George A. Lincoln, Director of the Office of Emergency Preparedness; John N. Nassikas, Chairman of the Federal Power Commission; Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission; Mrs. Virginia H. Knauer, Special Assistant to the President for Consumer Affairs; George P. Shultz, Director of the Office of Management and Budget; and Dr. Paul W. McCracken, Chairman of the Council of Economic Advisers.

Dr. McCracken will be the Committee chairman.

CZECHS FEAR AMERICANS HAVE FORGOTTEN THEM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. BOB WILSON. Mr. Speaker, a recent column in the Washington Star by the distinguished journalist, Charles Bartlett, pinpoints one of the most serious problems of the Czechoslovakian people. They think Americans have forgotten how the Soviet Union, through quiet but stern occupation, have suppressed their freedoms. I am sure our colleagues will find this article interesting:

[From the Washington Star, Aug. 2, 1970]

CZECHS FEAR AMERICANS HAVE FORGOTTEN THEM

(By Charles Bartlett)

The liberals in Czechoslovakia are less audible than they were two summers ago but they nevertheless lament the casual notice that Americans are according to the rollback of their freedoms.

The Soviet screws are being turned so tight that all hopes of retaining any of the gains of 1968 are dead. The purge of the Communist party ranks will be finished in September and then, the liberals expect, the energies of the apparatus will be turned against the intellectuals and other leaders of the move to "put a human face" on socialism.

"We will not kill you, we will arrange your life so that you will kill yourself," was the Kafkaesque warning to an errant radio broadcaster. Some prominent writers, already denied outlets for their work, are disciplining themselves with diets and exercise to prepare for the rigors of prison.

The network of loyalist Communists is busily penetrating all the units of society, even little operations like hairdressing shops, in order to separate the reliable from the unreliable. A vast process of "scrutiny" is underway and persons whose 1968 loyalties are at issue are badgered with interrogations and threatened with unemployment.

The Soviets maintain a low visibility in Prague but they have permeated every department of the government. They sit with their translators in significant meetings and are always a decisive force. This Czech bureaucrats have learned to get around them occasionally, but the Soviets in fact make the policies.

Their measures are unabashedly designed to break the spirit of the people. Their trick has been to quash slowly the hopes for an enlightened occupation so the transition would come as gently as possible. They have implanted so many fears that even the hardline loyalists feel insecure. Hack officials will not, if they can help it, sign orders. They prefer to pass the word by messenger or telephone.

There is much drinking and immorality among the disillusioned young. Workers are apathetic. Many punch their cards and go to the movies, causing early morning queues outside theaters. Offspring of college graduates are denied admission to universities on grounds that the openings must go to the children of the workers. Artists, writers, and musicians are refused permission to study abroad.

The group that stimulated the uprising is being made to pay the price of its exuberance. Daily during the breakfast hour a rehash is broadcast of one of the insurgent meetings that took place in 1968. Those who spoke out against the Novotny government are quoted by name. This is how they learn they are going to be persecuted.

The liberals do not feel, according to sources that have been in touch with them, that there is much the United States can do to help the situation. They like the spirit that they sense in President Nixon. They relish his visit to Rumania and applaud his thrust into Cambodia. They still see their best hope in fruitful negotiations between Washington and Moscow.

But they are disturbed by a belief that the American public is oblivious to what is going on in Prague and by a feeling that foreign correspondents are no longer willing to risk their credentials to tell the story.

They suspect their oppressors might go easier on them if there were more indignation over here.

MIGRANTS: SOCIETY'S INVISIBLE VICTIMS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. PEPPER. Mr. Speaker, in our attempt to investigate poor conditions of minority groups across our country, considerable attention has recently been given to the migrant laborer.

An outstanding series of articles by Mr. Ed Domaingue appeared in the Lakeland, Fla., newspaper, the Ledger, and I wish at this time to commend these articles to the attention of my colleagues:

MIGRANTS: AN INVISIBLE ARMY OF 25,000 LANGUISHES IN POVERTY IN POLK

(By Ed Domaingue)

"I'm a bum, nothing but a bum.

"That's why I left school and I won't go back for nothing. It makes you feel cheap when you can't buy lunch at school, it makes you feel like a bum.

"I ain't like other kids. I don't have the things they do. Kids make fun of me when I had to go barefoot 'cause I didn't have any shoes. It makes you feel different.

"There was too much fights all the time, too much trouble. We have to change schools too much. I was older than the other kids, they was only 13 and some 14.

"I hate Florida, it's a bad state. A lot of other people hate Florida. Every person here hates Florida. We came here to pick oranges. We were way up in Michigan and we were living real good until we came here.

"I'm just a bum."

Jackson Bowers is 15-years-old. He lives in Eloise with his family, in a fly-covered, dirt-encrusted, two-room duplex apartment renting for $20 a week.

Eight persons share the apartment at the end of the road on the wrong side of the railroad tracks.

Jackson's parents are migrant fruitpickers. They follow the crops, moving from north to south and back with the change of seasons.

He and his parents are members of the invisible army of workers who labored to harvest the 179,300,000 boxes of citrus fruit produced in Florida last year.

Ernest Jarvis is 39-years-old. He looks 60. He lives in one room of a three-room, crumbling, filthy concrete block structure. He shares the building with two other men. It has no windows and the front door is broken off the hinges.

NO ELECTRICITY

The room is five-feet by 12-feet. Roaches and spiders are everywhere. The only light is in Jarvis' room, but there is no electricity. An extension cord from a nearby dwelling furnishes power to the bare bulb.

Jarvis lives in the middle room. In order to get from his room to the rear room, it is necessary to climb over the cushion-less sofa he sits on when he reads his paperback novels.

The room is furnished sparsely, with only a bed devoid of linen and the broken-down sofa.

He pays $20 a week for his room, and as an added dividend, the landlord supplies one meal a day—generally beans, grits or porridge.

He worked three days last week "because that's all the work there was."

For his back-breaking, nine-hour-a-day labor, he earned $38.50—before deductions.

He is in debt. He owes his "bossman" $55 and his landlord $100 because "times has been pretty bad. I ain't been able to get a lot of work."

Of his situation, he says philosophically, "I ain't been able to pay my board money for the past four weeks. I only worked one day this week and if I'm lucky, I might be able to work tomorrow.

"Maybe I'll make $30 this week, but I could wind up with only $15—you never know in advance what you're going to have. If we don't work, if there isn't any work, you just don't get paid.

WELFARE DISLIKED

"I never tried welfare. I have always been able to take care of myself. I prefer to work. I like to earn my own living. I'm going to try and work and earn my own way as long as I can," he said.

Ernest Jarvis is one of the 25,200 migrants who were responsible for removing 44,683,000 boxes of citrus fruit from trees in Polk County last year.

He, like the Bowers family, lives at the end of the road—this time, Hobbs Road in Auburndale.

His possessions are few; his bank account non-existant. He does not drive a car; own a television set; or live in the suburbs.

There are, according to The Florida Department of Health and Rehabilitative Services, 25,000 migrant workers living in Polk County during the height of the citrus harvesting season.

With little variation, they live in conditions of unbelievable squalor and deprivation well outside the mainstream of American affluence in the 1970's.

It is impossible to draw a portrait of the "average" migrant family—but more often than not, they have too many children; live in too small an apartment or deteriorating mobile home; pay too much rent; have neither enough clothes nor enough food; and have less than $5 in their pockets.

They are much written and talked about, but little is ever actually done to help them.

Exposes on the conditions forced upon migrant workers have shocked and saddened the nation with almost monotonous regularity—but conditions today remain virtually the same as they were 10 and 20 years ago.

VIRTUAL SLAVERY

The migrant lives in virtual slavery, or, at best, serfdom.

During the first session of the 91st Congress last year, a "shocked and saddened" U.S. Sen. George McGovern (D-S.D.) rose on the Senate floor after a tour of migrant country in South Florida and said:

"I think we have seen once again that many of our citizens are existing without the barest necessities of life, including the most urgent need of all—a decent daily diet.

"Some have survived on bad diets so long that they don't even know what it is to be free from hunger and malnutrition.

"We have seen diets and living conditions . . . that one might expect to find in Asia not in America. Most of the cattle and hogs in America are better fed and sheltered than the families we have visited. . . .

"We saw families with six, eight, or 10 children living in one or two-room shacks, not fit for animals—windowless—rat-infested—without water, plumbing or electricity—shacks for which the landlord collects $12–$15 a week rent each.

"We saw empty iceboxes and iceboxes that didn't work, with fatback, beans and lard the only thing stored in them.

"We saw children with the blank, expressionless stare of hunger on their faces—children not yet old enough to go to school who, when asked what they had for breakfast said 'grits and coffee'—for lunch beans and coffee'—for supper, 'beans and coffee'. Many could not remember when they'd last had milk," he said.

U.S. Sen. Walter F. Mondale (D-Minn.) accompanied McGovern on his tour.

SHOCKING POVERTY

On the floor of the Senate upon his return, he said, "There are times in the life of a public official when he is brought face to face with the shocking reality of hunger and dire poverty. I have just had such an experience. . . .

"The people I talked with travel the length and breadth of our land in search of jobs. They do not know what it means to have a place called home, or to have their children enrolled in fewer than three or four different schools every school year.

"They're the dispossessed and the disoriented—people who are chasing the American dream, but destroying themselves and their families in the process.

". . . It is the faces of listless and undersized children that I cannot get out of my mind—faces which stared straight ahead, indicating no comprehension of the world around them.

"I could see the result of many years of malnutrition and sordid living conditions in the parents of these children. It is not over-dramatic to characterize their existence as a shadow-life—hemmed in by poverty in its most extreme form and yet too weak, too ill and simply too worn down to press for change," he told his colleagues.

Hunger in America. Illness in America. Poverty in America. Desperation in America. Fear in America.

It sounds like a picture of someplace else, far away—indeed, as Sen. McGovern said, like conditions one might expect in Asia, but not in America.

NO RELIEF IN SIGHT

But it is here—right here in Polk County.—There is desperation and destitution on a scale staggering belief.

The story of the migrant worker in middle-class, rural Polk County is not a happy one, nor is it even a sad one with a happy ending, for there appears to be no relief in sight.

Polk County is often billed the "Phosphate Capital of the World." Many people work for a meager living in that industry, but few are without the income for the necessities of life.

The situation is not the same for another segment of the economy—the one which produces more citrus than any other place in the world.

Few Polk Countians pick fruit. Most of the labor is done by "outsiders."

Even those who actually live in Polk seldom are considered an integral part of the community.

They are poor; they are dirty; they are uneducated; they are invisible and many people think they are lazy—they are there to be exploited.

In more than a year of research The Ledger has been unable to find one migrant worker that lives comfortably the year-round by picking and harvesting the citrus crop.

The story of the migrant worker and the parallel story of the migrant stream, descriptions of desperation and dispair—stories that often begin and end in Polk County.

The invisible world of the migrant worker exists in Lakeland, Winter Haven, Frostproof, Eloise, Wahneta, Eagle Lake and in uncounted unicorporated areas and in migrant labor camps virtually every nook and cranny of the county.

It is hard to imagine the degree of poverty that exists because the average citizen seldom enters the migrant world. It is hidden from public view down dusty roads and behind citrus groves miles from major highways, cities or towns. Few would believe the structures, without running water, toilet facilities, paved streets, windows, screens or doors were inhabited by human beings.

Government officials have long turned a deaf ear to the problems of migrant workers, and the citrus industry often paints a picture far rosier than is factual.

The attitude most commonly expressed is, "I worked for everything I got, so why can't they?"

Many reasons are obvious, others are not.

The average migrant worker interviewed by The Ledger was almost illiterate—few finished high school and the majority were born into the migrant stream, even as their children have been.

FOLLOW THE SUN

When the crops are in, it is necessary to move on, to follow the sun.

"I ain't got no choice, my family and me just got to keep going. We ain't got no money saved when we're done picking fruit, we cant never get ahead. We got to keep going or we'll starve," Norton Brown said.

Brown lives in Haines City, when he is in Polk County and when he can find work. He is married. He and his wife have 11 children. They are migrant workers, looking for some way to get ahead, hoping someday to find a little better life for themselves and their children.

For many, the search is endless . . . and futile.

One person in 10 in Polk County during the height of the citrus season—from November to January and from late February to mid-June—is a migrant worker.

The statistical picture projected by state agencies and "assistance" groups is sterile—it tells nothing of the individual, of the families, or of the actual conditions.

Roughly 65 per cent of the state's agricultural labor force is migratory; 17 per cent is seasonal; and about 17 per cent is permanent, according to preliminary figures of the Florida Migratory Child Survey Project, sponsored by the State Department of Education.

The white migrant family has a male head of the household 80 per cent of the time, while the Negro family has a male head only 51 per cent of the time. The average migrant worker has been following the stream 11 years and frequently stays in Polk County six to eight months of the year.

Because children of migrants are likely to drop out of school at an early age, illiteracy combines with poverty and despair to overpower them.

HEALTH PROBLEMS

Health problems among migrants are severe. The Polk County Health Department wages a continual battle against tuberculosis, syphilis, nutritional and general health disorders—but language and cultural barriers are often unbridable.

Migrants are victims of a society that is moving in a direction different from their own; all that supports them today are the swirls and eddies created beside the mainstream.

Superstitions and curiosity boil around him because precious little is really known about him, his family, or his life-style.

Being poor and with little education, he is easy prey for unscrupulous peddlers, landlords, crew leaders and employers. He is concurrently the fabric of a social structure that gives little emphasis to respect of property and contracts.

He is elusive and a poor credit risk, so he pays high prices for everything. He is generally cut off from legal recourse, so he may never see the wages or conditions promised him by recruiters in the north and south—the ones who frequently most benefit from his servitude.

Employers and governmental agencies say the migrant worker is unreliable—that he is likely to walk away from a job or a payment book without explanation or advance warning.

The citrus industry and state officials claim the migrant is better off in Polk County than anywhere else in Florida.

Citrus is the best paying crop still harvested by hand and it accounts for approximately 40 per cent of Florida's employed migrant population.

Employers estimate migrant fruit pickers can earn up to $19.50 a day if they are men, $10.50 a day if they are women—three dollars above the average agricultural wage for women and four dollars higher than the average income for male migrants.

FIGURES UNRELIABLE

But, the reliability of the figures is questionable; migrants interviewed occasionally admitted it was possible to earn that much in a day, but few admitted ever coming close.

Few said they ever earned as much as $15 a day, "and only then when things was good."

Life among the migrant workers is hard.

"This country couldn't be no rottener," 64-year-old Carl McElvey said between chomps on a plug of tobacco. The old man lives in Eloise.

"Hit's about to blow now. Been holding the little man down too long," he said.

Who really is the migrant worker? And what is he all about? Is he just a man without a face who picks the fruit served on the ocean front terraces of posh summer resort hotels or is packaged neatly in long, colorful freezer rows at the neighborhood supermarket?

He is Jackson Bowers; Jackson's parents; Ernest Jarvis; Carl McElvey, a pensioner; four-year-old Terry Heflin of Dunnersville, Ala.; and two-year-old Bridget Hayes of Lake Hamilton, who sleeps with her seven brothers and sisters in two rickety beds in a three room flat with no inside plumbing.

The migrant worker is a man of the earth, picker of everything, possessor of nothing. He is a man without a home in a countryside whose rich harvest he gathers but seldom does he share the benefits.

SORROW, FAILURE

John Steinbeck, in the "Grapes of Wrath," said:

"There is a crime that goes beyond denunciation. There is a sorrow here that weeping cannot symbolize. There is a failure here that topples all our success."

This is the story of the migrant worker: why he is, what he is, where he is, what is being done to eliminate his plight, and what needs to be done before the weeping and anger can subside.

FEAR, MISTRUST GREET THE LAW

The call to the Polk County Sheriff's Department from the emergency room of Polk General Hospital was typical. It began an inquiry which ended abruptly against the roadblock of misunderstanding and fear.

"Please send a deputy to investigate a possible aggravated assault."

The victim was Juan, a 28-year-old migrant worker. He had been beaten and stabbed several times. His wife and a friend brought him to the county hospital.

Juan had a bad cut under his left eye and a very deep gash in his back. Part of one ear was hanging on a slender strip of flesh. The medical report was not encouraging.

His wife, Marie, waited in silent fear for the deputy sheriff to arrive. She was very pretty, with black hair and a soft complexion. She was soft-spoken and illiterate.

Because she was unable to spell her last name, the deputy copied it from an identification card she carried. She was terrified of the deputy, but she told him haltingly of what had happened.

Juan was playing cards with her brother and another man in the "singles" cabin of a Lake Hamilton migrant camp, when, according to Marie, her brother and the other man set upon her husband.

Juan was brought to the hospital by Michael, a friend, in an old broken down red labor bus used to carry workers to and from the groves.

Michael substantiated Maria's story. He said he was called to bring her husband to the hospital.

The deputy asked Maria if she would sign a warrant so he could arrest the two men who attacked her husband. She didn't understand the question. The friend translated.

"I don't know," she said, quietly suspicious. She said she should ask Juan first.

"Do you want these men to go free and hurt other people . . . maybe you'll be the next one," the deputy said.

"No, I don't know . . . Yes, I'll sign," she said halting, in broken English.

She made a move for the deputy's pad, thinking she only had to sign the report he was fiilling out. The deputy stopped her. He explained she would have to see a judge to swear out the warrant.

One of the emergency room nurses interrupted. Juan has passed out in X-ray. His blood pressure had dropped. The nurse said Juan might not recover.

After hearing this, the deputy decided to arrest the two accused men immediately. He

asked Michael if he would accompany him to the labor camp and identify the two accused men. Michael refused.

He said he "couldn't take sides." While the crew leader was in Texas, Michael had to keep order and to do nothing to divide the crew. If he told the law what happened, his workers would be angry. They would probably lose faith in him.

Juan regained consciousness. He was allowed to talk to his wife. She then told the deputy she wouldn't sign the warrant. It was her husband's order.

The deputy talked with Juan. Juan said he felt fine, did not know what had happened to him, did not know who had beat him up.

"Who was it?"

"I don't know, leave me alone."

No complaint was signed, no warrants issued, no arrests made—Juan recovered. But by all odds, the attack on Juan was avenged and the guilty suffered.

This kind of violence rules the life of a migrant farm laborer; a different system of law and order prevails. There is distrust of the uniformed lawman.

During the fruit season, Polk County's migrant labor force accounts for a higher percentage of law violations and arrests per capita than does the rest of the county.

In an average two-month period, records kept by the Polk County Sheriff's Department last year showed 406 bookings at the county jail at Bartow out of 1,321 arrests were of people who listed their occupation as "citrus" workers.

That's 30 per cent of the bookings from less than 10 per cent of the population.

The percentage may be higher. The jail records only show what occupation the prisoner may want to have put down, and many "laborers" may actually be migrant or farm workers.

"I'd guess about 35 per cent of our calls on a year-round basis are from what you'd call migrant or citrus workers," Polk County Sheriff Monroe Brannen said.

Most migrants are arrested Friday and Saturday nights—for drunkenness and related offenses.

Crimes of violence are also far more frequently committed by the migrant—the law of the knife and the gun prevails in the close proximity of labor camps, shabby hotels, closely packed, run-down shacks.

THE MIGRANT STREAM IN POLK

The typical Polk resident has a full-time, year-round job, has lived in the same home for several years and owns his own automobile.

He has electricity, hot and cold running water, indoor plumbing and at least one charge account with a big department store. His children do not have everything they want, but they have everything he thinks they need.

The family laundry is done at least weekly in the automatic washer at home. It may be dried in an electric dryer. This home has rugs, maybe carpets, windows and screens. If the toilet won't flush everyone expects it to be fixed within 24 hours.

Children in this house go to school all day, every day, unless they are sick. In that case, they see a doctor and faithfully take the medicine he prescribes.

Any man who heads such a household is rightfully proud of the fact that he works hard to provide for his family. He is secure in his belief that his children's lives will be at least as comfortable and rewarding as his own.

He knows that the migrant worker often does not have all of these advantages, but he may not realize that many migrants yearn for the stable, secure life of the typical Polk citizen.

Permanent residents normally have little understanding of the forces which hold workers in the migrant stream. No one who spent his entire childhood in one community can grasp the desperation of a boy who, at 15, is already convinced that life is a hopeless struggle.

Middle class people underestimate the overwhelming tendency of children to live the same kind of life as their parents. The insurance man's son is no more likely to become a fruit picker than the migrant's son is likely to become an insurance salesman.

If migrant crew chiefs recruited middle class teenagers to work the groves and follow the season, average adults would be vitally interested in conditions in labor camps. This is not the case, however. Average citizens know little and care less about the 25,000 men, women and children who harvest Polk's annual citrus crop. These workers might as well not exist as far as most of Polk is concerned.

They do exist, however. They are the foundation on which Polk's prosperous citrus industry rests. Without them, Anita Bryant would have little to sing about in the lilting orange juice commercials.

The Ledger has studied the migrant situation for a year. Today we persent the first of a five-part series on that study. We are committed to the principle that each citizen has the right and the duty to know as much as possible about every aspect of his community.

We hope this report will add to the average citizen's knowledge of the little-known problems of the migrant worker in Polk. Only with such broad information can the voter intelligently choose among the candidates and the programs which vitally affect him and his neighbors.

SOME DAYS YOU WORK AND EAT—SOME DAYS YOU DO NOT

(By Ed Domaingue)

Zebe D. Bonner is a migrant worker. He picks oranges and grapefruit for one of the largest fruit processors and concentrate producers in Polk County—the Minute Maid-Coca Cola Company.

He labors from 10 to 12 hours a day on a ladder in a grove, picking oranges under a boiling, brutal sun. He works four, five and seven days a week . . . when there is work. Often though, there is none.

When that happens, he is simply informed not to report to work that day—the fruit isn't ready to be picked; too much was picked the day before and the plant is "loaded down"; it is raining.

He lives at the Minute Maid-Coca Cola Company labor camp in Frostproof. He is invisible to most Polk Countians.

Bonner furnished The Ledger copies of his pay slip for three successive weeks in March. Each pay slip identified Bonner and carried the Coca Cola Company Food Processing Division trademark.

One week Bonner worked 32 hours, earned $30.47 and, after deductions for "board," took home $14.82—for 32 hours work.

The following week, Bonner worked 33.35 hours—"Because that was all the work there was"—earning $31.75. After deductions for board, he took home $6.10. The third week, he worked 25.5 hours, earned $24.27, stopped having deductions for board taken from his pay check—"because I couldn't live"—and took home the $24.27.

Bonner considers himself lucky—at least he doesn't have to pay rent. The living quarters furnished him during the picking season by Minute Maid-Coca Cola are little more than a bunkbed surrounded by three feet of space on either side.

The building is well kept, clean and attended 24 hours a day. The barracks-style structure is not pretty, but it is adequate.

Last year, 44,000,000 boxes of citrus fruit were picked from Polk County trees. Polk led its closest competitor in citrus production, Lake County, by almost twice the volume.

The five top processing plants in the county are Minute Maid-Coca Cola in Auburndale; B. C. Cook and Sons in Haines City; Adams Brothers in Auburndale; Mutual (Edward's) Harvesting; and the Haines City Growers Cooperative. There are more than a dozen others.

Minute Maid is one of the largest fruit processing and concentrate companies in the country and the company owns the largest labor camp in Polk County. The reason is obvious.

Minute Maid needs approximately 2,000 fruit pickers every single day there is fruit on the trees to pick the 1.5 million oranges processed by the Auburndale plant every day.

The company uses 14 million gallons of water washing and processing 60,000 boxes of fruit—fresh from the tree to your neighborhood grocer—every single day during the height of the citrus season.

HAND PICKED

Every single one of those oranges must be picked by hand—there is no mechanization in fruit picking.

Men like Zebe Bonner earn 35 cents per box—and a box usually contains 300 oranges. They work when the company says work; they stay home when the company says stay home.

There is no predictability in either living or working conditions. If you are a migrant laborer—one day you might have work—and food—the next day you might not.

One week you might work six days, earning $75, and the next week there might not be any oranges to pick or only one or two days work—if you're lucky you might earn $30.

Mrs. Leith Ann Bridges and her husband are both migrant workers and they live with their family in Coca-Cola's Frostproof labor-camp—in a section set aside for families, separated from the barracks Zebe Bonner lives in.

Mrs. Bridges and her husband have worked for Minute Maid-Coca Cola for 12 years. They live in a small house, a drab green, four-room wooden-frame structure.

NO PLACE TO GO

They share the house with their seven children and grandchildren—a married daughter, pregnant and separated from her husband, lives with them. She has no place else to go.

At 49, Mrs. Bridges said she can no longer go into the fields seven days a week like she used to. She has been forced to cut down, to four or five days a week now, and she can only pick five or ten baskets of fruit per day at .35 cents per basket.

"Sometimes we get enough money and sometimes we don't. I owe quite a bit of money right now and there ain't much else we can do but keep on working. I don't know how much longer we'll be able to hold up though, this is real hard work.

"Things been pretty bad, I tried to sign up for surplus (food) commodities, but haven't been able to yet. They keep telling me to come back later, but I lose a whole day's work going over there to Bartow to sign up. We ain't been able to get no help at all," she said, with a sigh of resignation.

The small, approximately 20 by 35 foot, four-room house the company furnishes the family is "too small and you can't keep it clean, no matter how hard you try."

JUST TOO SMALL

"These houses is just too small. Maybe they're alright for a husband and wife, but they ain't no good for eight or ten people. And you can't keep them clean. I try all the time, but it just can't be done. Everything is all dirt around here," she said.

Mrs. Bridges and her family know what it is like to go to bed hungry. They have experienced being without the means to purchase any.

"Sure, we been hungry before and we ain't had enough food. We been pretty lucky, really, though, we pretty much all the time have something—either some grease and bread to soak in it, or some beans or some mashed potatoes. You can't always get what you want, but you can pretty generally get something to fill your belly," she said.

Mrs. Bridges is indeed fortunate—at least she and her family are certain of having a roof over their heads for as long as she and her husband, or their children, can labor in the fields for Minute Maid-Coca Cola.

Minute Maid-Coca Cola Company provides housing for 365 men in its barracks-type structures in the Frostproof quarters, men like Zebe Bonner. The barracks, according to C. C. Giddings, labor service manager for the company, is one of three camps in Polk County maintained for migrant workers.

Housing for 31 families, like Mrs. Bridges and her children, is also provided at the Frostproof camp. All of the facilities have access to centrally located bath and showers. The company also provides transportation for its workers from the city of their recruitment to Polk County and back again at the end of the season.

A similar labor camp, owned and operated by the company, is located in Auburndale, near the company's processing and concentrate plant.

Giddings said men like Bonner, for their $15 a week, are fed cafeteria-style morning and night, with a bag lunch of four sandwiches and a sweet cake and milk in the fields.

NO WOMEN ALLOWED

No women are allowed in the barracks area, though. If a fellow has a girlfriend and she wants to pick him up, "That's their business," Giddings said, "but she isn't allowed to hang around the camp."

Women precipitate crimes of passion; women instigate violence, Giddings said.

Though the housing is furnished free, there are still many residents of Minute Maid-Coca Cola's Frostproof camp who go hungry—there are many families like Mrs. Bridges' with a lot of children and a small income.

Only 400 of the 25,000 workers can live at the Minute Maid-Coca Cola camp. The rest must rely on the available private housing. And many migrant families can't even be sure of having a roof over their heads.

During the height of the citrus season, a migrant laborer and his family can count on paying between $12 and $25 per week for a two or three-room shack without inside plumbing, toilet facilities or screens on the windows.

They live in squalor; in shoddy, vermin-infested shacks unfit for animals.

The migrant worker, often dirty, generally uneducated, frequently illiterate, normally unskilled, has little to bargain with. He is easily victimized; he has no recourse but to submit, move on or go hungry.

HOBBS ROAD

In Auburndale, at the end of Hobbs Road where Ernest Jarvis lives, there are two rows of seven concrete block buildings. Each of the structures has fallen into a state of disrepair. Many of the outside toilets do not work; few of the buildings have either electricity or running water.

Both families and individuals, both men and women, live in the vermin-infested shacks. A man or a woman living alone, pays $15 per month for one room—five feet wide by 12 feet long. All the rooms contain are one bed. The mattresses, like the rooms, are damp and musty.

Spiders and roaches are everywhere. The doors don't work—most are off their hinges. There are no windows. During the day, when the temperature rises it is impossible to stay in the rooms. The mercury creeps past the 100 degree mark daily.

But at least the roof doesn't leak—"It's a roof over our heads. We ain't got no place else to go, we gotta stay here. But don't use my name please, the landlord, he's a mean man," one male migrant fruit picker said.

He comes back to Hobbs Road year after year—it is the closest thing to a home he has.

In Eloise only the town and the street are different—housing conditions and rents are the same. Deteriorating house trailers, are renting for $20 a week to migrant fruit pickers. Most lack inside plumbing, adequate sanitary conditions, screens on the windows, and often doors.

RAILROAD ALLEY

In Haines City, the name of the street is Railroad Alley. The two-room cabins, without toilets, running water or electricity, have been condemned for more than a year, yet people are still living in them, still paying from $15 to $20 per week to an absentee landlord who has not been in Florida for several years.

The late James P. Mitchell, a former U.S. Secretary of Labor, often expressed concern over the conditions imposed on the migrant labor force.

He once said, "Migrant workers . . . (are) caught up in a cycle of life in which poverty breeds poverty, their children are denied the educational and other opportunities to improve their status. To this end, the migrant worker and his family must be given the same protection of the same type of social and labor legislation that now applies to all his brothers."

But the cycle of exploitation and poverty goes on—and the examples in Polk County are endless.

Last January, Clifford "Slim" Herndon made an agreement with M. R. Mizell, owner of the Rifle Range Bar in Wahneta and of 10 dilapidated dwellings out back. He agreed to be the handyman about the place to work off his $12.50 per week rent and "earn a little extra money."

"AIN'T PAID ME"

Herndon said of the deal, "He agreed to pay me a dollar and a quarter an hour but he ain't paid me a ———— thing, not since January 5th."

He's been eating with another camp resident, Sid A. DeNike, who rents one of the better shelters in the place for $12 a week. After seven years as resident of the camp, DeNike has the place he wants.

It has plumbing, a kitchen and a bedroom separated by a bath. The shoddy structure, is of concrete block—more durable than tarpaper and tin shacks so frequently found in migrant camps.

DeNike, who claims he is a retired etymologist—and knows how to pronounce it—picks fruit when he can. He speaks disdainfully of the other residents of the camp.

"They lived like ———— hogs. I keep this place clean," he said.

Several of the units in Mizell's camp have stinking toilets—they stink, because the toilets have inadequate septic tanks and do not clear when flushed.

Even though this is strictly against State Board of Health rules governing sanitary conditions for labor camps, nothing can be done. The law defines a labor camp as having 15 or more residents, and for Mizell's camp this would be hard to prove.

There are only 10 dwellings in the camp and most people living there stay alone.

SLIPPED DISK

Across the way from DeNike's, Lester T. Troupe of Opa Locka, Ala., languished with a slipped disk, in a trailer body eight by sixteen feet. He fell from a grove ladder last Spring and "messed myself up real bad."

A painter and carpenter by trade, Troupe came to Florida last year to pick fruit. Prior to that he "and another boy had us a place way out in the swamp" in Alabama, where they poached deer and were scraping out a fair living, avoiding the game wardens and eating venison.

He talked to a stranger while lying flat on his back, a brace resting on a ratty chair next to his bed. Don Specks of Lanier Fruit Co. was due to take him to the doctor again later in the day and the company would take care of the cost.

Lester T. Troupe was lucky; a number of companies would have abandoned him. He still was not protected by either unemployment or workmen's compensation.

But housing and wages are not the only areas in which migrant workers are exploited.

Many people living in ghettoes and migrant camps often can't leave the area to go to the store because they lack transportation.

They shop in neighborhood stores where prices are usually higher but where credit is more likely to be available to the poor.

Mrs. Nettie Hayes shops outside the ghetto. Merchants like Conroy's of Davenport and Russ Bargain House in Haines City.

She pays Conroy's $29 per month on a refrigerator which sits in her bedroom, since the kitchen also serves as the family room and is too small to hold both the refrigerator and the television set.

At first, she said, she paid a $50 down payment. Then she was charged $12.50 for delivery when it arrived and they told her she could not get a receipt for her down payment. After it was in her home, she was told her balance due was $487, she said. She paid another $50, skipped a payment, and when she talked to representatives of the Polk Country Christian Migrant Ministry, she figured her balance was $437—for a good refrigerator, not a great one.

Other payments include $26 per month for a stove and washing machine, $15 for the television, and $5 per week on her bedroom furniture, which was chipped and had a slide panel on the headboard missing when she got it for $260 from Russ Bargain House.

EIGHT CHILDREN

Mrs. Hayes is 31. She has no husband and eight children, who share two broken down beds in a crumbling three-room shack in Lake Hamilton. She pays $15 a week for the rooms and the landlord is pressuring for an increase.

She receives welfare assistance under Aid to Dependent Children—but her allotment is shrinking. In December 1968, she was receiving $221. Then it dropped to $194 per month. Now it is $179 per month.

She has attempted to help herself by picking fruit, cleaning house, whatever she can do and whatever she can get. As she works, her benefits are decreased and unfortunately, the work isn't steady.

Mrs. Hayes receives food commodities for herself and her children—but she must pay $5 for a ride to Bartow, where they are distributed, to pick them up.

Though Mrs. Hayes no longer follows the migrant stream North each year, she must care for her younger children. Her two oldest sons have already begun the annual trek.

Picking fruit is something a child can do. They make the trip with their grandmother.

VICTIMIZED

The migrant is victimized where he works, where he lives and where he shops.

He is often cheated the day he is born, by the fact his birth may be unrecorded. Many migrant children born in Polk County or in some shack off the beaten track halfway from here to the next place may never be able to go to school, because their parents failed to record their birth.

The same is true as the migrant grows old. When he can no longer work and applies for the Social Security he has been paying for over the years, he often finds he does not have enough time credited to his account.

One of the favorite ruses, employed by some companies and crooked crew chiefs, is to deduct Social Security payments from a man's paycheck without ever bothering to ask him for his social security number.

More than one man has been fired when he raised questions about the Social Security deductions being taken from his paycheck when he doesn't even have a social security card.

Ernest Jarvis wasn't afraid to talk about it though. He has worked for more than one company that regularly made deductions for Social Security.

"I'm lucky now, as long as I stay with the man I'm working with. I may have something coming from the government when I retire. It ain't always been that way.

PAY DEDUCTIONS

"I worked for a lot of companies and a lot of crew chiefs that took them Social Security deductions out of my pay each day or each week and never bothered to get my number. They sure weren't sending that money where it was supposed to go.

"My guess is that they was getting it for themselves, a little something extra. Ain't much you can do. If you try to do anything, they kin just tell you to move on and you gotta go," he said.

In one respect, migrant workers in Polk County are more fortunate than those in some neighboring areas, like Hardee County.

In Polk, emergency medical service is available free with the only problems being transportation and distance to the county charity hospital. Even though the medical service at Polk General has sometimes been criticized, it is there in time of emergencies.

The same isn't true in a number of neighboring counties.

Where there is no public charity hospital, patients are often required to pay before even emergency treatment is administered.

CONSCIENCE NEEDED

In late 1964, just prior to his death, former U.S. Secretary of Labor Mitchell said, "The shameful migrant problem will finally be solved when there are enough Americans with wisdom, compassion and good sense to save their final censure for those who stand by and seem unable to find within their economy a place for conscience."

Apparently that time still has not come—the migrant worker was in the spotlight of national attention during the 1960's, many recommendations to improve his lot were made and many laws were passed to help him. Still little has changed.

MIGRANTS: HOW TO ESCAPE TRAP

Why doesn't the migrant "work his way up like everybody else instead of asking for handouts?"

This oft-asked question deserves an answer.

The simplest explanation is that, for migrant workers, the Great Depression never ended. Workman's compensation, social security, unemployment compensation, free (high school) education, minimum wage and FHA loans are virtually nonexistent for fruitpickers. They did not get a New Deal like most other Americans.

Through a combination of political, economic and social factors, farm labor was exempted from almost all the public benefits listed above. Some, like public education, are theoretically available, but the migratory life itself prevents their taking full advantage of it.

Social security is supposed to be paid, but often is not. Accurate records are difficult to keep; cheating is temptingly easy. Many migrants do not have social security numbers.

Until last year even welfare required 12 consecutive months' residence to be eligible for benefits.

Having no protection, the farm laborer is little better off than a beast of burden, living in a closed economic system which has no exits. Generally ignored or misunderstood, he receives little sympathy and even less help from the community in which he lives.

The common image of the migrant as an "outsider" is erroneous. Most of Polk's 25,000 fruitpickers consider themselves Polk residents. They may be here through Winter and Spring, for six to eight months. If their children attend school at all, they go to Polk schools.

In Summer, when the citrus crop is in, they may go "up on the season," North, for other fruit crops. Many never leave Florida, going South for the summer to harvest watermelons. Vegetables come in Autumn, and then the workers converge in Polk again for the long citrus season.

The expense of maintaining three or four different homes is, of course, prohibitive. Only wealthy families can afford such a luxury. Few families can even keep up mortgage payments here while paying rent in labor camps elsewhere. They rarely achieve home ownership.

Wages are low. Very little saving is possible. The unsettled migratory life is expensive. If the income were dependable as it is for most people, more migrants might be able to move to a better way of life.

The fruitpicker, however, is incredibly vulnerable. Bad weather means financial disaster. A flood or drought can bring real hunger, near starvation. In addition, he can be disabled by even minor injuries or ailments. Heavy sacks, 10-foot ladders and 100 degree temperatures quickly weed out workers with high blood pressure, weak heart, sprained ankles, arthritis, bad back, pulled muscles or anemia. Dust and pesticides hamper those with respiratory troubles.

There is no "sick leave" in the groves, no pay for those who cannot work.

The disrupted, disadvantaged life does not produce many scholars. Typical pickers were born into the migrant stream and have little education. Their income is so low and so irregular that they cannot start a new life. Rarely is there enough money to pay the debts, put down a whole month's rent in advance, stock the pantry, buy clothes and go job hunting.

They would like to get out of their trap, but cannot. As one picker succinctly explained it:

"We got to keep on going or we'll starve."

---

10 YEARS GO PAST BUT LITTLE CHANGES

(By Ed Domaingue)

The plight of the migrant worker became a cause celebre during the early 1960's. Much was written about him during the decade; scores of recommendations were made to improve his condition.

Little, however, was accomplished on a local, state or national level even though many of the programs recommended then have since become law.

In 1960, CBS News created a nationwide furor with a special report on the plight of the migrant and his family as he follows the crops from one end of the nation to the other.

"The Harvest of Shame," was narrated by the late Edward R. Murrow. During the show, Murrow said, "The migrant worker occupies the lowest level of any group in the American economy. The soil has produced no Samuel Gompers or John L. Lewis."

That is virtually the only thing that changed during the decade.

In the concluding moments of the documentary Murrow was standing in Belle Glade, Florida. He said:

"The migrants are back in Belle Glade winter quarters after months of travel and work. One said he brought back a dollar and sixty-five cents; another said six dollars.

Another said, "we broke even, we were broke when we left; broke when we got back."

Murrow asked the rhetorical question, what can you do for yourselves? The answer was not unexpected—nothing.

The week before the show was aired nationwide, a special Presidential Commission, composed of the Secretaries of Labor, Agriculture, Interior, and Health, Education, and Welfare made certain recommendations to improve the conditions and life-style of the migrant worker.

Murrow ended the telecast with them.

IMPROVEMENTS LISTED

Here are some of them: Extend child labor laws to cover agricultural workers. Eliminate residency requirements so that migrants will be eligible for health, education and welfare programs. A Federal law requiring crew leaders to register, thus protecting migrants from exploitation—extension of Workmen's Compensation Laws to agriculture. New housing regulations—states to pay local boards for the education of migrant children.

"There will, of course, be opposition to these recommendations; too much government interference, too expensive, socialism. Similar proposals have been made before. In fact, 150 different attempts have been made in Congress to do something about the plight of the migrants.

"All except one has failed." The migrants have no lobby.

"Only an enlightened, aroused, and perhaps angered, public opinion can do anything about the migrants. The people you have seen have the strength to harvest your fruit and vegetables. They do not have the strength to influence legislation," he said.

That was 10 years ago. Very little has changed. Many of the conditions remain the same. Some of the recommendations have been enacted, but even worse now on the books have failed to relieve the misery of the nation's migrant work force—a force as important to agriculture as the soil the harvest is grown from.

Living conditions today are still deplorable. Hunger among migrant families is still widespread. Migrant children are still dropping out of school as soon as they are old enough and many still cannot get in because their parents do not have the money for a birth certificate—or can't remember where the child was born.

MIGRANT STREAM REMAINS

Today, 10 years after CBS rocked the nation, nine years after a series on the plight of the migrant worker by Dale Wright of the late New York World-Telegram and Sun rocked official Washington, the migrant stream is still winding its way throughout the country with every change in season.

Dale Wright lived and worked in the fields with the migrants. He found crude exploitation, dread living conditions and futility of life 30 miles south of glittering Miami Beach and 30 miles from the neon lights of Times Square in New York City.

Ten years ago; nine years ago; five years ago, today—What is being done for the migrant worker on a National, State, and Local level?

A number of the recommendations made by the special Presidential Commission have become law, but for a variety of reasons they have failed to have an important, or lasting effect on the migrant problem.

Labor laws covering children have been extended, in many instances, to agricultural workers and, in addition, virtually all states have laws in the books requiring children

to remain in school until their 16th birthday.

But children continue to drop out of school and the law is circumvented by growers, harvesters and crew leaders. Both the state and federal government have far too few investigators to catch all offenders—and in many instances parents themselves are responsible for violations.

DROP OUT OF SCHOOL

When the family is large, the children must drop out of school, if not to work in the fields, then to stay home and babysit for younger brothers and sisters.

Many young children do not have birth certificates—they were born in labor camps or were delivered by midwives, who have little concern over whether the birth is properly recorded.

Parents and children lie, simply because to lie is expedient—the more members of the family working, the easier it is to provide the basic necessities of life.

Crew leaders are little concerned how old a child is when they are in need of workers to harvest the crop.

The second recommendation, the elimination of residency requirements governing eligibility for health, welfare and education programs, was too controversial for Congress to tackle.

It took a decision of the United States Supreme Court—made during the Court's last session this year—to strike down residency requirements as unconstitutional. Hence, it took 10 long years for the Presidential Commission's recommendation to become effective.

It will still be many months before the full effects of the decision can be realized, but there will definitely be far-reaching benefits for the poor as a result of the action.

No longer will a health or welfare agency, generally funded at least partially with federal monies, be able to deny services to any poor family whether migrant or otherwise because the family is not a resident of the state or county administering the program.

The third recommendation, a federal law requiring crew leaders to register, was enacted by the U.S. Congress in the mid-1960's, several years after the commission recommended it.

EFFECT IS LIMITED

However, the effect of the law is limited—it only requires the registration of crew leaders engaging in interstate transportation of migrant workers, but it has been beneficial in weeding out crew leaders with lengthy criminal records.

It has also been beneficial in eliminating a small portion of the victimization migrant work crews have been subjected to by giving the federal government a weapon. The government can now always refuse to register or re-register a crew leader subject to frequent complaints.

In conjunction with the Federal Crew Leader Registration Act, the State of Florida requires registration of all crew leaders engaged in intra-state transportation of migrant workers.

The law has been less than effective in many respects—a shortage of inspectors makes strict enforcement impossible.

FOURTH RECOMMENDATION

The fourth recommendation, the extension of Workmen's Compensation Law to cover agricultural workers, is still only optional. Participation in the program is not required by law and as a result, many migrants injured on the job are left on their own.

Even if the accident is clearly a case of the grove owner being at fault, the migrant has little recourse—he has neither the money nor the inclination to go to an attorney for help.

Housing regulations governing migrant camps and migrant living conditions have been enacted on both the state and federal levels, but in many cases they're not enforced.

The same living conditions described by Edward R. Murrow 10 years ago still exists today.

The State Board of Health has stringent regulations governing conditions tolerable in migrant camps, but then the law defines a migrant camp as having 15 or more residents and establishes other restrictions.

Few migrants in Polk County live in labor camps. Those who do are frequently better off than those that do not.

Migrant living "out in the community" often are protected by only a few regulations governing health and sanitary conditions.

Again the problem is one of the enforcement and a shortage of investigators.

The final recommendation—states to pay local school boards for the education of migrant children, is also a reality. The programs are funded with federal money.

The Polk County School System has enacted a number of programs designed to help children of migrants. Kindergartens have been established and extra teachers are provided for schools which receive a large number of migrant children. Due to the high dropout rate of migrant children and the frequent movement of their families, large numbers of these children are never reached by these means.

FAIR WAGES MISSING

While the Presidential Commission's recommendations fared well, the recommendations Dale Wright made after considerable study of the problem did not.

He said the farm worker must be guaranteed a fair wage for his labor—the migrant still is not covered effectively by the federal minimum wage law.

He said the migrant and his children must be provided with adequate educational facilities "so they can prepare themselves to compete for jobs and careers . . ."

They still do not have a fair opportunity to obtain an education.

He said the migrant's many ailments must be cured so that he can perform "his honest day's work and be assured of reward for that labor."

And here, perhaps, is the greatest failure, for the federally-funded and State Board of Health-administered Migrant Health Project in Polk County was discontinued in November of 1968, five years after it came here with the express purpose of providing basic health services to migrant workers and their families.

The state chose to abdicate a portion of its responsibility to the 25,200 migrants estimated to be in the county during the height of the citrus season, because Dr. William Hill, director of the county's health department, refused to segregate the services being provided for migrants from those being provided for non-migrants.

The project had provided needed funds for birth control devices, nurses and sanitarians. Its purpose had been threefold:

To improve preventive care and medical services to agriculture migrants and their dependents.

To improve and upgrade general sanitation and housing.

To coordinate and cooperate with community agencies in assisting with programs for the betterment of agricultural workers and their families.

As a result of the state abdication, the Polk County Health Department now has two less nurses and no sanitarian.

During the county's brief tenure in the Migrant Health Project, a major area of concentration was on sanitation services. The project objectives, aimed at assisting the migrant worker and his family toward better community health, were:

Instill some aspects of community pride to stabilize their environment.

Assist in the development of a housing program, obtaining compliance with state statutes.

Provide guidance and consultation to growers and other agencies concerned with migrant sanitation.

Inspect, consult and evaluate findings on periodic visits to camps, food establishments, child care centers and other places of concern.

Provide consultation to industry in the development of model housing projects.

Provide orientation and in-service training to interested groups.

Assist in the development of a generalized program of health education for migrants.

In the report, Hill said, "Plans were made for sanitary surveys beginning in the Negro section of Florence Villa (Winter Haven). One hundred, forty-three (143) living units were replaced or brought up to minimum housing standards.

CLEANUP CAMPAIGN

"A clean-up campaign was begun by the public works department (of Winter Haven) with additional trucks scheduled for trash pick-up at specific points. A total of 550 tons of debris has already been removed with the program still in action.

"Polk County labor camps began to show significant changes in operation and management. Three large labor camps formerly operated by large citrus co-ops (Haines City Growers Cooperative) were subleased to crew leaders as individuals.

"These crew leaders are now in the process of obtaining permits to operate camps. (Permits have been obtained.) This action on the part of the large citrus co-ops has presented a completely new set of problems.

"Crew leaders are not used for maintaining sanitary standards set forth in the Florida statutes. Physical or structural violations take longer to correct due to inherent 'chain of command.' Food service has deteriorated since the withdrawal of catering companies in camp kitchens.

"Many camp defects seemingly are not corrected because they recur at such rapid rate," Hill said.

But all this is no more. All migrant services, the most critically needed, have been cut back. Many have been eliminated, from the standpoint of reasonable achievement.

MALNUTRITION A PROBLEM

Elimination of health problems in the groves, in the ghettoes, in the labor camps, are essential to improving the lot of the migrant worker.

But health services are not the only critical problem migrant workers in Polk face on a day to day basis—just as Sen. George McGovern (D-S.D.) and his special U.S. Senate sub-committee probing hunger and malnutrition in America discovered the underfed and the undernourished in two South Florida counties, so they exist here.

U.S. Sen. Walter F. Mondale (D-Minn.) accompanied McGovern. On returning to the Senate, he said:

"We saw children and old people who regularly missed one or two meals a day and who depended on grits and fatback to survive. I could see many years of malnutrition and sordid living conditions . . .

". . . The effects of hunger and malnutrition are even more severe than the testimony of experts would have you believe. I am convinced that the malnutrition and primitive living conditions have a direct casual relationship with the shadow-life existence of so many people we saw," he said.

There is hunger in Florida; hunger in Polk County. Men, women and children go to bed hungry, or undernourished.

Thus far, the state's answer here has been the commodities food program, funded by the federal government. In April, approximately 10,500 Polk Countians received food commodities. The surplus food is sufficient

to keep a family alive—often its nutritional value can be questioned.

The commodities may consist of dried beans, butter, cheese, corn meal, flour, shortening, canned meats, dry milk, peanut butter, rice, rolled oats or wheat, grits, prunes or raisins, split peas, instant potatoes, canned fowl, fruit juice, egg mix, canned beef or pork, a beverage mix with a milk base and macaroni.

FOOD FOR SURVIVAL

County officials claim that even though the surplus food program was not intended to supply a balanced diet, it does—as long as the food lasts.

Only one Polk migrant family receiving surplus food said the supply lasts the family the month it is intended to.

Sens. Mondale and McGovern urgently recommended the federal government immediately take the following steps to eliminate hunger in America:

Free food stamps (to enable the poor to purchase their food directly from the supermarket, giving them a choice of staples available to the rest of us) must be made available to those under the poverty level, as well as to those whose income prevents them from obtaining a fully adequate and nutritious diet.

A county should be able to participate simultaneously in the food stamp program and the direct food (commodities) distribution program.

The Federal Government should distribute all commodities, whether or not in surplus, to supplement the food stamp program.

An applicant should be eligible for these programs after submitting an affidavit, with no onerous red tape.

"In addition, the school lunch program must be expanded to provide every needy child with a free lunch; at the present time, the school lunch program reaches less than half the nation's school children.

BREAKFAST IN SCHOOLS

"Even more importantly, the school breakfast program, which has only been established on a pilot basis, must be expanded to reach all children from poor families.

"And finally, we must devise a food distribution system which will enable pregnant mothers and pre-school age children to have an adequate and nutritious diet. Such a period to age five that hunger and malnutrition are most devastating to the mental and physical condition of a young child," Sen. Mondale said.

The State Legislature recently passed a bill that will abolish the commodities distribution program throughout the state and make mandatory participation in the food stamp program.

The action has met with widespread opposition—both in Polk County and throughout the state.

Marvin Brice, director of the Polk Welfare and Rehabilitative Services Department, said, "These people will not get a balanced diet. It is good for the retail merchant. He gets full price for the stamps in the program. But, I'm concerned with the individuals, not merchants.

"I want to look out for the people—which is my job," Brice said.

COMMODITIES PROGRAM

Polk's commodities food program presently reaches into 3,097 households—316,114 pounds of surplus food were distributed throughout the country in April.

The Polk County Commission has opposed participation in the food stamp program in the past, on the grounds participation would be "too expensive." Now participation will become mandatory—but the problem will not be solved.

The government's—federal, state and local—attack on the plight of the migrant worker is three-fold: health and welfare services; food to stop hunger and malnutrition; and education.

The effort being made to educate the migrant child is at best a poor beginning: it is attempting to relieve the problems created by a lifetime of misery, hunger and despair in an eight-hour school day. It is attempting to teach the migrant to integrate himself into a system alien to him.

Some school administrators are attempting to stabilize the migrant through work-study programs in the high school—attempting to wrench youngsters from the endless fields, groves and orchards, where the future holds less promise than a more skilled job in the commercial world.

The State Department of Education's Migrant Program has also undertaken a school record transfer project with a number of states along the eastern migrant stream.

RECORDS FOLLOW STUDENTS

Children beginning school in Ohio, New York or Pennsylvania can have their records transferred from school to school as they move south, or north, with their families. Though the disadvantages of moving from school to school still far outweigh the advantages, it is at least a beginning.

Under the record transfer system, Polk County schools are providing the families of migrant children with a computer card when they move on. The card contains the child's school record.

It can work well, if the migrant family assumes a set pattern of travel with the seasons.

But usually the migrant is oblivious to the agencies that seek to help him. He is consumed by farm labor and the day-to-day struggle between citrus ladder and landlord; packing house, jailhouse and tavern.

He worries about the law, prices, and weather; he falls prey to all three. He is proud and he works long hours doing back-breaking labor for insignificant wages.

The government's efforts to help him, without making a thorough effort to understand him, have fallen short. But now there are leaders rising from the soil, men of the earth born into the migrant stream.

They know "where it's at" and what must be done. They are prepared to "rock the boat" if that becames necessary. The nomadic migrant worker is their "people," they feel for him and they understand him.

CUBAN NURSE AIDS MIGRANTS

"At first I don't know how to approach them because they're very suspicious," said Mrs. Alicia Sanchez. A county health nurse, she visits the poor in their homes and checks on problems she sees indicated on children at school.

She is vibrant and enthusiastic. As she approaches the house of a Mexican-American fruit picker, with eyes peering unseen at her through windows and around corners, she calls the woman of the house by her first name.

"Theresa! Theresa! Buenos dias," she calls. She raps loudly on the screen door then opens it and has her head inside before a quieter "buenos dias" floats back to her from the kitchen. At least Mrs. Alicia Sanchez speaks the language. She's been here three years.

"In this time I have many of those Mexican and Puerto Rican families and they don't speak English. I don't know why, Spanish only," she says.

The Sanchez family left Cuba shortly after the Castro government seized power. Her husband, a medical doctor, had to undergo an American internship in Virginia and he is now a public health doctor for the county in Bartow. Their only daughter is 13 now, and she avoids speaking Spanish whenever possible.

Overcoming suspicion and building confidence, is one of Mrs. Sanchez' first challenges with a new family. She finds the migrant worker of Spanish extraction a different breed altogether from white and Negro Americans. Most often the families are close-knit, have a strong father figure who works in the fields and a mother who cares for up to a dozen children.

She told of discovering one mother of a dozen:

"When I explained to her about family planning she didn't even know about it . . . she didn't even know about it," repeated for emphasis. That was two years ago. Now the mother does know about family planning. She uses an intra-uterine device for birth control which the Health Department provided, and has a free physical examination every six months.

The woman, now 40, has had no more children.

A boy in school whose parents both speak Spanish at home may find the two different worlds between which he alternates hard to reconcile. On the one hand the Mexican-American mother labors under old traditions and might not part with her youngsters to enter first grade until they are 10 or 11 years old. On the other, children of that age may be in fourth or fifth grade.

Alfonso complained of headaches and while he was in the same grade as children his age, his work began to fall off.

"I talked to him and find he needs a doctor examination," Mrs. Sanchez said. "We applied through the Lions Club for an eye examination because they can't afford it. They are fruit pickers."

On the day of the appointment, Mrs. Sanchez visited Alfonso's home to make sure he was going to be taken to be helped. At the modest concrete block house in northwest Winter Haven there is a five-year-old car in the carport and the large family all live in a two-bedroom facility. The living room couch makes an additional bed for small children and its cover retains the sour odor of dampness and small children's urine. Alfonso was home from school, ready for the doctor.

To look at the house inside or out, you wouldn't think the family lived for the season and followed crops north. They are buying, Mrs. Sanchez explained. Summertimes they close the house when they go to pick other fruits. Several of her clients are doing the same.

The biggest problem is suspicion. People don't understand the germ theory of disease. They may never have had access to information about birth control. They may need nutritional training.

"I have none with commodities (food) so far," Mrs. Sanchez said. "This kind of family they don't want to ask for anything. Never 'give me, give'—They live with what they make."

In late April Mrs. Sanchez asked Teresa, "Cuando se mudan? Mayo? o Junio?"

"No sabemos todavia . . ." the woman answered. Her husband hadn't decided yet which would be the best place for them to go to pick summer fruit.

TIME TO FACE RESPONSIBILITY

The problems of Polk's 25,000 citrus fruit pickers cannot all be solved locally. Some help from state and federal sources is necessary.

However, Polk must not shrug off its share of responsibility for the deplorable conditions which exist here. Some problems can and should be solved at the local level.

Citrus is one of the prime supports of the area's economy. Every Polk resident benefits, directly or indirectly, from the annual harvest of 44,000 boxes of citrus fruit. Certainly, most Polk citizens use and enjoy oranges and grapefruit.

Whoever profits from a situation must share the responsibility for it. Imperial Polk extracts the maximum possible benefits from

migrant labor. We must likewise exert maximum effort to improve workers' lives.

The hovels which are rented to farm laborers are intolerable. They can and must be eliminated. Stinking, unsafe shacks with exorbitant rental prices are an affront to the conscience of every Polk citizen. Their continued existence lends a bitter after-taste to our morning juice.

Minimum health and safety standards for rental property in the county should be enacted by the County Commission. Strict enforcement of such regulations could quickly end the current profiteering in human misery.

County commissioners, by failure to take such steps, give approval to the shameless exploitation of helpless migrants. Polk is not ready for a complete minimum housing code to affect all homes in unincorporated areas. It should be possible, however, to enact an interim ordinance applying only to rental units.

Education is another area where local action can be effective. State and federal help is needed, but the initiative must come from the school system which must do the job.

Because of the relatively long citrus season, migrant children spend more time in Polk schools than in any other. This is where the problems must be faced. A recently announced vocational program for migrant youngsters is a step in the right direction.

Many more steps are needed. Polk schools must develop complete programs for migrant children, programs designed to fit the average length of their stay. A special team of attendance officers is needed to improve the attendance patterns of migrant children while they are in Polk.

Health services must be expanded. County immunization programs must be carried into migrant living quarters. Mobile units are needed to visit labor camps. Polk citizens must recognize that festering sores on migrant children are dangerous to the entire community.

Efforts should be made to regain state aid for migrant health services, and requests for help should go to every appropriate federal agency.

Polk cannot solve all the problems of the migrant workers, but it can alleviate some of the worst ones. If we take our responsibility seriously at the county level there will be a greater likelihood of help from state and national sources.

We have thrived on the sweat of the farm workers. Now it is time to pay the piper.

COMMUNITY ORGANIZES: MIGRANTS BEGIN STRUGGLE

(By Ed Domaingue)

In Polk County, the migrant worker is permanent resident on the lowest rung of the economic ladder. He is not there because he wants to be, or because he likes it.

Many Federal, state and local government programs have failed to reach him—partially because they have been content to offer scraps from the table of plenty as they did with the Negro; partially because public officials can't afford to offend the major money interests who would like to keep the migrant right where he is: at the bottom.

With no one to turn to for assistance from outside, many migrants are now turning to the leaders rising from among their own ranks. There are finally appearing in Polk County and across the state, men and organizations gravely concerned about the problems of the migrant.

Until recently, the only agency in Polk County not responsible to local or state politico's was the Christian Migrant Ministry. Headed jointly by an ordained minister and a former migrant-worker crew chief, a goal has been set of power through community organization.

Several months ago, Rueben S. Mitchell, regional director for the Federal Office of Economic Opportunity-funded Community Action Migrant Program, appeared before the County Commission in Bartow and informed commissioners his organization would "appreciate" their cooperation. He asked for a vote of moral "support"; it was given.

Mitchell said the organization was bringing its program into Polk County in an effort to help the county's 25,000 migrant workers "better themselves" and to enable them to leave the migrant stream if they so desire.

In South Florida, there are other migrant-oriented agencies and leaders grappling with the problems—Rodolfo Juarez, head of the Organized Migrants for Community Action and perhaps one of the first and most effective of the former migrant laborers turned community organizers, and the federally-funded South Florida Migrant Legal Services Program.

MINISTER, FORMER MIGRANT

The Polk County Migrant Ministry is headed jointly by the Rev. Paul F. Wilson, an ordained minister, and Newlon Lloyd, a former migrant worker and crew chief who came to the United States from the Bahama Islands 14 years ago.

Wilson and Lloyd have both been on the Migrant Ministry's payroll since December 1968, shortly after the agency's work was partially funded by the board of the National Ministries. Other contributions come from local churches; memberships, and the Westminister Presbytery.

Three years ago, the Migrant Minister moved away from service orientation, according to Wilson, in favor of community organization—"in which the farm workers can identify and solve their own problems through their common strength."

The multi-faceted purpose of the group is to:

Establish indigenous, democratic farm work associations which seek to define their own goals and uncover and develop leadership from within.

Mediate between the farm worker community and the various agencies and programs available for counsel and guidance in all areas of private and community life.

Support activities of self-help and community improvement among the farm workers.

Recruit, train, coordinate and supervise volunteers from the churches and community to assist in programs of social service and self-help.

Dr. Herman F. Reissig of Lakeland, a consultant in Human Relations and strong supporter of the Migrant Ministry, said in the organization's application to the National Ministries:

SHARE DECISIONMAKING

"In terms of the farm workers, a greater measure of justice and opportunity will prevail as they are enabled to share in the decision-making about their destiny. Many will find new ways of achieving some of the most basic desires they have for personal and corporate fulfillment, especially as it relates to health, education, housing, home improvement, public works facilities and job opportunities.

"Many will find a new sense of dignity, as well as respect and admiration for their friends and fellow workers . . ." he said.

Wilson said, "The chief problem is that they (the migrants) are forced to reside outside the mainstream of American life—they have no control over the programs directed at them. They lack the power, the voice and representation to help themselves.

"That leaves the farm worker with things being done for him, instead of doing the things himself," he said.

Wilson and Lloyd function primarily in two different areas: the minister's responsibility is to organize the middle-class support necessary to fund and assist the ministry's program and Lloyd works primarily in community organization.

Lloyd, for his part in the program, was overwhelmed when he first began his work here. The problem of organizing 25,000 migrant workers scattered across the country was staggering.

As a result, the Migrant Ministry picked three principle target areas—Lake Hamilton, Haines City and Winter Haven.

Two self-help groups have already been successfully organized in the Lake Hamilton-Haines City area. They are the Florida Farm Workers Organization with headquarters in Lake Hamilton and several hundred members and the Black Youth Organization for Power, an attempt to draw the young people into the organizational efforts.

"Even though both organizations are primarily the results of the Polk County Christian Migrant Ministry's efforts," Wilson said, "they have their own separate organizations and leaders. We can not dictate to them what they can and can not do."

"At times we might make suggestions or point out possible alternative forms of action, but the final decision rests with the members. They have to help themselves get what they want," Wilson said.

SEVERAL BATTLES WON

The Florida Farm Workers Organization has already won several battles for migrant farm workers in the Lake Hamilton area.

Wilson said last year the organization decided it was interested in arranging work at the Lake Hamilton Packing House for the wives of several of the members. In the past, the employes of the packing house had all been white. Members of the farm workers organization were Black.

"They got together with officials of the packing company and sat down and talked about the problems and what they wanted. As a result of the discussions two Blacks were hired by the company.

"Things were pretty bad for a while and eventually the two women were fired, but not before a precedence was established—it was a major break-through for them," Wilson said.

On another occasion, Black farm workers and migrants got upset over medical care for poor people at the Heart of Florida Hospital in Haines City.

They wrote a letter to a hospital's administrator and set up a meeting with him to provide him with an opportunity to present his side of the story.

"Well, he attended the meeting and made an effort to interpret the hospital's policy and to try and work out some of the problems. These things wouldn't have happened if the workers hadn't banded together in a single community organization geared to improving their living and working condition," Wilson said.

The Florida Farm Workers Organization has also made initial strides forward in blending itself with the total Lake Hamilton Community.

"One of the organization's big concern was over the lack of recreational facilities for their children in the city, and particularly in their area. They set up a meeting with the mayor and city manager and everyone got together to discuss their problems.

A MAJOR BREAKTHROUGH

"The very fact that the mayor came down into the Black Community to meet with them and to deal with their own organization was a major breakthrough.

"They asked him for a playground and the mayor, to everyone's surprise, said we already have one in the city. They have a very nice recreational area but in the past Blacks had been barred from using it.

"Now they are allowed to use it two nights a week. It meant a great deal to those families living in the Lake Hamilton ghetto area," the minister said.

Wilson said the organization's efforts to bring the people together to help themselves here are extremely important—"Polk County has the second highest concentration of migrant workers in the state. Palm Beach county is first, with 38,000."

Both Wilson and Lloyd get angry when they talk of justice for the migrant in Polk County and both are quick to criticize both the law enforcement agencies responsible for enforcing the law and the court system.

"They (the migrants and farm laborers) have to band together and demand that the laws on the books be enforced adequately.

"There are three kinds of justice in Polk County—white to white; white to Black; and Black to Black. Many incidents aren't even investigated if they happen in a labor camp or a ghetto. If Sheriff's deputies bother to come at all when they are called, it takes them several hours to get there.

"But the general attitude of the majority of people in Polk County must change, too. Even now, the migrant is still referred to as 'those people down there' or 'it's just those people down in the quarters acting up again.'

"Everybody is responsible and everybody is going to have to act together to bring about the necessary changes," Wilson said.

Both Wilson and Lloyd have indicated they are prepared to be tough if that is what's going to be necessary to get results. Both would prefer a different approach.

"Everyone is concerned about oranges, we are concerned about people," Wilson said.

Mitchell and the Community Action Migrant Program are new to Polk County—but they have long been active in Lee, Hendry and Collier Counties. In Collier County they were handed administration of the commodities food distribution program by the Office of Economic Opportunity after local governmental officials refused to take responsibility.

". . . It must be emphasized that the people whom we serve represent that segment of society who fear to protest or challenge—for they fear retaliation. Only as the vast majority of people become aware of the dramatic plight of the migrant and seasonal farm laborers, and become involved fully in both seeking and providing solutions to his problems, will truly long-range, massive and effective results be had," Mitchell told U.S. Senator George McGovern's (D-S.D.) Select Senate Investigating Committee in March of 1968.

Little has changed.

RURAL MANPOWER PROGRAM

The Community Action Migrant Program is primarily a rural manpower program, working cooperatively with the private sector of the economy and industry in job training, job placement and job development, according to Mitchell.

What impact the program will have in the coming months cannot be determined, but job training and placement will be essential in order to alleviate many of the problems the migrant population is heir to.

One leader though more than any other is rapidly coming to the forefront of migrant worker organizational efforts in the state. He is frequently compared to Cesar Chavez, who is a hero of epic proportions among grape-pickers in California.

Rodolfo Juarez, head of the Organized Migrants in Community Action in South Florida, is a Mexican-American, a former migrant worker and farm laborer.

Mexican-Americans comprise almost half the state's population of migrant workers. Juarez's story is typical:

"I was born in South Texas, in San Benito, and when I was about 15 I was sold. That's right. They came and got a whole group of us and told us there was a lot of money to make up North and over in Florida if we went along with them, and they'd take us and feed us.

"I now know they got so much money from the growers for each body they brought up from Texas. Well, we were living like animals where we were, and getting practically nothing for doing crop work in south Texas, so we thought, why not?

"I was taken up to Indiana and Ohio to work on the farms there, and then we tried to break out, but it's hard. They tell you that you owe them for food and the transportation and the mattress on the floor you use for sleeping, and they tell you that if you try to leave, they'll get you thrown in jail and you'll never get out until you pay your bills.

"How else can you pay them but by going back to work for them and when you do that, you have to eat and you have to sleep somewhere and a lot of the time there's no work, until it's time to harvest, and so you're their property . . .

". . . I'll tell you the truth, a lot of migrants—you know, they're Mexican-Americans like me, or black people, and a few are white, yes, but not many—they're not aware of their rights, and they're scared and they should be.

"Have you seen them patrolling some of those camps? The men will ride around with guns, and the crew leaders will herd people into the trucks to go picking. They stand them up and they look like cattle going to the market . . ."

Juarez's story is not a pretty one—but it is true and he has pulled himself out of the fields. His efforts now, unlike many migrants who escape, are aimed at assisting his brothers still trapped in the migrant stream.

Organized Migrants in Community Action (OMICA) has drawn a picture of the structure of poverty . . . denoting the reasons ". . . why we have been living in the misery that we have been living in through generation after generation."

Citing the reasons for the migrant and farm workers poverty, OMICA has isolated these causes:

Exclusion of farm workers from the National Labor Relations Act.

No protection under Workmen's Compensation and Unemployment Compensation Laws.

Importation of foreign labor.

General exclusion of the very poor from participation in housing, small business and loan programs.

Unconstitutional residency requirements for receiving welfare and health services.

Discriminatory and humiliating welfare system.

A lack of individual power.

A lack of group power.

Bad working conditions and low wages, creating a slave labor system which insures that the farm worker's children will have to live the same way he did.

A lack of hope in the ability to escape the migrant stream or the farm for a better way of life.

But it is far easier to identify the problems than to attempt to find the suitable solutions.

STATE LEGAL SERVICES

Among things needed to approach solutions, Wilson said, is for "South Florida Migrant Legal Services needs to become Florida Migrant Legal Services." The OEO-funded organization employees 16 attorneys in the sugar cane and truck crop counties. It has been the subject of repeated assignation by Congressmen like Rep. Paul Rogers, himself a land baron.

It has been attacked by U.S. Sen. Spessard Holland, a staunch supporter of crop subsidy legislation which has seen $1.5 million in Federal money given carte blanche to U.S. Sugar Corporation of Clewiston in the past two years (1968 and '69), with lesser, but sizable lumps of Federal sweetener to other sugar cooperatives.

The Washingtonians frequently criticized the legal service organization's $800,000 annual budget, while handing out huge farm subsidies to the very companies and combines that help make the work of organizations such as Florida Migrant Legal Services necessary.

Legal aid is of primary significance in making a man feel he is a man—a citizen; protected by law instead of victimized by it. A proposal that the Florida Bar Association take over a statewide legal aid program has been criticized because of the belief it would be staffed with young and inexperienced attorneys who would be using the position only as a stepping-stone.

Organizations like the Polk County Christian Migrant Ministry; Community Action Migrant Program; South Florida Migrant Legal Services; and Organized Migrants in Community Action are on the right track—all attempting to organize the farm laborer into a cohesive group strong enough to fight for himself; strong enough to demand his rights; strong enough to be heard by the County Commission in Bartow, the Governor and State Legislature in Tallahassee, the Congress and the Senate of the United States in Washington.

The road will not be easy.

THE PINCH OF CONSCIENCE

Every time the press explores migrant misery, growers react loudly and in unison. Their cries of "Unfair" and "One-sided picture" stretch all the way back to the publication of John Steinbeck's "Grapes of Wrath."

We can understand the dismay of the corporate farmer when his neighbors start equating him with Simon Legree. Growers, after all, are people. They are operating clean, honest businesses as well as they can. Few, if any, Polk citrusmen would deliberately or maliciously mistreat workers or deny food or education to children.

The current system does exploit farm workers, but the system is older than most current growers. They did not create it—they inherited it.

Why, then, should today's big farmers react so defensively to the negative publicity? Obviously, if they did not feel responsible, they would not find it necessary to defend the indefensible conditions.

Growers are not responsible for the creation of the migrant exploitation, but they definitely must shoulder much of the blame for its continuance. This is where the conscience pinches, and it is why they are so vulnerable to the accusing fingers.

With their representatives and lobbyists, the farmers and growers of Polk, Florida and the nation have fought tooth and nail against every legislative effort to improve the lot of their employes. Without their opposition the minimum wage, workmen's compensation and other normal benefits would have come to the farm worker as to other laborers.

By opposing these efforts, by deliberately seeking to exempt agricultural workers from protective labor legislation, growers have assumed full responsibility for the plight of their employes.

Some grove owners would probably like to rid their conscience of its present burden. Unfortunately, these men could not suddenly begin paying the minimum wage and offering other standard benefits to fruit pickers. Such a unilateral action would price the company's product out of the competitive market.

The men of good conscience can, however, immediately cease their opposition to reform programs. Without grower and farmer objections, the weight of public opinion would quickly carry corrective legislation through Congress. All companies would have to follow the provisions, so no individual grower would be unduly harmed.

Naturally, the consumer will have to bear the cost of reform in increased prices. This is normal in a free enterprise system. Americans will not stop drinking orange juice because of a price increase.

Citrusmen who are sincere in their concern for the well-being of the pickers will not react defensively to this week's local and national publicity. Instead, they will acknowledge that problems exist and they will stop trying to block efforts for improvements.

SOLUTIONS TO PROBLEM AVAILABLE

(By Ed Domaingue)

New bridges and roads must be constructed which the migrant and farm laborer can travel. There is a hopelessness in the cycle of poverty that cannot be eliminated through legislation alone.

Vast quantities of time and money have been invested over the past decade in programs aimed at helping the migrant worker and his family.

But still there is poverty.

The programs enacted have not been futile; many will be essential to relieving the plight of the migrant. The failure has been in not going far enough, of not reaching the heart of the problem.

Groundwork for the new roads has been laid, but the construction has not been completed.

One of the problems is the migrant's lack of knowledge of aid available to him.

COMMUNICATIONS INADEQUATE

Conventional forms of communication fall short—as in cases where parents are told by school officials they must obtain a birth certificate before they can enroll their children in school.

Taking officials at their words and unable to obtain a birth certificate, the parent assumes the child can not be enrolled. But this rule can be waived.

Education and job training programs are good. In fact, they must be greatly expanded. Courses in food preparation, sanitation and money management are essential. School assistance has been helpful, but is still only a beginning.

Housing codes and sanitation requirements are on the books in some areas, but they have not been effective in eliminating substandard housing.

Health and welfare programs, particularly in the areas of food commodities and emergency medical service, are sufficient to sustain life and relieve some of the hunger pains. But they, like most things being offered, only treat the symptoms of misery.

BASIC FRAMEWORK HERE

The federal-state-local programs already in existence provide a basic framework for building the structure which will change living conditions of migrant workers. They provide the means to attack many of the problems, but are not solutions.

Job training and development programs such as those being undertaken by the Community Action Migrant Program must be expanded.

Local business leaders could play a major role. With cooperation of businessmen in Polk County and throughout Florida, thousands of migrant workers can escape the cycle of poverty.

Polk has many businesses in need of skilled and semi-skilled laborers. More concentrated efforts could be made on the local level to train the predominantly unskilled migrants and provide them job opportunities.

The State Board of Health can do its share by stringently enforcing housing and sanitation codes already enacted. Regulations which are weak and areas still unprotected will require new attention.

HOUSING NEEDS IMPROVEMENT

In the area of migrant housing, much work needs to be done. Regulations governing migrant camps require reevaluation. New state legislation is probably needed to achieve progress in this area.

A dedicated effort by government, business, concerned citizens and the migrants themselves is essential to any long-range improvement.

The nature of the migrant is of primary importance in improving conditions. They are nomadic, forced to wander from county to county and state to state with the change in seasons. They must move to work at all.

In Florida, the fruit picking season generally extends from November to mid-June. Work begins tapering off in mid-May and many workers are already on the road.

Traditionally, in May, the migrant stream is winding its way through the Carolinas, and by June through Pennsylvania, New Jersey and New York—where there is work until October. Then it's back to Florida again.

MIGRANT'S WORST ENEMY

The migrant's worst enemy in the past has been the need for this movement. But the nature of Florida agriculture tends to bring migrants back to the same area year after year.

This has been good for the migrant and bad for industry and government in several ways.

The length of the growing season in Florida, particularly in Polk, where the citrus season is nine months long, has made this home for many migrant workers.

With the growth of community organizational efforts the desire to return to home ground has increased.

The impact of this can not be underestimated.

Where federal and state programs make no effort to help the migrant, community organizations do. They provide the pride of accomplishment—and with power to effect change.

Community organizations are just beginning to take hold throughout the state, but already many of the young migrants-turned-organizers point with a warning finger to the accomplishments of leaders like Cesar Chavez, a man of the soil responsible for organizing the grape pickers in Southern California and forcing bargaining with the industry.

The signs are ominous to growers who have fought unionizing attempts in the past. The philosophy of the organizers is simple. In order for the migrant to be able to help himself he needs power. Power only comes through group action.

The migrant knows that in order to improve his life, basic changes are necessary. His working and living conditions must be brought up to standards comparable with the rest of America; he must be provided with steady year-round employment; and his wages must be increased.

The pressure originating from these pioneer organizational efforts has focused on several alternatives available now to change the life-style and condition of the migrant worker. While no one has offered a guess at which will prevail, almost everyone close to the migrant population contends vigorously that some change is inevitable soon.

Two of the three alternatives can be implemented by the grower; the third, essentially a last resort, will be forced by the frustration of the migrants themselves.

SEVERAL OPPORTUNITIES

The citrus grower in Polk County is in a unique position—the winds of change are sweeping his industry, but he still has several opportunities to choose his own future.

The alternatives are:

Mechanization of fruit and vegetable harvesting, ending the migrant stream and forcing development of aggressive programs aimed at assimilating the migrant and farm laborer into the mainstream of American life.

Grower-initiated programs to improve living and working conditions and to increase salaries of migrants.

Leaving the situation as is and forcing great expanded pressure from the labor force itself and the ultimate appearance of union organizations.

Most experts believe mechanization will eventually come to Polk's citrus industry. Intensive efforts are already being made to develop a functional organge and grapefruit picker which will reduce the need for migrant laborers. Effective implementation of this alternative is still several years away.

Should mechanization occur, the citrus industry would hire some former migrant workers to operate the harvesting machines and there would be a greatly diminished demand for fruit pickers.

GOVERNMENT RESPONSIBILITY

With mechanization, the state and federal governments would be required to assure a large responsibility in developing educational and job assistance programs to allow the migrant to be absorbed into society in productive capacities.

Government initiated action in areas of minimum wage extension and workmen's compensation coverage could force industry to quicken efforts toward mechanization.

The second alternative provides the most immediate solution, but it requires a decision by the citrus industry that the price of orange juice will go up. On the other hand, it may be the only way the industry will be able to discourage organizational efforts by migrants.

The growers could increase wages, improve labor conditions in the groves, improve living conditions in labor camps and put pressure on authorities responsible for health, sanitation and housing code enforcement.

Growers, through their own organizations, could lobby for inclusion of migrant workers under provisions of the Unemployment Compensation Act and Workmens Compensation laws. They could make giant strides in arranging year around employment for the migrant and could participate in improved and more effective social services for migrant families.

UNIONS WILL APPEAR

The third alternative—doing nothing—means the pressure from the bottom will continue to build. As the pressure grows, almost inevitably a situation similar to the one that made national headlines in Southern California will occur in Florida.

Workers are discontent; they are beginning to become aware of Chavezs' success in California. Community action program officials here and across the state indicate strongly the mood of the migrant is changing. Labor organizers, after a long lull, are again showing interest in Florida's farm workers.

Should the migrant become organized the pressure placed on the industry might be overwhelming.

From the migrant's point of view unionization may hold the only answer to problems which have frustrated and beaten him for many years.

The course chosen depends on the growers and the harvesters; on the action or inaction by federal and state governments; and the actions of concerned individuals who have the power to bring about changes.

Only one thing is certain—the migrant worker and his living conditions are headed for a confrontation and the confrontation will lead to change . . . one way or another.

FAMILIES WAGE UPHILL BATTLE TO ESCAPE STREAM

Mr. and Mrs. Raymond Trammell and Mr. and Mr. Benjamin Farmer have a lot in common: They are migrant workers, they want a better life for themselves and their children.

Mr. and Mrs. Trammell are both 24 years old. They live in Lake Hamilton. They were born into the migrant stream and they are fighting with every weapon they have to get out.

Mr. and Mrs. Benjamin Farmer are both 26 years old. They live in Eloise. Benji Farmer had a brief respite from picking fruit; he served a tour of duty in the Navy, discovered a better life, wants some of it for himself and his family.

Mary Jean and Raymond Trammell are much better off than most young migrant worker families, even though they are Negro and believe much of their plight is caused by their race.

They both have high school educations—rare for migrant workers, even rarer for the children of migrant workers. They both have a fierce determination to ecsape the migrant stream and are doing something about it.

The Farmers, both white, are still looking for a way to escape. They, too, were born into the nomadic life, but they weren't fortunate enough to graduate from high school. They were forced to quit school so they could work in the fields alongside their parents.

"Picking fruit is like a disease," Benji Farmer says. "You can never get enough money saved to get out. It's like a trap you never get out of.

"I want to get out, but I don't know how. The only possible way I see is to go back up North. We are going to try our best to get out. I've done some selling and repairing of television sets and someday I want to own my own shop."

Mary Jean Trammell's determination for a better life has stood her well in the past—she was one of the first Negro women ever to work in the Lake Hamilton Packing House.

She got the job—and the racial problems that ensued—through the efforts of the Polk County Christian Migrant Ministry and its subsidiary organization Florida Farm Workers Organization, based in Lake Hamilton.

She is not afraid to fight for what she wants. In April, Mrs. Trammell enrolled in an IBM Keypunch course being given by an evening school in Lakeland.

The course requires that she attend classes two nights a week. It costs $350—steep for the Trammell's, but worth it if it becomes the key to the door that will let them find a better life.

"We've tried to get out before. I worked in the Lake Hamilton Packing House. I was the first Black to ever work there. It was terrible. I hope I never have to go through that experience again," she said.

It's tough to get out.

"It takes all our money just to pay our bills. You don't make anything and you don't have anything to waste," Mrs. Trammell says.

"I dream all the time of better things to come for myself and my family. I have a hope and I have set a goal. I'm going to attain that goal one way or another."

When you listen to Mary Jean and Raymond Trammell and to Benji Farmer and his wife, their determination is absolute.

"I'm sick and tired of looking at oranges," Mrs. Farmer says, "You pick oranges, but you can't afford to buy them. They cost 69 cents a dozen in the store, but you can sure bet you don't get no 69 cents for picking them."

CHANGES ARE INEVITABLE

Changes on the migrant scenes are as inevitable as they are desirable.

After decades of neglect and exploitation, the workers themselves have begun to realize that they, like most other American laborers, could band together for mutual benefit. As this organization movement grows, our own citrus companies will begin to feel pressure.

Their reaction will spell the difference between a smooth, industry-wide transition or a long, bloody series of strikes and boycotts. Either way, changes will come which will allow the farm worker to join the mainstream of American life.

In spite of the knee-jerk negative reactions of some industry leaders, the worker organization movement will grow. The inspiration of Cesar Chavez' California grape strike and boycott is incalculable. After years of seemingly hopeless struggle, Chavez is now winning union contracts for his people—contracts which cover working conditions and pesticide restrictions as well as wages.

This example is not lost on Polk's citrus workers. Leaders are now developing who will be able to capitalize on the broad public sympathy which already exists for the fruit pickers. When the workers are sufficiently strong to institute a Chavez-style strike and boycott, the effect on the industry could be catastrophic.

Growers and public officials must understand that these are the only alternatives: orderly changes or chaotic changes. Serfdom is already several hundred years out of date; it cannot last much longer. The end of this decade will see the end of the migrant stream as we know it, one way or another.

Among the necessary changes will be increased mechanization. Other industries have found better methods when their pool of cheap, docile labor vanished. Citrus will do likewise. Fewer workers will be needed, and they will receive higher wages.

Many migrants will drop out of the stream, seeking a more permanent life. State and federal help may be essential to help these families make the transition successfully. Housing and employment will have to be found or created, or else the welfare rolls will soar.

Mechanization, stability, higher wages and other benefits will come into the life of the migrant worker. We hope the employers and public officials will help, not hinder, efforts to attain these changes.

Polk need not be wracked by disruption and distrust. Workers, officials, employers and civic leaders, working together, can help fruit pickers without ruining the industry. We have the opportunity to lead the state and nation toward the solutions for age-old migrant problems.

Let us begin.

MIGRANT STORM: EXPOSURE "BIAS" CLAIMS DISPUTED

(By Ed Domaingue)

The Polk County Christian Migrant Ministry and a Democratic candidate's Secretary of State Friday disputed charges that reports on the plight of the migrant worker on NBC last night and in The Ledger this week were "biased."

Newlon Lloyd, co-director of the Migrant Ministry said, "The growers feel they were cut down on the special, but really NBC did them a service by not showing the worst conditions."

Stan Tait, seeking the Democratic party's nomination for Secretary of State, said, "Florida should hang its head in shame."

Controversy over the television news special, "Migrant: An NBC White Paper," telecast Thursday evening, is sweeping the state.

Critics, including Gov. Claude Kirk and Secretary of Agriculture Doyle Conner, have charged conditions depicted did not present a true picture of the migrant worker's living and working conditions.

Lloyd, a former migrant fruit picker and labor crew chief himself said, "Every day I run across problems right here in Polk County worse than NBC showed. It could have been stronger, but in the final analysis, I think it was a great show."

In answer to charges both the show and The Ledger failed to present "both sides of the story," the Rev. Paul Wilson coordinator of the Migrant Ministry here, said:

"What is the other side of a hungry baby? What is the other side af 15-year-old boy like Jackson Bowers or a middle-aged couple so beaten down they can't do anything to help themselves?

"I don't think the show was biased. I do think that the fact one-third of the show was filmed in Polk County should give us all a great deal to think about," Wilson said.

Lloyd and Wilson were both with Martin Carr and his NBC television crew during filming of "Migrant." Tait said, "Bravo to NBC and The Ledger for having enough guts to call a spade a spade on the migrant problem.

"Florida should hang its head in shame," he said.

He said he hoped the NBC documentary and The Ledger's special report would "shock us into doing something" about the migrant's plight.

"As long as the lobbyists call the shots on migrant reform legislation, as long as politicians go along with the theory that profits are more important than people, I don't see much hope that anything will be done."

Tait used the occasion to strike out at one of his opponents, state Sen. Richard Stone.

"If Sen. Stone was watching, I wonder how proud he is of the fact that during the last Legislature he single-handedly killed the only bill put forth to help the migrant worker.

"I wonder if he is proud of the fact that he switched his vote in committee to kill the bill to bring migrants under the Workmen's Compensation Act," Tait said.

The candidate said, "I've got a suggestion to settle this dispute quickly. Let those who say it was biased and untrue try living the life of a migrant for just one week.

"Let them work in the fields with migrants, eat what the migrants eat, sleep where the migrants sleep, then let them tell us how good the migrant has it," he said.

Republican U.S. Senate candidate Harrold Carswell felt otherwise.

Carswell said, "Again the Northern liberal press has invaded our state in an attempt to run our lives. The NBC program on migrants, narrated by that prejudiced liberal, Chet Huntley, who considers our President 'shallow' is another example of the Northern power barons constant attack on the conservative South."

"Certainly Florida has a problem with its migrants," he said, "This vital labor force is accompanied by the same problems from (U.S. Sen. Edmund) Muskie's (D-Me.) Maine to (Sen. Alan) Cranston's (R-Cal.) California.

"For more than 20 years newspapers of Florida have documented the attendant problems of housing, education and insecurity of migrants. Over the years, 27 separate federal agencies have swarmed over the problem like so many bureaucratic bugs—but still the problem exists," he said.

Carswell charged that the show was biased because ". . . the NBC crew refused to film the improvements."

The TV show, as The Ledger's special report had earlier in the week, featured several Polk County migrant fruit pickers.

Jackson Bowers, one of those featured, had lived with his family in Eloise for several months. He quit school because he felt he

wasn't like other kids, because he thought he was a bum.

Bowers and his family, along with Ernest Jarvis, a 39-year-old Auburndale fruit picker who looks 15 years older, were not in Polk County when attempts to locate them for reaction to the show were made Friday.

The Bowers family and Jarvis were reported in Michigan, picking fruit and vegetables. Neighbors said they left several weeks ago.

Benjamin Farmer, his wife and five children, however, did not follow the stream this year. They watched themselves on television and read about themselves in the newspaper from their home in Eloise.

Farmer, 26, said Friday he was "scared" for himself and his family.

He said, "After the show was over, I was glad I had told the truth, as I have had to live it. I hope that people will get the right idea that there are some of us who can help ourselves and others who can't.

"Now I am worried about the big growers and the others in power for fear they will try to harm me or my family." Farmer said.

John Ramsom, a retired 74-year-old fruit picker, said, "It was a heap of a show. It was on the right track to getting something done. I just hope I live to see it."

Ramsom picked fruit for 22 years. He lives in Auburndale and was a neighbor of Jarvis' on Hobbs Lane, where a five-foot by 12-foot roach-infested shack rents for $15 or $20 per week.

A Winter Haven woman who works in the Florence Villa section of the city and often comes in contact with migrant workers said. "It was a true picture and no lies in that.

"But you can find worse housing than was shown on television in the Peasville section of Winter Haven. What I want to know is what will happen now?" she asked.

There were many people who expressed shock over the conditions portrayed. Some wanted to know what they could do to help the migrant.

Mrs. Jean Bryson of Lakeland called The Ledger Thursday.

She asked The Ledger to launch a campaign to collect second-hand clothes and toys for the young migrant children described both by the paper and during the NBC telecast.

"I live in a nice home and I've never been hungry, I just want to do something to help. I have been making my children read the series to see how good off they are," she said.

The owner of a beauty shop, Mrs. Bryant said Friday, "Until The Ledger's stories and the television show, many of my customers didn't even know what is was like here. They were shocked at some of the conditions described."

She said, "I believe every bit of it. I believe those people are desperate. When I was young in junior high school, some migrant children were in my classes. They came to school hungry, without shoes in the winter—things haven't changed at all."

The mother of three children, she said Jackson Bowers' appearance on television last night upset her.

"He semed to be about the same size as my 12-year-old son. He could have been my little boy. It really tore me up," she said.

Mrs. Bryant, however, was not the only local resident concerned over what she could do to help the county's 25,200 migrant workers.

A registered nurse and a medical assistant visited The Ledger offices Friday afternoon and said they and a doctor they worked for were interested in giving up their day off to operate a free clinic for migrant workers.

They said the doctor had suggested the project and they were all "extremely enthusiastic about it." They inquired who they could contact to assist them with making the arrangements.

Chuck Woodson, executive secretary of the Lakeland United Fund, also expressed concern over the plight of the migrant worker.

"I can't help but feel that we have a responsibility to be concerned . . . I am one of those who was vaguely aware they were here, just as there are other people here at the poverty level, but I didn't really know anything of their living or working conditions.

"You are concerned about it, you know about it, but you don't really address yourself to it . . ." he said.

DELETIONS MADE IN TV SHOW

NEW YORK.—National Broadcasting Company officials, following an angry meeting with representatives of the Coca Cola Company altered an N.B.C. documentary on migrant farm workers before the program was broadcast over the N.B.C. television network Thursday night.

Coca Cola was represented in the report as one of the contributors to the marginal conditions under which migrant citrus workers live and labor in Florida. An addition and a deletion in the script of the program, entitled, "Migrant—an NBC White Paper," were made late Thursday afternoon, according to its producer Martin Carr.

Carr said, "The pressure from Coke was enormous."

Reuven Frank, president of N.B.C. News, said "There was no pressure. They (Coca Cola representatives) brought us facts we did not have before. We heard them out.

"After they left, we felt maybe we had singled them out for blame in a situation where so many companies are involved. We removed the onus from them."

Frank said that "We made no promises" to the Coca Cola representatives. He characterized the meeting, which was also attended by Julian Goodman, president of N.B.C., as "angry. They expressed themselves," he said.

The alterations involved two statements made by Carr on the program's track. At one point he is shown interviewing a woman who lives in a shack near a citrus grove, and the woman asserts that the shack is owned by Coca Cola. Over her voice, Carr added this phrase, "Coca Cola is at work on a major plan which it claims will correct the failings it has found in its citrus operation."

At another point in the program, Carr asserts that Coca Cola and other "giants" of the Florida citrus industry, "set the standards for citrus workers in Florida together with smaller growers." This was deleted.

INTERN POSITION PAPERS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. GUDE. Mr. Speaker, for a 3-week period starting June 22, I sponsored an intern program for outstanding seniors from public and private high schools in the Eighth District of Maryland. Forty-five students came to Capitol Hill every day for an intensive orientation in the operation in Government. In addition to their attendance at seminars with leaders from all branches of Government, the students were privileged to attend guest lectures with other prominent men in Government among whom were my distinguished colleagues, Mr. GERALD FORD, Mr. MORTON, Mr. SISK, and Mr. UDALL, those distinguished Members of the other body, Mr. MATHIAS and Mr. BAYH, former Supreme Court Justice Tom Clark, Mr. James Farmer, Gov. Nils Boe, and Mr. George Schultz. Complementing this valuable experience was the time the students spent investigating, in research groups, certain issues pending before Congress. Their findings were presented to me and I would like to submit, as a valuable contribution to the 91st Congress, two of these outstanding papers. The first place paper is "A Report on Water Pollution," and the second place paper is "Presidential Authority in Foreign Affairs."

The papers follow:

REPORT ON WATER POLLUTION

(Prepared by Robert Awkward, Glenn Bower, Phyllis Kaplan, Martha Reed, Elizabeth Richardson, and Miriam Smallhout) July 10, 1970

Environmental Pollution Panel of the President's Science Advisory Committee, November 1965: "Pollution touches us all. We are at the same time polluters and sufferers from pollution. Today, we are certain that pollution adversely affects the quality of our lives. In the future, it may affect their duration."

PROLOG

The purpose of this paper is (1) to examine the significance of the problem of water pollution, (2) to identify the role of modern technology as the primary pollutor, (3) to render the logic of technological water pollution, (4) to analyze the inherent inability of the status quo to deal effectively with the problem of water pollution in terms of the technological profit incentive, (5) to determine the debilitative effects of water pollution on the environment, (6) to analyze alternative methods of water pollution control, and (7) to recommend, on the basis of the previous investigations, an effective and practical means of controlling water pollution.

Water pollution can be defined as any unfavorable alteration of rivers, streams, estuaries, lakes, or any other source of water which impairs the quality of water for maximum use in the overall public interest. In 1965, former President Lyndon B. Johnson identified the bulk of pollutants as the "technological wastes—the by-products of growth, industry, agriculture, and science."

These "technological wastes" have been divided into eight categories by the Department of the Interior's Water Quality Administration. (1) Oxygen-demanding wastes result from domestic sewage and from industrial wastes of plant and animal origin such as food processing, paper mill production, and tanning. (2) Disease causing agents consist of infectious organisms which surface and ground water carry from cities, institutions, and certain industries such as tanning and meat packing. (3) Plant nutrients, such as nitrogen and phosphorus, which support and stimulate the growth of aquatic life such as algae, are other wastes. These are exuded in large quantities from sewage, certain industrial wastes, and drainage from fertilized lands. (4) Synthetic-organic chemicals result from detergents, organic pesticides, synthetic industrial chemicals, and the wastes from their manufacture. (5) Inorganic chemicals and mineral substances including metal salts, acids, solid matter and many other chemical compounds constitute a major discharge from mining and manufacturing processes, oil field operations, agricultural practices, and natural sources. (6) Sediments, particles of soils, sands, and minerals, wash down from pared areas of communities and construction projects. (7) Radioactive substances are discharged in mining and processing of radioactive ores, the use of refined radioactive materials in power reactors, from use for

industrial, medical, and research purposes, and from fallout following nuclear weapons testing. (8) Heat results from the tremendous volumes of water used by power plants and industry from cooling.

I. THE SIGNIFICANCE OF THE PROBLEM OF WATER POLLUTION

The significance of the problem of water pollution rests on an assessment of the present situation and a speculative analysis of the probability of a future crisis if more stringent regulations are not imposed.

The present problem of water pollution, resulting primarily from the pouring of 500 million pounds of solid wastes into United States waterways each year, spurred President Johnson, in 1965, to declare that "every major river system is now polluted." [1] Three major facets of technology produce wastes which contribute to the magnitude of this problem. These are urban population growth, industrial growth, and agricultural growth.

In the area of urban population growth which results in an increase in domestic wastes, the inadequacy of treatment plants and sewage systems is appalling. Ten percent of municipal wastes receive no treatment at all; twenty-two percent receive only primary treatment which removes no more than one-third of the pollutants; and thirty-four percent receive secondary treatment which still does not completely purify the water. Furthermore, communities with combined sewer systems, even if treatment plants are otherwise adequate, incur serious over-flow pollution when storms or heavy rains overwhelm the capacity of the treatment plants. These serious inadequacies in both quantity and quality of domestic sewage systems account for the three hundred percent increase over the last century in disposal of poorly treated municipal wastes.

Industrial growth has resulted not only in an increase in waste tonnage, but in the development of new and complex types of wastes. The following chart demonstrates that most industrial wastes are not even treated. Furthermore, those which are treated may not necessarily receive the adequate quality of treatment.

[Industry and percentage without treatment]

Automobile	48
Beet Sugar	6
Coal Preparation	12
Corn and Wheat Milling	50
Distillery	62
Food Processing	27
Machinery	71
Meat	5
Natural Gas Compression	0
Photography	50
Poultry Processing	12
Pulp and Paper	32
Salt	87
Soap and Detergents	56
Sugar Cane	52
Tanning Leather	38
Textiles	73

Studies and surveys by the United States Public Health Service recently indicate that the amount of organic industrial wastes, treated and untreated, now going into United States waterways is equivalent to raw sewage from one hundred sixty million persons. This height of waste disposal represents an increase of one thousand percent over the last century.

Industry continues to produce, at an astounding rate, new chemical wastes, for which treatment is unknown. The production of these chemical wastes increased forty percent between 1947 and 1960, and now ranks fourth in terms of total assets and fifth in terms of sales. Each year, increasing amounts of these wastes at our water supply intakes become more threatening because neither sewage nor water treatment plants remove them, thus allowing them to reach the consumer.

The significance of the problem of radioactive wastes resulting from industry, is predominantly speculative. Data provided by the United States Public Health Service national water quality network show radioactivity in the Nation's lakes and streams well below the safe level of concentration. Yet, additional deposits of this material could pose a future threat.

Finally, in the area of industry, heat pollution constitutes a significant and damaging force. As cited previously, industrial growth has been phenomenal. With this growth, the demand for water to aid in the cooling process has been equally great. In addition the demand for electric power, the production of which results in tremendous thermal wastes, will also contribute to the problem of heat pollution which presently threatens aquatic life.

Pollution resulting from agricultural wastes is particularly significant in three major areas—chemical wastes, animal wastes, and sediment and silt.

The use of chemicals in agriculture has crescendoed to the point of virtual universality. In 1943, only one synthetic organic insecticide was on the market, and its use was strictly limited. Today, more than two hundred chemicals, available in thousands of different formulations, are used by most crop growers. Most of these run directly off into the water. In addition, "production of synthetic pesticides and other agricultural chemicals amounted to nearly seven hundred million pounds and most of this production was used by United States farmers. Synthetic fertilizers reached a production point of 4,430,000 tons in 1950. Liquid fertilizers amount to 710,000 tons in 1954–1955. Lime, another agricultural chemical, is estimated to average about 20 to 25 million tons annually." [3] Stream pollution from agricultural fertilizers is becoming a problem of national significance. River pollution, also significant, is evidenced by the fact that "DDT has been found in Lake St. Clair, the Detroit River, the Mississippi at Quincy, Ill., and at New Orleans, in the Missouri River at Kansas City, and in the Columbia at Bonneville Dam." [4] Pesticides also constitute a significant pollution problem. "Over 45,000 pesticide formulations are registered for sale with the Department of Agriculture." [5]

Growth in agriculture has resulted in a proportional increase in farm animals and the concommitant wastes. The problem is particularly acute in concentrated areas of animal growing, where direct pollution results to streams, as well as indirect pollution in the form of surface runoff and underground seepage.

Sediment and silt are the final two significant forms of pollution resulting from agriculture. Sediment, produced by erosion, is the most extensive pollutant of surface waters. Suspended solids loadings reaching waters are at least seven hundred times the loadings from sewage discharge. Silt, the inorganic solids transported by a stream either in suspension, in the current, or moving along the stream bed, is a major deterrent to the most effective development of the water resources in the United States.

All three major areas of technological growth—urban population growth, industrial growth, and agricultural growth—result in significant land drainage pollution problems. "Each year additional millions of acres of land are withdrawn for use for streets, highways, airports, housing, and runoff is nearly 100%, and all is accumulated deposits, oils, organic matter, trash, soil, industrial dusts, insecticides, and pesticides." [6]

In conclusion, technological growth in the areas of urban population growth, industrial growth, and agricultural growth, has produced a devastating swelling in both the scope and depth of previously existing water pollution problems.

The physical manifestations of this environmental atrocity are stupendous. J. I. Bregman and Sergei Lenormand considered this area and concluded that, "One of the visible signs of an aging lake is an overgrowth of weeds and algae, forming green scum which turns crystal waters into pea soup. Slimy, stinking masses pile up on beaches, clog water treatment filters, and destroy aquatic life. When teamed with industrial wastes and raw municipal sewage they are a hazard to health. For this reason, beaches in New York, Ohio, Michigan, and Wisconsin have been closed. . . . Lake Erie, the shallowest and most polluted of the five Great Lakes, is already, in an aquatic coma. To live along its shores is to know the stink of slime, dead fish, human excrement—the smell of death. . . . The major contribution to this enormous contamination is made by industry pouring wastes into every major stream emptying into Lake Erie . . . Detroit alone pours 1.5 billion gallons of wastes and sewage into its waterway each day. The bacterial count in the Cuyahoga, which flows through Akron and Cleveland for a double dosage of industrial garbage, has been measured at a rate four times the level expected in a stream of raw sewage. The stream is so clogged with debris, oil, and flammable chemicals that its waters have been labelled as a fire hazard! Mayor Chester Kowal, on a cruise up the Buffalo River, said, "The stink was overpowering, unbelievable, and disgusting." [7] Thus, the technical measurement of gallons and tons becomes the physical reality of sludge and gunk.

The probability of a future water pollution crisis if more stringent regulations are not imposed is based on the causal link between growth and waste increase.

J. I. Bregman and Sergei Lenormand, authorities on pollution, indicated that, "In isolation, the relatively novel, lethal sources of contamination would rarely cause a public hazard. The character of . . . water contamination, however, has been radically altered by the enormous rate of urbanization, industrialization, and transportation. When concentrated in a regional airshed or waterway, its magnitude—a consequence of gargantuan material demands and a collosal irresponsibility of our vital resources—can be catastrophic." [8] Thus, the link between growth and pollution assures future devastation in terms of present controls.

Specific speculative analysis indicates that in all areas of technological growth—urban population growth, industrial growth, and agricultural growth—wastes will proportionately increase with the rate of expansion.

Municipal wastes, resulting from urban population growth, will, in increased volumes, be dumped into the nations waterways in the future. "If we do not accelerate our present rate of municipal treatment plant construction, given the projected urban growth for 1980, the municipal sewage discharge in that year will be equivalent to the untreated waste produced by a population of 114 million." [9]

An overwhelming increase in industrial wastes will also characterize the next decade. In the area, of organic industrial wastes, "By 1975, industry is expected to double the production attained in 1950. This would indicate a possible doubling of present organic wastes by 1980." [10] Wastes from new chemicals will increase as the production and demand for them goes up. "1963 sales are expected to double by 1975." [11] Thermal pollution, if unchecked, will proportionately increase with the growth of industry. The need for water to aid in the cooling process and to provide electric power will result in phenomenal usages of water. "Unless controls are effected, this could mean an increase in heat pollution of more than 100% in the next ten years." [12]

Footnotes at end of chapter.

In the area of agricultural wastes, the use of chemicals and an increase in animal wastes will result in significant pollution over the next two decades. In the March 1961 issue of "Chemical and Engineering News," a ten-fold increase in pesticide output was projected for the next twenty years. Furthermore, "The use of agricultural fertilizers will undoubtedly continue its growth as new lands are put into use and as more intensive farming practices become profitable." [13] In addition, animal raising must necessarily increase with a growing population which demands meat. Thus, feedlot wastes will also increase.

Finally, silt and sediment, which characterize all three types of technological water pollution, "can be expected to increase at a very substantial rate on the basis of projected industrial growth and power demands." [14]

In inclusion, the present level of technological water pollution is already debilitating, but a devastating increase is assured if more stringent regulations are not imposed.

BIBLIOGRAPHY

Bregman, J. I., and Lenormand, Sergei, *The Pollution Paradox*, Books, Inc., New York, 1966

Federal Water Quality Administration, *Clean Water for the 1970's—A Status Report*, U.S. Department of the Interior, Washington, D.C., June 1970

Graham, Frank, Jr., *Disaster By Default*, M. Evans and Company, Inc., New York, 1966

Legislative Reference Service of the Library of Congress, *How Can Our Physical Environment Best Be Controlled and Developed?*, United States Government Printing Office, Washington, D.C., 1970

Marquis, Ralph W., *Environmental Improvement (Air, Water, and Soil)*, The Graduate School, United States Department of Agriculture, Washington, D.C., 1966

Nikolaieff, George A., *The Water Crisis*, H. W. Wilson Company, New York, 1967

United States Department of Health, Education, and Welfare, *Proceedings: The National Conference on Water Pollution*, United States Government Printing Office, Washington, D.C., 1961

United States Senate, *A Study of Pollution—Water*, United States Government Printing Office, Washington, D.C. 1963

United States Senate, *Stream Pollution*, United States Government Printing Office, Washington, D.C., 1936

Welsh, James, and Hornig, Roberta, *A World in Danger*, The Washington Star, Washington, D.C., 1970

FOOTNOTES

[1] Nikolaieff, George A., *The Water Crisis*, H. W. Wilson Co., New York, 1967, quoting President Lyndon B. Johnson's 1965 message to Congress on natural beauty from the text printed in *The Washington Post*, page 8, February 9, 1965.

[2] R. Rickles, *Pollution Control*, Noyes Development Corp., 1965.

[3] U.S. Senate, *A Study of Pollution—Water*, U.S. Government Printing Office, Washington, D.C., 1963, page 19.

[4] *Ibid.*, page 18.

[5] *Ibid.*, page 17.

[6] US Senate, *A Study of Pollution—Water*, United States Government Printing Office, Washington, D.C., page 16.

[7] Bregman, J. I., and Lenormand, Sergei, *The Pollution Paradox*, Books, Inc., New York, 1966, pages 42–43.

[8] Bregman, J. I. and Lenormand, Sergei, *The Pollution Paradox*, Books, Inc., New York, 1966, page 39

[9] U.S. Senate, *A Study of Pollution—Water*, U.S. Government Printing Office, Washington, D.C., 1963, page 8

[10] U.S. Senate, *A Study of Pollution—Water*, U.S. Government Printing Office, Washington, D.C., 1963, page 10

[11] Ibid.

[12] Ibid.

[13] Ibid, page 18

[14] U.S. Senate, *A Study of Pollution—Water*, U.S. Government Printing Office, Washington, D.C., 1963, page 15

II. THE DIVERSITY, SIGNIFICANCE, AND COMPLEXITY OF INDUSTRIAL WASTES

Introduction

The tremendous volume of domestic sewage does not constitute as much of a threat as industrial wastes because its qualities are basically uniform, and the method of solution, although not universally implemented, has been established. Contrastly, industrial pollutants are diverse in both physical characteristics and origin. Thus, control of these wastes necessarily requires numerous specific measures designed to deal with the unique wastes. In recognition of this complexity, the following section is intended to analyze the characteristics and origins of these wastes and establish their significance.

Industry is the greater user of water. It currently uses 160 billion gallons of water a day in its production processes, including the generation of electric power by streams. Twenty years from now industry will be demanding close to 400 billion gallons of water a day. It takes 770 gallons of water per day to refine a barrel of petroleum, 200,000 gallons to make a ton of viscose rayon, and 600,000 gallons to make a ton of synthetic rubber. The polluting capability of industry has reached astounding proportions and continues to grow.

The pollution problem is actually as old as civilization—even cave man dumped his wastes into streams. The industrial revolution greatly increased man's ability to contaminate his environment. Industrialization helped to alleviate conditions of poverty and starvation, but lowered the quality of water resources. As industry's pollution capabilities increased, nature's compensating process was often overwhelmed. Industrialization not only contaminated water, but prevented other than man-made methods of restoration.

In an average year industry's water intake is 20% of that of all society. After this water is used for industrial purposes, some is returned to our streams and rivers without adequate treatment. Further, water contamination results from industry's discharge of certain damaging chemicals, including many compounds whose effects are unknown. Other causes of industrial pollution are the addition to water of oils, phenols which bring taste and odor problems, phosphorous or nitrogen which over enriches the waters, and dissolved solids. Power plants add heat to streams, damaging aquatic life and promoting the growth of algae. An estimate of the approximate magnitude of industry's contribution to pollution is that the nation's businesses would have to spend 32 billion dollars by the year 2000 to adequately improve its water conservation effort.

The pulp and paper industry

No. Industry has had more trouble because of river pollution than the pulp and paper industry. United States production of paper has more than doubled in the past two decades. Some pulp and paper producers have taken steps to make their output harmless, but others have continued to fight the issue, refusing to invest in processes which would cut down their pollution. Some producers have even threatened to close down their factories if the state requires them to install systems to recover most of their waste material.

Two natural resources are used by the pulp and paper industry: trees and clean water. As the bark is removed from pulp wood, it is washed free of bark residue and any dirt that might have been picked up. Next comes the pulping action, in which the lignin that binds the fibers together is removed by digesters. From 25% to 55% of the wood is dissolved during the pulping action. The dissolved organic material is removed by counter current washing. The pulp is diluted to about ½% solids and formed into a continuous web of paper on a wire belt. Most of the water is drained.

There are two major pulping processes: the kraft process and the sulfite process. The kraft process uses sodium hydroxide and sodium sulfied. Because these chemicals can be regenerated for reuse, the pollution is not too great. But the process is still deleterious to the water, because of the great oxygen demand it causes. In the sulfite process, lignin is dissolved by the action of calcium bisulfate and sulfurous acid. There is no economical way to recover these chemicals. Used sulfite liquor is dumped into the streams. This sulfite liquor, which is used cooking liquor containing non-fibrous material removed from wood during pulping, causes the industry's worst pollution problem. It can be broken down by bacteria, but this requires a large amount of oxygen. Because of this, fish and other marine life suffocate and die.

The pulp and paper industry has done harm to many rivers and lakes. The Columbia River has chronic sulfite liquor pollution. The Androscoggin River in Maine is one of the worst polluted in the country because of the pulp and paper industry. Years ago a dam was built which trapped behind it the effluent from many paper mills. Even if there were no new pollution, this trapped pollution would make fish life impossible for many years, perhaps forever. The fishing industry in the Puget Sound in Washington is also being destroyed. Only seven mills create 210 million gallons of discharge a day. The pollution in this case is liquor pollution. A problem also exists at Lake Champlain. The International Paper Company plant on the lake discharges, according to the official complaint of Vermont residents, "a whole river of filthy liquid and scum and foam daily into the lake which is nauseating in both sight and smell." [1]

Although the problem remains severe, steps have been taken to improve the situation. Some producers of pulp and paper have organized a National Council for Stream Improvement, which conducts research. The council states that the average pollution per ton of paper has been reduced by 65% in the last twenty years, and that three-fourths of its members have installed water treatment facilities. This has been brought about by (1) a shift in the type of pulping process (mainly a shift to the Kraft process from the sulfite process), (2) a major program of water reuse, and (3) the application of a variety of treatment processes.

The textile industry

The wastes produced by the textile industry are similar in a broad sense to those produced by the pulp and paper industry. The processes of bleaching cotton, flax, hemp, and jute produce a filthy waste containing fatty and oily crud washed from the raw fabric. Wool washings make a polluting waste consisting of an emulsion of dirt and bacteria in water, with soap and complex proteins as emulsifiers.

Most of the textile industries are located in the South, which puts a great load on the southern rivers. One textile mill on the Chattooga River in Georgia pours into it wastes equivalent in BOD (biological oxygen demand) to the sewage of 110,000 people.

The detergent industry

Of all the kinds of pollution, none has caused so much fuss as synthetic detergents. The age of synthetic detergents began in the 1940's. By 1962, the essential ingredient, alkyl benzene sulfonate (ABS) was reaching the home market in the U.S. at the rate of over ½ billion pounds per year. A total of four billion pounds of packaged detergent powder

[1] Briggs, Peter; *Water, the Vital Essence:* Harper & Row; New York; 1967; p. 159.

or liquid was being produced a year. These products include phosphates, extenders, and other biologically inert material.

Organic wastes are usually decomposed by bacteria. However, ABS resists the attack of such bacteria. Besides resisting bacteria, ABS and most other detergents can also pass through fine filters. In 1965, industry (by somewhat costly processes) learned to produce alkyl benzene sulfonates which are much more readily attacked by aerobic (working in the presence of air) bacteria. The new material is called LAS, or linear alkyl sulfonate. The detergent industry promised a full switch to LAS by 1965. The promise hasn't been kept because LAS is only more readily attacked by bacteria in the presence of air and isn't affected in water. It has also been proved less effective in keeping clothes white.

Some effects of detergent pollution are that (1) ABS in sewage disturbs the operation of of mechanically equipped purification systems and septic tanks; (2) sometimes detergents interfere with navigation—when foam billows over a whole river; (3) billowing foam prevents enjoyment of water sports and rescues of drowning persons; and (4) detergents in water have a slight toxicity which is harmful to fish and is distasteful to humans.

Congressman Reuss of Milwaukee, Wisconsin, summed it up in 1963: "Is there any harm in the presence of ABS-based detergents in our water? The answer unfortunately is yes, plenty. First, they cause foam in drinking water. Secondly, detergent pollution interferes with treatment of sewage and adds considerably to the costs of sewage systems. Thirdly, detergent pollution represents an unnecessary hazard to human health." [2]

The Chemical Industry

The chemical industry is the fastest growing large industry in the United States today. Chemical waste products cannot be classified as neatly as the wastes of most other industries. Nature often has no way of absorbing them or breaking them down. Often they are buried thousands of feet below ground, where they can't contaminate the ground water. Basic commercial chemicals are usually reactive chemically, physically, or biologically. They may or may not be subject to oxidation, which is the common mode of removal from the water environment. The may be colorless, odorless, toxic, or nutritional. They may represent BOD, cause foaming, impair drinking water quality, have unfavorable osmotic effects, and interfere with ultraviolet light transmission. The chemical industry's products number about 10,000. The problem is very complex.

The activity of the chemical industry is centered on the Kanqwha River around Charleston, West Virginia. The river is too polluted to be used for recreation. However the du Pont Corporation, which makes more chemical products than anyone else, has begun to spend real money on pollution control. Along with nine other industrial firms on the Kanqwha River, it engaged in an abatement program that has reduced pollution even more than the authorities required. This operation cost the corporation one million dollars.

The Iron and Steel Industry

Four main pollution problems are caused by the iron and steel industry: (1) settleable solids which interfere with navigation; (2) large quantities of coke plant phenols; (3) acid and oil discharges; and (4) trace components such as ammonia, copper, zinc, and boren cyanide.

One main source of pollution by the industry is the coke plants. In the coking of coal to produce blast furnace fuel, the water present in the coal is evaporated into the gas stream. As the gas is cooled, the water condenses along with the tar vapors. The water that is left is contaminated with phenol, ammonia, chlorides and other constituents of the gas.

Another source of pollution is the blast furnace and sintering plants involved in steelmaking. The potential water pollution problems from these, ironically, result from efforts to control air pollution.

A third source of pollution is the rolling mills. When steel is hot rolled, water is used for cooling the rolls and for the high pressure stays that blast scale off the hot steel. Scale is carried into the waste water. In cold rolling, water soluble oils feed the steel being rolled. These solutions enter the waste system.

A fourth source of pollution is the pickling process. The surface of a steel sheet is frequently cleansed by acid. When sulfuric acid is used, ferrous sulfate is produced, which is hard to regenerate. When hydrochloric acid is used, ferrous chloride is produced, which is easier to regenerate.

A final major source of pollution is thermal pollution. Water is used for cooling in many places in a steel plant. It doesn't become contaminated by chemicals but it does cause a difficulty when the hot water is returned to the receiving waters. It is possible to recycle water in receiving towers but this is expensive.

Steel companies have done extensive harm to rivers and tend to be the least cooperative in controlling pollution. The Mahoning River in Ohio and Pennsylvania was polluted by lime, acid, oil and grease discharged from steel plants. It can no longer be used by other industries. The steel mills on the Mahoning are outmoded. Three of the mills refused to give federal agents any information about their production. A congressman representing the district said, "The Mahoning is an industrial river. It is for people, not for fish." [3] Although the mills deny any wrongdoing, they are now beginning to take steps to reduce the chemicals and minerals they put into the river.

Three Indiana Steel companies—U.S. Steel in Gary, Youngstown Sheet and Tube, and Inland Steel in East Chicago—are considered chief polluters of the Calumet River and the adjacent waters of Lake Michigan. The Acme Steel Company discharges raw sewage and unneutralized steel-picking liquor into the Little Calumet River. Pollution by Steel Companies has affected the whole Chicago area. This may be permanent since the water in a lake such as Lake Michigan doesn't move as in a river, and wastes cannot disperse or slip away.

The Coal Mining Industry

The coal fields in the Appalachian area and the Midwest use two types of mining: surface-strip mining, and deep mining.

The first step in the processing of raw coal is the preparation plant (washing) where heavy rock and impurities are removed. These impurities are trucked, conveyed, or pumped into "refuse" pits. There is no problem in the Midwest, but in Appalachia the refuse is disposed of in nearby valleys. Hundreds of refuse piles—active and abandoned—are in existence.

As with surface mining, water run off from the watershed above the disposal area may flow through and over the piles, carrying fine solids into the streams. Diversion ditches help as do emergency settling ponds which are frequently constructed in the valley below. However, heavy rainfall and cloud bursts sometimes create situations which are virtually impossible to control.

When man began mining coal he exposed great quantities of pyrite to air and water. Through 200 years of industrial growth, acid mine drainage has intensified and its toxic toll of water quality and aquatic life has increased. This pollution falls into three areas: (1) that originating from surface mining; (2) that from refuse or gob piles; and (3) that from deep mining drainage.

(1) There are "rider coal" seams between commercially important seams and the surface. This coal becomes mixed with pyrite and will give rise to an acid unless properly covered during the process of reclamation.

(2) Refuse piles usually contain substantial amounts of pyrite. Here the problem can be minimized by diversion ditches which carry surface runoff away from the pile. Thus, the ease of diversion depends on the terrain. Although this type of drainage isn't a problem in Appalachia, it is a problem in the Midwest where the piles are smaller but cover greater area.

(3) In Pennsylvania alone there are 1.4 billion gallons of acid mine drainage per day. Out of this 900 million gallons are due to abandoned mines; 500 million gallons are due to active operations. Other states hit hardest by acid coal mines are: Maryland, West Virginia, Ohio, Indiana, Illinois, Kentucky, and Tennessee.

The estimated number of abandoned mines in the eight critical states is about 20,000.

To treat the water, lime can be added to neutralize and precipitate the iron.

The Oil Industry

Water conservation is important in the oil business because all oil fields produce formation water, "oil field brine." Oil producers have to dispose of formation water. If discharged into streams, there would be damage to vegetation, fish, and wildlife.

There have been three methods of disposal: build "holding pits" which release brine during maximum river flow or maximum dilution, evaporation pits in which the water evaporates leaving the salt behind, returning brine from where it came, the development of the second recovery method.

The first was not a good solution and the second was also not good before the development of linings of evaporation pits. There would be seepage into fresh water tables without a line. The third adequately disposes of 90% of the brine water and accounts for one-third of all domestic oil production.

Oil spills occur most frequently during transport and drilling. Thus, major oil shippers of the world have signed an agreement prohibiting their tankers from discharging near shores. Oil spills at marine oil terminals are a troublesome kind of pollution problem and call for better programs and emergency clean up procedures. At many ports, language barriers make it difficult to press simple importance of loading and pumping operations.

Pneumatic booms are being tried out at ports. There are problems, though—the tremendous size, the fact that they're not efficient in choppy waters, and the problem of ownership and maintenance.

Emulsifiers have been used, but they don't get rid of oil. They merely disperse it and cause it to sink. This eliminates oil slicks but not pollution.

Thus, industries discharge the largest volume and most toxic of pollutants. Industrial waste discharges are the source of an enormous variety of materials found in our water. Major water-using industries are believed to discharge about three times the amount of each class of waste as is discharged by all the sewered persons in the United States. The increase in production and use of complex chemical and industrial materials have greatly increased the danger of adding harmful wastes to the environment.

BIBLIOGRAPHY

1. Briggs, Peter; *Water, the Vital Essence;* Harper & Row; New York; 1967; pp. 136–159

[2] Wright, Jim; *The Coming Water Famine;* Coward-McCann, Inc; New York; 1966; pp. 123–24.

[3] Briggs, Peter; *Water, the Vital Essence;* Harper and Row; New York; 1967; p. 149.

2. Carr, Donald E.; *Death of the Sweet Waters;* W. W. Norton & Company, Inc.; New York; 1966; pp. 139–164

3. FWPCA; "Mine Acids;" U. S. Dept. of the Interior; March 1970

4. FWPCA, Public Information Office; *Clean Water for Mid-America;* Dept. of Interior; Great Lakes Region; April, 1970; p. 15

5. Herber, Lewis; *Crisis in Our Cities;* Prentice-Hall, Inc.; Englewood Cliffs, N. J.; 1965; pp. 96–100

6. Hickel, Walter J.; *Clean Water for the 1970's;* U. S. Dept. of the Interior, Federal Water Quality Administration; Washington June, 1970; p. 5

7. Princeton University Conference; *Water Pollution;* Princeton University Conference; Princeton, N. J.; 1967; pp. 1–46

8. U. S. Dept. of Health, Education and Welfare; *Proceedings: The National Conference on Water Pollution;* U. S. Government Printing Office; Washington; 1961; pp. 103–111, pp. 309–329

9. Wright, Jim; *The Coming Water Famine;* Coward-McCann, Inc.; New York; 1966; pp. 94–164

III. THE LOGIC OF TECHNOLOGICAL WATER POLLUTION

In order to yield a profit, industry uses the least expensive method. A great many times it is less expensive to pay a fine and continue polluting than to provide preventative devices to control pollution. The laxness of state standards for water quality given industries the upper hand because they can threaten to move to where requirements are not as stringent. An example is a southern state where one can dump anything short of straight cyanide into a stream.

The polluting industries are located near water for three very good reasons: the manufacturing plants use a great deal of water in their processes, they must have a place to dispose of the very large percentage of dirty water that isn't consumed in their processes, and they can often save money by delivering their products by barge rather than railroad or truck.

It is the general belief of industry that "to completely solve the problems involved, though it were technically feasible at this time, would probably so increase the cost of industrial operations as to endanger our ability to compete in world markets." [1]

The American Steel industry in the valley of the Mahoning River is dependent on that river. (It is used to cool molten steel.) When the Public Health Service said that this industry was polluting the waters, the steel industry disputed the point and added that if they are forced to make costly changes in their mode of operation, they well be forced to close down.

The river was described by the Public Health Service: "Oil and grease coats its surface and discolor its banks, suspended solids destroy its clarity, sludge covers its beds, and oil clings to tree limbs and bushes." There are no fish and no other forms of marine life. Acid, lime, oil, and grease forced the abandonment of water for municipal use, also hindering use by other industries and destroying possible recreation areas. Thus, the steel industry makes a profit by destroying a river that belongs to all people.

It would appear that industry ought to accept the cost of necessary treatment of water. In some cases the recovery of valuable materials may repay the costs of the treatment, but one must not ignore that today there are some effluents that are difficult to treat in an adequate manner without great costs. Some companies claim that the costs of research and suitable treatment plants that are necessary are beyond their means.

This may have been the case in past years, but a study of the accounts of some of the industrial companies and the dividends they have found it possible to declare in recent years, will show that today there are "substantial margins of profit" in many industries and that additional cost would well be carried. It has been stated by one authority that the capital cost of an efficient treatment plant for a chemical company is normally between 3% and 5% of the capital cost of the factory.

"To confess that American plants cannot do as well—that they would go broke in trying to do as well (as the Ruhn Association)—is inadmissible. Nevertheless, our industries have had their ways so long with most of the states and with local authorities that they are not about to give up their profitable superstition about rivers and lakes with rubbery assimilating capabilities. The common experience still is that when there is a conflict between recreational, agricultural and aesthetic use of water and industrial application, the latter wins out every time." [2]

BIBLIOGRAPHY

1. Briggs, Peter, *Water: The Vital Essence,* Harper & Row, New York, 1967, pp. 136–167.

2. Carr, Donald E., *Death of the Sweet Waters,* W. W. Norton & Company, Inc., New York, 1966, pp. 139–156.

3. Herber, Lewis, *Crisis in Our Cities,* Prentice-Hall Inc., Englewood Cliffs, N.J., 1965, pp. 1–2, 15–16, 85–111, 198–199.

4. Knesse, Allen, *The Economics of Regional Water Quality Management,* Johns Hopkins Press, Baltimore, Md., 1964, pp. 10–18, 56–62.

5. Wright, Jim, *The Coming Water Famine,* Coward-McCain Inc., New York, 1966, p. 114.

IV. THE INHERENT INABILITY OF THE STATUS QUO TO DEAL EFFECTIVELY WITH THE PROBLEM OF WATER POLLUTION

Secretary Ribicoff of the Department of Health, Education and Welfare, 1961: "We have hardly been able to hold our own against the running tide of pollution. Our efforts to control pollution must be geared to the speed of the forces which produce it—a swiftly growing population and an expanding urban, industrial society." [1]

The government attempts to control water pollution, but the devastation continues. A careful analysis of the water control agencies and their respective efforts reveals an inherent inability to deal effectively with the problem. Throughout United States history, both the Congress and the President have made rather weak attempts to control pollution.

The House of Representatives works through the Committee on Public Works and its Subcommittee on Water Pollution. In addition the Committee on Interior and Insular Affairs deals with certain aspects of the problem.

The Senate maintains a Committee on Public Works and its Subcommittee on Air and Water Pollution. The Senate Committee on Interior and Insular Affairs deals, as does the House Committee, with certain facets of water pollution.

Executive efforts have also been channeled into certain specialized agencies. In addition to the frequent use of executive orders to control water pollution, the President can rely on the Department of the Interior, the Department of Health, Education, and Welfare, and the Department of Agriculture. In 1965, the Federal Water Pollution Control Administration, recently renamed the Federal Water Quality Administration, was incorporated into the Department of Health, Education, and Welfare, and later transferred by President Johnson to the Department of the Interior. Thus, an abundance of committees and subcommittees to legislate controls, and an equal abundance of agencies and departments to administer the programs, exist to suggest that action has and is being taken.

The only significant action is in the form of Congressional legislation. The implementation has yet to become significant.

In 1899, the Rivers and Harbors Act was passed. It prohibited discharge or deposit of any refuse into navigable waters.

In 1924, the Oil Pollution Act was signed into law. It prohibited the discharge of oil into coastal waters.

In 1948, the First Federal Water Pollution Control Act was passed.

In 1961, the Oil Pollution Act (PL 87–167) came into being as Federal law. It authorized the Federal Government to regulate, enforce and control oil spillage.

In 1961, the Federal Water Pollution Control Act was amended to increase enforcement authority and support for construction of waste treatment works and research.

In 1962, the Jurisdiction Inter-State Compact Water Pollution Disputes For United States District Courts (PL 87–830) provided that the United States District Courts shall have jurisdiction of certain cases involving pollution of interstate river systems, and providing for the venue thereof.

In 1965, the Water Quality Act (PL 89–234) was passed. This Act further amended the Federal Water Pollution Control Act and Established the Federal Water Pollution Control Administration. The Water Quality Act also required establishment of water quality standards for all interstate and coastal waters in an effort to establish preventative pollution control.

In 1966, Executive Order 11288 transferred the Federal Water Pollution Control Administration to the Department of the Interior.

In 1966, the Clean Water Restoration Act (PL 89–753) was passed. It greatly increased grant authorizations to help build sewage treatment plants, for research and for grants to the state water pollution control programs.[2]

In 1970, the Water Quality Improvement Act, placed stringent restrictions on oil pollution, established grants, and placed stronger enforcement measures for water pollution in violation of the water quality standards.

Federal inadequacies

The inability of the status quo to deal effectively with the problem of water pollution stems from nine major inadequacies.

I. Transmitting commitment into actual dollars. The Federal Government's role, financially, is quite significant. It has told the Nation's governors that they would be reimbursed for certain expenditures that their state made for water sewage facilities since the passage of the Clean Water Act, 1966. Congress authorized Federal funding for such projects, but Congress failed to appropriate enough money. The problem generally is that there just hasn't been enough money infused into the program.

II. Programs of construction for industries lacking: Small cities, particularly, in which industries exist, simply cannot cope with municipal wastes as well as industrial. Because these towns rarely have adequate funds

[1] Carr, Donald E., *Death of the Sweet Waters,* W. W. Norton & Company Inc., New York, 1966, pg. 146. Quoted from: Engdahl, Richard B. and Croxton, Frank C., Pollution: A Problem in Economics.

[2] Carr, Donald E., *Death of the Sweet Waters,* W. W. Norton & Company, Inc., New York, 1966, pg. 147. Quoted from: Engdahl, Richard B. and Croxton, Frank C. Pollution: A Problem in Economics.

[1] Ribicoff, Secretary of Health, Education, and Welfare, *Testimony Before The Public Works Committee,* U.S. House of Representatives.

[2] Names of all legislation provided by, *Clean Waters For Mid-America,* The Law Library of Congress.

to administer control projects, industry does not receive any financial aid. Furthermore, the burden cannot be dealt exclusively to the industry, that is, without any of this aid, because in most cases the industry in a certain town represents a powerful force which may indeed be capable of controlling the affairs which affect it. Thus, industrial power prevents enforcement of pollution control standards.

III. Lack of state initiative and carry through: Despite the inadequacy of Federal funds to the states, those which are received are not used for the program already in existence.

IV. Ineffective Senate Subcommittee: The Senate Subcommittee on Air and Water Pollution, to this point, has not provided an adequate mechanism for Federal machinery to operate in. Frequently, effective programs are proposed, passed, and signed, but the problem of administration, usually left to the discretion of the executives, is rarely overcome.[3]

V. Shallow public interest: Essentially, the people's will to alleviate the problem of water pollution will be the determining factor in achieving abatement. Yet, lack of meaningful public concern had resulted in a lack of enforcement, lack of adequate funds, and a failure to put environment control high on the list of priorities as determined by an examination of the Federal budget.

VI. National priorities: Despite promises of water pollution control funds, the Federal government failed to honor these commitments, and instead used the money elsewhere. The war in Vietnam, the pressure of inflation, and numerous Federal programs other than pollution abatement absorbed desperately needed funds.

"If we get the type of National priority commitment that cleaning up the water deserves, it will be clear mandate to go after the offenders.[4]

VII. Multiplicity of agencies: The program on water pollution is not only shattered, but that which is affiliated with a certain agency is often readily passed on to another. Overlapping and inconsistency result. For example, in Silver Bay, Minnesota, the Reserve Mining Co. was awarded "Outstanding Contribution of Such Massive Pollution By A Single Industry." The industry was responsible for dumping 67,000 tons of ore wastes into Lake Superior. The Department of Interior Study in 1968, concluded that waste materials impaired the ecology of Lake Superior and that dumping on land was recommended because it could be done at a moderate cost to the company. The Army Corps of Engineers claimed that dumping on land would be technically impractical and prohibitively costly. The company is licensed by the Army Corps of Engineers.[5]

VIII. Federal Government lacks support for own programs: All detergents are now bio-degradable. The vast mounds of non-bio-degradable suds floating on streams were last seen in 1965, when strict regulations were passed to outlaw the manufacturing of non-bio-degradable detergents. But since that time, other problems have appeared. The trouble involves phosphates, enzyme additives, and a complex process called euthrophication.[6] This has become a significant problem in many of the Nation's lakes and rivers, and is caused by the presence of an excessive amount of phosphates in lakes and streams. The United Government seems unwilling to take a stand on the problem.

IX. Inefficacy of voluntary agreements: Senator Muskie was particularly concerned with an increasing reliance on voluntary agreement. "These have not worked in the past," he indicated, "and there is no evidence that leads me to believe that they will afford adequate protection in the future. Voluntary agreements, substitute private bargains, closed-door compromises and hand shake agreements for an effective public policy on environmental improvement." [8]

State inadequacies

The inability of state operations and programs to deal effectively with the problem of water pollution is nine-fold. Although the information is dated 1935, the situation has not changed to the extent to warrant more recent information.

I. Exemptions: The greatest defect in state laws are the many exemptions or exceptions, which relate to specific industries, municipalities, or certain areas and rivers. The stream pollution laws do not apply to the principal industries, municipalities, sanitary districts, and other political subdivisons of various states.

II. Wording and phrasing of laws and regulations: A common defect in state laws is indefinite wording or phrasing which makes proof of violation difficult and enforcement unlikely. Vague phrases such as, "in quantities injurious to public health," etc. characterized most control law provisions. Enforcement agencies find it difficult to present evidence which will yield a conviction due to the ambiguity of violation clauses. Thus, serious pollutors may avoid prosecution by subjective judgment on the level of pollution.

III. Limitation on bonding or taxing power: Constitutional or statutory limitations on the bonding or taxing powers of municipalities is a serious problem, since in some cases they prevent the department or agency exercising control from compelling compliance with its orders for the installation of necessary works. Thus, the enforcement of laws otherwise adequate for maximum control may be restricted and made ineffective.

IV. Mandatory powers: Failure to confer mandatory powers on the appropriate administrative agency, by which the letter may compel the installation of treatment works or actions, is a serious defect in existing laws. Many states have provided for supervision and control over existing and proposed plants, but have failed to delegate to appropriate agencies, the mandatory powers necessary to enforce such control.

V. Determination of pollution: Effective control of pollution is secured only when the administrative agency has the power to establish permissible limits of pollution or to determine what qualities and properties of water shall constitute a polluted condition in terms of the protection of public health, aquatic life, or other items named in the statue. For states have granted this right, though they have the right to do so. If what constitutes pollution is to be determined by specific provisions of the statutes alone, difficulties in enforcement must always result, for the statute is likely to be either too specific and rigid or too vague and indeterminate. This requires that the state accept its responsibility and grant these powers.

VI. Inefficacy of arbitrary and negative laws: State laws in many instances are too rigid or arbitrary. They prohibit pollution of all kinds, but fail to make provisions for adequate administrative procedure as to rules, regulations and the adjustment of disputed questions. Prohibition of pollution, without provision for administration and without adequate facilities to insure compliance.

VII. Multiplicity of administrative agencies: Existing laws provide a system for the administration of water pollution control, which, except in a few states, is ineffective, in part, because of the large cities, being, as a rule, the dominant factors in a state, are frequently excepted from the state administrative control. At the same time, they generally present the most serious pollution problems. Large sanitary or sewage districts are often excepted. Thus, many agencies within a given space, often with conflicting aims and interests, may be engaged in administering stream pollution laws. These interests should be consolidated into one agency.

VIII. Multiplicity of laws: Just as there may be a multiplicity of departments, agencies and municipalities concerned with the control of pollution, so there is with the laws, which adds to the overall confusion.

IX. Lack of administrative controls: The laws of many states seem to be deficient because they provide for no administrative control over water pollution. In these states, the only laws relating to pollution are generally the nuisance or penal statutes which exert only minimal control.

(NOTE.—Since the deficiencies of the thirties, states have been required by Federal law to issue water quality standards for all interstate waterways. States should begin to use the river basin as a planning unit and develop an implementation plan that systematically cleans up the river. This has not been done in the past. The construction of treatment facilities has been uncoordinated and, as a result, water quality has not improved.)

Specific legislation

An empirical analysis renders the conclusion that Federal and state laws are inherently incapable of significantly alleviating the problem of water pollution. The four examples presented here most graphically illustrate the validity of this conclusion.

I. Rivers and Harbors Act (Refuse Act), 1899: This Act is a potentially valuable tool if more specific definitions of what constitutes "refuse" are provided. Since the time of its adoption, however, the fact that no such stipulation existed prevented any possible advantageous result.

II. The Blatnik Act, 1956, and the Federal Water Pollution Control Act, 1961: Authority for Federal action under the 1956 Act was limited to cases involving pollution of interstate waters which endangered the health or welfare of persons in a state other than that in which the pollution discharge originated. This limited control did not provide adequate protection for residents of states in which no stringent controls existed and pollution adversely affected the quality of life. The 1961 legislation extended Federal pollution abatement jurisdiction to all interstate or navigable waters, including coastal waters. Still, this legislation did not protect citizens from the devastating pollution levels within their states.

III. Control of Vessel Wastes: The major flaw in this piece of legislation was the provision for state determination of control requirements. The discrepancy between the states' requirements presented significant compliance problems for vessels which travel between states.

IV. Oil Pollution Act, 1924: Legal devices available for handling oil and hazardous material spills have been less than adequate. The Oil Pollution Act, 1924, prohibited and provided penalties for only the "grossly negligent and willful" acts of pollution. Interpretation of this phrase could exclude what reasonably would constitute pollution. Furthermore, the Act is limited to vessels and does not, therefore, apply to spills from fixed installations such as pipelines, oil deposits,

[3] Cummings, Phil, Member of the Staff of the Senate Subcommittee on Air and Water Pollution, in an interview, July 1970

[4] Dominick, David, Commissioner of the Federal Water Quality Administration

[5] Example taken from *Environmental Action*, Vol. 1, No. 4 (3–12–70)

[6] The decaying process that uses up all the oxygen in water causing the death of forms of aquatic life.

[8] Muskie, Senator Edmund, *Muskie Bill to Regulate Detergents* Release, 6:30 P.M., Saturday, April 11, 1970

refineries, manufacturing plants, or other types of industrial activity using and storing large quantities of oil. In addition, the 1924 Act, confined to oil, provides no protection against numerous other potentially hazardous substances. This restrictive phrasing essentially precluded enforcement of the Act.

Thus, the inefficacy of specific pieces of legislation designed to abate water pollution demonstrates the inherent inability of the status quo to deal with its control.

BIBLIOGRAPHY

Federal Water Pollution Control Program, U.S. Department of Health, Education, and Welfare, *Our Water Resources*, United States Government Printing Office, Washington, D.C., 1962.

Hornig, Roberta, and Welsh, James, *A. World in Danger*, Evening Star Newspaper Co., Inc., Washington, D.C., 1970.

House Committee on Public Works, *Environmental Legislation (Fact Sheet)*, United States Government Printing Office, Washington, D.C., 1970.

House Committee on Public Works, *Report on the Water Quality Improvement Act of 1969*, United States Government Printing Office, Washington, D.C., March 25, 1969.

Lawson, Don, Editor-in-Chief, *Compton's Encyclopedia*, F.E., Compton Co., 1968.

Love, Sam, Editor, *Environmental Action*, Vol 1, No. 4, Environmental Action Teach-In, Inc., March 12, 1970.

Love, Sam, *Environmental Action*, Environmental Action Teach-In, Inc., Apr. 16, 1970 (Vol. 1, No. 9).

Muskie, Senator Edmund, *Muskie Bill To Regulate Detergents (Release)*, 1970.

Public Information Office, Great Lakes Region, Federal Water Quality Administration, United States Department of the Interior, U.S. Government Printing Office, Washington, D.C., 1970.

Special Advisory Committee on Water Pollution of the National Resources Committee, *Report on Water Pollution*, U.S. Government Printing Office, Washington, D.C., 1935.

United States Department of Health, Education, and Welfare, *The Water Pollution Control Program of the USPHS*, U.S. Government Printing Office, Washington, D.C., 1958.

United States Department of the Interior, Federal Water Quality Administration, *Clean Water for the 1970's: A Status Report, 1970.*

V. THE DEBILITATING EFFECTS OF WATER POLLUTION ON THE ENVIRONMENT

It is hardly necessary to describe most of the debilitating effects of water pollution on the environment. Many of these effects can be seen at first glance.

Basically, these effects can be broken down into four categories: effects on lower life forms, effects on man, sociological effects, and economic effects.

The pollutants that effect living organisms can be described as one of six types: organic wastes, synthetic—organic materials, inorganic chemicals and mineral substances, sediments, radioactive pollution, and thermal pollution.

Effects on lower life forms

Many streams, lakes, and estuaries in the U.S. have received such large quantities of mineral nutrients, originating in sewage or domestic animal wastes, that they have become filled with objectionable growths of algae and other water plants. This growth is near the surface, causing the supply of sunlight to be cut off from deeper growing plants. These plants in turn consume the oxygen dissolved in the water, so that microscopic animals perish, and fish, depending on them for food and on the dissolved oxygen for respiration, either starve or suffocate.

In talking of synthetic—organic materials, one of the main troublemakers is detergent. Many detergents survive for a long time in surface and ground waters because they contain hydrocarbon chains that are not easily decomposed by aquatic bacteria and other microorganisms. These long-surviving detergents tend to accumulate in rivers, lakes, and estuaries, and they often reenter domestic and industrial water supplies. In both cases, they produce troublesome foaming, which also has detrimental effects upon the aquatic organisms.

Oil pollution not only destroys our marine and inland fisheries, but results in a heavy mortality of waterfowl. In many cases the oil pollution is from the discharge of barges, ships, and accidental or careless handling of oil transportation, development, and drilling operations. Waterfowl alighting on oil sump areas or water areas covered with oil are usually rendered flightless. Oil is also a destroyer of aquatic life including foods of both fish and wildlife.

A type of pollution that has become one of the most pressing problems is that resulting from increased use of insecticides, herbicides, and fungicides. Aquatic organisms, particularly fish, crabs, and insects, are among the most sensitive of all animal life to poisoning by pesticides. It has been found that repeated application of DDT several times a summer caused permanent damage to fish, crabs, and other invertebrates. This in turn depleted the food supply of birds and many mammals. It was found that the newer insecticides, dieldrin, aldrin, and lindane were even more toxic than DDT. Experimental feeding of these chemicals to quail and pheasants decreased the number of eggs produced and reduced the hatchability and viability of the eggs. The viability of the young was also reduced. This same effect would be produced if the bird had eaten fish contaminated with the insecticides.

Silt underwashing from mining operations are of much concern. Dredging and reworking of stream bottoms for gold and other minerals brings indiscriminate destruction to fishing resources and habitat. The turning over of stream bottoms destroys important spawning and food producing areas, and silt from such operations quickly kills incubating fish eggs and aquatic organisms. Sediments released into streams or lakes can also reduce the supply of light for plants, cutting down on the plant's ability to produce the much needed oxygen.

Waters can be polluted by radioactive materials derived from weapons testing and from industrial release. Once in the water, the radioactivity may then become concentrated in organisms, either killing the organism, or in the case of fish, often making them unfit for human consumption.

Heating of rivers and lakes by return of waters used to cool industrial processes of power plants, better known as thermal pollution, has devastating effects. Although the average water temperature is only raised about 7°, this is enough to destroy most organisms which were accustomed to the lower temperature.

Effects on man

Of the thousands of known toxic substances being manufactured and used in all of our living and manufacturing processes today, very little information is available. Less than 500 of these toxides are considered in literature. No single food is consumed in as large a quantity or as frequently as is water. Water is used by the entire population from infancy to old age and it is a well-known fact that the toxicity of a substance varies radically with age. Infants might require 1/20 the amount of a material to exhibit effects of toxification.

Some of the factors which intensify the problem in water pollution control are relative biological stability of the type of compounds and the increased public acceptance resulting in an extremely high usage of the compounds. Some illustrations of this are synthetic detergents, insecticides, herbicides, fungicides, rodenticides, plant growth regulators, and other agricultural control products. These compounds have become increasingly stable to biological attack and persistance in water now exceeds months.

It is known that many of these compounds gain access to the streams and affect fish life adversely. Some authorities feel that the water is safe for domestic consumption if no acute or chronic effect is observed in the fish population. But the effects of these pollutants can be cumulative, building up in the body until there is a sufficient amount to have effect. Also, carcinogenic compounds cannot be evaluated adequately from the effects on animals other than the animal under study.

A century ago, the U.S. was ravaged by water-borne diseases, among which typhoid fever, cholera, and dysentery were conspicuous. These tragedies led to today's water treatment methods, which, when applied, control adequately most disease producing bacteria. Viruses, such as those of hepatitis, remain a problem.

Chemical pollutants in water sometimes threaten human health. Substantial contamination of ground water with nitrates derived from sewage or from fertilized farm fields has been reported in many states. Drinking water with nitrate-nitrogen levels above 8 or 9 ppm may cause methemoglobinemia in infants.

Fuel oils, lubricating oils, and cutting oils are being introduced into lakes and rivers from garages, service stations, petroleum-chemical plants, metal working plants and ships. Their continued presence in drinking water after filtration is indicated by spectrophotometric observations made on such waters after filtration.

It has been found that the residue of this filtration, when applied cutaneously to mice produced cancers of the skin. Cancers of the mouth were observed among fish feeding in waters containing these contaminants. Considering the fact that petroleum tars, tar oils, cutting oils, crude paraffin oils, fuel oils, and asphalt have been shown to be carcinogenic to the skin of man and mice, the pollution of waters which may either serve as sources of drinking water supply or which may furnish food animals contaminated with carcinogenic chemicals should be of great importance from a public health viewpoint. No chemical carcinogen exposure or dosage limit have been described for the lifetime of man, and the role of carcinogenic substances is extremely hazy.

Similar considerations must be applied to the pollution of drinking water supplies with industrial surface cleaning agents, especially detergents, which are extensively used for cleaning purposes at car washes, restaurants, hotels, offices, and industry. Many industrial detergents are being ingested as pollutants of drinking water. Detergents, when in contact with the mucosa of the alimentary tract, activate or aggravate the effect of carcinogens on the cells.

Sociological effects

Much leisure time activity is water orientated. Included are swimming, fishing, boating, water-skiing, skin-diving, and many other activities. These are but a few of the recreational activities which are dependent upon clean water to survive. Additional millions of Americans enjoy picknicking, beachcombing, bird-watching, and other activities along streams, lakes, and ocean fronts. To these people, esthetic values are paramount. They would not care to do their picknicking, etc., by the edge of unsightly, polluted water.

The foundation of the country's outdoor recreation industry is primarily clean waters in rivers, lakes, and ocean fronts. Water pollution has the effect of crowding more and more people seeking recreation into less and less space.

In 1965, a New York City newspaper report-

ed that only 36 miles of the city's 400 miles of water front were still fit for swimming. On San Francisco Bay, two more important beaches were added to the long list of California's waterfront areas closed to public recreation uses. Narragansett Bay, a playground for New Englanders, was invaded by algae induced by cesspool seepage. Along the shores of the Great Lakes, pollution is increasing faster than are efforts to control it. Milwaukee, one of the pioneers in city sewage treatment works, was forced last year to close seven beaches because of pollution in Lake Michigan. Cleveland is losing its fight to keep beaches open for swimming along Lake Erie. Buffalo has given up.

Economic effects

Fisheries everywhere in the U.S. have been greatly damaged by pollution. There have been major setbacks in the Atlantic, along the Gulf Coast, the Great Lakes, the Pacific Ocean, and the Long Island Sound.

Oyster harvest has long been forbidden from certain polluted waters along the Atlantic Coast. In many badly polluted areas. the oysters have disappeared. Many hundreds of miles of fishing streams in the East have been rendered useless by combined municipal and industrial pollution. The latter includes acid water from hundreds of abandoned coal mines.

In the Midwest, hundreds of miles of some of America's beautiful streams are still so badly polluted that fish productivity is far below its potential. Various areas along the Gulf Coast have been declared off-limits for oystermen because the bi-valves are unfit for food.

In the far west, there is now great difficulty maintaining the salmon and steelhead. Some of the major streams are so bady polluted in their lower reaches that the fish are blocked in their migration.

There have been less and less ducks, now that their food is disappearing. This adversely affects the duck industry.

During the big duck decline of the midthirties, the diving ducks, especially the canvasback and redheads, became alarmingly scarce. Unfavorable breeding ground conditions plus destruction of their favorite feeding grounds by pollution caused the decline.

There have been heavy losses of fish and waterfowl due to pollution on the Great Lakes and their connecting waters. At one time, 10,000 ducks were destroyed on the Detroit River by the release of untreated sewage.

Another effect of the polluted waters is to cut down on the purchases of water sport equipment. People have little desire to spend time in polluted waters.

BIBLIOGRAPHY

1. Faber, Harry A. and Bryson, Lena J., *Conference on Physiological Aspects of Water Quality—Proceedings,* Public Health Service, Washington D.C., 1960 "Cancer Hazards From Natural and Artificial Water Pollutants" by W. C. Hueper

2. Tarzwell, Clarence M., *Biological Problems in Water Pollution,* U.S. Department of Health, Education, and Welfare, Washington D.C., 1957 "The Effect of Pollution Upon Wildlife" by O. Lloyd Meehan

3. *The National Conference on Water Pollution—Proceedings,* U.S. Government Printing Office, Washington, D.C., 1961 "Impacts of Pollution on Health" by Dr. Robert A. Kehoe "Impacts of Pollution on Fish and Wildlife, Recreation, and Esthetic Values" by Seth Gordon.

4. Legislative Reference Service Library of Congress, *How Can Our Physical Environment Best Be Controlled and Developed?,* U.S. Government Printing Office, Washington D.C., 1970 "The Effects of Pollution"

VI. ALTERNATIVE METHODS OF WATER POLLUTION CONTROL

The major sources of water pollution are: domestic (sewage), drainage (fertilizer and mining acids), and industrial (detergents, paper mill wastes, oil drilling leaks, steel pickling wastes, tanning wastes, synthetic organic chemicals, and cannery wastes).[1]

Sewage treatment is as effective as possible in terms of the money appropriated. In this particular area, the Federal Government allocates money to the states to dispense to local authorities. More money is needed in the area of sewage control according to the Federal Water Quality Administration which claims that, "cost studies indicate that a major investment, totalling about ten billion dollars will be necessary over the next five years to overcome this legacy of neglect and achieve adequate labels of treatment for the nation's municipal wastes." [2]

Drainage from agricultural irrigation and mining can be countered effectively only by new scientific research into neutralization methods (nutrients in fertilizers, acids from mines). Furthermore, the problem of containing these wastes appears insurmountable, but the possibility of compulsory drainage systems should be explored.

The logic of technological water pollution (Chapter 3) explained industry's propensity to pollute. The two means of controlling this pollution are thus: (1) to eliminate a step in the logical course of pollution, or (2) to alter the end result.

First, to eliminate a step in the logic of pollution, the system must be changed. At the present, the capitalistic economy, basically a system in which industries are controlled by private individuals and corporations, is inherently influenced by the profit incentive. The alternative is a socialistic economy in which industries would be controlled by cooperatives or the state. This would eliminate competition, and these non-competitive industries could effect measures to check pollution without a loss in profit. In this type of system, pollution could be stopped in a short period of time, yet concomitant result would be a detrimental effect on business, as it exists in the context of a democratic society. The loss of competition would necessarily reduce the incentive to progress. Clearly, because the economic system of a country is inextricable from its political system, the United States' existence as a democracy would be seriously threatened if economic socialism was adopted.

Second, without destroying the profit incentive, the end result of pollution may be abated by three means: new legislation, finance, and enforcement.

In what manner would new laws help control water pollution? Two types of legislation provide regulatory measures. The first is characterized by the economically profitable laws, frequently administered in the form of grants and tax incentives. Unfortunately, these potential benefits are utilized only to a very limited extent by industry because the grants are not significant enough to warrant the cost of installment of pollution control devices [3] and because tax incentives only exist in eleven of the fifty states.[4] The second type of legislation is characterized by harsh fines and imprisonment for company officials. With this pressure, industry would be compelled to implement adequate pollution control standards. Furthermore, the influence of the profit incentive, demanding the cheapest method, would result in extensive research in the fields of process modifications, extending recycling capacity, product recovery, and other vital areas.

At present, a structurally uncoordinated effort, inadequately linking these two types of legislation, continues to fail to abate water pollution. The intense public outcry is heard, but the inability of the status quo to deal effectively with the problem indicates the necessity for a more concerted effort designed by legislation.

Who should finance projects of pollution control? Currently, the government assumes a 30–55% burden of the funds needed by industry to abate water pollution. Three possible alternatives exist—total financial burden assumed by government, total financial burden assumed by industry, or split financial burden assumed at a certain proportion by the government and industry.

If the government was to assume the total burden for water pollution control, the industries would become indifferent to new control methods and all taxpayers, some of whom may not have contributed to this type of pollution, would have to pay.

If industry was required to assume the total burden for water pollution control, they would inevitably raise prices on their products and ultimately the consumer would bear the burden.

An effective alternative to compromise these two extremes would be government compensation of the financial burden to a greater extent than it presently exists. An increase to a level at least over one-half would increase industrial incentive and improve government-industry relations.

Finally, the area of enforcement constitutes the final measure of water pollution control. Presidently, enforcement is, although theoretically controlled in part by the Federal government, in reality, predominantly the function of the state. Should enforcement be granted to communities, states, or the Federal government? Although local governments are more familiar with their peculiar problems, the influence of industry and other technological interests increases as the political entity becomes smaller. Thus, an industry or agricultural firm could control a small community or state, yet be relatively powerless in terms of the Federal government. This fact demands a shift of the power of enforcement exclusively to the Federal government, while the states and localities retain most of the power of administration. As such, the overall coordination by the Federal government would insure more efficiency and uniformity when the situations require it. Furthermore, interstate problems could more easily be solved by the comprehensive Federal agencies.

BIBLIOGRAPHY

1. American Institute of Chemical Engineers; "Industrial Process Design for Pollution Control;" American Institute of Chemical Engineers; New York; 1967; pp. 2–3

2. Bohr, Frank and Haywood, William; *Industrial Socialism;* Charles H. Kerr & Co.; Chicago; 1911.

3. Federal Water Quality Administration; *Clean Water for the 1970's—A Status Report;* U.S. Dept. of the Interior, Washington, D.C.; June, 1970; p. 4

4. U.S. Dept. of Health, Education, and Welfare; "Clean Water;" Government Printing Office; Washington, D.C.; 1961; pp. 6–19

5. U.S. Dept. of Interior, Fish and Wildlife Service; *Determination of Water Qualities;* Government Printing Office; Washington, D.C.; 1941; pp. 93–101

VII. RECOMMENDATION FOR EFFECTIVE WATER POLLUTION CONTROL

The success or failure of a plan to abate water pollution depends primarily on the effectiveness of six major areas—new legisla-

---

[1] American Institute of Chemical Engineers; "Industrial Process Design for Pollution Control;" American Institute of Chemical Engineers; New York; 1967; pp. 2–3

[2] Hickel, Walter J.; *Clean Water for the 1970's;* U.S. Dept. of the Interior, Federal Water Quality Administration; Washington; June, 1970; p. 4

[3] Cummings, Phillip; Committee on Public Works, Subcommittee on Air and Water Pollution; June 30, 1970.

[4] U.S. House Committee on Government Operations, 21st report; *Views of the Governors on Tax Incentives;* Government Printing Office; Washington, D.C.; 1966; pp. 1–10.

tion, finance, research and development, administrative planning, administration of funds, and enforcement.

With the adoption of the Water Quality Improvement Act of 1970, the United States has progressed to the point of fairly refined control legislation. The precision and comprehensiveness of this legislation makes it an adequate basic design for water pollution control. Admittedly, amendments should be adopted, such as those proposed by President Nixon, but the basic structure is still a viable form for massive reforms. In the future, new problems will arise, requiring new laws, but the designers of these regulations can only aspire to the concern, perception, and accumen of those who constructed the Water Quality Improvement of 1970.

Two major problems, inherent to our system of taxation and allocation, demand a new program of finance for water pollution control. First, not enough money is allocated for this purpose initially, and second, that which is allocated is not always spent by the executive. Thus, the remaining funds which finally are spent to abate pollution, are trifling.

To overcome this debilitating problem, we recommend the use of a split-surtax. The plan would be as follows:

1. The Federal Water Quality Administration would assess each state's level of water pollution.

2. A surtax would be charged of all tax payers which would yield:

Purpose and expenditure

Sewage, $10 billion in 5 years.

Industry (pays taxes too!), $3.25 billion in 5 years.

Erosion, $200 million—$3 billion in total.

Mine drainage, $7 billion.

The tax would be administered by the Federal Government in the following manner:

(a) exactly one-half would be derived by a uniform income surtax which would constitute the base amount

(b) extactly one-half would be derived by a progressive pollution-income tax, whereby both level of income and level of pollution in the particular state of residence as determined by the Federal Water Quality Administration as provided in provision #1

3. All allocations would be administered in accordance with state pollution levels and their corresponding financial needs.

Clearly, both problems of the status quo are resolved in this proposal. First, the amount of money allocated is determined by the need, not by the political climate. Thus, adequate funds are assured. Second, the use of all money allocated is guaranteed because the surtax is specifically and explicitly in law intended for the purpose of water pollution abatement, thus having to be used for that purpose.

Some might argue that if a greater tax is imposed in the more highly polluted states, for examples—New York and New Jersey—people may respond to the tax disincentive and decide to move to a less polluted area, for example—Nevada. Should this hypothetical situation occur, it would only constitute an advantage. Recall that growth is responsible for waste increase and, thus, pollution. If people moved from highly polluted areas, or industries as well moved, and dispersed throughout the Nation, the problem of highly concentrated communities producing tremendous wastes would be alleviated.

In the area of research and development, we suggest an extension of the grant program in both scope and depth. Funds and prizes should be awarded generously for work in the abatement of water pollution. In addition, incentives should be provided to attract professionals and college students to work full-time in the field. Educational scholarships and salary incentives would be an effective means of achieving this.

Administrative planning should be shifted from the state level to the Federal and regional levels. A more comprehensive effort would achieve the continuity needed and avoid redundance and waste.

Administration of funds should be from the state to the region or regions (which will be set up by the Water Quality Administration) of which it is a member. A proportional allocation would be required.

In the area of enforcement, the regular budgetary allotments will be diverted into the area of enforcement. Because all necessary funds have been provided by both individuals and private industry, no enforcement problem should exist. If, however, one does arise, it can be dealt with by imprisonment of company officials or individuals as well as stiff financial penalties. The funds in this area will primarily go to vast inspection and operation endeavors.

In conclusion, the previous recommendations provide a solid basis for effective water pollution control.

Congressman Gilbert Gude's Intern Committee's Report on Presidential Authority in Foreign Affairs, July 10, 1970

(Prepared by Congressional Interns, Erin Burgdoff, Sheila Garrity, Barbara Gottlieb, Jeanne Katz, John Tower, and Nancy Vogel)

OUR THANKS

This research committee would like to extend its thanks for a program of this kind to Congressman Gilbert Gude, the Intern Selection Committee and its dedicated sponsors, Lea Guarraia, George Mannina who went beyond the call of duty to coordinate our uncoordinated lives this past three weeks, and to Mr. Sullivan and Mr. Tillman of the House and Senate Foreign Affairs Committee staffs who gave of their time so that we might further understand the scope of the Presidential and Congressional war powers. Finally we extend our gratitude to the many speakers who took the time out of their busy schedules to help us understand and appreciate the basics of the democratic principles that make our most cherished freedoms possible.

INTRODUCTION

Cambodia has focused more national attention on presidential powers than any other incident in history. Constitutional lawyers have sifted through almost two centuries of United States history to determine the constitutionality of the present administration's Cambodian incursion.

In the past decade, presidents have been continually increasing their power until the scales are presently at an imbalance between the Executive and the Congress. At the present time some members of Congress have acted to balance these scales by proposing amendments to bring certain powers back to the Congress.

Congress has not had a chance to express itself directly to the war since it voted on the Tonkin Gulf Resolution. Amendments such as Cooper-Church and McGovern-Hatfield are attempts to let the Congress decide the present policy in Vietnam.

This report is an attempt to shed some light on the question of the President's power v. Congress's power in foreign involvement and the use of the war powers.

THE CONSTITUTIONAL WAR POWERS OF THE UNITED STATES CONGRESS

Article I, section 8 is the Constitution's most important section since it describes, for the most part, the field within which Congress may exercise its legislative power, which is also the field to which the President and the National Courts are in great part confined.

Congress's legislative powers may be classified as follows: First, its "enumerated" powers, that is, those which are defined rather specifically in clauses 1 to 17, following; secondly, certain other powers which are specifically or impliedly delegated in other parts of the Constitution (Section IV, also Article II, III, IV, V, passim, Amendments XIII to XX, Amendments XXIII and XXIV); thirdly, its power conferred by clause 18, the so-called "coefficient clause" of the Constitution, to pass all laws "necessary and proper" to carry into execution any of the powers of the National Government, or of any department or officer thereof; fourthly, certain "inherent" powers, that is, powers which belong to it simply because it is the national legislature.[1]

The war powers of Congress set forth in clauses 1, 11–16, and 18 of Section 8, Article I. The first clause, it should be noted, relates the power of Congress to tax to its power to "provide for the common Defence."

As stated in clauses 11 through 16, Congress has the power:

"To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water.

"To raise and support Armies, but no Appropriation of Money to the Use shall be for a longer Term than two Years.

"To provide and maintain a Navy.

"To make Rules for the Government and Regulation of the land and naval Forces."

The Constitution does not say explicitly whether the army may be sent into battle when Congress has not declared war, or if it may, under what circumstances and by whose decision. In interpreting the Constitution on this point it is helpful to look at the intent of the Framers and to the understanding of the men who first put the Constitution into practice.[2]

Nothing can be clearer than that the Framers of our Constitution did not wish the President to have the independent war-making authority of the British Crown. That is why they empowered Congress, and not the President, to declare war. Being aware that the Executive use of armed forces as an instrument of policy was not easily controlled, they not only rested in Congress the exclusive power to raise and support armies, but tried to make sure that that power would be jealously guarded, by providing that no appropriation to raise and support armies, should be for a longer term than two years. Thus, it was hoped, the natural tendency toward independent Executive use of standing armies would be contained.

The Framers, however, did make the President Commander in Chief, and they quite deliberately lodged in Congress a power to declare war, not, as some suggested, the power to make war. The Framers did not use the word *make*, which they viewed as more comprehensive, because they did not wish Congress to be conducting, or attempting to conduct, wars. They did not wish to disable the President as Commander in Chief from reacting to sudden attacks, from seeing to the safety of troops, and in general from freely and independently exercising tactical control over the armed forces.

The relevant theoretical framework is set forth in the concuring opinion of the late Mr. Justice Jackson in *Youngstown Sheet and Tube Company v. Sawyer*, the famous *Steel Seizure Case* of 1952. "Presidential Powers", said Justice Jackson, "are not fixed but fluctuate, depending upon their disjunction or conjunction with those of Congress . . ." There is an area of independent Presidential authority. There is secondly "a zone of twilight" in which Congress and the President share power, and in which if Congress fails to act, the President will assume independent responsibility. But in this area, when Congress acts, and the President either acquiesces or has his veto overridden, the will of Congress prevails, and the President is under his usual obligation to "take Care that the Laws be faithfully executed."

Footnotes at end of article.

Congress is authorized to define the foreign policy of the United States, and the mission of our armed forces in carrying out that foreign policy. Congress tells the President, in terms of international boundaries, where to deploy troops, where to fight, and whom. Once troops are in place, and especially if they are fighting, tactical control is in the hands of the President, and the President has full authority to react to attacks upon them, or to the imminent threat of attack[3]

In the famous case of McCulloch v. Maryland, 4 Wheaton 316 (1819), Chief Justice Marshall referred to the powers of the Congress "to declare and conduct a war" as among its enumerated powers. A judicial recognition of the breadth of the war powers of the Congress, no matter how persuasive, is insufficient to maintain these powers unless the Congress utilizes them including its undoubted powers to limit a war and to terminate hostilities initiated by the President. The President alone has neither the constitutional nor the practical resources to conduct hostilities in opposition to the manifested will of the Congress.[4]

The power of the purse is the last bastion of popular control of the government.[5] Congress has the opportunity to use this power by including in authorization acts any of a number of restrictions or the use of American funds and forces. Proposed restrictive provisions (such as McGovern-Hatfield Amendment) are legitimate exercise of this power.

Riders and Amendments on appropriation and authorization acts have been a device used by Congress to restrict and to control executive action.[6] One of the most recent examples of this is Section 643 of the Defense Appropriation Act for the current fiscal year, passed in 1969, which states that "none of the funds appropriated by this Act shall be used to finance the introduction of troops into Laos and Thailand."[7]

Madison described the money power in these terms:

"This power over the purse may, in fact, be regarded as the most complete and effectual weapon which any constitution can arm the immediate representatives of the people."[8]

In analyzing the relationships between presidential and congressional war powers, it is useful to postulate three basic fact situations which reflect different allocations of constitutional authority.

(a) A situation where the President acts with the authorization of Congress: This situation involves a consolidation of the war-making powers of the political branches of our Government and, if it were determined that action in such a situation were constitutional, it would be equivalent to stating that the Government as an undivided whole lacks power to deal with the subject matter.

The conduct of hostilities by the United States in Southeast Asia is an outstanding example of the consolidation of the war-making powers of the whole Government. The President has used his powers as Commander in Chief and the Congress has used its express war-making powers including the powers to "raise and support Armies" and to "provide and maintain a Navy." In particular, the Congress has used its powers to conduct hostilities in Southeast Asia through the military appropriation acts which have increased the size of the armed forces so that the war could be fought.

The Southeast Asia Resolution, 78 Stat. 384 (1964) is also an unequivocal manifestation of the use of Congressional war powers to conduct hostilities in Southeast Asia. This Resolution states, inter alia:

The United States is, therefore, prepared as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in the defense of its freedom.

The constitutional status of United States participation in hostilities in Southeast Asia without the Southeast Asia Resolution and without the relevant military appropriation acts enacted by the Congress would be entirely different. Instead of the consolidation of war powers which we have actually had, the United States role in the hostilities could be justified only by the executive powers of the President. It is apparent that the constitutional authority of the Executive standing alone is much more limited than the authority of the Government acting through both presidential and congressional war powers. The President alone does not have the constitutional authority to conduct a great war effort of the kind we have seen in Southeast Asia during the past few years.

In the existing situation of consolidation of power it would not be expected that the Supreme Court would inquire concerning the constitutionality of United States participation in the Southeast Asia War. This view is reflected in Mora v. McNamera, 389 U.S. 934 (1967), where certiorari was denied and a petition for rehearing was also denied (389 U.S. 1025). In this case, petitioners who were draftees serving in the U.S. Army were about to be sent to Vietnam for service there. They asked a declaratory judgement that the United States military participation in Vietnam was "illegal" and their suit was dismissed in the lower federal courts. The Supreme Court denied certiorari, with Justices Douglas and Stewart dissenting. The dissenting justices expressed no view on the merits of the case but believed that certiorari should have been granted so that the issue of justiciability of the case could be argued. There are not any arguments which would justify the Court in attempting to substitute its judgment concerning the exercise of the Congress and the President to whom the war powers are committed by the Constitution.

(b) A situation where the President acts without a grant or denial of authority by Congress: In this situation the constitutionality of the President's course of action will be determined by his war powers standing alone.

Chief Justice Marshall made a thoughtful contribution to analysis of this subject in a dictim arising from limited naval war with France. In the facts of the case the naval capture authorized by the President was held to be illegal since it contravened a statute which authorized the capture of vessels in certain circumstances. Little v. Barreme, 2 Cranch 170 (1804) is, however, less important for its holding than for Chief Justice Marshall's opinion as to what the President could have done under the Constitution in the absence of a statute. The Chief Justice stated:

"It is by no means clear that the President of the United States, whose high duty it is to "take care that the laws be faithfully executed," and who is commander-in-chief of the armies and navies of the United States, might not, without any special authority for that purpose, in the then existing state of things, have empowered the officers commanding the armed vessels of the United States, to seize and send into port for adjudication, American vessels which were forfeited by being engaged in this illicit commerce."

It seems that the Chief Justice believed that the President would have had the power to make rules for naval captures if the Congress had not exercised its enumerated constitutional power in the field.

(c) a situation where the President acts inconsistently with the Congress.

1. Where the Congress had primary constitutional authority—law-making: This situation is illustrated adequately by Youngstown Company v. Sawyer, "The Steel Seizure Case"), 343 U.S. 579 (1952). In this well-known case President Truman attempted to seize the steel companies to avoid a labor strike which would in his judgement impede the flow of war materials to the armed forces in Korea. President Truman believed, as indicated by the argument of counsel for the United States, that he had authority to effect such a seizure through the aggregate of his war powers including his power as Commander in Chief. Congress, however, in the relevant statutes dealing with labor disputes, had not provided for seizure. The Supreme Court concluded that the presidential seizure was invalid because it was inconsistent with the relevant Congressional statutes. In carefully reasoned concurring opinion, Justice Jackson stated in part:

"When the President takes measures incompatible with the expressed or implied will of Congress, his power is at lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain exclusive presidential control in such a case only by disabling the Congress from acting upon the subject."

2. Where the President has primary constitutional authority—the President as Commander in Chief: Where the situation may be be fairly placed within the scope of the Commander in Chief power rather than within the war powers of the Congress. For purposes of illustration, a relatively clear example may be provided by consideration of the President's strategic and tactical authority as Commander in Chief. The President has the full power to select particular military objectives such as "Hamburger Hill" in Vietnam. Congress, by statute or otherwise, cannot lawfully interfere with the President's role as Commander in Chief in a situation of this kind. If the attack upon enemy bases in Cambodia is regarded as the selection of military objects of attack which are closely related to and indeed a part of the present war in Vietnam, this action is within the constitutional authority of the President as Commander in Chief since it is part of the Southeast Asia War which is authorized constitutionally by a consolidation of powers. If the United States military action in Cambodia is regarded as an entirely new war, then the congressional authority for the war in Vietnam does not extend to it. There is no doubt whatsoever but that the Congress can use its war powers to terminate the entire military involvement of the United States in Southeast Asia whenever the Congress so decides. As a practical matter the President could not conduct hostilities in Southeast Asia unless the Congress used it enumerated powers to "raise" Armies and to "provide" a Navy in a manner which makes available to the President both the personnel and the equipment to do so.[9]

THE CONSTITUTIONAL WAR POWERS OF THE PRESIDENT OF THE UNITED STATES

In Article II, Section 2, Clause 1 of the United States Constitution it states:

"The President shall be Commander in Chief of the Army and Navy of the United States, when called into actual service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment."

In 1850 Chief Justice Taney for the Court, said:

"His (the President's) duty and his power are surely military. As Commander in Chief,

Footnotes at end of article.

he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy. He may invade the hostile country, and subject it to the sovereignty and authority of the United States. But his conquests do not enlarge the boundaries of this Union, nor extend the operation of our institutions and laws beyond the limits before assigned to them by the legislative power." [10]

Even after the Civil War a powerful minority of the Court described the role of President as Commander in Chief simply as "the command of the forces and the conduct of campaigns." [11]

The Civil War provides significant illustration of the scope of presidential war powers in the absence of authorization by the Congress. In the early months of the Civil War President Lincoln undertook a number of military measures, including a blockade of the Confederacy, upon his own authority. In the Prize Cases, 2 Black 635 (1863), the Supreme Court upheld the President's war powers in a five to four decision, holding that a Congressional declaration of war was not necesary for the President to act and use his war powers. The Court stated concerning the situation of actual hostilities or war which confronted President Lincoln.

"The President was bound to meet it in the shape it presented itself, without waiting for Congress to baptize it with a name; and no name given to it by him or them could change the fact." Later President Lincoln asked for and received subsequent Congressional approval of his acts.[12]

Chief Justice Taft once suggested that the specific grants of executive power in Article II, since they were preceded by a comprehensive grant of the executive power were designed to provide emphasis where emphasis was appropriate. There is no doubt but that the President's power as Commander in Chief is a substantive one which includes at least the following subsidiary powers.

1. Deployment of armed forces. Whether in time of peace or war, the President has the power to determine the deployment of the land, sea, and air forces of the United States. President Theodore Roosevelt's ordering the Great White Fleet to the Pacific Ocean in the face of strong Congressional opposition is a well known example.

2. Initial response to hostilities. An example is President Truman's action in using first the naval and air forces, and then land forces as well, to repell the North Korean attack upon the Republic of Korea.

3. Initiation of hostilities. An example here may be found that the utilization of the Army under the orders of President Polk in conducting the battles of Palo Alto and Resaca de la Piama which were fought before the act of Congress of May 13, 1846 which recognized "a state of war as existing by the act of the Republic of Mexico."

In summary, the President as Commander in Chief has broad powers to determine the conduct of hostilities. In spite of the illusory simplicity involved in a listing of his powers, they must be used in relation to the powers of Congress. It should be clear that the President cannot for long respond to or continue hostilities without the active cooperation of Congress.[13]

THE THEORETICAL BASES FOR UNILATERAL PRESIDENTIAL ACTION

The theories on which various Presidents have relied for the use of military force abroad without congressional approval may be divided into three general categories: (1) the sudden attack theory; (2) the neutrality theory; and (3) the collective security theory.

1. The Sudden Attack Theory.—The President as Commander in Chief has the inherent power to defend the sovereignty and integrity of the nation itself and to respond to an armed attack on the territory of the United States without requesting congressional approval. For example, we do not question the constitutional authority of the President to order retaliatory strikes in the event of an atomic attack on the territory of the United States.

2. The Neutrality Theory.—Also known as "interposition", the neutrality theory was developed during the nineteenth century as a justification for American military involvement abroad to protect American citizens and property. When American armed forces were sent into a foreign nation, their presence was supposed to be "neutral" with respect to any conflicts there.

3. The Collective Security Theory.—Since 1945, the United States has entered into many security treaties with foreign nations, Many of these agreements have clauses which indicate that the security of each signatory is vital to the security of each other signatory. Unilateral presidential action under these agreements may be justified as necessary for the protection of American security even though the conflict may arise thousands of miles from American shores.[14]

UNITED STATES INTERVENTIONS FROM 1788 TO PRESENT

The early Presidents respected Congress's authority to initiate war. President John Adams took action to protect American ships from French attacks on the Atlantic, only to the extent that Congress authorized him to do so; in the case of this "limited war" between the United States and France. The President did not regard himself as free to use the Armed Forces without the authorization by Congress.

Early in his term of office President Jefferson sent a naval squadron to the Mediterranean to protect American commerce against piracy, but it wasn't at first permitted to engage in offensive action against the Barbary pirates.

The Monroe Doctrine is often cited as an example for the making of foreign policy commitments by executive action. In fact a distinction was made at the time between a statement of policy and its implementation. In reply to an inquiry by the Government of Colombia in 1824 as to what action the United States might take in a case of possible European intervention against the new Latin American republics. Secretary of State John Quincy Adams said:

"With respect to the question . . . you understand that by the Constitution of the United States, the ultimate decision of this question belongs to the Legislative Department of the Government."

In 1846 President Polk sent troops into the disputed territory between Corpus Christi and the Rio Grande River, heightening the clash which began the Mexican War. The constitutionality of this act was questioned by Abraham Lincoln, when he wrote:

"Allow the President to invade a neighboring nation, whenever he shall deem it necessary to repeal an invasion . . . and you allow him to make war at his pleasure. Study to see if you can fix any limit to his power in this respect."

During the 19th century American armed forces were used by the President on his own authority for such purposes as suppressing piracy, slave trade, and the pursuit of bandits across frontiers. Such limited uses of force without authorization by Congress came to be accepted practice—sanctions by usage.

Some Presidents, especially Polk, Grant, and McKinley, interpreted their powers as Commander in Chief broadly, while others such as early Presidents and Presidents Buchanan and Cleveland, were deferential to the war power of Congress.

The use of the Armed Forces against sovereign nations without authorization by Congress became common practice during the 20th century. President Theodore Roosevelt used the Navy to prevent Colombian forces from suppressing insurrection in Panama and intervened militarily in Cuba and the Dominican Republic. Presidents Taft and Wilson also sent armed forces to the Caribbean and Central America without Congressional authorization. President Wilson seized the Mexican port of Vera Cruz in 1914 as an act of established "respect" for the United States Government. In 1916 when the bandit Pancho Villa raided the town of Columbus, New Mexico, President Wilson sent troops into Mexico in pursuit for nearly two years. On both of these acts congressional authorization was accomplished after intervention occurred.

The trend initiated by Theodore Roosevelt, Taft, and Wilson and accelerated by Franklin Roosevelt continued at a rapid rate under Truman, Eisenhower, Kennedy, and Johnson, bringing the country to a point at the present time where war power is almost completely in the hands of the President. On the other hand it is still said that the scope of presidential action in initiating hostile section was widened by Korea over any previous incident. That the executive could dispose of the armed forces in such a way as to promote conflict was well established before this, but a declaration of war had followed. In the Korean instance this was not so. Congress was behind the President, but not with a formal proclamation of war.

It is possible to argue that the Presidents' action was a breach of constitutional procedure. It is also possible to argue that time was of the essence, and that it would be unwise to wait while Congress debated the wisdom of the executive's action.

REPORT ON MAJOR INCURSIONS SINCE 1950

In outlining a history of deployment of the Armed Forces by the Presidents, we concluded that beginning with Korea and continuing to the present, that we would report the major incursions in more detail. This is done to present the results of these incursions insofar as Congressional action is concerned, as a basis for a study on current legslation regarding Vietnam and Cambodia.

On June 27, 1950, President Truman announced his deployment of air and naval forces to aid the South Koreans.[15] The same day, the United Nations Security Council called on all member nations to help South Korea and denounce the North Koreans as armed aggressors. [16] A short time later, President Truman sent ground forces to South Korea.

Although he conferred with a few Congressional leaders President Truman acted without any request of or general Congressional approval in the form of a declaration of war or otherwise. A State Department bulletin for the press asserted that: "the President, as Commander-in-Chief has full control over the use of the military", and that there was "a traditional power of the President to use the armed forces of the United States without consulting Congress." This doctrine of inherent Presidential power was something never previously claimed by a President. The article was based on the legal justification of the actions on the United Nations Charter and the U.N. Participation Act, authorizing the President to deploy troops in United States policy measures, both previously passed by the Senate.

Perhaps due to the popularity of the incursion,[17] there was little said about the President's authority in Congress. In 1951, two resolutions came up, the first, to declare war on North Korea and Communist China and the second, for an immediate withdrawal of all troops. Neither of them came to a vote.

Footnotes at end of article.

In late 1953, Senator John W. Bricker (R-Ohio) sponsored an amendment to the Constitution, giving Congress the power to regulate treaties, and all executive agreements with foreign countries. Failing as a result of President Eisenhower's influence, the amendment was defeated by one vote. Another measure was tried in April of 1954, during the French conflict in Vietnam, by a bill, limiting the President's authority to send troops anywhere in the world without the consent of Congress. Because of Eisenhower's voiced intention to veto the entire bill the rider was defeated.

Policymakers in Washington, occupied with the crisis in Asia and Europe, had paid little attention to the growth of Communism in the small Central American country of Guatemala.

On May 17, 1954, the Department of State announced that a shipment of 1900 tons of communist arms manufactured in Czechoslovakia had arrived in Guatemala. The United States sought, but failed to obtain permission from NATO allies to search the ships suspected of carrying the arms. The United States began airlifting arms and other military supplies to Nicaragua and Honduras for their protection.

On June 18, Col. Carlos Armas led an army of about 200 men from Honduras to Guatemala. In support, three American planes bombed the capital city and military depots. The exiled officer and his men succeeded in overthrowing the Communist government.

Guatemala received no major coverage in Congressional action and was left entirely in the hands of the President.

In 1958, President Eisenhower had another problem to cope with, whether or not to send troops to Lebanon. Lebanon has always preserved a delicate internal balance between Christians and Moslems. This was threatened by certain Moslems, reportedly encouraged by President Nassar of the U.A.R. At the time of a pro-Nassar coup in Iraq in July, over 15,000 Syrians had supposedly infiltrated Lebanon with the aim of bringing down the government by violence.

On July 14 and 15, at the specific request of Lebanon's President Chanioun, the United States sent 5,000 marines to Beirut to protect American lives and help the Lebanese maintain their independence. In a short time this number was increased to a total of 14,000 troops occuping strategic positions in Lebanon.

The situation soon became stabilized and the General Assembly of the United Nations issued a statement requesting member nations to respect one another's integrity and refrain from interfering in one another's internal affairs.

United States troops were gradually withdrawn through a plan worked out with Lebanese authorities. President Eisenhower had the power to send the troops to Lebanon through the "Eisenhower Doctrine," a joint resolution, passed in 1952 authorizing the President to deploy U.S. armed forces to assist any nation in the middle east requesting help against Communist aggression.

In late April, 1965, a civil war in the Dominican Republic between government and left-wing forces led to U.S. military intervention.

A peace commission from the OAS succeeded in achieving a cease-fire among the contending government and revolutionary forces. A peace force was created to restore order and gradually the U.S. troops withdrawn.

Initially, the American rationale was that troops were sent to protect American citizens. Later, it shifted to the argument that American action was necessary because a democratic revolution had been taken over by Communist conspirators who had been trained for and had carefully planned the operation.

Congressional leadership was informed before the move was made, and supporting resolutions were offered for President Johnson's actions. The most prominent was House Resolution 560, endorsing the use of force individually or collectively by any country in the Western hemisphere to prevent a Communist takeover. It passed the House by a vote of 312–52.

On August 2, 1964, North Vietnamese torpedo boats were reported to have attacked the USS Maddox in international waters in the Gulf of Tonkin. The Maddox returned the fire, and aircraft from the US Ticonderoga also attacked the torpedo boats. The Maddox was attacked again, along with the C. Turner Joy on August 4th. On August 5th bases and an oil depot used as supporting facilities for the torpedo boats were bombed in retaliation, according to President Johnson's orders. President Johnson then asked Congress for a resolution "expressing the unity and determination of the United States in supporting freedom and protecting peace in Southeast Asia." Two days later Congress passed the Gulf of Tonkin Resolution, authorizing the President to take all necessary measures to insure the safety of the people of South Vietnam. Retaliatory air attacks on North Vietnam developed into a system of bombing raids which were not halted until October of 1968. Since the spring of 1965 the United States has attempted to settle the conflict through negotiations at the Paris Peace Talks. On the whole these talks have been highly unsuccessful.

On April 30, 1970, President Nixon announced the Cambodia invasion. This act, made solely on presidential authority was perpetrated with no previous consent of Congress or even consulation with congressional leaders. It is this incursion which brought to the Senate and the House many bills concerning the current war and the president's authority in foreign affairs.

COOPER-CHURCH AMENDMENT

The Cooper-Church Amendment is designed primarily to support the President's desire to stay out of possible war in Cambodia. It also includes provisions preventing the expenditure of money for troops retained in Cambodia.

"The Amendment, which the Administration is strongly opposing would prohibit spending appropriated funds to keep American forces in Cambodia, to pay for the operation of advisors or mercenaries from other countries in Cambodia, or to conduct any combat activity in the air above Cambodia after June 30th".

"On the face of it, this does no more than guarantee legislatively what Mr. Nixon has promised personally; in fact, the Cooper-Church Amendment is designed also to prevent a strong willed ally like the Thieu-Ky Government in Saigon from dragging or persuading Mr. Nixon into continuing military operations in Cambodia." [18]

"If the Senate imposes its will, the President will be handcuffed in future days of danger to this country and its citizens, both here and abroad, by compelling him to come to the Senate for authority to move our armed forces." [19]

If the President were required to come to Congress before each move, the enemy would have time to take adverse reaction. Taking powers from the President would, in essence, offer security to the enemy.

There is also a danger of Congress trying to appease the mobs. Walter Lippman said, "War is too serious a matter to be entrusted to public opinion."

Mansfield said, "Cooper-Church is an assertion of the constitutional responsibility of the Senate and the Congress with regard to the war in Indochina and its evolving course."

The Amendment bars funds for American advisors of Cambodian forces and prevents arrangements to provide troops from other nations to fight for Cambodia. There can be no U.S. air combat activity in direct support of Cambodian forces without congressional approval.

The Byrd Amendment is an amendment to the first section of the Cooper-Church Amendment. Opponents of the Byrd Amendment felt that it might provide an escape clause for the President. Without some provision for sending troops immediately wherever needed including Cambodia, communists would no longer have to worry about further attack on their sanctuary. The Byrd Amendment provides that the President would not be restricted from taking the action he deems necessary to protect the lives of our forces in the field or facilitate their withdrawal. The final draft of the amendment, was approved 79–5.

HOUSE RESOLUTION 17598

Theoretically H.R. 17598 provides both a limitation on presidential prerogative to commit U.S. armed forces to hostilities, and an opportunity for the Congress to "question a President's action from the start, to stand apart from hysteria and emotionalism sweeping the country, to pose alternatives, to probe relentlessly, to publicize constantly, to examine and debate implications of a President's action that the White House may neglect in its haste and concentration." [20]

The text of H.R. 17598 is too loosely worded to provide any enforcement. Key phrases such as those banning troop deployments . . . "unless the President finds that the safety of American or allied armed forces requires deployment," or of a "treaty obligation", are so open to interpretation as to be meaningless. The bill also makes no provision for attacks on U.S. ships or property in other countries, peacetime overflights or minor hostilities short of war.

H.R. 17598 is also attacked as being too rigid by those who feel that codification is the wrong way to limit executive authority. Professor Alex Bickel, Professor of Law, Yale Univ., calls codification "difficult, heavily prone to error, quite possibly dangerous, and unnecessary." [21]

Another bill, which is sponsored by Senators Javits and Dole, Senate bill S. 3964, contains more drastic steps than other bills. This bill contains a reporting requirement and requirements of affirmative legislation by Congress or an end to the hostilities within 30 days of their initiation. This step will be more controversial as the limitations on presidential authority are vague when Congress takes no action.

The bill establishes four situations when the President may commit U.S. armed forces to hostilities. Three concern attacks upon U.S. citizens, possessions or troops; the fourth employs the language of the National Commitments Resolution to cover compliance with "a national commitment resulting from affirmative action taken by the executive and legislative branches."

The McGovern-Hatfield Amendment to End the War No. 609 attempts to regulate the extent of the war in Indochina through the power of the purse.

Amendment No. 609 also poses no danger of inflexibility by committing us to a hazardous policy because it includes exceptions permitting executive freedom in the protection of the U.S. troops and prisoners during withdrawal, and it can be overridden by future congressional action if the circumstances change.

Professor John Norton Moore, University of Virginia School of Law, states that "proposals to require withdrawal of United States troops from Vietnam by a particular date would seem to dangerously undercut the

Footnotes at end of article.

Presidential negotiating role. Though such proposals may be constitutional in a formal sense, they should be adopted only if Congress has strong reason to doubt the wisdom of the Presidential policies." [22]

. . . If the people, through their representatives, have no control over the commitment of their resources to war-making, the result is inconsistent with Constitutional democratic principles.[23]

SUMMARY

In conclusion, this committee believes that our report has shown that Congress has allowed an imbalance of Congressional and Presidential war powers to occur. We would like to state however, that this imbalance is not as serious as some members of the House and Senate would have us believe. Congress has not had its powers of war and peace taken away from them by the executive, they have simply failed to use these powers in the past.

As Congress begins to exercise the powers they have been neglecting they must make a supreme effort to discover and capture that "zone of twilight" where the Congress and the President can work together to devise and implement an effective foreign policy. While striving for this quest they must be on the watch that they do not infringe upon the sacred powers that the President holds as Commander-in-Chief.

FOOTNOTES

[1] Corwin, Edward, S. *The Constitution and What it Means Today*, Princeton University Press, 1958, pp. 25–26.

[2] For an analysis of the historical development of war powers see the article by Francis S. Wormuth, "The Vietnam War: The President versus the Constitution". It is reprinted in Falk, ed., *The Vietnam War and International Law*, Princeton University Press, 1969.

[3] Excerpts of statements made by Alexander M. Bickel, Professor of Law, Yale Law School, before the Subcommittee on National Security Policy and Scientific Developments, Committee on Foreign Affairs, House of Representatives, on The Roles Of The President and Congress In Exercising The War-Making Powers Of The Government. And on H.R. 17598.

[4] Excerpts from statements of Dr. W. T. Mallison, Jr., Professor of Law, George Washington University, to the Subcommittee on National Security Policy and Scientific Developments of the Committee on Foreign Affairs, House of Representatives.

[5] The power of the purse was the weapon used by the English Parliament to combat the exercise of despotic power by Charles I and James II. The Framers of the Constitution were certainly aware of its ability as a guarantee of the powers and privileges of the legislative branch.

[6] Harris, *Congressional Control of Administration*, 213–215 (1964).

[7] 83 Stat. 469 (1969).

[8] The Federalist.

[9] Ibid., Mallison, excerpts pp. 9–22.

[10] Fleming v. Page, 9 How. 603, 615, 618, (1850).

[11] Ex parte Milligan 4 Wall. 2, 139 (1866).

[12] Ibid., Mallison, pp. 13–14.

[13] Ibid., Mallison, pp. 2–3.

[14] The Amendment To End The War: The Constitutional Question, p. 6.

[15] At the same time, Truman placed the 7th fleet between Formosa and mainland China to prevent their attacks on each other.

[16] It is interesting to note that, even with the absence of the Russian delegate, the Security Council did not order, but that it only recommended that the member nations aid the South Koreans.

[17] A Gallup Poll taken at that time indicated that 80% of the people supported the Korean war.

[18] New York Times, May 24, 1970 "Who Is Saving Whom From What?", Tom Wicker.

[19] Evening Star, G. Lincoln, June 17, 1970.

[20] Excerpts from statements of James MacGregor Burns before the Subcommittee on National Security Policy and Scientific Developments of the Committee on Foreign Affairs, House of Representatives, June 24, 1970, page 4.

[21] Ibid., Prof. Bickel, page 2.

[22] *The Constitution and the Use of Armed Forces Abroad*, Testimony before the Subcommittee on National Security Policy and Scientific Developments of the House Committee on Foreign Affairs by John Norton Moore, Professor of Law, University of Virginia, School of Law.

[23] "Indo-China: The Constitutional Crisis" Reprinted in the *Congressional Record* of May 13, 1970, p. 8.

BIBLIOGRAPHY

Appleton, Sheldon. *United States Foreign Policy; An Introduction With Cases.* Boston: Little, Brown and Company, 1968.

Bartlett, Ruhl Jacob. *Policy and Power; Two Centuries of American Foreign Relations.* New York: Hill and Wang, 1963.

Beloff, Max. *The Balance of Power.* Montreal: McGill University Press, 1967.

Brown, Seyom. *The Faces of Power; Constancy and Change in United States Foreign Policy From Truman to Johnson.* New York: Columbia University Press, 1968.

Carroll, Holbert N. *The House of Representatives and Foreign Affairs.* Pittsburgh, Pa.: Univ. of Pittsburgh Press, 1958.

Cheever, Daniel C. *American Foreign Policy and the Separation of Powers.* Cambridge: Harvard University Press, 1952.

Corwin, Edward S. *The President's Control of Foreign Relations.* Princeton: Princeton University Press, 1917.

Dahl, Robert A. *Congress and Foreign Policy.* 1st ed. New York: Harcourt, Brace, 1950.

Editorial Research Reports. *Foreign Policymaking and the Congress.* By John M. Berry. Washington: 1967.

Evans, Roland, and Novak, Robert. *Lyndon B. Johnson: The Exercise of Power.* New York: Signet Books, 1966.

Gettleman, Marvin E. (ed.) *Viet Nam: History, Documents, and Opinions on a Major World Crisis.* New York: Fawcett Publications, Inc. 1965.

Huzar, Elias. *The Purse and the Sword: Control of the Army by Congress Through Military Appropriations, 1933–1950.* Ithaca, N.Y.: Cornell University Press, 1950.

Robinson, Edgar E., and others. *Powers of the President in Foreign Affairs, 1945–1965.* San Francisco: Lederer, Street and Zeus, 1966.

Sorensen, Theodore C. *Decision-Making in the White House: The Olive Branch or the Arrows.* New York: Columbia Univ. Press, 1963.

Wormuth, Francis D. *The Vietnam War: The President Versus the Constitution.* Santa Barbara, Calif.: Center for the Study of Democratic Institutions, April 1968.

ANTI-MONTANA BALLISTICS—AMB'S—PART II

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, August 11, 1970

Mr. METCALF. Mr. President, Gov. Forrest Anderson of Montana came to Washington on August 5 to present testimony to the Subcommittee on Military Construction of the Committee on Armed Services. His mission was to bring to the attention of Congress the desperate consequences of the Safeguard construction program for Montanans who live in the host communities.

Governor Anderson very forcefully demonstrated that Safeguard Command's lack of foresight and planning will bring to Montana's economy the kind of chaos that is usually associated with disaster. The common denominator is the communities' inability to handle the situation without outside help. Governor Anderson asked Congress for that help.

Mr. President, I ask unanimous consent that the text of Governor Anderson's statement be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. METCALF. Mr. President, I have previously outlined the problems to be faced by Montana as a result of the construction of Safeguard in our State. Today, I should like to take up in some detail the communities' grave fiscal problems which Governor Anderson presented so compellingly to the Armed Services Committee.

No State is a stranger to the inflation that grips this Nation, and Montana has suffered from it perhaps more than others.

The Sunday, August 2, Missoulian described farm loans at an alltime high.

Montana wheat farmers in the area of Safeguard impact, major wheat-producing region, are the victims of discriminatory freight rates, paying more than do farmers in other States for shipping their wheat to market. Their wheat is bringing 44 percent of parity in the market and the parity ratio for them, including their certificate payments, stands at 70 percent. Paying more for the things he needs than he receives for the things he produces, the wheat producer or the small businessman who serves him is frequently forced to borrow. One of my friends recently sought a loan to meet a tax payment. He went to his bank where he has dealt for years and was told that, of course, he could have his loan—at 15 percent interest.

That is inflation.

It is in this context then, that the financing of expanded facilities to accommodate the influx of population must be discussed. In the U.S. Army's Community Impact Report: "Malmstrom Deployment Area" this reality is totally ignored. The false assumptions of the report lead the Army to offer guidance to Montana communities which is about as useful to the purpose as would be a roadmap of Afghanistan. There is simply no connection with reality.

By far the most serious error in the Army's research apart from its implicit assumption that Montana communities will be the willing feudal fiefdoms eager to raise more money for the imperial defense, is their suggestion that the citizens should vote bond issues at 6.4 percent to be amortized over a period of 10 years.

Montana law limits the interest on bond issues at 6 percent, and the usual amortization period is 20 years. The legislature may increase the rate but the legislature does not meet until January 1971. Even if the rate is increased, bond

issues must first be submitted to the voters, causing additional delay.

Suppose everyone were to oblige the Army, and the city of Conrad, for instance, floated a bond issue at 6¼ percent. All indications are that the bonds would not sell. A recent issue of Bond Buyers listed the Twenty-Bond Index for the week ending July 30 at 6.40. Many corporations have had to go to the marketplace and issue debt securities for 9 or 10 or even 11 percent. The institutional investor does better to buy the A.T. & T. investment package with warrants and 9 percent and pay the tax, rather than to invest in untaxed municipal bonds.

Inflation in the marketplace has worsened the possibilities of selling bonds for communities that have had great difficulty in selling them anyway because their bonding base is so small.

Add to the effects of inflation the effect in Montana of the June 23 Supreme Court decision holding unconstitutional the practice of limiting to property owners the right to vote on bond issues. As Governor Anderson has pointed out, this decision will require a change in the Montana constitution before bond issues can again be passed. This will cause more delay.

The Army report deals with taxes in the best tradition of an agency accustomed to spending other people's money.

Their projections of taxes to be collected from the temporary population—approximately half of the total influx of over 12,000—reflect their misjudgments.

The Army's report of the Malmstrom impact area includes in its total revenue projections the personal and real property taxes to be collected from temporary employees and contractors.

But mobile homeowners or tenants who move about this country and build things for us, or contractors with heavy equipment, should not be and are not taxed again and again as they move from one site to another. Nor should the permanent residents, personal and real property owners, provide the revenue to build and maintain schools, roads, and other community services used by all.

Safeguard sources estimate that the revenue that might be collected in property taxes from the employees of the system in 1970 is zero while total State and local tax revenue collected from those employees will be $1,105. In other words, the communities affected are to receive no revenue from the new population to support the expanded facilities they have made necessary. The present ratio in Montana is $191.61 per capita property tax—State and local—to $339.75 per capita total tax—State and local. Thus 56.4 percent of the tax revenue collected from the permanent residents is local property tax to pay for municipal facilities, as compared to no revenue from the new temporary population.

One might expect this imbalance to improve as the situation stabilizes. In 1971, however, the estimate for local property tax from the Safeguard population is only $5.07 per capita of a total tax figure of $502 per capita. In 1971 lower total tax figure is caused by the influx of lower paid "secondary employees," as compared to the higher paid technicians in 1970. The new ratio is still, however, only 1 percent of total tax revenue.

In other words, Safeguard employees will contribute enormously less to the local tax base than the present citizens of the impact area. Montana is presently No. 1 in the Nation in State and local property taxation per dollar of income. Montanans simply cannot be taxed to support a new population whose taxable property is mobile or nonexistent.

Even if a higher proportion of local taxes could be derived from the temporary population, they would not be collected until after the use for which they are collected is hard upon us. As Governor Anderson has pointed out, and as the Libby experience demonstrates, the reality is that most of the people will be gone before the facilities they need can be financed, let alone built.

Meanwhile, Montana property taxes are fearful. In 1968, our State ranked sixth in the Nation in per capita property tax revenue. Led by California at $226.18, Wyoming at $207.87, Massachusetts at $204.02, New Jersey at $199.73, and New York at $192.25, we are not far behind at $191.61.

On the other hand, Montana ranked 34th in 1968 in per capita disposable income of $2,543, below the national average of $2,930 and almost a thousand dollars less than the average of the leading six.

Therefore, with Wyoming, Montana at 6.5 percent ranked first in the United States in amount of property tax as a percent of personal income.

These are the people the Army wants to tax three times over.

This brings us right back to the second alternative for money raising open to the community that cannot command outside help: Borrowing.

Again, take Libby. A special appropriation built Libby's school, just as a special appropriation saved the Grand Forks Air Force Base school district and others from closure this spring.

Ignore, for a moment, as the Army did, Montana's statute limiting the interest on bond issues at 6 percent. Had the people of Lincoln County School District bonded themselves at 6¼, for 10 years, and had their bonds sold, their school would be constructed, the additional pupils would be gone, and the remaining debt left to be paid by the survivors.

On the question of bond issues, in Montana, Governor Anderson gave the Armed Services Committee the conspicuous fact omitted from the Army's fiscal fairy tale: No fewer than seven issues have been rejected by the voters in the area of impact in 1969 and 1970. As Governor Anderson said, 68.7 percent of municipal bond issues nationwide were rejected in June of this year.

Even if voted, how attractive is a 6¼-percent bond in an inflated market that has banks offering televisions, radios, memberships in social clubs, travel, and other inducements to attract savings customers?

Not very.

Chicago recently had a most difficult time selling a 7-percent bond issue. Louisiana bond issues are not selling.

Mr. President, may we not have the whole picture when the Defense Department says it wants a new weapons system? May we not know at the outset its actual cost? Is there any reason why Congress should not be fully informed? Is there any reason why the people of Montana, in this case, should not have been informed when the Army sought its appropriation as to what extras could be expected of them?

In recent years, because of increasing demands on the budget, Congress has been scrutinizing more carefully than ever before, the constantly escalating demands of the Defense Department, whose expenditures on military or defense-related items now total $106 billion, 53 percent of the national budget, according to Arthur Burns, Chairman of the Federal Reserve Board.

I have heard it said that there is no precedent for special appropriations to cover the ancillary costs of these hideously expensive, deadly, and often obsolete, gagdets so cherished by the military, for which all else must give way.

We cannot handle the inflation we have. We cannot handle more inflation, alone. The treble tax that the construction of Safeguard would levy on us is a burden dishonestly imposed by a machine which seeks to conceal the burden on others created by its insatiable appetite for hard goods.

The Congress has determined that phase one of Safeguard shall be built. Has it also determined that Montanans shall pay not once, for being on target, not twice through Federal taxes, but three times for the facilities to support a new Hydra of the weapons world?

The third alternative is Federal assistance. There are no other alternatives.

EXHIBIT 1

REMARKS OF GOV. FORREST H. ANDERSON TO SENATE SUBCOMMITTEE ON MILITARY CONSTRUCTION

The ABM is described by its supporters as a national defense system.

It was not designed to protect north-central Montana. It was designed to protect the entire nation.

We did not request that the ABM System be installed in Montana. Because of the weapons presently buried beneath the prairies of north-central Montana, the state will be the national bullseye in the event of an enemy attack.

I am here to discuss an important matter that has been largely ignored to this point in the ABM debate. That is: What impact will this system have on the affected communities of north-central Montana?

I believe the impact of the ABM will create adverse economic conditions and deteriorate the quality of life in these communities.

If the system is installed according to present plans, the property owners of north-central Montana will be forced to contribute more than $8 million to the national defense.

I believe this is an unreasonable demand upon the people of north-central Montana.

The Army Corps of Engineers Community Impact Report projects that $17 million must be expended to provide the facilities and services that will be required by ABM workers and permanent personnel.

This includes housing, schools, sanitary

and medical facilities, utilities and police and fire protection.

The Impact Report includes no specific plan for financial assistance to the communities that will be required to expand federal matching programs.

The local and state obligation under these programs runs from 30 to 70 per cent. Assuming a median local obligation of 50 per cent, the small farming communities of north-central Montana will be required to provide more than $8 million of the expenditures projected for the six-year construction phase.

This is a lot of money.

I am not saying that the people of north-central Montana are unwilling to meet this demand.

I am saying that they cannot meet this demand.

The Engineers Report overlooks a number of very important factors that will make it extremely difficult for the affected communities to deal with the impact of the ABM System.

The report apparently is not cognizant of conditions in Montana.

For example, the projected interest rate for capital construction funding is computed at 6¼ per cent in the report. In Montana the interest rate limitation on municipal bonds is set at 6 per cent. This limitation was established by law. I am not certain that the state Legislature would be willing to raise it to accommodate the ABM System. Even if they will, it cannot be done until the Legislature meets next winter.

By the time the law could be changed and the bond issues passed, assuming the people approve the bond issue, the influx of ABM workers and personnel will be upon us.

The Impact Report anticipates an influx of 2,800 ABM connected people in 1971. Facilities cannot be built and services provided to accommodate these people in the time available. They will arrive in communities where sewer systems and other public facilities are presently near capacity. These are small communities of less than 3,500, except for Havre and Great Falls, which are some distance from the ABM sites.

Because of the lack of planning, I anticipate serious problems in the communities of north-central Montana during the ABM construction phase.

The Impact Report also ignores an important constitutional factor. Presently in Montana, only property owners are permitted to vote on bond issues. The United States Supreme Court has declared this practice to be unconstitutional. Therefore, the Montana Constitution must be changed before bond issues can be passed to fund the construction of the facilities that will be required to deal with the impact of the ABM System. This will require time.

These are important omissions.

But a great fault in the report is the engineer's assumption that the people of north-central Montana will approve bond issues to accommodate the ABM System.

All across this country there is a taxpayers revolt. In June of this year, Americans said "No" on 68.7 per cent of the dollar valuation of the bond issues they voted on. (See Table C.)

In Montana the voters are no different.

In the following communities, all of which will be affected by the ABM, the taxpayer revolt is a strong movement.

In Great Falls a bond issue for water and sewer system improvements was turned down two years ago.

In Chester two tax levies for school operation were voted down before final passage last spring.

In Cut Bank a recent bond issue for land acquisition was defeated.

In Shelby two elections were required to pass the school operating budget this spring.

In Dutton this spring a bond issue for the construction of an elementary school was turned down by a 2 to 1 margin.

Most of the communities to be affected by the ABM impact are presently taxing at near the limits established by law. (See Table B)

There isn't much easy tax money available in north-central Montana.

The population influx connected with the ABM System will increase the demands for local government services. This will mean extended police and fire protection, more classrooms, larger operating budgets and expanded sanitary facilities.

Where will the money come from?

The population influx will result in the expansion of the tax base in the affected communities.

But there are a number of contradictory factors that must be considered in this respect.

It is estimated that the population increases will not be reflected in tax receipts until up to two years after the people requiring services are in residence.

The ABM construction phase is expected to last six years.

Most of the construction workers to be employed will be in Montana only a short time.

They will not buy or build homes.

The principal source of revenue for local government is the property tax.

This is the source that must be exploited if expanded facilities and services are to be provided by communities affected by the ABM.

The property tax is a home owners tax.

Because of this, those people in north-central Montana who own their own homes will have to furnish the major portion of the additional tax revenues needed to accommodate the ABM.

In my opinion, there is no engineers report or other document which can justify this punishing additional tax burden.

There are many other factors the Engineers Impact Report failed to recognize.

Because of the severe winters, the construction season in Montana is limited. At least two years are required to complete most capital construction. Because of this, facilities will be completed at about the same time the workers will be moving on to another job. (See Table C)

Also the 6¼ per cent interest rate upon which the computations in this impact report are based is a figure out of history. Presently, long-term municipal bonds are selling at between 6½ and 7¼ per cent. Non-tax exempt revenue bonds are selling at 9.4 per cent. (See Table A)

It will be two years before the necessary capital construction needed to maintain a safe and sanitary environment for the ABM connected population increase can be completed.

If the Montana Legislature raises the interest limitation.

If the state law limiting the franchise in bond elections to property owners is changed.

If the people of north-central Montana are willing to tax themselves beyond their means.

If the winters are mild to allow accelerated construction schedules.

It seems to me that there are too many unanswered questions surrounding this supposedly vital project.

If these questions are not answered—and I don't believe they will be—the result will be chaos.

I believe the housing problems created by the population influx will be critical.

The Community Impact Report claims that there are 5,400 available housing units in the impact area. I do not believe it.

There is no doubt that housing must be constructed to accommodate the population increases. The engineers blithely forecast that the required housing will be constructed by "local entrepreneurs." Present interest rates, in my opinion, preclude any huge investment by local entrepreneurs. (See Table O.)

Consistent with the nature of the project, much of the required housing will be temporary. This type of housing is difficult to finance. It is a poor investment, because it is temporary and there is no one to guarantee the mortgage.

The report projects that 3,300 additional housing units will be required. It makes no specific recommendations as to how this housing will be provided.

The major fallacy regarding housing in the impact report is the assumption that population distribution can be determined in advance.

The engineers have decided that people migrating into the impact area will disperse to 10 towns, utilizing existing facilities to the maximum.

This is preposterous. It is like saying a roulette ball will fall on a particular number because there is a slot.

People will move to communities that provide housing, accessibility to every day services and social and recreational amenities.

Of the 10 communities considered in the report, only Great Falls, Shelby, Conrad and Cut Bank can provide these basic services and facilities and some of these cities are questionable so far as moderating the ultimate impact.

These communities, particularly Conrad, will receive the full force of the population impact. The sewer system in Conrad is presently near capacity. Something will have to be done and done quickly if a major health problem is to be averted.

Because of this fundamental planning error, I consider many of the statistics in the report to be invalid.

The report projects an enrollment increase of 1,900 in the region's schools. Additional plant facilities, supplies and teachers will be required if we are to maintain quality education in the affected communities. Tax revenues, construction time and public approval of bond issues are all lacking.

It appears to me that schools will be overcrowded and under-staffed.

We do not want this in Montana.

There will not be adequate ambulance service in the impact region. Consider what would happen if there were to be a major accident at one of the construction sites. There were no specific recommendations in the impact report for the upgrading of ambulance service.

There is no reason to believe that the ABM, like all weapons systems, will not become obsolete in a short time.

As I understand it, the ABM is specifically designed to protect the Minuteman ICBMs from enemy attack. When the Minuteman becomes obsolete, the ABM will have nothing to protect.

If the communities of north-central Montana bond themselves for 20 to 25 years, who is to guarantee that ABM connected people will still be on the tax rolls. An obsolete defense system is not going to carry much of a payroll.

Because of haphazard planning and lack of consideration for the people in the communities to be affected by the ABM, I believe we will encounter serious problems during the next six years.

More than 15,000 permanent and temporary workers and military personnel and secondary employees will come to north-central Montana at the peak period of ABM construction.

They will face housing shortages, overcrowded schools, unsatisfactory sanitary facilities and numerous other problems that will significantly deteriorate the quality of life.

The communities of north-central Mon-

tana do not have the resources, the legal power nor the responsibility to prevent these unfortunate conditions.

I recommend that this committee initiate a new approach to deal with the impact of north-central Montana.

I recommend that the federal government assume the full responsibility for planning for and maintaining a decent quality of life for the ABM workers, military personnel and Montanans who will be affected by the construction.

I recommend that military housing be integrated within existing communities to lessen the impact of eventual abandonment.

I recommend that adequate planning be undertaken to prevent a sprawling rural slum from growing like a tumor on the prairies of Montana.

In Montana we have experienced the boom and bust philosophy of military construction. This has been an unfortunate experience and I believe it is time for a change.

TABLE A—CAPITAL CONSTRUCTION TIME LAG

The Federal Housing Authority's Accelerated Housing Program, which was designed to complete a housing project in 15 to 16 months, has failed in Browning, Montana.

The pre-construction phase was begun in April of 1969. Construction began in April of 1970, and the completion date is now projected for October of 1970. It will eventually take 30 months to complete this Accelerated Housing Program.

TABLE B.—FINANCIAL STATUS OF INCORPORATED CITIES

City	Revenue	Expenditures	Assessed valuation
Chester	$113,190.44	$113,916.85	$2,783,499
Shelby	398,110.00	422,356.00	9,162,012
Sunburst	61,929.00	67,074.60	1,274,946
Kevin	33,044.00	31,229.44	1,182,808
Conrad	349,688.63	329,668.08	10,173,739
Valier	42,279.22	41,115.35	2,303,839

TABLE C.—TAXPAYER REVOLT—NATIONWIDE, JUNE 1970

Bonds	Amount	Percent
Defeated	$693,395,000	68.7
Approved	316,585,800	31.3
Total	1,009,980,800	100.0

TABLE D—INTEREST RATES

	Percent
Impact report interest computed at	6¼
State limitation by law	6
As of July 1970, municipal long-term bonds are selling at	6½–7¼
As of July 1970, nontax exempt revenue bonds are selling at	9.4
Interest rates for private loans to finance housing construction	8½–9½

ECONOMIC DEVELOPMENT OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. CAREY. Mr. Speaker, I am today introducing legislation to promote the economic development of the Trust Territory of the Pacific Islands.

This bill will authorize the appropriation of $5 million to the Secretary of the Interior for payment to the government of the Trust Territory of the Pacific Islands for the purpose of promoting the economic development of these islands.

The bill establishes an Economic Development Loan Fund. The bill requires that before such funds are made available the government of the Trust Territory must submit a plan for the use of these funds to the Secretary of the Interior. The plan must set forth the policies and procedures for furthering the economic development through a program of loans and loan guarantees to encourage the development of private enterprise and private industry. The loan and loan guarantee program will be of the revolving fund type, and such loans are to be made on the basis that financing is otherwise unavailable on reasonable terms and conditions.

All loans under this program will be limited to 25 years and require the payment of interest. The bill also places limits upon the amount of any loan or loan guarantee. The bill requires proper fiscal controls, accounting, and auditing of the fund. The High Commissioner is required under the bill to submit an annual report to the Secretary of the Interior on the administration of the Fund.

Mr. Speaker, my reasons for introducing this legislation are threefold, despite my acute awareness of the necessity for fiscal restraints. First, Mr. Speaker, I share the concern of the people of the Trust Territory of the Pacific Islands for the economic development of their islands. While I agree that too little has been accomplished in this area during our administration of these islands, I hasten to add, that perhaps the passage and enactment of this legislation will remove any impediment to progress in this area by our administration, and also, give the Micronesian people cause to reflect upon their own customs and initiatives which impede the economic development of these islands. It is not my intent by this legislation to force economic development on these people as has been the case in the past. My interest is, in promoting the initiatives of the Micronesian people to foster the kind of economic development they want with this "seed" money, and recognizing that this can and cannot involve non-Micronesians, depending upon the wishes of the people themselves.

Second, I introduce this legislation as a means of demonstrating and reaffirming the good faith of the United States in meeting its obligation to promote the economic development of the Trust Territory of the Pacific Islands and its inhabitants. We should keep in mind that Congress has continually provided increased appropriations for the governance and development of Micronesia. This legislation reaffirms the good faith of this Nation in promoting the economic development of the trust territory, because in the 88th Congress, Public Law 88-487, granted a sum of money to promote similar interests.

Third, Mr. Speaker, I introduce legislation in the interest, and hope, that its passage and enactment will promote a closer political association between the United States and the people of the Trust Territory of the Pacific Islands. As discussions on the future political status of these islands progress, and their people are pondering the old and new horizons for political association, I am brought to the consideration and feeling that in my association with the people of Micronesia, there is room for the preservation of the customs, traditions, and culture of the Micronesian people in this family of democracy despite its infirmities.

A PRAYER BY DR. SAMUEL ARTHUR JEANES

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. HUNT. Mr. Speaker, I would like to share with my colleagues a prayer offered on May 4, 1970, at the opening of the New Jersey State Legislature by my very good friend and pastor of the First Baptist Church of Merchantville, N.J., Dr. Samuel Arthur Jeanes:

Heavenly Father, we are ever mindful of our needs . . . of our fears . . . of our sins . . . of our hopes . . . and of our aspirations to do Thy will. Quietly we wait before Thee today for that strength that comes through being still and knowing that Thou art God. Remind us that He who is within us by faith is greater than he that is in the world. May our words be in harmony with Thy Word of Truth and may our judgments be squared with the yardstick of Divine Law.

Today we earnestly pray for the President of the United States and those associated with him in their effort to restore some semblance of peace to the earth by driving back to their borders those who have kept millions of people in fear by the constant jangling of the threatening chains of Godless oppression. Bless those in the military service of our land. May they successfully complete the mission of making the Far East safe from the aggression of Communism and may they soon be able to return to their homes again.

We would also pray for Thy restraining hand upon those who with violent means and raucous outcrys seek to intimidate our leaders and even destroy the institutions of our nation.

In these days, dear Lord, steady our minds, strengthen our wills and sustain our spirits. May the labor of our hands as well as the prayers of our hearts seek freedom for all, justice among all, peace to all and good-will by all. We pray in the name of our Saviour whose will is peace to men of good-will. Amen.

Following is a second prayer which Dr. Jeanes thoughtfully sent to me, "The Motorist's Prayer":

THE MOTORIST'S PRAYER

Our Heavenly Father, we ask this day a particular blessing as we take the wheel of our car. Grant us safe passage through all the perils of travel; shelter those who accompany us and protect us from harm by Thy mercy; steady our hands and quicken our eyes that we may never take another's life; guide us to our destination safely, confident in the knowledge that Thy blessings go with us through darkness and light . . . sunshine and shower . . . forever and ever . . . for Jesus' sake. Amen.

RESULTS OF DISTRICT PUBLIC OPINION POLL

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, early this summer Time magazine said, "Seldom in U.S. history has it been so urgent that calm and reasoned voices be heard above the tumult and the shouting."

This summer nearly 30,000 sixth district Wisconsin residents completed and returned my annual questionnaire on public issues. This is the largest response in the 4 years that I have been running this poll. To see so many people calmly showing an interest in questions affecting our lives and government is a sign of encouragement.

Sixth district questionnaire results were carefully tabulated on a city-by-city basis.

Replying to the question, "Do you approve of President Nixon's handling of the Vietnam war?" all seven counties in the district gave Mr. Nixon majority support. Approval ranged from 70 percent in Fond du Lac county to 58 percent in Washington county. Support averaged 66 percent district wide.

According to a national Gallup poll, Nixon support nationwide was 55 percent in mid-June, when my questionnaire was in the mail. The Gallup poll reported early this month that Nixon support rose in July to 61 percent. It appears that the returns on the sixth district questionnaire are not far out of line with national trends.

A comparison of returns from men and women was made on a random sample basis. We found from this that President Nixon's support on Vietnam was lower among women than it was among men, by a difference of 63 to 70 percent.

Further disagreement between men and women emerged from analysis of the second question, "Should the U.S. give arms and advisory support to Cambodia?" The reply was Yes—Men 61 percent—Women 51 percent.

On all other issues covered in my questionnaire, men and women were in close agreement.

Strongest agreement among residents of the sixth district came in response to the question, "Should the government be allowed to use wiretapping to combat organized crime?" Nine out of 10 people—90 percent—said they favor wiretapping under such circumstances.

Ending student draft deferments was supported by a 69 percent to 31 percent margin. More than four out of five respondents—83 percent—favored amending the U.S. Constitution to provide for direct election of the President.

The volunteer army proposal was favored by a margin of 55 percent to 45 percent district wide.

District respondents to the June poll said they are not willing to pay higher taxes to support an all-out fight against pollution. The count was 59 percent against to 41 percent for. On a county basis, response ranged from 69 percent "No" in Calumet county to 54 percent "No" in Sheboygan, Washington and Winnebago counties. Support for increased taxes to fight pollution was strongest in cities located on the shores of Lake Michigan and Lake Winnebago.

On the pollution question, many people remarked that government should launch an all-out fight by cutting back in other areas, and that polluters themselves should pay the costs of cleaning up the environment.

There was 63-percent agreement that inflation is our number 1 domestic problem. People in Winnebago county answered "Yes" to this question in a margin of 80 to 20 percent. In Calumet county 56 percent thought inflation is the number 1 problem. People responding "No" listed student unrest, drug abuse, poverty, racial problems, and rioting as other areas of prime concern.

Complete figures on a county basis are as follows:

THE RESULTS OF THE 6TH DISTRICT OF WISCONSIN QUESTIONNAIRE SURVEY OF 1970

[In percent]

	Calumet	Fond du Lac	Green Lake	Ozaukee	Sheboygan	Washington	Winnebago	District
1. Do you approve of President Nixon's handling of the Vietnam war?								
Yes	66	70	65	63	69	58	66	66
No	34	30	35	37	31	42	34	34
2. Should the U.S. give arms and advisory support to Cambodia?								
Yes	52	66	59	47	56	56	53	56
No	48	34	41	53	44	44	47	44
3. Should student deferments be ended?								
Yes	74	69	68	68	69	65	68	69
No	26	31	32	32	31	35	32	31
4. Should we move to a voluntary army to replace the draft?								
Yes	54	62	49	56	58	58	48	55
No	46	38	51	44	42	42	52	45
5. Do you feel that inflation is our No. 1 domestic problem?								
Yes	56	58	62	67	61	65	68	63
No	44	42	38	33	39	35	32	37
6. Would you be willing to pay higher taxes to support all-out fight against pollution?								
Yes	31	40	35	42	46	46	46	41
No	69	60	65	58	54	54	54	59
7. Should the Government be allowed to use wiretapping to combat organized crime?								
Yes	92	91	88	86	93	91	85	90
No	8	9	12	14	7	9	15	10
8. Do you favor amending the Constitution to provide for direct election of the President?								
Yes	78	88	84	80	87	86	80	83
No	22	12	16	20	13	14	20	17

ENVIRONMENTAL PROTECTION AGENCY

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BUSH. Mr. Speaker, I support the proposed Environmental Protection Agency. By policy, by statute, and by public insistence this Government is pledged toward the achievement of a new quality of life in America. The key toward this accomplishment is the new Environmental Protection Agency. The environmental protection activities of the Federal Government are entirely too fragmented and the resulting confusion only hinders the effort.

There are those who feel that the singleness of purpose of such an agency might not adequately protect technological advancement and that in attempting to sustain life, we will in fact stifle it. This is a fair criticism. However, after assidiously studying the proposal, I am convinced that it contains sufficient requirements to protect our society from this kind of over-zealousness.

Because of the potential adverse effects of pesticides on humans and the environment, the Government has regulated them for some time. For over a year now this administration has been working to reduce the ecological consequences of these products. As a result the use of DDT in this country is on the way out. There are uses for pesticides for which there is no substitute. So new ideas—such as reduction in quantity and application—are being tried. The increased emphasis upon pest control research that will result from this proposal is most encouraging.

It is extremely important, Mr. Speaker, that the Federal Government's activities to control pesticides, pollution, et cetera, be unified under the responsibility of a single agency dedicated to the preservation of our environment. One has only

to look at the deserts of the Middle East to realize the results land misuse or climatic changes can have on the quality of life. Two thousand years ago people could not predict the effect a change in a riverbed, fertilization changes, or the loss of trees, birds, or insects could have on their environment. But, we can foresee that effect now. We have a choice. It is up to us to make it.

PUBLIC LIBRARY FOR APACHE, OKLA.—A COMMUNITY PROJECT

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. STEED. Mr. Speaker, the General Federation of Women's Clubs of Sears, Roebuck & Co. has recognized the combined efforts of three federated women's clubs of Apache, Okla., for their initiation and maintenance of a public library which serves the entire community.

The Apache Study Club, the Apache Jaycees Jaynes, and the Boone Extension Club were honored as State winners and as contenders for national honors by the community improvement program sponsored by the national federation club organization for the years 1968–70.

I believe that this community's determination and cooperative efforts to achieve such a public-minded goal deserve the attention of us all.

The Apache library fulfilled a dream of many years for the citizens of the town. Many realized the educational and cultural need for the library but found that the financial aspect was too large a stumbling block to face. For awhile this need was provided for by the use of a local bookmobile which served both old and young, but which was discontinued because of a lack of funds.

In early 1968 the Apache Study Club decided to start the library plans in motion and became the first sponsor of the community project. However, they were soon joined by the other two clubs, and community interest was soon to grow to include the combined efforts of each individual to do his part to make the library a permanent facility in the city.

Financing the operation of the library appeared to be the biggest obstacle to overcome; however, with such projects as book and fund drives many of the burdens were solved. The largest single contribution was made by the board of directors of the Clark-Bohart Community Building who furnished the library board, composed of members of each of the three sponsoring organizations, with a rent free room to house the library. Workdays are held at which time townspeople help to keep the library in good shape.

Recently, the library board met with the town council to work out a plan whereby some town funds are appropriated to the library, including full payment of the librarian's salary.

The library, which officially opened on May 18, 1968, now consists of several thousand books, mostly donated, with approximately 250 families checking out nearly a hundred books a week.

Through the leadership of library board members Mrs. Walter Gilbreath, Mrs. Robert Crews, Mrs. Danny Swanda, Mrs. Donald Payne, Mrs. Marvin Lair, and Mrs. A. J. McMahan, the library has continued to grow and has become a source of great satisfaction to all who have contributed in any way, and it is a true credit to the community.

The three federated women's clubs can truly be proud of their fine accomplishment and deserve our congratulations and praise.

FEDERAL SPENDING: A LETTER TO NAM MEMBERS

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. HALL. Mr. Speaker, the President and economy-minded Members of the Congress are not the only ones disturbed by high appropriations and their effect on the economy.

W. P. Gullander, president of the National Association of Manufacturers, has written an open letter to NAM members discussing the need to bring a systematic approach to the matter of spending priorities. I insert Mr. Gullander's letter in the RECORD:

FEDERAL SPENDING: A LETTER TO NAM MEMBERS

Dear MEMBER: The federal budget picture has worsened alarmingly on both the expenditure and income sides. We are seeing estimates of a deficit for this fiscal year reaching $10-15 billion. The expectation of such a large deficit is most discouraging at this time when monetary and fiscal anti-inflationary policies are finally taking hold. It is not surprising, therefore, that there have been increasingly frequent hints about the need for broad-based higher taxes next year.

If this nation is not to have a continuing series of fiscal crises resulting from chronic deficits or a constantly increasing tax burden, a critical examination of priorities and spending programs is essential. This has been stated so often that it is in danger of becoming a political cliche instead of the policy axiom it should be. One thing that is clear about setting priorities is that not every spending program can fall into the category of essentiality. Some things have to wait and other things, no matter how venerable, have to be cut back or eliminated. Because this is not a simple choice, and because making such choices requires time, NAM and others supported the Revenue and Expenditure Control Act of 1968, which included a spending ceiling and a temporary income tax surcharge. However, the solutions incorporated in that legislation certainly were not the blueprint for a way of life.

The "spending ceilings" for fiscal 1970 and 1971 bound the Administration but not the Congress. An arbitrary limit to spending, even if it were not as replete with exceptions or as spongy as the last two, is not the most effective approach to this very complex problem of public policy.

Two first steps toward more fundamental reform merit serious attention by the Congress. The Federal Economy Act of 1970, if enacted, would begin the process of cutting back and eliminating inefficient and uneconomic programs. Consideration of all appropriations requests in two bills, one for Defense and one for all other programs, would require Congress to make an overall review of the total impact of its spending authorization.

I urge you, therefore, to support these efforts to bring a systematic approach to the matter of spending priorities. Now is also the time to insist on maximum efforts on the part of both the Administration and Congress to:

Stay within budget requests.

Phase out and cut back doubtful and outmoded programs.

Resist making commitments for future spending until the fiscal situation has improved.

Only through such actions can we control the growth of future spending and wisely use those resources which are allocated to the public sector without imposing a harmful burden on the remainder of the economy.

Sincerely,

W. P. GULLANDER.

REFORM IN THE WINGS

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BOGGS. Mr. Speaker, the New York Times on August 10, 1970, had an excellent editorial on the bill to regulate television campaign spending.

The editorial pointed out the strengths of the House version of the bill, correctly giving credit to Representative TORBERT MACDONALD of Massachusetts.

I commend the editorial to my colleagues:

REFORM IN THE WINGS

With Congress rushing toward a recess, there is some danger that an excellent House bill to regulate television campaign spending will give way to an inferior Senate bill with the same purpose.

Under both measures Federal candidates could be charged at no more than the lowest TV rate enjoyed by commercial advertisers in the same time period, a significant reduction from present costs. Both bills would limit the amount a candidate could spend on this most potent and expensive of all the media; the ceiling would be $20,000, or the equivalent of seven cents for every vote cast in the last election for the same office, whichever is higher.

And both would suspend the present equal-time requirement for Presidential candidates, allowing broadcasters to give the major contenders free time without having to make an equal donation to standard-bearers of the Prohibition Party, the Vegetarian party and the like. Assurances have been given, however, that a significant minor party candidate—a George Wallace, a Henry Wallace, a La Follette—would get the same treatment as the Republican and Democrat.

Either bill would be a historic step forward, and both do credit to the invaluable work of the National Committee for an Effective Congress in promoting the legislation. But the House bill, introduced by Torbert Macdonald of Massachusetts, is so significant an improvement over its hastily drawn Senate counterpart that we hope any attempt to substitute the latter in the course of this week's House debate will be readily beaten off.

One advantage of the House version is that candidates for governor and lieutenant-gov-

ernor are included, as they should be. More important, the law would apply to primaries, with the spending limit fixed at half of that provided for general elections.

The only real advantage in the Senate version is that it has already passed that chamber. The House bill, if it remains in its present form, would still have to run the risks of a conference committee and another Senate vote. But the inclusion of campaigns for governor is so clearly desirable and television spending in primaries is of such vital importance (as several Democratic Senatorial aspirants in this state can testify) that the possible tactical risks are plainly worth taking.

NATIONAL PUBLIC EMPLOYEE RELATIONS ACT OF 1970

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. MIKVA. Mr. Speaker, long years of experience since the 1930's have proven that the public interest in employee-management relations is best served by a system which protects the rights of employees to organize, choose their representatives and bargain collectively. Such a system has now been developed to a high level of precision through years of experience before the National Labor Relations Board and in the Federal courts. I dare say that even the most promanagement lawyer or legislator would be reluctant to return to the rough and tumble days of labor unrest, antistrike injunctions, and frequent labor-management violence.

Yet as fundamental as the rights to organize, bargain collectively, and be protected from unfair labor practices are, there is still a large sector of American labor which is denied these rights—public employees. In recent months we have begun to reap the harvest of denial to this large segment of American labor of these basic rights to organize and act in concert for their common good. The strike of postal employees and teachers are only two examples of situations which reached the point of no return because of the failure of compulsory bargaining requirements for management—in this case the Government. Clearly, if the last 30 years have shown us anything about labor-management relations, it is that the public interest in peaceful resolutions of labor-management disagreements and disputes is best served by guaranteeing employees the rights of organization and collective bargaining and providing a framework within which those rights can be effectively exercised.

My belief is that we have now reached the stage in this country where public employees—Federal, State and local—should be accorded the same rights which their nongovernmental brothers have had for over a generation. I say this not because this is a prolabor position, but because history has shown that the interests of all parties—labor, management and the public—are best protected when an orderly, fair, and enforceable procedure is available for peaceful resolution of disputes about wages, hours and conditions of employment.

The recent inflationary spiral which has been so devastating to the working people of this country has merely emphasized what should have been clear earlier: the public employees of this country ought not be dependent on the largesse of Government officials and State legislatures or Congress for adequate incomes and decent working conditions. In 1935 Congress determined, in adopting the National Labor Relations Act, that the best guarantee of fair wages and decent working conditions was to allow employees to organize in such a way that they could effectively represent and defend their own interests. Only in the area of agricultural labor and public employees do we cling to the idea that the employer or the Government can represent and defend those interests better than the employees themselves. When the Government and the employer are the same, the argument becomes patently untenable.

The bill I am introducing today, which was first introduced earlier this year by my friend and colleague from New York (Mr. GILBERT) would establish the congressional policy of "encouraging the practice and procedure of collective bargaining and protecting the exercise by public employees of full freedom of association, self-organization, and designation of representatives of their own choosing for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

The bill would define the rights of public employees, would provide for union dues deductions by Government employers, and would define unfair labor practices by both public employers and employees. It would establish a procedure for choosing labor representatives of public employees through elections, much as under the present Wagner Act, and would provide additional procedures for the resolution of unfair labor practice complaints by either management or labor. The collective bargaining framework established by the bill contemplates the possibility of binding agreements for the arbitration of unresolved grievances and disputed interpretations, and allows either party to go to court to enforce provisions of such agreements once they have been authoritatively determined. Finally, the bill provides for administration of its procedures by a five-man National Public Employee Relations Commission appointed by the President and confirmed by the Senate, and for mediation of disputes by the Federal Mediation and Conciliation Service.

Once passed, the act would apply to all Federal, State, and local employees, but any State could by law establish its own procedures for public employee-employer bargaining which, if substantially similar to the Federal law, would then apply. The act would, of course, supersede all existing Federal and State law on the subject of public employee-employer relations to the extent the preexisting law is inconsistent with the act.

Mr. Speaker, for too long the public employees of this country have been the forgotten men and women of the labor movement. In maintaining that these citizens were public servants first and Government employees second, we have stolen from them the single most effective tool which they possess for guarding their own best interests—the right to organize and bargain collectively. Those who oppose the idea of collective bargaining for public employees will inevitably object that the right to bargain collectively ultimately means the right to strike. I would point to the fact that the present system—in which the Government supposedly guarantees the best interests of its employees—has not avoided strikes by public employees, even though in some cases such strikes are illegal.

What the existing practice has proven is that when no adequate mechanisms exist to protect the interests of employees and to adjust their legitimate grievances about wages, hours and working conditions, no threat of jail can ever keep them at their jobs. A far fairer—and ultimately more effective—way of handling public employee-employer differences is to provide a well-balanced, structured procedure for articulation and adjustment of those differences. In short, a system of public employee-employer relations established by law which provides adequate protection for all concerned better serves the public interest than relying on the omniscience of Government bureaucrats and legislatures. In the long run, it will mean better protected public employees, fewer grievances, and better public services.

ELSIE HILL, CRUSADER FOR WOMEN'S RIGHTS

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. WEICKER. Mr. Speaker, one of the reasons for the greatness of the State of Connecticut has been tremendous citizen participation at all levels of government. No one has more graphically demonstrated the commitment to citizen involvement than Miss Elsie Hill of Norwalk. Her entire life was devoted to the crusade for women's equality.

Elsie Hill's achievement as the first woman voter in Norwalk was not without previous struggle. Prior to approval of the 19th amendment, she was jailed three times for leading demonstrators in marching crusades for women's voting rights.

Miss Hill's consistent influence was particularly forceful as national chairman of the Women's Party in 1920. Through this office, she initiated the movement for a constitutional guarantee of equal rights for women.

There is not one of us in politics in the State of Connecticut who was not called by Elsie Hill.

If ever the word persistence applied, it applied to this kindly lady.

Last week, Miss Hill passed away. Today the House of Representatives passed legislation bringing into being her life's dream. We may all reflect on this legislation as symbolizing the fulfillment of her personal dedication and political struggle.

I am proud to vote for this constitutional guarantee of equal rights for women. But of even greater importance, this is my way of officially recognizing the concept that one individual can have a profound effect on the policies and laws of our great United States.

SOUTH VIETNAM: HOW BAD ARE ITS PRISONS?

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. SCHMITZ. Mr. Speaker, having just read an interesting article concerning the facts about Con Son prison, by Father Daniel Lyons, writing in Twin Circle magazine, I would like to share it with all who are concerned about the matter. The article follows:

SOUTH VIETNAM: HOW BAD ARE ITS PRISONS?

(By Daniel Lyons, S.J.)

When a Senate investigating committee announced last year, after thorough investigation that American prisons were often overcrowded, that staffs were badly trained and underpaid, and that huge amounts of narcotics were being smuggled and bribed into U.S. prisons, the American press cared so little about our citizens in prison it hardly mentioned the report. But when two out of a committee of 12 Congressmen made a minority report about glimpsing some crowded cells in the Con Son prison in South Vietnam, the U.S. press used it to show how "unworthy" South Vietnam was of our support.

Most of the reporting was by a young law student at Catholic University who only spent a few hours at the prison. Yet the nation's press said the student's report "dealt a severe blow to the credibility of officials of President Thieu's Saigon government—perhaps the most damaging yet as far as Americans are concerned." The media kept quoting the student as saying: "Nothing yet indicates anything will be done. . . We're supporting a very ruthless, distorted and repressive regime."

The student, one Thomas Harkin, was at odds with the Congressional committee's report so he resigned from its staff in exchange for nationwide publicity. He got infinitely more press coverage in the U.S. than did all 12 congressmen put together. The only Congressman who got much coverage was the one who, like Harkin, used the prison story for a general condemnation of South Vietnam. The Congressman, Rep. William Anderson of Tennessee, kept attacking South Vietnam for imprisoning some Vietnamese leaders who publicly advocated a Communist takeover under the guise of peace at any price. Not they, however, but hardcore Communists were the only prisoners in the controversial cells, the South Vietnamese government reported.

The Tennessee Congressman seems to have no sense of history. Our own country has had to act similarly in time of war. A nation that is weak and under attack does what it has to do. The U.S. Supreme Court now occupies the very site of the Old Capitol prison, where hundreds of civilians were kept without trial by President Lincoln because they were suspected of Confederate sympathy. The prison was notorious for its brutal conditions. Nearby, at Point Lookout, Maryland, where the Potomac empties into Chesapeake Bay, 3,300 Confederate prisoners died in the years 1864 and 1865. They died from malaria in the summer and cold in the winter because they had to live out in the open 12 months of the year. The 3,300 were buried there in one mass grave. Thousands of Confederate prisoners died of mistreatment and disease in prisons near Columbus, Ohio, near Chicago, Illinois and elsewhere.

WHAT ABOUT U.S. PAST?

Twelve thousand Unionists died at Andersonville, Ga., in a notorious prison camp commanded by Captain Henry Wirz. True, that was a hundred years ago. But is South Vietnam not poorer and weaker now than we were then? Is her security not more seriously threatened? And what about our prison camps for American citizens and others of Japanese descent during World War II?

If we are to condemn the Thieu government as "ruthless" and "repressive," must we not condemn Lincoln and his regime just as much? Yet we do not call President Lincoln "repressive." The same should be true of President Thieu, whom I have met with many times and whom I know to be very kind and very conscientious. So was President Diem, but you could never convince people who have relied on ultra liberal sources for their information.

It is an old stunt to label a prison cell an animal's cage. Any prison cell can be called that. The animals at the zoo have pretty nice quarters. But what is worse than the solitary confinement found in our U.S. prisons? Last March I visited most of the prisons in South Vietnam, where the North Vietnamese and Vietcong soldiers are being kept. How our soldiers in North Vietnam must envy them? Every prisoner has the run of the camp, with its many acres. The prisoners are well fed, get the finest medical attention, and live healthy lives. They spend a lot of time out-of-doors, and it is a South Sea climate. They can send and receive mail regularly. Their families are permitted by prison officials to visit them frequently. They have ample time for sports. They take showers as often as they want. They are given schooling, they learn a trade, and they receive compensation for their work.

I have never been to Con Son Island, but I would like to quote an American who has lived there since the spring of last year: Chief Petty Officer Ed Little, U.S.N. Little has just returned to San Leandro, California, for a visit with his family. He has this to say: "I have never seen the cages. But generally the prisoners just run at large over the island and are well treated. I have never seen one struck or mistreated.

"The prisoners work at agriculture, fishing and menial jobs. They get two hours for lunch and siesta every day. They get a full week for the Tet holiday and they never work on Sunday."

RED CROSS INVESTIGATES

The International Red Cross investigates the prison regularly, Little said, usually with British (but never U.S.) officials. Any small cells or "cages" would be in the old French buildings, he explained. As the French governed Vietnam until just 16 years ago, and as the country has been at war with the Vietcong and North Vietnamese ever since, it is not surprising that some of the French prison buildings have not yet been replaced. But Little explained that most of the prison buildings are new, and most of the prisoners run free.

We could easily talk about "cages" in the older sections of American prisons. But we should point out, since much of the press will note that on July 20 the Saigon government announced that any such cells will no longer be used.

The real question is: why did this hasty and ill-conceived report become one of the major news stories of the year? People keep coming up with all kinds of difficulties about our being in Vietnam. They keep raising endless doubts. But they have never been able to show how it is going to improve Southeast Asia to let the Communists take over, or how such surrender will promote peace in the world. Many Americans find it frustrating when you tell them that. But it is a fact.

THE EQUAL RIGHTS AMENDMENT

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. WALDIE. Mr. Speaker, I voted against the equal rights amendment to the Constitution though I fully support the avowed objective of ending discrimination based on sex.

My reasons involved a deep conviction that the amendment to the Constitution was not subjected to the intense scrutiny that legislative hearings and lengthy debate would have provided. The consequences of this amendment are far reaching, and, in my view, little understood. The procedures by which the House considered this proposal, precluded any evidence or examination of these consequences. Debate of only 1 hour is clearly insufficient to provide these answers.

I do not believe the chairman of the Judiciary Committee contributed to a solution to this problem by his refusal to hold hearings over these many years. They should have been held and they should have been extensive and exhaustive.

Though I understand and sympathize with the exasperation occasioned to the supporters of this amendment by the refusal of the chairman to hold hearings, I do not believe their "cause" was well served by forcing the issue after only 1 hour of examination.

I believe the amendment may have had the effect—not of granting rights to women they do not now have—as was intended, but, instead, of depriving women of privileges they now have and should retain.

Privileges, for the most part, centered on the basic fact of American culture that women have the prime responsibility of maintaining intact the family unit. I do not find that responsibility degrading in any respect but instead believe it to be the primary responsibility of our society.

Laws such as this amendment that would make performance of that responsibility more onerous are undesirable.

Most perplexing of all, were the arguments in favor of the amendment that women would now be subject to military draft. I would find that totally inconsistent with American society.

I find it abhorrent to require drafting of 18-year-old girls and of mothers for

military service on the same basis as men.

The inequities in employment opportunities that this amendment sought to cure need solution. But the solution proposed should be carefully limited to the problem addressed. This amendment was not so limited and will, in my view, do irreparable harm to women in their legitimate obective of removing artificial obstacles to individual accomplishment.

NO RIGHT TO CIVIL DISOBEDIENCE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BURTON of Utah. Mr. Speaker, it seems we have been deluged recently with riots, marches, and demonstrations of all kinds in attempts to air grievances. Whether rightly or wrongly, many have felt that their country either has not lived up to its traditions and ethical principles or has not changed rapidly enough to deal effectively with new problems. What disturbs me is that many of these people are taking to the streets, burning, pillaging, and rioting, causing millions of dollars worth of damage, senseless injuries to thousands, and even some deaths.

Participants in violence say it is a protest against the "capitalist establishment," "the war in Vietnam," "the Chicago trial," "student repression," "police brutality," and a list of other grievances against America in 1970. Some of these grievances are real, some are fancied, and others are false. But all deserve to be aired. To the degree that they are not aired, are not taken seriously, Americans break faith with their young.

One thing is certain, however, effective change and progress can be achieved only within the context of the rule of law. This is the rule of law that is not arbitrary law but flexible law based upon our Constitution.

If one point is to be emphasized it is that violence in any form, in any measure, under any circumstances, is not a legitimate means of protest or mode of expression. It can no more be tolerated in the university community than in the community at large. If there is to be orderly progress and a redress of legitimate grievances, violence must be averted.

As Erwin N. Griswold, Solicitor General of the United States, has said:

> The right to disagree—and to manifest disagreement—which the Constitution allows to the individual . . . does not authorize them to carry on their campaign of education and persuasion at the expense of somebody else's liberty.

All of us, young or old, liberal and conservative, too long have been silent on the issue of violence. We have been afraid of labels or slogans that would brand us as either arch conservatives or traitors to a liberal cause. Such sloganeering does all of us a grave injustice.

Let us, as a nation, find once again our ability to distinguish between protest and revolt; between dissent and chaos; between demonstration and destruction; between nonviolence and violence.

Let us cease to condemn those who disagree with us, but let us also be prompt and resolute in putting an end to violence in our land.

It is clear that if violence in our society does not end, and if the reaction to it is on the one extreme too lax, or on the other extreme too harsh and indiscriminate, the vast moderate majority may be forced into the arms of the revolutionaries, and those few who seek to destroy the fabric of our society will have succeeded.

To permit factions to resort to force when they feel—however correctly—that a particular law or policy is wrong would be to renounce our own experience and that of our Founding Fathers. As Justice Frankfurter said:

> Violent resistance to law cannot be made a legal reason for its suspension without loosening the fabric of our society.

Prof. Eugene V. Rostow of the Yale Law School, has written an excellent and provocative article on this subject, and I commend it highly to the attention of my colleagues. The article follows:

[From Trial magazine, June–July 1970]

NO RIGHT TO CIVIL DISOBEDIENCE

(By Prof. Eugene V. Rostow)

Our society—as a society of consent—should not, and indeed cannot acknowledge a right of civil disobedience; the moral and philosophical arguments advanced in support of such a right are in error; and the analogies invoked in its behalf are inapplicable.

My major premise is the corollary of Jefferson's magisterial sentence, which echoes Locke, Rousseau, and a long line of philosophers stretching back to Plato at least: The "just Powers" of government derive from "the consent of the governed." It follows that in a society of consent the powers of government are just in Jefferson's sense, that is, they are legitimate, because authorized and renewed by procedures of voting all must respect.

As a consequence, such citizen owes his fellow citizens, and the state they have established together, a moral duty to obey valid laws until they are repealed, or fall into disuse. I stress the word "valid" in the preceding sentence, to distinguish situations—of the utmost importance for our legal system—where the citizen is testing the constitutionality of a statute, an ordinance, or an official act.

This proposition is the beginning, not the end, of the problem. The individual owes other moral duties in his life—to his God, his family, his work, his conscience. Sometimes—often—there is conflict among the moral claims upon a man. But if man lives in a society of consent, and above all in a society of equality and of liberty, his relation to the valid laws of that society should be regarded as moral in character, because it is rooted in his consent and promises to others. Therefore it is entitled to great weight in the hierarchy of moral claims he must face in the course of his life.

If a man decides to commit an act of civil disobedience, for example, because he feels that what the law requires would breach his obligation to God, our culture would acknowledge at most his naked power, but not his right or privilege to do so. But then he should in turn acknowledge that if he does decide to violate the law, he thereby breaches a covenant with moral dimensions, and is not committing a purely technical offense. To be sure, he would contend that he is breaking the law in order to avoid what he would regard as a greater sin.

But the law, too, has a moral content; it represents the moral judgment of the majority, and its sense of justice. Under such circumstances, the individual should at least respect his duty to the law he has helped to make by accepting its penalties.

The modern, secular world has long since rejected the Divine Right of Kings. The proudest claim of the legal tradition we inherited is that the king too is under the law. Locke's theory of the social compact has become the prevailing political theory of modern times, and the only modern rival for the doctrine that power proceeds from the barrel of a gun. As Professor Alexander P. d'Entrèves has said, "the principle of equality, together with the related notion of consent as the foundation of power, is the essential component of the idea of legitimacy in the modern world."

The notion of the social compact is of course a metaphor. The social contract is hardly a formal document to be interpreted like a deed. But the phrase embodies the idea of an understanding, nonetheless; the core of ideas, values and customs, defining the ultimate norms of the society, and binding all who share its culture. That body of shared values is the foundation on which any commodity is built. It involves a commitment on the part of each citizen to play the game according to the moral code of the community as a whole, and to respect the equal rights of all his fellow citizens.

The social contract binds the state as well as the citizen. The two sets of obligations are reciprocal. Neither can exist without the other. But the citizen's obligation continues as long as the state remains faithful to the fundamental rules.

Even the most perfect of democratic societies is capable of error, and indeed capable of law which violates its own code of social morality, or higher ideals urged by individuals in the name of moral advance. But unless such errors breach the essential terms of the social contract itself, and destroy the capacity of democracy to correct its errors, they do not weaken the citizen's moral obligation to obey valid law.

The question is always one of degree. If, for example, a President should dismiss the Supreme Court and the Congress, and attempt to rule by decree, all would concur, I should suppose, that the United States had become a different country, and that the social compact itself was broken.

But an individual is not justified in concluding that the state has abrogated the social contract because he feels, and feels passionately, that injustices are unremedied, or not remedied fast enough. Human society has never achieved utopia, and it is not likely to do so soon.

The test proposed by Jefferson is still sufficient. Governments are instituted among men, he argued, to secure the unalienable rights of man. It follows, he said, that men are justified in altering the form of their government when it becomes destructive of these ends, and in revolution itself when "a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute Despotism."

As Professor Rawls has remarked:

"Even under a just Constitution, unjust laws may be passed and unjust policies enforced. Some form of majority principle is necessary, but the majority may be mistaken, more or less wilfully, in what it legislates. . . . Assuming that the Constitution is just and that we have accepted and plan to continue to accept its benefits, we then

have both an obligation and a natural duty (and in any case the duty) to comply with what the majority enacts even though it may be unjust. In this way we become bound to follow unjust laws, not always, of course, but provided the injustice does not exceed certain limits."

The purely legal tradition is that each person is bound by ties of allegiance to the sovereignty of a nation, to its laws and to its social code, by the fact of residence or citizenship. Allegiance, the law books have said for centuries, is the reciprocal of the protection each person receives through living in an organized community.

The most famous and most influential denial of this concept is that of Thoreau. His "Essay on Civil Disobedience," and his "Speech in Defense of John Brown," assert the theory that a citizen of superior virtue—the rare man of conscience, a member of the "wise minority"—has the right and indeed is under a duty to disobey valid laws, like tax laws.

Professor Rawls, who approaches this subject very much as I do, would, however, justify narrowly limited forms of civil disobedience "in a reasonably just (though of course not perfectly just) democratic regime" when they are entirely peaceful; when the actors fully accept the rightness of their punishment; when acts of disobedience are limited to dissent on fundamental questions of internal policy; and when they consist of "political action which addresses the sense of justice of the majority in order to urge reconsideration of the measures protested and to warn that in the firm opinion of the dissenters the conditions of social cooperation are not being honored."

In Professor Rawls' sense of the term, civil disobedience is "disobedience to law within the limits of fidelity to law"—that is, disobedience as a means of appealing to the majority, or to the courts, in the name of the sense of justice of the community as a whole.

But how are we to determine whether the "firm" and "sincere" minority is right in its view that the measures adopted by the majority violate the sense of justice of the community as a whole?

Presumably, the majority has already decided the contrary; it has not as yet been persuaded by the arguments of the minority. I find no substance in Professor Rawls' distinction between grounds for civil disobedience that society should respect and purely individual views of social justice, or views based on considerations of interest.

I can understand the difference between the opinions of an individual about the morality and justice of a given measure, and the view of it that would be taken under the code of morality of society as a whole, as applied and interpreted by mass public opinion, by elections, by the President, by governors, by legislators, by courts, and ultimately by 12 men in a jury box.

I can also understand that the dissenting individual would claim—with complete sincerity that—he was interpreting the community's sense of justice more correctly than the majority. But if the majority does not come to agree, how can Professor Rawl's distinction justify civil disobedience in the one case—where the minority appeals to the community's sense of justice—but not in the other, where dissent rests explicitly on individual ethical views? Aren't the minority views quite as "individual" in the one case as in the other? I can find no halfway house, or Third Thing, between the two concepts.

I conclude that while Professor Rawls would not allow civil disobedience to go as far as Thoreau, he would, like Thoreau, condone civil disobedience when the individual, and the individual alone, firmly, earnestly and sincerely decides that he is right, and the majority wrong, in interpreting the community's justice.

The American community, permeated by Jefferson's ideals, can never stress enough the need to respect the autonomy of the iconoclast, nor do too much to protect freedom of thought from repression at the will of the majority.

But no society of consent could live according to Thoreau's principle, and no other society would care enough about the rights of a nonconformist to consider it. It would allow each man to decree himself elect—a claim at odds with the rule of equality which is the essence of democracy.

If the premise I have just stated is accepted—and even Thoreau conceded its moral force, although he sought an exception to it for himself—then the arguments for civil disobedience fall into place.

Our tradition recognizes no general "right" of revolution. On the contrary, we rejected that claim on the battlefields of the Civil War. For a society of consent, there can be no claim of a "right" to revolt, unless and until the social compact itself is threatened by destruction.

Nor is the case for civil disobedience supported in any way by the experience of the civil rights movement, and the philosophy of the Rev. Martin Luther King, Jr. By far the larger and more significant part of the struggle for Negro equality was and is an invocation of law, and an appeal to it.

Socrates spoke of the laws of Athens as having given him "a share in every good which . . . [they] had to give." That statement could not come from a black man in America, without sharp qualifications.

Does the burden of the past exempt the Negro from the obligations of the social compact?

He now helps, more and more genuinely, to make the laws.

But no man can say with conviction that we have yet come half, or quarter, of the way.

It is true that error, or the presence of injustice, do not of themselves void the social compact. But when error and injustice become the rule, not the exception; when the democratic process itself is suspended; when minority rights and personal freedom are denied—then, surely, the society ceases to be one of consent; the social contract could be regarded as breached; and the power to wage war against society could be claimed as right.

I do not believe the black American today is in this position, or believes himself to be. It is apparent that society, led by its system of law, is seeking to achieve and guarantee his equality.

Thus, I do not believe the American Negro can or should be regarded as exempted from the obligation to obey constitutionally valid laws, nor that his dark history justifies violence by black citizens today.

Students justify university rioting based on a similar exclusion from the social contract. They say they have a right to disobey the rules of their colleges or universities, or to disrupt their operations, because they do not participate in their management.

There is no doubt that universities suffer the ailments of other institutions—bureaucracy, conservatism, timidity, and occasional failures of responsibility. But these are the normal problems of all organized social life. The shortcomings of a particular university at a particular moment of its history, however irritating, can hardly be put forward to justify illegal programs intended to destroy the university, or to bring about reform, or what claims to be reform, by methods of coercion rather than of democracy.

By the same token, those who disagree with the nation's policy in Viet Nam have every right to employ all the methods of democratic political freedom to persuade their fellow citizens to accept their views. But, I should contend, they have no moral right to disrupt the draft; to interfere with the freedom of those who believe they are preaching national suicide; to break up universities or public meetings; to burn the files of draft boards; or to engage in other acts of violence and illegality.

The same issues arise, with far less color of right, when the ends sought in demonstrations are changes in university policies, or welfare policies, or policies with regard to the administration of educational systems. In the conflicts which have so profoundly disturbed and weakened our universities in recent years, for example, demonstrators have claimed a "right" to engage in tactics of disruption, the occupation of buildings, and even more extreme forms of coercion. They do not claim that the laws governing the organization of universities are "unconstitutional." They undertake such tactics, and undertake to justify them, simply as means to persuade those who can not be persuaded otherwise to change policies about ROTC, university research programs, and the internal organization of universities.

What is the possible source of such a right? Not the laws which establish the authority of university officials. Not the Constitution, which defines the rights of freedom of speech and of the press, and of peaceable assembly to petition for the redress of grievances. Not Divine Right, surely, or some impalpable right of man not articulated in the Constitution.

Society should recognize the moral and legal propriety of such tactics, it is urged, when the violations of law are "minor" ones committed by men who are loyal to our own political and moral traditions, and who are sincerely convinced that in pursuing a particular policy the nation has not kept faith with the principles on which its legal and political system purports to rest.

But the law cannot and should not distinguish between the rights of protest of those who do and those who do not generally accept the rightness of our constitutional system. The history of attempts to condemn or to restrict the civil rights of those deemed "disloyal" or "un-American" is not a happy one, and I cannot believe it is wise or practicable for this purpose to distinguish between appeals to the conscience of the nation made by those who in their hearts are attached to the fundamental principles of the Constitution, and those who would gladly destroy it. The distinction is subjective.

Ample and depressing experience attests to the difficulties of applying such a test. Our legal order has generally, and in my view, rightly addressed itself in large part to actions, and sought to avoid distinctions as to legal rights based on distinctions of attitude.

Good men and bad men, anarchists and conservatives, men of all faiths and of no faith, are equally protected by the Constitution and its Bill of Rights, and equally bound by valid laws enacted through constitutional procedures. All are equally free to appeal to the conscience of the nation, and to its traditional values, whether their appeal is made in good faith or in bad.

Three more general argument's have been put forward to justify illegal action, including some use of "minor" violence:

(1) that violating laws, and some recourse to violence, should be regarded as a permissible way to dramatize a point of view, and gain access to newspapers and television that would otherwise have been difficult to obtain; an illegal and violent act, it is urged, can shock into a state of reflection some men who would not otherwise consider the problem;

(2) that such tactics induce desirable changes in policies or institutions that might

not have come, or come so soon, through democratic persuasion alone; and

(3) that violence is sometimes "forced" on militants by the stubborness and inactivity of those who direct legitimate institutions, and who have not been persuaded by arguments in which militants passionately believe.

These contentions all rest, in effect, on the thesis that the end does indeed justify the means, at least if the means are not "too" damaging. Convinced of the rightness of their own views, men of this outlook claim the right to seek changes in society against the will of the majority through tactics of planned disobedience which sometimes include the use of force.

But there is no ethical case for revolution in a working and effective democracy, however beset it may be with the difficult problems of social transition. In such societies, laws can be changed legitimately only by the deliberate processes of elections and of parliamentary action: by votes after hearings, reports and debates. Recourse to illegal methods of political and social action can have the most corrosive effect on society, especially if they are employed by the well-educated and the well-established, in the name of moral right. Violations of law by the leadership of a community have more impact on society than ordinary crime.

As for the thoughtless argument that tactics of violence and coercion have forced change at a more rapid pace than could have been achieved by persuasion alone, they recall the classic justifications of Fascism: that Mussolini made the trains run on time.

Those who justify acts of disruption and coercion in the name of a utilitarian theory of civil disobedience have no way of knowing, or predicting, that their behavior has a reasonable chance of achieving more good than harm. By acting on their own decision, without the backing of any majority, they necessarily function not as rational utilitarians, but on impulse and instinct. They cannot find a ground for denying the same privilege to others who feel quite as strongly about the rightness of their views. Thus they degrade the quality of public discourse, from which public opinion flows, for they necessarily reduce the level of rationality, and increase the level of passion and violence, in the process of making decisions of social policy.

The arguments used to justify illegality as a political tactic in contemporary controversies parallel those employed in the worst and most prolonged experience of the nation with civil disobedience—the resistance of the South to the enforcement of the Fourteenth Amendment for nearly a century after 1868.

The hardest task for law, always, is to achieve a change in custom. And the most difficult legal task our society has never undertaken is the enforcement of the Fourteenth Amendment. There is always some difference between positive law and the living law of customary behavior. Sometime the written law lags behind custom, as it does when laws become obsolete, like statutes proscribing contraception. Sometimes the law collides with custom, and has to retreat—the case of Prohibition comes to mind. Often the law seeks to affect a change in custom. The Fourteenth Amendment is the most ambitious example of such an attempt in our history. Another is the field of labor relations, where, after years of frustration and of struggle, the law declared the right of workers to organize and bargain collectively.

If the social revolutions of the last 40 years are viewed in perspective, they appear as among the greatest historic achievements of our political system. Responding to the stresses of its experience with depression and war, the nation deeply altered its conception of social justice, through programs carried out by judicial and parliamentary means, and conceived in terms which confirmed and fulfilled its own aspirations. Violence played a minimal part in these events, and often a negative one.

Those who have recently pursued experiments in disorder have discovered how easy it is to paralyze a society based on consent. Such societies are not police states. They are organized on the assumption that citizens normally obey the law. It has been intoxicating for young militants to realize that, for a moment, they can paralyze cities and institutions, and provoke situations of riot and siege. But they discover too that even the most tolerant and permissive societies do not submit to their own destruction. We are slow to anger, but hardly meek. Every government and every society has an inherent right to insist on obedience to its laws, to restore order, and to assure its own survival.

The idea of treating a right of civil disobedience as an aspect of personal liberty under the Constitution is at war with the moral principles on which this civilization, and any liberal civilization rest; and it is equally at war with the possibility of social peace, and of personal liberty.

Individual liberty can be respected and protected only in a society based on a shared understanding as to the broad aspirations of the law. Social concord in this sense requires a general acceptance of the citizen's moral obligation to obey valid law. Respect for the agreed limits of social conflict is essential if men are to live in liberty, and not, in Hobbes' phrase, as wolves.

A prolongation of today's riot tactics would have tragic consequences, if fear comes to dominate the political atmosphere and policy turns to a reliance on repression rather than on social progress as the primary method of order. Repudiating the principle of majority rule, as Jefferson said long ago, can lead only to military despotism. Violence and counter-violence, sooner or later, generate forces that demand social peace, even at the price of personal liberty.

It could happen here. We cannot expect to be immune from the experience of all mankind if we defy the principle of democratic consent, which thus far has been the essence of our destiny, and of our freedom.

The social compact of the United States is an unusual one. The power of the majority is checked and restrained in many ways, not least through the Supreme Court, enforcing a written Constitution. Our notion is that freedom is a corollary of agreed restraints on freedom; that man cannot be free, especially in a democratic society, unless the state, and the majority, are not free—unless they can be compelled to respect rights which are "subject to no vote," in Justice Jackson's vivid phrase—rights essential to the dignity of man in a free society, and to the vitality of its public life.

I do not suggest that all is well with our society, and that the social tensions we feel all about us are an illusion. Not at all. Like every other period of rapid progress in history, hope based on the experience of progress has generated a deep and urgent restlessness—a desire to press forward more rapidly still, for more progress. Explosive and even revolutionary impatience in societies, as many students of the phenomenon of revolution have remarked, usually develops not in situations of hopelessness, of poverty, and of hunger, but at times when social conditions are improving.

The agenda for social action in the United States is formidable. The process of change has generated its own momentum. Many institutions and arrangements have been left behind by the uneven pace of change in different sectors of society.

But nothing in our experience should lead us to suppose that the agenda is beyond the capacity of our social order.

REPRESENTATIVE HALE BOGGS BEFORE THE AMERICAN BAR ASSOCIATION'S 93D ANNUAL MEETING

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. McFALL. Mr. Speaker, the distinguished majority whip in the House of Representatives, HALE BOGGS, delivered an inspiring speech at the American Bar Association's 93d annual meeting in St. Louis, Mo., August 9, 1970.

I would like to share this talk with my colleagues, as follows:

REMARKS BY REPRESENTATIVE HALE BOGGS, OF LOUISIANA, BEFORE THE AMERICAN BAR ASSOCIATION'S 93D ANNUAL MEETING

I am truly delighted to be with you this afternoon and to have this opportunity to take part in your program.

It is as a Congressman and as a generalist, not as a specialist, that I speak this afternoon. I wish to talk about the decade of the 1970's, and, if possible, to illuminate the role to be played by our ancient and honored profession.

I can imagine no better time or place to take a look at the future than this Sunday afternoon here in St. Louis—the Gateway to the West—where the American past meets the American future, occasions such as this permit us the luxury of taking a longer look into the future than is usually permitted by the exigencies of daily life. They permit us to pause and take a considered view of where we have been, where we are, and where we are going.

For a Congressman, these occasions are exceedingly rare. Our lives are filled with immediate and pressing problems. The Federal Government today expends almost $200 billion a year, and the vast array of Federal programs represented by this sum touch every corner of American life.

Each of us in Congress must make daily judgments on questions as varied as the problems of our society, yet, all of this is overshadowed with the realization that even more basic policy decisions must be resolved in the decade ahead. We live in an age of instant communication and rapid change, and it is a time of mounting pressure on the managers of public policy.

At the risk of over-simplifying history, I think it is fair to say that future generations may describe our time as one of scientific and technological revolution. While we do not know whether the computer, nuclear energy, and molecular biology will prove more "revolutionary" than the telephone, electricity, and bacteriology, we do know that the rate of technological change is uneven, and that the pace of change is very rapid now. At once, technological progress offers us the paradox of both problems and solutions.

Most people quite rightly look upon technological change as beneficial, they realize that it has led to better working conditions through the elimination of many hazardous and menial jobs; that it has provided a growing supply of goods and new products; that it has made possible shorter working hours and increased vacations and leisure time; and that it has provided new interests and experiences for our people.

American industry and technology have made ours the largest, most successful economy in the world. Our gross national product is currently estimated at $969 billion, and if we project it to the year two thousand, using a conservative growth rate, the Nation's GNP will be at least $2.2 trillion.

I find this quite eloquent in itself. But the full economic power of this Nation

becomes apparent only when these statistics are placed in the context of current scientific technology.

Several years ago, the International Business Machines Corporation decided to invest in a new, larger series of computers. Two things were unique in I.B.M.'s decision. In the first place, there was the sheer magnitude of the investment: It decided to put up some $5 billion over a period of four years for researching and developing the proposed 360 system of computers. In dollar terms, I.B.M.'s gamble cost more than two and one-half times what the United States spent to develop the first atomic weapons. The other project depended entirely upon components that had not yet been invented. Inventions were scheduled—and what is more fantastic—the schedules were kept, in most cases.

I think that this is the new component in the equation of tomorrow. In the past, most progress depended on some bright person thinking up the solution to a problem. This is no longer entirely true! Bright people have not become dated—to the contrary—they become the most important of resources. Rather, in an important sense, problems and technological gaps can be anticipated and people directed towards their solution. It is possible not only to look down the road, but maybe also around the corner.

I think that these themes will become more pronounced in future years. The technological complexity of our civilization will compound. The implications of this are, of course, profound for every area of human endeavor. They mean that meaningful life can be prolonged, hearts will be transplanted, the origins of life, itself, better understood, computer sciences will make even greater advances. Communications media and electronic applications will undoubtedly increase in sophistication. Further explorations will be made in space, disease and hunger will be diminished. These things and a great many more will be the commonplace point of interest is that the success of the of the future.

These can be the rewards of technological ingenuity. It can be said, also, that as a consequence men will become more dependent upon one another. Most of us can observe this in our professions where specialization is becoming the rule rather than the exception.

Let me give you an example. Two hundred years ago, in order to travel to another part of the country, a man saddled his horse and rode, by himself, often for days and weeks. Today, he buys a ticket, takes a cab to the airport, checks his luggage, and entrusts his life to three or four men who have the skill to fly a huge plane and to the skills of thousands of men who designed it and built it and maintained it. Truly, inter-dependence and interrelated complexity have become characteristic of our age.

One must now ask in the face of this technological revolution, what will become of the individual? Will he become the nameless, faceless cog that W. H. Auden described in his poem, "The Unknown Citizen?"

THE UNKNOWN CITIZEN

(To Js/07/M/378 This Marble Monument Is Erected by the State)

He was found by the Bureau of Statistics to be
One against whom there was no official complaint,
And all the reports on his conduct agree
That, in the modern sense of an old-fashioned word, he was a saint,
For in everything he did he served the Greater Community.
Except for the War till the day he retired
He worked in a factory and never got fired,
But satisfied his employers, Fudge Motors Inc.
Yet he wasn't a scab or odd in his views,
For his Union reports that he paid his dues,
(Our report on his Union shows it was sound)
And our Social Psychology workers found
That he was popular with his mates and liked a drink.
The Press are convinced that he bought a paper every day
And that his reactions to advertisements were normal in every way.
Policies taken out in his name prove that he was fully insured,
And his Health-card shows he was once in a hospital but left it cured.
Both Producers Research and High-Grade Living declare
He was fully sensible to the advantages of the Installment Plan
And had everything necessary to the Modern Man,
A phonograph, a radio, a car and a frigidaire.
Our researchers into Public Opinion are content
That he held the proper opinions for the time of year;
When there was peace, he was for peace; when there was war, he went.
He was married and added five children to the population,
Which our Eugenist says was the right number for a parent of his generation,
And our readers report that he never interfered with their education.
Was he free? Was he happy? The question is absurd:
Had anything been wrong, we should certainly have heard.

There are those who believe that modern man already bears a striking resemblance to W. H. Auden's "Unknown Citizen." As our technology advances, as our society becomes increasingly complex and inter-dependent, the spiritual and material plight of millions of human beings becomes in too many instances almost intolerable.

That our society is wholly interdependent implies that decay in any single part endangers all. Today the most serious social stress occurs in our great urban centers where we have the greatest concentrations of the poor, the unemployed, and the oppressed. In this age of tremendous wealth, we have citizens who do not receive a decent education, or adequate housing, or even a basic diet . . . people who live without hope. This situation is made all the worse because some of our people choose to separate their lives from it and not to acknowledge that it exists at all. They forget the dictum of John Donne (*Dunne*), "never send to know for whom the bell tolls; it tolls for thee."

I believe that coping with these twin problems—the spiritual plight represented by "The Unknown Citizen" and the material plight of our poor—are the two great tasks confronting us in the decade of the 1970's.

It is clear that we must match the technological and overall economic progress we have made with progress of a different kind: We must find ways of making people's lives more meaningful and rewarding and we must most assuredly find ways of removing the gross material inequities presently crushing a significant portion of our citizens.

The tools which will enable us to cope with these problems are our institutions, both public and private. Institutions are designed by men, and it is a fault of human pride that each individual believes he has designed a perfect institution, able to serve for all time. There is another phenomenon which embalms our institutions, and that is their natural tendency toward self-perpetuation.

So the real job of today is to make certain that our institutions are capable of continuous renewal and continuous responsiveness and to keep abreast of the rapid changes of our times and of the near future.

Now, what about the present and the future?

To understand where we are and where we go, we must first know from whence we came. Our country is less than 200 years old. As history goes, it is very young, indeed. The American colonists came to this country mostly from Europe. In the England of the 18th century, the wage of a weaver was 6 shillings—the equivalent of $7.50 in terms of today. For this he worked 12 to 13 hours a day, 6 days a week. This was a wage that afforded only the barest of necessities in depths of slum conditions. There was practically no medical care for the great majority. Of the babies born at that time, 59% died before the age of 5.

The American revolution of less than 200 years ago not only cut the ties with a despotic king, but much more significantly it established the institutions and the climate which freed individual initiative and imagination from the restraints of the old world.

To the Old World, the American Revolution was a very dangerous event indeed, in the sense that it abandoned existing preconceived notions about privilege and class and established in their place the fundamental political and economic rights of all men, spelled out in our Declaration of Independence, our Constitution, and our Bill of Rights. It remains today the most revolutionary idea on the face of the earth. It is a permanent revolution.

To gain perspective on how far we have come, look back only a few years to the time, well advanced in this century, when a political campaign was based on a "full dinner pail for the worker"—back to 1900, only 70 years ago, when the average life expectancy was less than 50. It is more than 70 today. The computer which promises great new benefits is but an extension of the inventive spirit which produced Eli Whitney's cotton gin and Henry Ford's assembly line, both of which were revolutionary in their times.

Having said all of this, America is not, we must admit, a happy nation today. Runaway middle-class youths head for California or Greenwich Village where they live in groups in small and grimy apartments and worry and ache and smoke pot or blow thousands up. Their parents sit at home in Akron and Stamford and Atlanta and Buffalo and wonder what they did wrong, what went wrong, how it all happened.

More and more American husbands disappear every year. They seem to vanish. Those found and interviewed say they weren't satisfied, that there wasn't enough to life as they were living it, that they wanted to feel life and savor it, and they had to get away.

In Vietnam, our young, strong men and boys are a long way from home. Most of all, they are doing their duty. Many of them do not understand the war over there. They're just doing their duty. They wish the people at home would back them up, though. Most of all, the nation wants that war ended under honorable conditions.

In the cities and small towns of the nation, smouldering racial problems still haunt us. It seems that no matter what kind of person you are inside, to some white men, every black man is to be hated; and to some black men every white man is to be hated.

There is a sense of dissatisfaction, of alienation, that hangs heavy like smog over the United States of America.

How could it happen to us, we ask? . . .

To America, this special place, this young, democratic giant of a land, this newly rich, newly powerful leader of the western world?

How could it happen now, when we have endured the great depression and two world wars, when we are the richest of nations, when we are ahead in space, and education, and technology and yet share our wealth with poorer countries? How could this happen to us?

For one thing, without denying that we have serious problems, I believe the intensity and extent of our mass communications

system tends to exaggerate our problems. For another, we seem to be so terribly critical of ourselves without giving ourselves the credit that is due us.

Much of the struggle for survival has been eliminated by our material and technological accomplishments. It is because of this that we are free to turn to problems we could not solve before. We have concerned ourselves with problems that we felt had no answers before, when we were struggling for survival.

We have been told that between the birth of Christ and the year 1700, mankind doubled. Between 1700 and 1900, it doubled again. According to the latest statistics of the United Nations food and agriculture organization, the world population, presently estimated to be slightly above three billion people, will be over six billion by the end of the century. Assuming that the rate of growth does not accelerate, by the year 2033 the earth will have to feed 12 to 13 billion people, four times as many as today.

It has been estimated that today about 15 percent of our population live in poverty and hunger. About 55 percent of these poor citizens live in city slums; the rest are located in hard-hit rural areas. A large proportion are black and members of other minority groups. Approximately one-third are people over 65, and nearly a quarter of the poor are under 18 years of age.

As you know, the United States has become progressively more urban since our rural origin in colonial times.

In 1800, about 10 percent of the population of the United States lived in cities; today that figure is over 70 percent. It has been estimated that by the year 2000, no less than 260 million U.S. citizens, or four out of five, will live in cities and their surrounding suburbs.

Overpopulation and poverty run rampant even now in cities. Increased urbanization will increase these problems and bring about more—in housing and mass transportation. Increased industry is already causing air and water pollution. Urban redevelopment programs have been set up to try to combat existing problems and prevent them in the future, but there is so very much more to be done and so many problems seem to be unanswerable.

(Churchill story.)

Technology has allowed us to discover the means to blow ourselves up. The "shadow of the bomb" represents power of a frightening kind. This problem, too, enters our consciousness and troubles our minds.

During the depression, under the guidance of Franklin Delano Roosevelt, we found that government can be used to help solve some of the harsh economic and social problems facing our people. After World War II, we found ourselves in a new position of world leadership and unprecedented affluence. We also faced the problems I have enumerated and many others that I have not even attempted to describe.

We must not allow ourselves to submit to the enormity of these difficulties. In the face of tremendous change, we must initiate great change. we must not allow ourselves to slide into apathy, to hide our confusion and fears with simplistic solutions, or to escape into non-involvement or violence. America has had problems before. She has solved them before. This has been the genius of over a century.

Recent Congresses, usually with bi-partisan majorities, have legislated for the old; the sick; for the school children; for the college students; for the medically indigent; for the drug addict; for hospital construction; for community health centers; for the mentally ill and the mentally retarded. We have passed bills designed to clean the air we breathe and the water we drink; to maintain the natural beauty of our country. We have established great national forests, magnificent national parks; we have built the world's greatest inland waterway network, and we are building the world's greatest highway system, plus an incomparable air transport system.

We have instituted wars on poverty, provided Job Corps training, Head Start programs; we have created a public broadcasting corporation to provide educational programs on television. We have passed broad scale civil rights acts, including the Voting Rights Act, which has added at least a million of our black citizens to our registration rolls.

But legislation is only the framework. These programs must be carried out, if at all, in the towns and villages, cities and the States in this great Republic of ours.

The people who must make them meaningful and administer them must be lawyers and doctors, teachers, social workers, editors and publishers, United Fund directors—all of those who concern themselves with the public welfare.

I have always been proud to be a lawyer. Because a lawyer in his place embraces the whole complex of our Anglo-Saxon, Judo-Christian civilization. A good lawyer is a good man, and is also a good citizen. So my real message to you is that as complex as the challenges are, as difficult as the time may seem, the answers are in your hands.

It was Father Keller who said, "It is better to light one candle than to curse the darkness."

And, I remind you of the ancient Chinese proverb, "A journey of a thousand miles starts with one step."

Thank you.

THE TYRANNY OF THE CLOSED RULE

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. HANNA. Mr. Speaker, I rise to voice strong protest to the continuance of the practice of the closed rule privilege accorded legislation of any and all kinds emanating from the Committee on Ways and Means. I bow to no member in regards to the affection and regard I hold for Chairman MILLS and I will even plead guilty to a minimum of high respect for the great committee he so ably directs.

But, Mr. Speaker, I regard higher and respect more the prerogatives and the responsibilities of the House of Representatives as a body. One of the great powers and one of the historically guarded prerogatives of this House lies in the policies of tariffs. It is entirely inappropriate that the responsibilities of the entire membership be abrogated or delegated to one committee.

The minimum which I would urge and for which I seek the substantial support of every Member is to give us an opportunity to vote separately on each title of the bill for which a rule will be sought. Here is a place for the beginning of needed reform. Revest the House with at least a pittance of its original power of the important subject matter contained in the proposed quota bill.

POLISH SOLDIERS DAY ADDRESS BY HON. JAMES A. BYRNE OF PENNSYLVANIA

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. ZABLOCKI. Mr. Speaker, on August 9 our esteemed colleague from Pennsylvania, the Honorable JAMES A. BYRNE delivered the principal address at the Polish Soldiers Day annual program in Veterans Park, Eddington, Pa.

In his remarks, he reviews Polish military history and recounts the many instances of courage and martial skill which have been part of Polish military tradition. At the same time, he notes the cruel facts of geography which have left Poland all too vulnerable to rapacious neighbors on the east and west.

Today we find Poland under domination from the east—from the Soviet Union. But, as Congressman BYRNE so eloquently put it in his speech, we all work and pray for the day when Poland will be free again.

Because of the wide interest among Americans in the cause of Polish freedom, I am happy to place in the RECORD at this point the address by Congressman BYRNE and the program for Polish Soldiers Day commemorating the 50th anniversary of the Battle of Warsaw:

REMARKS OF CONGRESSMAN JAMES A. BYRNE AT THE ANNUAL POLISH SOLDIERS DAY, AUG. 9, 1970, VETERANS PARK, EDDINGTON, PA.

Right Reverend Monsignor Naja, President Wiszynski, Commander Laniecki, members of the Polish Army Association, Ladies and gentlemen.

First, may I thank you for the privilege of joining with many of my friends and neighbors here today on this very auspicious occasion when we honor the brave sons and daughters of Poland who fought for their nation.

Although we are happy to be joining together here in fellowship and mutuality of purpose, this is not truly a happy occasion. How can it be happy when, despite the bravery and sacrifices of 50 generations of Poles, Poland still remains unfree.

How can it be, we might ask ourselves, in a supposedly civilized and enlightened world, that after a thousand years of war and strife, after untold casualties numbering in the many millions, the freedom-loving Polish people cannot call their nation their own and cannot live in peace, independence and freedom?

It is a question which I cannot answer. But this I do know: the Polish people will never be satisfied, will never rest, will never relax their labor, for anything less than complete independence and freedom; that they will keep fighting and hoping for that day when the guarantees promised in our own Declaration of Independence are the right and privilege of each and every Pole!

It is ironic to me that Poland which in character and interest has always been oriented to the West; whose fighting men since the year 1241 have saved the West from the invasion of the Eastern hordes, now stands abandoned by the West to the giant dictatorship of the East.

The record of the Polish fighting man is well documented in history. He has often been victorious; and he has suffered defeat too. But history records that when he was

not victorious, this was due to insurmountable numbers of opponents or forces beyond his control.

But, history tells us too, the Polish soldier never lacked for courage, for zeal, for bravery, and the willingness to sacrifice.

Do I say this because this is an election year and I might be trying to butter up my constituents? No, ladies and gentlemen, I say this because this is the historical truth, given to us in the impartial histories of the world.

A military history of the Polish fighting man would take volumes, and I have only a few minutes to speak with you. But let me touch upon just a few facts of the Polish military history.

We spoke of the year 1241. This was the year that Polish troops, led by Prince Henry of Silesia, fought and held the Mongols threatening to engulf Europe after conquering almost all of Asia.

In the early 16th Century, the Polish fighting man was the bulwark between Western Europe and the Turks and Tatars.

The great Polish King Stephen Bathory was a major innovator in warfare. For the first time, he used infantry instead of cavalry in Poland; and he mustered the peasants and the towns people to join the gentry in the battle. Together they defeated the Russian armies of Ivan the Terrible.

In 1651, King John Casimir defeated the Cossack armies, only to be overrun by the Swedes and Muscovites, eager to strip the war-wearied nation.

When all appeared to be lost, the valiant and successful defense of the monastery of Czestochowa (SHEST-A-KOVAH) marked the end of the Swedish conquest and the beginning of victory.

In 1683, King John Sobieski rescued Vienna from the Turkish siege.

The Russians invaded Poland in 1791, fearful of the New Polish Constitution, which promised liberty and equality. With a tiny army of only 46,000 men, Prince Joseph Anthony Poniatowski and the immortal Tadeusz Kosciusko, held the Russians off for three full months, won three major battles, and then marched to Warsaw in perfect order.

After the third partition of Poland by Russia, Austria and Prussia, in 1794, Kosciusko called the peasants to arms. At first, he defeated the invaders of Poland in battle after battle, recovering three-quarters of Poland's ancient lands.

But finally, overwhelming numbers took their toll. The Polish fighting men died in their ramparts and on the field. And Poland was once more wiped from the map by the powers.

Survivors fled to Italy where they formed the Polish Legion, which, for 10 years fought from Egypt to the West Indies for France.

The dark and perilous days of September, 1939, saw the German armies over-running the Polish homeland. It was not a question of courage; courage was always on the side of the Poles. It was a question of how long flesh and blood could stand against the Panzers and the Stukas.

But the defeat of Poland as a nation by Hitler did not mean the defeat of the Polish people. For six long years, they fought and died in the homeland in the underground.

Those Polish fightingmen who could, continued to battle the Nazis. As fliers, as sailors and soldiers, they fought in France, Britain, Norway, Palestine and then, as the tide turned, they were an integral part of the Allied armies which fought in and won back North Africa, Italy, France and Germany.

Many of these very men no longer live in Poland; many of you are here today.

But regardless of where you might be, it is clear that the Polish soldier never loses his love of freedom.

All of us work and pray for that day when Poland may once again be free.

But, until that hopeful day, may I, as a representative of the American Government, salute you Polish veterans who have fought and bled in the traditions of Pulaski, Kosciusko, Pilsudski and Anders.

Thank you for the privilege of being with you.

POLISH SOLDIER'S DAY AND 50TH ANNIVERSARY CELEBRATION

HONORARY COMMITTEE: POLISH SOLDIER'S DAY CELEBRATION—1970

Rt. Rev. Msgr. Francis S. Palecki, Pastor, St. Adalbert's Church, Archdiocese's Consultor and Chaplain of Polish Army Vets Post 12.

Rt. Rev. Msgr. John Naja, Pastor, St. Ladislaus Church and Chaplain of Polish Army Vets District 10, and Post. 178.

Hon. Theodore S. Gutowicz, Judge, Common Pleas Court of Philadelphia.

Hon. Matthew Zagorski, Judge, Municipal Court of Philadelphia.

Hon. Joseph L. Zazyczny, Councilman, City of Philadelphia.

Hon. Tom Gola, Controller, City of Philadelphia.

Edmund Pawelec, Esq., President Polish American Citizens League of Pennsylvania, Legal Counsel of Polish Army Vets Post 12 and Honorary Member Post. 12.

Colonel Michael J. Bednarek, USAR, Ret., Honorary Member Polish Army Vets Post. 12.

Dr. Walter Golaski, President Golaski Laboratories, Inc., Honorary Member Polish Army Vets Post 12.

Dr. Matthew F. Gutowicz, Chairman Board of Review Philadelphia. Department of License and Inspection. Honorary Member Polish Army Vets Post 12.

Hon. Theo. R. Zajac, Bensalem Township Supervisor.

Julian Zbytniewski, Past National Senior Vice Commander, Polish Army Vets Ass'n of America, Secretary General of Polish Beneficial Association.

Aleksander Machowski, Director, Polish Army Vets Ass'n of America.

Wladyslaw Szczygiel, Honorary Commander, District 10 Polish Army Vets Ass'n of America and Honorary Director Polish Army Vets Post 12.

Francis Prawdzik, Commander, District 10, Polish Army Vets of America.

Mr. Henry J. Wyszynski, National Director and President Eastern Pennsylvania District Polish American Congress.

Mr. Hilary S. Czaplicki, National Director Polish National Alliance.

Stanley Jakubowski, Esq., President, Polish Beneficial Association.

Mrs. Helena Janoska, President, Union of Polish Women in America.

Mr. August Gorski, Commissioner, District 6, Polish National Alliance.

Mrs. Bronislawa Zarzecka, National Director, Ladies Auxiliary Polish Army Vets of America.

Mrs. Genowefa Gruszczynska, President, District 10, Ladies Auxiliary Polish Army Vets of America.

Mrs. Genia Gunther, Director, Polish Radio Programs WTEL, WXUR, WAAT.

Mr. Stephan Sokolowski, Editor, Polish Newspaper "Gwiazda" and Representative, Polish Newspaper "Nowy Swiat."

Mr. Theodore Przybyla, Director, Polish Radio Programs, Past Commander District 10, Polish Army Vets of America.

PROGRAM: HOLY MASS AT POLISH ARMY VETERANS PARK (POLANKA), EDDINGTON, PA., AT 12:00 NOON

At 1:00 P.M., Presentation and Review of Color Guards.

Introduction—Roman Laniecki, Director, Polish Army Veterans Ass'n of America and Commander Polish Army Vets Post 12.

Toastmaster—Alexander Machowski, Director, Polish Army Veterans Ass'n of America.

Invocation—Rt. Rev. Msgr. Francis S. Palecki, Pastor St. Adalbert's Church, Archdiocese's Consultor and Chaplain of Polish Army Vets Post 12.

American and Polish National Anthems—Polish American Musicians' Association Band.

Address—Mr. Henry J. Wyszynski, National Director and President Eastern Pennsylvania District Polish American Congress.

Musical Selection—Pawel Prokopieni, Polish Opera Singer and Singer Polish Forces During World War I.

Principal Address—Hon. James A. Byrne, U.S. Congress.

Decoration Award—Roman Laniecki, Director, Polish Army Veterans Ass'n of America and Commander Polish Army Vets Post 12.

Resolution—Edmund Pawelec, Esq., President, Polish American Citizens League of Pennsylvania, Legal Counsel of Polish Army Vets Post 12 and Honorary Member Post 12.

Introduction of Guests—Alexander Machowski, Director, Polish Army Veterans Ass'n of America.

Taps in Honor of Deceased Polish Soldiers—Polish American Musicians' Association Band.

Benediction—Rt. Rev. Msgr. John Naja, Pastor, St. Ladislaus Church, Chaplain Polish Army Vets District 10 and Polish Army Vets Post 178.

Finale—Boze Cos Polske.

DRUG ABUSE AND REHABILITATION

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. MIKVA. Mr. Speaker, as the problem of drug abuse and narcotics addiction in the United States reaches epidemic proportions, our policies for the treatment and rehabilitation of the individual addict stand ever more clearly condemned as a national disgrace.

We are floundering—largely without the needed legislation, medical and sociological research, or proper administrative and judicial techniques—in the midst of a growing drug crisis.

This is not a crisis that strikes at the few. It is not confined to the black ghetto or the far-out hippie fringe; it now is a direct threat to the average American college and high school student, and shows every sign of infecting our grade schools as well. It is as much a crisis for the affluent suburbanite as for the poor resident of the inner city. The drug crisis constitutes perhaps the most lucrative source of underworld profit, as well as the most fertile breeding ground for crime in our society, ranging from petty thievery to murder. The vast scope of the drug conspiracy even promises to undermine our relations with a number of nations which have traditionally been our close friends and allies. Finally, narcotics are the most tragic source of widespread human destruction, waste, and sorrow.

Yet even now we are reacting to this crisis, in my opinion, without an elemental appreciation for the basic danger to every American. We do not even have many of the facts we need to make intel-

ligent judgments—our Government officials are unable to provide us a realistic estimate of the total number of narcotics addicts in the District of Columbia, let alone the entire Nation.

I do not suggest that this is a problem that is capable of quick and easy solution. But we must get to work, and fast, on the various aspects of the problem on which we can expect to accomplish some immediate good. One of those areas, I think, is a thorough rethinking and restructuring of our national policies for the treatment of the individual addict, the final mutilated product of the vast conspiratorial narcotics machine.

Mr. Speaker, I am reintroducing today, with minor editorial changes, the same bill introduced last April 27 by my respected colleague from New Jersey (Mr. RODINO) under the title Narcotic Addict Rehabilitation Act of 1970. If enacted and properly funded, I feel sure that this bill would go far toward creating a fresh response to the challenge of how we help the individual free himself from addiction and reintegrate himself into society.

I will not go into great detail at this time on the provisions of the bill, which is principally a series of amendments to title III of Public Law 89–793. But I do wish to call attention to the main thrust of the approach. This bill would establish a Federal program of civil commitment for out-patient treatment of narcotic addicts. It would make possible a new and far more extensive system of centers for coordinated medical treatment and rehabilitation training for drug addicts, under the direction and supervision of the Surgeon General of the United States. These centers would treat addicts on an out-patient basis, on the theory that commitment for treatment need not, and in most cases should not, mean confinement. Although participation for an addict civilly committed would be mandatory, the program is medical and rehabilitative not punitive.

We already have far too many narcotics addicts under lock and key at public expense in State and Federal institutions, where in most cases the only training they get is that provided by their fellow inmates in advanced techniques of crime and forced homosexuality, and the only medical assistance is the isolation of a cell in which to try to kick their habit "cold turkey."

Mr. Speaker, there are more humane and more effective alternatives. No one has yet developed the perfect answer to the drug problem, but there are promising programs underway. They deserve to be observed, studied, and encouraged in every way possible. Just this week I found an opportunity to spend an immensely stimulating 2 hours at the Blackman's Development Center on Georgia Avenue here in the District of Columbia, where I inspected the facilities for treatment and training, reviewed the official records, sat in on a class in progress, and enjoyed frank, no-holds-barred discussions with the leader of the center, Col. Hassan Jeru-Ahmed, and his very able staff.

I was deeply impressed, Mr. Speaker, and I strongly urge any of my colleagues who have an interest in solving the problem of narcotics addiction—and in particular those who wish to learn more of the feasibility of using the synthetic drug methadone in maintenance or withdrawal programs to combat heroin addiction—to get in touch with Colonel Hassan and arrange a visit to the Blackman's Development Center. I assure you that you will be given a hospitable reception and tour, and all your questions will be answered—and very well answered, in my view.

I was especially encouraged at the positive policy of the Blackman's Development Center in keeping its doors constantly open to any person in need of help—white or black, rich or poor—asking nothing from the individual except sincere willingness to try to break the yoke of addiction. They also, in my opinion, are 100 percent correct in insisting that medical treatment for addicts must go hand in hand with a program of rehabilitation and useful reintegration into society. I was, therefore, very encouraged to learn recently that the Blackman's Development Center had been selected to receive a supporting grant from the District of Columbia, and was a candidate for even more substantial assistance through the auspices of the LEAA.

In the bill I am enclosing today, I am pleased to report, there is specific provision for the Surgeon General to conclude contracts with private organizations such as the Blackman's Development Center that have proved that they can do an effective job in an area where many before them—with far greater resources, time, and public support—have failed.

ALLIANCE OF POLES IN AMERICA: STRENGTH THROUGH PROGRESS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. MINSHALL. Mr. Speaker, the Alliance of Poles of America, which has its roots deep in Cleveland, where it was founded in 1895, will celebrate its 75th anniversary with a three-day observance, September 7, 8, and 9.

I am proud of the many good friends I have who are members of this great and growing organization and would like to share with my colleagues in the Congress the following release which details the plans for their anniversary convention as well as the splendid work the Alliance performs not only for its membership but as a part of the community:

STRENGTH THROUGH PROGRESS

ALLIANCE OF POLES CELEBRATE 75 YEARS OF DYNAMIC GROWTH

Bernard A. Michalski, president of the Alliance of Poles of America, announced that plans are moving ahead to celebrate the 75th Anniversary of the founding of the Alliance of Poles of America. A successful membership drive was held during this Anniversary year.

The Alliance of Poles was founded in 1895 in Cleveland, Ohio. During its 75 years of existence, a steady growth occurred. Strength through progress has been the continuous philosophy of the organization. Within 75 years, this organization grew from a handful of men and resources to the largest Polish fraternal group in Ohio with assets in the millions. Michigan and Pennsylvania also have large memberships.

The Alliance of Poles serves its membership in many ways. Life insurance of a selective nature is offered to its membership along with low interest home loans. A credit union provides other services. Scholarships are also granted.

75TH ANNIVERSARY CONVENTION

Ben. A. Michalski, president of the Alliance of Poles, announced that the 75th Anniversary Convention will be held on September 7, 8, and 9, 1970 at the headquarters facilities located at 6966 Broadway Avenue, Cleveland, Ohio. Hundreds of delegates and guests will attend.

During the three day Anniversary Convention, officers directors, and convention committee reports will be discussed. The election of officers will also be held. The next four years will be governed by the actions of the delegates.

A Diamond Jubilee Solemn High Mass will be held at St. Stanislaus Parish in Cleveland, Ohio on the first morning of the convention. A parade to and from the 10:00 A.M. Mass will be held. Rev. Joseph Rutkowski, Alliance Chaplain and Pastor of St. Hyacinth Parish, is making the necessary arrangements.

Ben Michalski, president, will open the Anniversary Convention on Monday, September 7, 1970 at 8:00 P.M.

PRECONVENTION COMMITTEES

Chester Halinski, President of Group 120, is serving as General Chairman of the Pre-Convention Committees. Ray Kacprzak, President of Group 63, is serving as co-chairman. Eleanor Kalasinski, Secretary of Group 7, is serving as secretary while Michael Jankowski, Secretary of Group 2, is serving as treasurer.

Casimir Marciniak, President of Circle 9 and also President of Group 41, is serving as the Chairman of the Constitution Committee with K. J. Zielecki, Editor of the Alliancer and also President of Group 9, serving as secretary.

Charles C. Jarvis, Director of the Central Body, is serving as Chairman of the Public Relations Committee. He also serves as the Public Affairs Officer of the Alliance of Poles on a year-round basis.

Mr. Bruno Wyszynski is Chairman of the Management Committee and Betty Prussak is the Chairman of the Reservation Committee. Stella Majsterek heads the Advertising Committee while Andrew Baracz and John Wetula lead the Decoration Committee.

JUBILEE BANQUET AND BALL

A Diamond Jubilee Banquet and Ball will precede the three day Anniversary Convention. It will be held at the Alliance Ballroom in Cleveland, Ohio on Sunday, September 6, 1970 starting promptly at 6:00 P.M. Many prominent national, state, and local personalities will be present.

William Tanski, Treasurer of the Alliance of Poles, will be serving as Banquet Chairman with Director Walter Drabik as co-chairman. Mrs. Genevieve Sandej, vice president, will serve as secretary with Andrew Baracz, also vice president, serving as treasurer.

The proud 75 years of achievement will be related. The Alliance of Poles has demonstrated vigorous leadership to promote its internal growth and the rich cultural history of Poland. Recognition resolutions will be presented by governmental officials.

CENTRAL BODY LEADERSHIP

The Alliance of Poles is governed by the following officers and directors: Rev. Joseph C. Rutkowski, Chaplain; Bernard A. Michalski, president; Andrew Baracz, vice president; Mrs. Genevieve Sandej, vice president; John Tylicki, secretary; William Tanski, treasurer.

The following are serving as directors: Walter Drabik, Barney Zdanowicz, George Jankowski, Charles C. Jarvis, John Wetula, Walter Dobrowelski, Wanda Faldowska, John Kania, Anthony Robakowski, and Michael Pleban.

Dr. John F. Haas is the chief medical examiner while Walter Matia serves as the legal counselor. K. J. Zielecki is the editor of the Alliancer.

This group meets on a regular basis to conduct the affairs of this multi-million dollar organization.

MEMBERSHIP DRIVE

The Alliance of Poles conducted a membership drive in conjunction with its 75th Anniversary Celebration. Andrew Baracz, vice president, served as membership chairman. He proudly reported that the drive was most successful. New membership doubled over the last drive. This successful drive also exceeded previous membership roundups.

Membership drives have become a continuous effort. Continued strength through new members has been a big factor in the steady growth of the Alliance of Poles.

CENTRAL OFFICES

The Alliance of Poles has its headquarters in Cleveland. The Central Offices are located at 6966 Broadway Avenue, Cleveland, Ohio. The offices are open daily from 9:00 A.M. to 5:00 P.M. For the further convenience of the members, the Central Offices are also open evenings from 6:00 P.M. to 8:00 P.M. on Mondays and Fridays.

CENTRAL FACILITIES

Since the last convention, the Alliance of Poles has renovated its home office building located at 6966 Broadway Avenue, Cleveland, Ohio. Thousands of dollars were reinvested to modernize the present facilities. Preventive maintenance is cheaper in the long run.

The 75th Anniversary Convention will be held in renovated building.

TYPES OF INSURANCE

The Alliance of Poles is a multi-million dollar fraternal group. Selling low cost fraternal insurance is the chief function. The following policies are sold: 16 year Juvenile Endowment, Twenty year Endowment, Twenty Year Pay Life, Paid Up at Age 65, and Paid Up at Age 85. Premiums can be paid monthly, quarterly, semi-annually, or annually. These fraternal insurance policies are sold at premium prices. Reserves are high which makes the Alliance of Poles extremely solvent. Dividends are declared yearly.

CREDIT UNION

The Alliance of Poles as another service to its members, maintains a Federal Credit Union. The offices are located in Room 200 of the Alliance Building located at 6968 Broadway Avenue, Cleveland, Ohio. Credit is extended to members at low interest rates. The offices are open evenings on Monday and Friday for the further convenience of members.

SEMI-MONTHLY NEWSPAPER ZWIAZKOWIEC (ALLIANCER)

The Alliance of Poles publishes a semi-monthly newspaper in Polish and English which is mailed regularly to its members. Communication within the "Alliance Family" is continuous and plays a key role in keeping the members informed.

As time passes, more local state, national, and international news is being inserted in this house publication. The Alliance of Poles has become more influential in community affairs as a result of this newspaper, Mr. K. J. Zielecki is the editor.

COMMUNITY INVOLVEMENT

The Alliance of Poles is meeting the challenges of today by becoming involved in community activities. Fraternal groups are expanding their activities in this direction. The Alliance of Poles is relevant in this respect. Programs for adults and today's youth are part of the organizational life of the Alliance.

Bernard A. Michalski, president, is also a national director of the Polish American Congress. Many other officers, directors, and members are active in community affairs.

FUTURE PROGRESS

Strength through progress will continue to be the philosophy of the Alliance of Poles. This philosophy proved to be effective during the past 75 years and will continue. Cooperation with local and national fraternal groups for the greater betterment of Polonia will continue.

ADDRESS BY THE CHIEF JUSTICE OF THE UNITED STATES NOTED

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. TAYLOR. Mr. Speaker, I rise today to note with pleasure and gratification yesterday's address to the convention of the American Bar Association by the Chief Justice of the United States. To those of us who have followed the increasing inability of our courts to keep abreast of the workload, the Chief Justice said little new. But I fear that the public at large, many lawyers, and, yes, too many of us in both Houses of Congress have remained unaware and unconcerned while a critical situation has developed.

Only increased public arousal and increased congressional commitment can offer hope for ameliorating and reducing the problems of the Federal judiciary. It is my sincerest hope and expectation that the Chief Justice's message will stimulate both.

In that respect, I can only marvel that the Chief Justice's remarks posed so sharply the dilemma and the solution. That is, while we vote more money, create more judgeships, give the courts more personnel, we at the same time place on the courts more and more burdens and duties. Combined with the usual incidents of population growth and the frightening increase in crime, these impositions only nullify the positive steps we take.

We all want, of course, to protect consumers, to stem pollution, to protect the rights of the indigents in civil or criminal actions. We all want to do so many things that are the right thing to do. Yet, with unlimited needs and unlimited measures to meet the needs, we have quite limited resources. The result, as the Chief Justice so well said, is that we are doing everything and less well.

Let us, as he urged, evaluate the new proposals coming before us in terms of the burdens they will place on the courts. And let us see if we cannot find other ways or postpone these proposals if the burden is too much.

It seems to me that the courts must reduce the backlog, must dispense justice more quickly. The crime rate can be slowed and reversed only by doing that. We live in a society imperiled by the paralyzing fear of crime. The certainty of quick punishment is still the best deterrent to crime. We must speed up court procedure in order that cases can be tried quickly after arrest and appeals can be disposed of in a matter of weeks or months, not years. If it takes a thousand additional judges, let us secure them. The cost is just a drop in the bucket compared to the cost of crime.

So it is that I cannot commend the Chief Justice too highly. Once more we have at the pinnacle of the court system of the United States a practical, experienced jurist dedicated to making the system work well. We should, we must respond to his initiative.

STRENGTHENING OUR FEDERAL SYSTEM

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. FOUNTAIN. Mr. Speaker, it was my privilege more than a decade ago to introduce legislation creating the Advisory Commission on Intergovernmental Relations, and it is my pleasure to represent the House, together with the gentlewoman from New Jersey (Mrs. DWYER) and the gentleman from Oregon (Mr. ULLMAN) on the Advisory Commission.

The basic purpose of the Commission is to identify and examine the points of tension and conflict within our Federal system, and to recommend ways of improving the operation of Government at all levels—Federal, State, and local.

From its inception, the Commission has insisted—and I know this view is shared by many of my colleagues—that a viable Federal system requires a strong partnership of strong partners.

Accordingly, I was pleased, indeed, recently to read an extremely thought-provoking and informative address on intergovernmental relations by the Honorable Charles L. Delaney, a member of the senate of the State of Vermont, and chairman of the Governing Board of the Council of State Governments. The address was presented on June 24, 1970, to the annual meeting of the Southern Regional Conference of the Council of State Governments at Williamsburg, Va.

In his remarks, Senator Delaney quoted with approval one observer of our national scene who has stated:

> Our Nation is too vast, too varied and too complex to be run entirely from Washington. . . . Washington simply lacks the power, personnel and perspective to treat all the Nation's ills.

The Senator called on his fellow State policymakers to "heighten our sense of dealing with Washington as partners, not merely as clients." Senator Delaney's address, I believe, is yet another indication of the growing awareness on the part of responsible State officials of the key role that the States can and must play in our American Federal system.

I commend Senator Delaney's address, which follows, to the Members of this House:

ADDRESS BY CHARLES L. DELANEY

Ladies and gentlemen: It is a pleasure to be here with you today—in beautiful colonial Williamsburg—to discuss with you a topic in which I am deeply interested—the council of state governments, its enormous contributions to the states and the nation, and its future role in bringing new vitality to our federal system of government.

As chairman of the council's governing board for this year and next, it already has been my pleasure to visit in every region, primarily with each of the regional executive committees. This is my first opportunity to address a regional annual meeting, and you can be sure that I am delighted to be here—to extend greetings from the council's governing board, and also to convey warm feelings and best wishes from the people of my own home base, the green mountain state of Vermont.

Your own presence here testifies to the mutuality of our interest in the council of state governments and its objectives. But our interest must become concern. We must probe the issues that confront our society and the role that states and the council of state governments should play in meeting tne numerous critical issues and problems.

In this first year of a new decade—1970—it is appropriate to reflect upon past accomplishments and future hopes. And let it be remembered that the future will be determined largely by what we all do together.

We are stirred by the challenges and opportunities of the seventies. But if we do not now assume strong leadership for the destinies of the States and their citizens, then our own destinies are forfeit.

These are not mere platitudes. I am describing—briefly, without embellishment—a fact of political life which began with the founding of our Nation, a situation which has always been with us, but one which came into full bloom in the 1960's, and is accelerating. We talk about "new federalism" now, but this is a natural development from the "creative federalism" we discussed a few years ago. The past decade was a time of catching up by the States and of building a foundation for a more vigorous partnership.

During the sixties—the States began the massive operation of preparing organizationally to handle the increasingly complex problems of today's society. Twelve additional legislatures officially went to annual sessions, bringing the total to 31—and the use of recessed regular sessions and wide-ranging special sessions makes the actual number much higher. The salaries of legislators were raised, and staff was provided.

During the sixties—27 States established agencies for community or urban affairs to focus attention and resources of State government on the burgeoning problems in our urban centers.

During the sixties—the States raised taxes more than 350 times to improve and increase State services to the people. And in that period, State aid to local government about doubled—from less than $10 billion to more than $20 billion.

Federal developments also moved toward greater reliance on State governments.

In 1966, the partnership for health act was passed—for the first time providing for block grants to the States.

In 1968, the Omnibus Crime Control and Safe Streets Act improved upon the block grant approach through a new comprehensive intergovernmental program.

And the Intergovernmental Cooperation Act of 1968 set the ground work for providing the States necessary information and flexibility for coordinating Federal aid in the future.

We stand at a threshold. Behind is the progress already made in the sixties; before us the high priority of decentralizing governmental services.

And that priority is well founded. As one national observer has said: "Our Nation is too vast, too varied and too complex to be run entirely from Washington . . . Washington simply lacks the power, personnel and perspective to treat all the Nation's ills." There are many who agree that the Federal Government lacks the perspective to adequately assess the myriad problems that trouble its citizens. But there are relatively few who challenge its lack of personnel or power. Yet as a matter of fact, the legal authority to resolve many of the obstacles which hinder the success of programs—such as housing and rural development—is vested constitutionally at the state level of government.

But more important than power or perspective are the states' responsibilities for the health and well-being of their people. That well-being includes their sense of participation in the decision-making process of government. The people of this Nation, students and hardhats alike, are telling us that they want more of a voice in the conduct of affairs which touch their lives so deeply. It is not enough to vote once every two or six years for someone who represents half a million other people in a city far away. We live close to these people, and if we respond to their legitimate concerns, then those individuals become as relevant to their government as the states are relevant to the Federal system.

We must heighten our sense of dealing with Washington as partners, not merely as clients. We know now that no major effort to treat the ills of society can be successful which does not utilize the resources available at each level of government. Programs which have not taken into account intergovernmental complexities have almost invariably failed. Thus, for one example, in spite of all efforts to the contrary, there is a greater need for housing in the seventies than there was when the issue was joined in earnest during the sixties. Because states had no meaningful role in federal housing programs, not enough progress was made. Our nation cannot afford programs that do not work.

States have indeed led the way in many areas, and they will continue to do so in a milieu which fosters initiative and imagination. It was the action of a single state in setting standards for auto-emissions that led to the enactment of federal laws setting limits on allowable pollution from such sources. The Great Lakes States pioneered efforts to control the use of dangerous pesticides. One state has assumed responsibility for all liquid waste treatment facilities within its borders. Another has passed legislation which attempts to balance concerns for economic development and environmental conservation. It has done so by controlling the location of industrial facilities and by dictating stringent conditions for operation to protect against environmental devastation.

We have done much, but we must do more. States must continue to improve their procedures for identifying problems and their efficiency in reaching for solutions. Some legislatures are still desperately in need of staff and coordinative authority. Constitutions must be rewritten and modernized. Programs must be instituted where none exist, or enlarged where they are inadequate.

To repeat, our work—the job ahead for State governments and State officials—is enormously challenging and the agenda for the seventies is already rapidly accelerating.

So, how do we proceed to cope with this agenda and to achieve a high degree of success? First of all, we should set up an organization of all the States to serve as a clearinghouse for State developments, and to provide research on innovations, and to draft model laws—to gather information on Federal activities, and represent State views in Washington—to serve as a conveyor so groups of State officials can get together to exchange views and discuss common problems.

Obviously, I am being somewhat facetious, but I do believe that this latter comment helps to make a very important point: We already have such an organization. It is called the Council of State Governments. It has been working quietly and diligently to help the States help themselves for about 4 decades. The Council provides the only truly representative view of the gamut of State government:

It is founded upon statute in every State, through the law that sets up the Commission on Interstate Cooperation or an equivalent State unit as the council's cooperating arm.

It is funded by all the States through State appropriations.

Its structure incorporates into its decision-making process representatives of all branches of State government—legislative, executive, and judicial.

Historically, the council has operated on a minuscule budget and a small, but highly-competent staff. Despite its low budget, the council has always stood in the forefront. In 1947, for example, before most people knew what a Federal grant-in-aid was, the council foresaw that categorical grants would proliferate, and at that time undertook a comprehensive study of Federal aid calling for re-appraisal to avoid chaos. No re-appraisal was made and chaos approaches.

In 1956, the council first offered model legislation for State departments of local affairs, heralding a new dimension in intergovernmental relations.

In 1967, a study cited the need for greater involvement of the States in urban affairs. This position is now echoed by all major organizations.

The council is many things to many people. To a legislator, it might be the national legislative conference, or this annual meeting of the Southern Regional Conference—or a model law published by our committee on Suggested State legislation. To a governor, it may be the National Governors' Conference or one of the three regional Governors' conferences serviced by the council. To an attorney general, the National Association of Attorneys General—and so on.

The council is also the place where inquiries are answered, the source of surveys on State developments, and a Nationwide lending library. It is a vast array of publications on State government and intergovernmental relations from the standard reference work, the biennial book of the States, to weekly news publications. The council is the beautiful new headquarters in Lexington, Kentucky, where the main secretariat, research and publications staffs are lodged. And it is the regional offices in Atlanta, New York, Chicago and San Francisco which help each region work out solutions to its special problems. The council is also the office of Federal-State relations in Washington, D.C., which publishes briefs and State headlines, along with other regular and special publications to keep you up to the minute on developments in Federal-State relations; which provides you with in-depth analyses of significant issues; which represents State views in testimony before Congress and in consultations with the executive branch; which convenes Washington meetings of major council affiliate groups; and which publishes suggested State legislation.

And this is only the beginning! But I think, by now, you can see what I am driving at. If we did not have the Council of State Governments, we would most assuredly have to go out and create it. But we do have the

council—the best potential vehicle for asserting State responsibility and authority in the Federal system. Note, I said *potential*.

What the council has been able to accomplish so far on limited resources is remarkable. But to help States conquer the challenge of the seventies, it is going to need more—more money and more cooperation from each State and each State official, particularly the legislators.

The council's governing board recognized the situation when it met last November. The board faced up to the fact that if we want an even more effective Council of State Governments, we are going to have to pay for it. And so it increased the budget and raised State payments by a very modest amount. But even this small boost will be a help in building up the council's staff. It is my personal judgment that the Council of State Governments now enjoys probably the best core group of employees in the country. But it is only a core. At its present size, the council cannot do all that it should. The council needs staff capability for study, planning and analysis to develop strategies for positive action. We need to keep the generalists we have and build up a substantive capacity. And we will need to provide this staff with the tools they must have to do the job. All of this will cost money. But in the seventies, we must either pay up or let the Federal Government take over. Obviously, we know we do not have any choice.

But no budget, however large, means anything unless we elected State officials—legislators and Governors and other State officials alike—get together and get to work.

We have a major task just to enable our legislatures individually to meet the problems of the seventies. And these problems multiply so fast it is almost impossible for legislatures to keep pace. To do this, they must have better organization and coordination. The Washington office of the Council of State Governments provides us with a wealth of information on Federal developments. It asks our views and our comments on significant issues. But we don't always reply. Why? There are many reasons: Lack of time, lack of staff. Or perhaps the material does not reach the right people. That is why—at the suggestion of the National Legislative Conference's Intergovernmental Relations Committee—42 legislatures have designated Federal-State coordinators. This is a person who knows the membership and recognizes where the expertise is. He receives information from the Washington office and channels it to the appropriate member or committee. He also gathers the views of the legislature and funnels it to the Washington office. In other words, he is a single, reliable, identifiable contact point between the State legislature and the Council of State Governments' Washington operation. We hope the remaining 8 States appoint a legislative coordinator, and that all 50 States use them.

Having an effective staff in Washington—one that is properly instructed by us—the principals—is not enough either. We must have a presence in Washington. We must testify. We must make visitations to the nation's capital to talk to our congressional delegations. We must invite our congressional delegations to our State capitals. We must provide our congressmen with documentation of the progress we are making in the states and in our districts. Simply put—it is essential that we improve our communications with congress and the federal administration. We must improve our dialogue and keep it going.

Robert Frost—that great American poet who spent most of his life in my lovely state of Vermont—wrote:

"The woods are lovely, dark and deep,
But I have promises to keep
And miles to go before I sleep
And miles to go before I sleep."

We, as State officials, have many promises to keep in the decade ahead: To our citizens, to the nation, and to the cause of federalism. The Council of State Governments is our vehicle for keeping them. But we are just beginning our trek. We have no time to talk of sleep.

WELFARE REFORM

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BURTON of Utah. Mr. Speaker, the administration's Family Assistance Act of 1970—welfare reform—has been a source of public attention for a number of months. Both the bill's proponents and opponents have been vigorous and vocal.

On the one hand, the measure and the philosophy behind it have been castigated as creating the institution of a welfare society or a socialist state. On the other hand, the same proposal has been called truly innovative, forward-looking, humanitarian and the foremost piece of social legislation of the decade capable of breaking the cycle of welfare dependency in which many welfare families have become entrenched.

Major bills emanating from the Ways and Means Committee traditionally are considered by the full House of Representatives under a "closed rule" which permits no amendments to be offered from the floor. I could have, because of unease over some of the provisions relating to financing and because I questioned the adequacy of the workfare provisions, voted "nay." But by implication that would have given sanction to perpetuation of the hopelessly ineffective system of welfare operating at present.

Or, in spite of these doubts and misgivings, I could have, and did, vote "yea," knowing that the Senate would doubtless pass an entirely different bill. Senate rules permit unlimited debate and an unlimited number of floor amendments. The Senate Finance Committee has, in fact, been scrutinizing the welfare proposals thoroughly, and I am confident that a vastly improved and workable welfare bill will emerge subsequently from the House-Senate conference committee.

The issue is not an easy one to resolve, yet it seems clear that anything less than a totally new concept of care of the needy would be analogous to plugging one small hole in the dike, while the entire dike wall crumbles.

I found the following editorial, which appeared in the July 31, 1970, issue of Life magazine, particularly descriptive of the problems involved in this particular legislative area:

THE WELFARE MESS NEEDS TOTAL REFORM

Welfare now is "a colossal failure," as President Nixon says, "a wheezing, overloaded machine." The welfare machine is headed toward complete breakdown because it hasn't the capacity to help the poor humanely—and the public hasn't the capacity or the willingness to finance it in its present form much longer.

"Welfare"—that tangle of programs for the poor who because of age, sickness, handicaps or lack of ability and training can't get jobs—is a system full of inequities. The vast differences among state levels of welfare assistance contribute to the migration of millions from states like Mississippi (which pays $46 per month to a welfare family of four) to states like New Jersey ($265 per month), where the jobless congregate in overcrowded and crime-ridden slums and load an increasingly intolerable burden on state and local treasuries.

The "permanent welfare population" of the cities—which in New York City alone now numbers one million, or one person in eight—reflects the most distressing failure of all. Despite a decade of national prosperity, the total number of Americans on welfare rolls today has increased from 5.8 to more than 10 million. The present welfare setup often amounts to an incentive to *remain* on relief. Those on welfare who have the gumption to find at least marginally paying work usually lose more in benefits than they gain in earned income. And another 13 million-plus Americans get no federal cash assistance whatsoever. These are the family members of the "working poor," whose breadwinners earn wages below the federally set poverty line ($3,743 for a nonfarm family of four).

The poor amount to 12% of us—which at least is a considerable improvement over the days when Franklin D. Roosevelt talked of one third of a nation. Of the 10 million receiving welfare assistance, dependent children comprise the vast majority; 90,000 are men who are physically employable and mentally competent; another 1.5 million are working-age mothers.

In the past decade, U.S. welfare expenditures have almost doubled to more than $6.5 billion. If only the money were being used effectively, this level of spending might be financially defensible, considering that we pour nearly three fifths as much into farm subsidies.

For almost a year, the Nixon administration has been trying to get Congress to approve a sweeping overhaul of U.S. family welfare laws. White House Urban Affairs Counselor Pat Moynihan calls it "the most important piece of social legislation in 35 years." The new Family Assistance Plan got through the House of Representatives last April, but for three months has been held up in the Senate Finance Committee, whose chairman, Russell Long of Louisiana, has finally agreed to start hearings.

Family Assistance is a modest first step toward a radically ambitious national goal: ensuring a tolerable standard of living for all Americans—with maximum opportunity and incentive to work and minimum indignity for those legitimately unable to do so.

Its fundamental principles are two:

That welfare is a national problem. Therefore Washington accepts an obligation to encourage a nationally equitable—and eventually uniform—level of welfare assistance. As the first step, it will in effect guarantee throughout the U.S. an annual income of $2,460 ($1,600 cash, the rest in food stamp benefits) for a family of four, a standard now met in only 23 states.

That welfare should try to restore the poor to gainful employment. Family Assistance requires welfare recipients physically qualified to take jobs or vocational training to do so, and provides stepped-up federal programs for child day care centers, job-training and job-location assistance. Most important, it offers the poor a sliding scale of continued income support after they find work.

All this will add somewhat more than $4 billion annually to federal welfare costs. But it can be argued that the present system, increasing in cost an average 10% a year, is likely to be more expensive in the long run. As it is now, more of the poor who get on

welfare rolls are likely to stay on them indefinitely, passing on to the next generation the costly social disease of welfare living, whose symptoms often include nutritional starvation, educational deprivation, high rates of drug use and urban crime—to say nothing of their wasted lives.

Family Assistance strikes us as a sound idea. But it runs into a lot of entrenched prejudices. The vast welfare bureaucracy—more than 170,000 employes—has a built-in resistance to change. There are many Americans who think stigma and humiliation should be the proper lot of those "on welfare," a notion which dates from the colonial era, when the Commonwealth of Pennsylvania required paupers receiving public alms to wear the letter "P" sewn onto their clothing, just as Hawthorne's adulteress Hester Prynne was forced by Massachusetts Puritans to wear the scarlet letter "A" attesting to her sin. Senator Long plays to that kind of prejudice in referring to welfare mothers as "brood mares." Americans who still think of welfare families as vaguely immoral recipients of "something for nothing" find the rhetoric of the new welfare "rights" organizations especially hard to take. The welfare militants seem convinced that a comfortable income for which they don't have to work is a moral "right." And they argue that work requirements constitute a stigma and humiliation, because most work available consists of "dead-end" jobs and is not "meaningful" to them. But passive use of an income provided at taxpayers' expense is not a "meaningful" life for anyone, and what could be more of a "dead end"?

Beset by welfare "rightists" on one side and restless taxpayers on the other, Family Assistance has only a "fair" chance of getting passed, President Nixon said last week. So far he himself has made scant effort to persuade the seven Republican senators on the committee to support the bill. In fact, the President—who has inflation and the cost of the war so much on his mind—often gives the impression that the best place to save money is where social good is at issue—on hospitals, education and similar matters. The exception to this impression is Family Assistance, which is the most imaginative and sensible program to emerge from his administration in this area. We hope he and Congress will see it through.

FREEDOM FOR SLOVAKIA

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. ESHLEMAN. Mr. Speaker, neither the Slovak League of America nor the Congress of the United States has forgotten the brutal occupation of Slovakia by the Soviet Army in 1968.

We appeal to the conscience of America, to the American people, and to the United Nations—most of all—for the withdrawal of Soviet troops from Slovak soil and for guaranteed free democratic elections under United Nations' control.

One of my valued constituents, Mr. Joseph Pauco, is secretary of the Slovak League of America. That organization is entirely correct when they, in the proper manner, demand the right of freedom for Slovakia.

RUSSELL ELLS, EULOGY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, I take this occasion to call attention of the House to the passing of a man who left a tremendous mark on his community and his industry, Russell H. Ells, of Willits, Calif.

Russell was a close friend and trusted adviser of mine and I am going to miss his counsel and guidance.

Even more importantly, his presence is going to be sorely missed by his community and his industry. To adequately describe Russell's contributions would require many pages of copy. Suffice it to say, he has made a lasting contribution.

The city of Willits, a small community of some 4,000 people, in northern California, has an outstanding airport facility, built at practically no cost to the city itself. Russell's company, Willits Redwood Products, put up most of the money, and Russell, himself, a graduate engineer, did most of the preliminary engineering for the project.

So Ells Field, as it was named by the city in recognition of his efforts, became a reality. There was nothing selfish about his efforts, since neither his company nor he personally owned an airplane, or, as a matter of fact, even used one extensively.

What I am attempting to point out is that Russell's community efforts were never done for personal gain or recognition. It was rather the opposite.

He would constantly shun the publicity that surrounded his activities. I can well remember at the dedication of the Willits airport, the flush that came over his face when the surprise announcement was made that the field was to be named in his honor.

One could go on down the line of community and civic accomplishments of this man. He breathed life into a DeMolay chapter that had fallen on hard times, constantly provided men, equipment and funds for such projects as Little League, and so forth.

In his industry, he was known as a self-made man. His exceptional talents quickly led him into the leadership of lumber industry organizations. He was past president of the California Redwood Association and a director of that organization. He was past president, chairman of the board and current treasurer of the National Forest Products Association. In addition he served on many important industry and civic committees.

His untimely passing leaves a void that will be difficult to fill. There was no task too small or too large. The more difficult they were, the better he liked them. There was no job that he considered impossible, especially when others failed to accomplish them.

Russell lived by a creed that I strongly believe in and personally try to live by, "there is no telling how much good you can do, if you do not care who gets the credit."

He made his mark—this world is a better place because of his efforts.

His wide circle of friends know they are better off for having known and worked with him.

I consider myself to be among that circle of friends and I can personally testify to the fact that my life is very much the richer for having known Russell Ells and for having worked closely with him on matters that we believed would be helpful to our friends, constituents and neighbors.

Russell Ells was a family man, in more ways than one. He loved his own family very much but he also appreciated his "Willits Redwood Family" of employees and what they contributed to his personal success.

On a personal note, a key member of my congressional staff, Mr. Stan Hulett, was formerly associated with Russell Ells and Willits Redwood prior to joining us here in Washington. Typical of Russell's unselfish attitude, Stan was given Mr. Ells' full and complete blessing as he made his decision to change his career.

For the above stated reason and also due to the very close relationship that existed between the Hulett and the Ells families, I have asked Stan Hulett to assist me in telling the Russell Ells story.

Together we have attempted to properly eulogize a great American, a man we admired, respected, and appreciated, a man who gave his life to the Redwood Country he loved so much.

My deepest sympathies go to his widow, Viola, and their children, Kathleen and Mike, and their granddaughters.

VD: A KILLER THAT CAN BE STOPPED

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. KOCH. Mr. Speaker, a recent study by the American Social Health Association has revealed an alarming resurgence of venereal disease, particularly syphilis and gonorrhea, throughout the country. The association's director has called this increase "so dramatic that national emergency action is needed."

In New York City alone the rate of venereal disease rose almost 30 percent in the last year. The national rate of infectious syphilis increased by 8.5 percent over this past year, and the increase in gonorrhea has been even greater.

Despite these disturbing statistics the Nixon administration has reacted like many Americans for whom the problem of venereal disease is treated as taboo and who would prefer to ignore it. The President's proposed budget for fiscal year 1971 recommended that the previous year's already inadequate level of spending for the control of VD be reduced by $400,000. This is a form of

false economizing. The treatment of venereal disease in its early stages is simple, inexpensive, and easily available. Furthermore, past governmental programs of control have proved effective. In fact the 1961 "Task Force Report to the Surgeon General's Public Health Service on Syphilis Control in the United States" concluded that a decrease in the incidence of syphilis was directly related to an increase in governmental concern and expenditures. However, the same report revealed that as Government programs proved effective they were eradicated and the disease revived.

It is a cruel form of economizing also for the long range effects of syphilis are well known: Heart disease, blindness, insanity, and death. Four thousand Americans die each year from syphilis, and over the past 5 years New York City has spent far more on supporting the syphilitic blind and insane than on the control of VD. The present allocation of Federal resources for the control of VD is inadequate for the job. The Government must first commit funds to a program of public education regarding the symptoms and dangers of VD and directed primarily at the high schools and college levels. Such a program should be conducted both in our schools and through the media. This is the most effective way to develop a rational approach to the treatment of this disease. At the same time funds must be appropriated for the research necessary to develop vaccines for VD.

With an estimated 14 million people contracting VD annually in this country many experts believe the disease has reached epidemic proportions. It is certainly clear that to combat VD it must be treated by all of us as any other dangerous communicable disease, not as an unmentionable social stigma.

END SECRET POLITICAL COMMITTEES IN THE DICTRICT OF COLUMBIA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. FRASER. Mr. Speaker, subjecting the dark corners of our political system to public scrutiny will not solve all our problems. But it will not make these problems worse and I believe much good will be done. One immediate benefit from a policy of openness and candor will be increased prestige for this House.

Acceptance of the O'Neill-Gubser amendment which will allow many more record votes in the House is a step in the right direction.

We must also reform the way we finance and report the financing of our election campaigns.

Last February I was a member of a large bipartisan group that sponsored legislation aimed at one loophole in our election finance laws—lack of a disclosure law in the District of Columbia. The gentleman from Maryland (Mr. GUDE) is the primary sponsor of this bill. On July 17 and 18, Washington television station WTOP–TV broadcast an editorial "End Secret Political Committees in D.C." which focused on our proposal. I would like to introduce a transcript of that editorial comment into the RECORD at this point. I agree with the editorial conclusion: The Nation and the District will benefit from a District of Columbia disclosure law:

END SECRET POLITICAL COMMITTEES IN DISTRICT OF COLUMBIA

Maryland Congressman Gilbert Gude is the sponsor of an excellent proposal to give the District of Columbia a campaign disclosure law of its very own. You wouldn't believe how many people don't want to see that happen.

The Gude bill is in the House District Committee, where the chairman recently has shown some interest in it. It's still far from passage.

Since there's only one local election in the District—for school board seats—the hometown effect of such a law would be quite limited. But a D.C. disclosure law would help to purify elections from one end of the country to the other.

Especially in election years, the District is honeycombed with what must be hundreds of obscure political committees. Because the District has no law, these committees shuffle enormous sums of political contributions around and nobody's the wiser.

Many candidates for Congress rely on secret D.C. committees. Many candidates for governor, for state legislatures, even for city councils, make use of D.C. committees to hide donations. At home, they can identify the source of money as the "D.C. Committee for Joe Smith" or a committee with some other innocuous name. The public never knows, however, where these D.C. committees get *their* money.

This is one of the prime methods used by various special interests to get big campaign contributions into the hands of their favorite candidates. Consequently, the opposition to Mr. Gude's disclosure bill will be very quiet but very, very intense.

Mr. Gude's proposal is no substitute for a better federal disclosure law with nationwide coverage, but a District law would be a helpful intermediate step. Congressman Hogan of Maryland says he favors it. Virginia Congressmen Broyhill and Scott declined to tell WTOP whether they will support it.

The nation *and* the District will benefit from a D.C. disclosure law.

This was a WTOP Editorial. . . . Norman Davis speaking for WTOP.

A "TIRED AMERICAN" GETS ANGRY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, Mrs. J. M. Duty of Alexandria, Va., a friend and constituent of mine, recently called my attention to a very interesting article, "A 'Tired American' Gets Angry," written by Alan C. McIntosh, publisher of the Star-Herald, Luverne, Minn., and published in the Rock County Star-Herald.

As I agree with Mrs. Duty that Mr. McIntosh's feelings are representative of those of many of us, I insert his work in full at this point in the RECORD:

A "TIRED AMERICAN" GETS ANGRY

I am a "tired American".

I'm tired of being called the "Ugly American."

I'm tired of having the world panhandlers use my country as a whipping boy 365 days a year.

I am a "tired American"—weary of having American embassies and information centers stoned, burned and sacked by mobs operating under orders from dictators who preach "peace" and breed conflict.

I am a "tired American" . . . choked up to here on this business of trying to intimidate our government by placard, picket line and sit in by the hordes of the dirty unwashed who rush to man the barricades against the forces of law, order and decency.

I am a "tired American" . . . weary of the beatniks who say they should have the right to determine what laws of the land they are willing to obey.

I am a "tired American" . . . fed up with mobs of scabby faced, long haired youths who claim they represent the "new wave" of America and who sneer at the old fashioned virtues of honesty, integrity, morality on which America grew to greatness.

I am a "tired American" . . . weary unto death of having my tax dollars go to dictators who play both sides against the middle with threats of what will happen if we cut off the golden stream of dollars.

I am a "tired American" . . . nauseated by the lazy do nothings who wouldn't take a job if you drove them to and from work in a Rolls Royce.

I am a "tired American" who is tired of supporting families who haven't known any other source of income other than government relief checks for three generations.

I am a "Tired American" who is getting madder by the minute at the filth peddlers who have launched America in an obscenity race . . . who try to foist on us the belief that filth is an integral part of culture . . . in the arts, the movies, "literature".

I am a "tired American" . . . weary of the bearded bums who tramp the picket lines . . . and the sit ins . . . who prefer Chinese communism to capitalism . . . who see no evil in Castro but sneer at our President as a "threat to peace."

I am a "tired American" who has lost all patience with that civil rights group which is showing propaganda movies on college campuses from coast to coast. Movies denouncing the United States.

I am a "tired American" who is angered by the self righteous "breast beater" critics of America, at home and abroad, who set impossible yardsticks for the United States but never apply the same standards to the French, the British, the Russians, the Chinese.

I am a "tired American" who dislikes clergymen who have made a career out of integration causes yet send their own children to private schools.

I am a "tired American" who resents those who try to peddle the belief in schools and colleges that capitalism is a dirty word and that free enterprise and private initiative are only synonyms for greed.

They say they hate capitalism but they are always right at the head of the line demanding their share of the American way of life.

I am a "tired American" who gets more than a little bit weary of the clique in our State Department who choose to regard a policy of timidity as prudent . . . the same

group who subscribe to a "no win" policy in Viet Nam.

I am a "tired American" . . . real tired of those who are trying to sell me the belief that America is not the greatest nation in all the world . . . a generous hearted nation . . . a nation dedicated to the policy of trying to help the "have nots" achieve some of the good things that our system of free enterprise brought about.

I am an American who gets a lump in his throat when he hears the "Star Spangled Banner" and who holds back the tears when he hears those chilling high notes of the brassy trumpets when Old Glory reaches the top of the flag pole.

I am a "tired American" . . . who wants to start snapping at those phony "high priests" who want us to bow down and worship their false idols and who seek to destroy the belief that America is the land of the free and the home of the brave.

I am a "tired American" who thanks a merciful Lord that he was so lucky to be born an American citizen . . . a nation . . . under God . . . with truly mercy and justice . . . for all.

INSURANCE PROBLEMS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. HUNGATE. Mr. Speaker, I thought the following article from the New York Times for Sunday, August 9, 1970, regarding the insurance problems would be of interest:

INSURANCE OFTEN NOT SOLD

(By Robert J. Cole)

Many insurers are not yet willing to admit it, but evidence is mounting rapidly that the American consumer is facing severe hardship in buying almost every kind of insurance coverage except life insurance.

Auto policies are becoming increasingly difficult to buy in some markets. Fire insurance is already difficult to get. Burglary coverage is often impossible to buy.

At the same time, policyholders are screaming that the cost of coverage is skyrocketing. Insurance companies complain that what they charge is not enough to show a profit.

"CRISIS" AT HAND

As a consequence, the New York Metropolitan Insurance Brokers Association, for one, noted not long ago that "right now, we've got a crisis on our hands."

In New Jersey, where the problem is just as critical, the state's insurance commissioner, Robert L. Clifford, imposed a 90-day ban last month on industry cancellation of all auto and homeowner coverage.

But, in an effort to find a lasting solution, the Legislature in Trenton has authorized the formation of a blueribbon panel to study the feasibility of no-fault insurance.

A similar bill, defeated in Albany in the last session, but to be reintroduced next year, would provide all consumers with coverage for their net economic losses in an accident—regardless of fault—but would not pay for "pain and suffering."

Uncertainty over no-fault legislation now awaiting the signature of Governor Francis W. Sargent of Massachusetts brought swift action over the weekend from the state's third-largest auto insurer, the Aetna Casualty and Surety Company. It told its agents to turn away any new or renewal auto insurance.

The Massachusetts measure, if approved, would enable consumers to collect from their insurer all out-of-pocket costs in a crash up to $2,000, regardless of fault. Claims over $2,000 would be handled as they are now. The bill also calls for a 15 per cent rate cut next year.

Others are expected to take similar steps.

Horror stories are widespread about how insurance companies treat their customers:

A single girl in mid-Manhattan complains her household policy is canceled after her insurer discovers there have been two robberies in the same building within the last year.

An executive uptown, who has paid his household policy faithfully for 20 years, is abruptly dropped after he files a claim for a stolen overcoat.

A woman in Red Bank, N.J., is told her auto policy will not be renewed because her house needs painting. The theory is that a poorly maintained house means a poorly maintained car, which might cause accidents. The company renewed the policy when it was informed the woman didn't own the house and couldn't be responsible for painting it.

The industry replies that crime is rampant and the police are apparently unable to cope with it, that cars are as delicate as egg shells and, consequently, losses are mounting, and that some risks are too perilous at any price.

APPROVALS LAG

In the way insurance is supposed to work, the companies calculate how much they have to charge to show a profit. Then, where permission is required, they try to get approval to raise rates.

But, all too often, the companies complain, the approval of rate increases lags far behind the original request, with a result that when the increases do come they are inadequate to meet rapidly changing conditions.

Beyond raising prices to the sky, is there any real solution?

One answer to the problem is the proliferation of industrywide "pools" and "plans."

For auto drivers who can't buy car insurance in the normal way, there is the assigned-risk plan.

For homeowners and others who need fire insurance and related coverage, theirs is the FAIR plans—Fair Access to Insurance Requirements.

For people who live in hurricane areas, there are hurricane pools. Mississippi and North Carolina already have them for wind damage. Louisiana will have one soon while Texas and Florida are discussing them.

In all of them—either by state or Federal insistence or, in a few instances, because of industry action—consumers unable to buy normal coverage can get it through the special pools, wherein all insurers participate in direct proportion to their other business in the state.

Consumers seeking coverage deal with an agent regardless of the kind of insurance. If the agent is unable to place a customer in the normal market, he can place him through the pool. Auto coverage generally costs more in the assigned-risk plan, but fire coverage in the pool will vary widely, depending on the condition of the property.

PLAN SUBMITTED

The newest proposal to broaden the coverage of consumers through the "pool" device would make insurance available in one of the most neglected areas of all—crime.

George K. Bernstein, Federal Insurance Administrator, remarked in an interview that burglary insurance was not available generally in the larger cities of at least 12 states.

He listed them as New York, New Jersey, Pennsylvania, Connecticut, Massachusetts, Illinois, Michigan, Ohio, Missouri, Maryland, Delaware, California, and one of the most crime-ridden of all—Washington, D.C.

To remedy the problem, he has submitted a plan to President Nixon and to Congress calling for a crime pool.

The little known plan, which names no states in particular, recommends that burglary and theft insurance pools be set up by state law in any state where normal coverage is difficult to buy. As an alternative, a state may make coverage available through the so-called FAIR plans.

To keep rates on crime coverage from getting out of line, the plan envisions a subsidy to be paid by all other property insurance policyholders in the state.

In New York, Mr. Bernstein estimated this extra fee would total one-half of 1 per cent, or 50 cents on a $100 premium. In Washington, D.C., it would be about 2 per cent and in California about two-tenths of 1 per cent.

Since the Federal Government gives way to the states in the regulation of insurance companies, the plan uses the same persuasion—in reverse—that it brought to bear in developing the FAIR plans.

In return for their prticipation in these plans, insurance companies could, and do, buy Federal reinsurance for riot coverage. Now, if no action is forthcoming on a crime pool, the Government is prepared to cancel its riot reinsurance.

UNDER SCRUTINY

On the face of it, the plan seems promising. Nevertheless, it has come under scrutiny from both industry and state regulators.

Insurance Superintendent Richard E. Stewart of New York, who is also president of the National Association of Insurance Commissioners, is cautious about Federal estimates of the subsidy New Yorkers will be required to pay to make crime insurance available to all.

"What looks like one-half of 1 per cent today may be 10 per cent tomorrow," he said.

H. A. Lansman, executive vice president of the Kemper group of insurance companies, expressed a widely held view of industry that Federal riot reinsurance "is generally overrated as a benefit to us."

But Mr. Bernstein does get support on the idea of pools in general. Mr. Stewart said he believed they "help a great deal."

Mr. Bernstein put it this way: "They're a hell of a lot better than no insurance at all."

PENNSYLVANIA SOLDIER VIET VICTIM

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. GAYDOS. Mr. Speaker, it is with deep regret that I announce the death of another of our brave fighting men, Sgt. Roy W. Marlatt, of West Mifflin, Pa., who was killed in Vietnam.

We owe a profound debt of gratitude and appreciation to our dedicated servicemen who sacrificed their lives for this great country. In tribute to Sergeant Marlatt for his heroic actions, I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

EX-AREA MAN VIET VICTIM

Vietnam combat wounds suffered when a booby trap exploded have claimed the life of Sgt. Roy W. Marlatt, who formerly resided at 74 Lebanon Road, West Mifflin.

His family received word of his death nearly two weeks after he was injured near Chu Lai.

Sgt. Marlatt, who served with the Army's Americal Division, suffered severe wounds to all of his extremities and multiple wounds to his abdomen when the booby trap exploded. He had been in Vietnam three months at the time.

A 1967 graduate of Taylor Allderdice High School, Pittsburgh, Sgt. Marlatt was the husband of Patricia Hicks Marlatt, who has been living with her parents at 1230 Mifflin Road, Lincoln Place.

Before entering the service 13 months ago, Sgt. Marlatt was the chief crew dispatcher at the Baltimore & Ohio Railroad's Glenwood station. He was the youngest man to serve in that post, B&O officials said.

REWRITING HISTORY TO SUIT THE LIBERALS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. ASHBROOK. Mr. Speaker, a bogus "law and order" quotation attributed to Adolf Hitler has been making the rounds for more than a year now, being repeated by a host of disparate individuals and publications. Hoping to give this spurious quote the funeral it deserved, I inserted in the RECORD on May 7 a National Review article by John Lofton, Jr. in which he detailed his vain attempt and that of the Library of Congress to authenticate this alleged statement by Hitler. Their research revealed that whenever the quote was used it had been drawn from some secondary source.

Apparently the fruits of Mr. Lofton's research tasted a little bitter to the liberal Institute for American Democracy. After chastising him for trying to ferret out the origin of the quote, IAD said in a recent newsletter that "if Hitler didn't say it, he should have."

Commenting on that absurd statement, M. Stanton Evans in the August 18, 1970, issue of the National Review Bulletin says:

The whole point, in other words, is that IAD wants to identify law-and-order advocates with Hitler, and therefore it follows that Hitler *must* have said what conservatives are saying nowdays. . . . That line of reasoning provides a rather chilling insight into the standards of ethics and logic which prevail in certain leftward circles nowadays. Apparently this group sees nothing wrong with using a phony quote to smear one's opponents if the fabrication suits one's notion of what "should have" been said. Past history may thus be rewritten to fit the ideological needs of present political controversies.

As Mr. Evans goes on to point out, insistence on law and order is not a Nazi or Fascist trait which is hardly surprising. His column on this subject follows, and I hope it will serve as an epitaph to the "Hitler Quote," RIP:

THE HITLER QUOTE

(By M. Stanton Evans)

For the past several months, liberal spokesmen have been making sport with an alleged quotation from Adolf Hitler, using it to discredit those who call for law and order in American society.

The "quotation" has appeared in articles and statements from sources as diverse as the *Saturday Review*, the *Wall Street Journal*, U.S. senators and other public officials. It has been quoted on television and reprinted in many magazines and newspapers. Perhaps its most prestigious incarnation is in Supreme Court Justice William O. Douglas' book, *Points of Rebellion*, wherein it is asserted, at page 58, that Hitler in 1932 had said the following:

"The streets of our country are in turmoil. The universities are filled with students rebelling and rioting. Communists are seeking to destroy our country. Russia is threatening us with her might and the republic is in danger. Yes, danger from within and from without. We need law and order."

That the purpose of citing this supposed Hitlerian spiel is to tar present-day advocates of law and order with the brush of Nazism is clear enough on its face, but Douglas makes the point explicit in his prefatory remarks. He says that "the use of violence is deep in our history," and that "modern day dissenters and protesters are functioning as the loyal opposition functions in England . . . calling for revolutionary changes in our institutions." In the face of this challenge, Douglas concludes the "powers-that-be faintly echo Adolf Hitler." Whereupon the alleged "law-and-order" quote is appended.

As has previously been noted in the pages of National Review, there is no authentication for this "quote." Researcher John Lofton has ransacked the record and inquired of numerous authorities on Hitler and Nazi Germany, but has been unable to find documentation for any such statement. Wherever Lofton inquired, it turned out the people using it were simply quoting some other secondary source. The conclusion has begun to dawn that the quote is a phony.

So much is reluctantly acknowledged by the Institute for American Democracy, a liberal outfit that attacks conservatives. IAD concedes in a recent newsletter that the statement cannot be documented, and alludes to some frustrated liberal efforts to track the quotation to its source. Nothing daunted by this background, IAD goes on to upbraid Lofton for his temerity in pointing out the fraudulent nature of the Hitler statement. Lofton's analysis, says IAD, "missed the whole point." The "whole point" being that, *"if Hitler didn't say it, he should have."*

The whole point, in other words, is that IAD wants to identify law-and-order advocates with Hitler, and therefore it follows that Hitler *must* have said what conservatives are saying nowadays. *Q.E.D.* That line of reasoning provides a rather chilling insight into the standards of ethics and logic which prevail in certain leftward circles nowadays. Apparently this group sees nothing wrong with using a phony quote to smear one's opponents if the fabrication suits one's notion of what "should have" been said. Past history may thus be rewritten to fit the ideological needs of present political controversies.

As it turns out, even this feeble defense is mistaken. For the record clearly shows the quotation attributed to him is not the kind of thing Hitler "should have said" at all. Contrary to the representations of permissivists and civil disobedience advocates, insistence on law and order is not a Nazi or fascist trait. Law and order are essential pre-conditions of a free, constitutional government, not of revolutionary dictatorship. Out of power, the Nazis and fascists were experts at fomenting turmoil and igniting civil violence. In power, they ruled by the exercise of arbitrary force. In neither case were they proponents of the rule of law.

Thus if we go to Hitler's actual statements rather than assuming what he "should have" said in terms of our own biases, we find he was anything but a law-and-order man. Turning to *Mein Kampf*, for example, we find Hitler asserting:

"If a people is led to destruction by the instrument of governmental power, then the rebellion on the part of each and every member of such a nation is not only a right but a duty. The question, however, when such a case arises, is not decided by theoretical treatises, but by force—and success. As every governmental power naturally claims the right of preserving the authority of the state . . . the folkish instinct of self-preservation, when subduing such a power in order to gain freedom or independence, will have to use the same weapons with which the adversary is trying to hold his own.

"The struggle will be carried on with 'legal' means as long as the power to be overthrown uses such means; but one will not hesitate to use illegal weapons if the oppressor also uses them. . . . [Furthermore,] it may be that the ruling power may use a thousand so-called 'legal' means, yet the instinct of self-preservation of the oppressed then is always the most sublime justification for their fighting with all weapons. . . . Human rights break state rights."

That is what Hitler actually did say, rather than what he "should have" said. And what he said was not a preachment for law and order but exactly what the New Left revolutionists—including Justice Douglas—are saying today. The "faint echo" of Hitler that Dougals affects to hear is the sound of his own voice.

IVORY COAST

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. DIGGS. Mr. Speaker, the dynamic young nation of Ivory Coast celebrated on August 7 the 10th anniversary of its independence. This beautiful country, whose thriving capital of Abidjan I recently revisited, is one of the fastest developing of all of Africa. Indeed, the Ivory Coast's average annual increase of 7 percent in its gross national product since 1960 is a record which both the developing and the developed nations can observe with admiration and respect. Moreover, its industrial growth, averaging 20 percent yearly since independence, is the highest in French-speaking Africa. No one is prouder of this growth than the people of the Ivory Coast.

We are happy and honored to congratulate the citizens of the Ivory Coast for the enviable progress they have made during this first decade of independence and hope that the years ahead will bring them even more success in meeting their needs and aspirations. We wish to congratulate President Houphouet-Boigny who, with wisdom and foresight, has directed the advancement of his country into the front ranks of the developing nations of the world.

THE RENEWAL OF THE AGREEMENT TO MAINTAIN AMERICAN BASES IN SPAIN

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1970

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LOWENSTEIN) is recognized for 60 minutes.

Mr. LOWENSTEIN. Mr. Speaker, I rise today in dismay and anger over the administration's decision to extend our agreement to maintain bases in Spain.

The decision itself is outrageous enough. The way the decision has been arrived at is inexcusable.

Thank God for the courage and persistence of that appropriately named giant, Senator FULBRIGHT, who brings such distinction to the State of Arkansas and to the U.S. Senate. If it were not for his exertions, the administration might have tiptoed virtually unnoticed into this newest of its misbegotten foreign overcommitments. I salute him on behalf of many of us in this House who admire his dauntless efforts to restore some measure of constitutional balance in the making of foreign policy.

In the Spanish agreement just concluded, this administration has once again shortcircuited proper constitutional process by proceeding from clandestine negotiations into arbitrary executive agreements without congressional hearings. The treaty responsibilities of the Senate have been ignored. Congress should assert its authority in this situation—as it should in Southeast Asia—by refusing to appropriate the funds necessary to carry out these unnecessary and unauthorized military and economic commitments. It will do us no good to go on protesting about the way national priorities are ordered and about the undercutting of the legislative by the executive branch of Government if we are not willing to do more than protest in situations as flagrant as this one.

The bases in Spain are not needed for our security. The money to be spent on these bases is badly needed at home. No conceivable national interest is served by supporting this particular dictatorship against its own people. Why then are we extending—it would be more accurate to say "expanding"—our commitment to this government? What a peculiar time to be getting ourselves more deeply involved in the urgly business of helping to preserve unpopular military juntas.

The Spanish decision is more than just wrong in principle and wrong in procedure. It is specifically and dismally wrong in practice. The Spanish Government is opposed by the overwhelming majority of the Spanish people. That is why elections are not allowed. A government that has the support of the people allows the people to vote. In fact, at this precise time repression in Spain has taken another of its periodic turns for the worse.

Not long ago the brilliant and uniquely respected Count of Motrico—a man who has been, among other things, General Franco's Ambassador to several countries, including the United States—was punished for speaking out against the repression by having his passport withdrawn. It says a lot about a government when it has to prevent its former Ambassador from leaving the country.

So at considerable expense to the American taxpayer and at the price of further erosion of proper constitutional procedure, the administration has gained the great privilege of using unnecessary bases for a while longer, and of defending yet another unsavory government. Now who might the Franco government need protection against? Who but its own people? Who else might attack the Spanish Government? The Soviet Union, with whom it engages in increasingly friendly intercourse? Portugal? Mainland China? Last year we were told there was a threat of a so-called people's revolution from the Spanish colonies in Africa, but now there are no Spanish colonies in Africa.

What then is all this about? We are retaining bases we do not need in return for money we cannot afford and for pledging to defend a government almost no one wants, against the possibility of attack by its own people.

The terrible suspicion steals across the mind that maybe the U.S. Government actually prefers a dictatorship to a democratic government in Spain. Why else are we continuing to meddle so blatantly in the internal affairs of this unhappy country? Does the "self-determination" we tout as the basis for various others of our interventions around the world not apply to Spain? Are the Spanish people inferior in character or rights so they should be denied what thousands of Americans have died in the name of giving to Vietnamese?

Ultimately, in a democracy like the United States, the people are supposed to decide whether their foreign policy is consistent with the principles and the security needs of the country. How are they to do this if secret negotiations are to lead to hidden agreements, and if even the elected representatives of the people are not consulted as prescribed by the Constitution?

I do not believe a persuasive case can be made that our Spanish policy is consistent with our principles or our needs. If the administration believes a persuasive case can be made, someone in authority—the Pentagon, the State Department, the President—should try to make it, and then the people should decide in the manner prescribed by the Constitution.

The notion that the survival of freedom at home depends on the survival of various malodorous regimes around the world is as repugnant as it is incorrect. Let me say as simply as I can that it brings discredit on this Government to pretend that the freedom of the American people depends on the enslavement of people abroad. I can think of nothing more arrogant and few things as shameful as the United States continuing to prop up a dictatorship in Spain in the name of defending freedom elsewhere.

The truth is that one side effect of our undercutting democracy in Spain is that we weaken it elsewhere in the process. We weaken it here at home, when to implement our Spanish policy the administration must do things furtively that ought to be done in the light of public discussion. We must deceive ourselves about national motives and reinforce archaic and dangerous views of the world. And, of course, we must go on wasting money desperately needed for programs that would help us where our security is in fact imminently imperiled—at home.

We are evidently able to overhaul the Spanish Air Force every year or two, but to do anything about the safety of Americans riding on the Long Island Railroad, or about the pollution of our water and air, or about bad housing and continuing hunger in our midst—these things we seem unable to do anything about. Have we learned nothing from our misadventures in Southeast Asia?

I want to enter into the RECORD at this point an editorial from today's New York Times entitled "Multiple Blunder on Spain." I will read that editorial:

MULTIPLE BLUNDER ON SPAIN

The Nixon Administration will compound old errors and commit ominous new ones if it signs today in non-treaty form the so-called "Agreement of Friendship and Cooperation Between the United States and Spain." It is obvious in the first place that the signing was advanced because of growing opposition on Capitol Hill to the form and content of the agreement.

Such a hurry-up tactic can only widen the already dangerous gulf between the executive and legislative branches about the role of the Congress, especially the Senate, in the making of commitments with other countries that involve—or could involve—the American armed forces.

This shabby behavior is not the most important Administration blunder, however The fact is that this agreement contains vague language, deliberately fashioned to mean whatever either signatory wishes to claim for home consumption.

What is the United States taking on with a commitment to "support the defense system" of Spain or to make its defense policies "compatible" with those of Generalissimo Franco? Even after lengthy explanations by State and Defense Department officials, some members of the Senate Foreign Relations Committee do not know.

Most Spanish newspapers interpret this language as hardening the American commitment over that contained in previous agreements, dating from 1953, that a threat to either country would be "a matter of common concern." The Administration will doubtless argue the opposite. But memories of executive actions taken under the Gulf of Tonkin Resolution will make many Americans—in and out of Congress—hard to convince.

It is also evident that there is growing opposition in Spain to a renewal of an agreement under which the United States uses two air bases and the submarine station at Rota. In an unusual action, eighty deputies in the Spanish Cortes issued a statement complaining that Foreign Minister Lopez Bravo was concealing some of the facts about the draft agreement.

The political costs to the United States will be high of even this shadowy pact with the regime of an aging relic of the Fascist period. If the Administration believes the value of the bases offsets that political cost—as well as the financial cost of equipping

Spain with F-4 Phantom jet fighter-bombers—it should be willing to put its draft into clear language and submit it to the Senate in the form of a treaty.

I want to conclude by saying a word about the Spanish people, in whose name we have committed such sins against our own best interests and theirs. No people have fought more courageously or suffered greater privation in the defense of liberty than the Spanish people. Yet here they are, 31 years after losing their liberty to a dictator who could gain power only through the massive intervention of Hitler and Mussolini, and who has held power only with the massive assistance of the United States. Free elections are as remote as ever, and many of the finest of her people are still in prison or in exile because they care for freedom.

I, for one, want to tell the Spanish people on this ignoble occasion in our history that there are millions of Americans who are ashamed that their Government has made possible the continued intimidation and persecution of Spaniards whose values and hopes are the same as ours. We apologize today to our brothers in Spain, to that great suffering mass of Spaniards who hate totalitarianism, left and right, Russian, Chinese, Greek, or Spanish—the people in whose hands lies the future of Spain, because ultimately freedom will prevail there, as it must everywhere.

It is fitting today to remind ourselves and the Spanish people that thousands of gallant young Americans have volunteered and died in the cause of freedom for Spain, and others have toiled for that cause through these long decades. Our allies in Spain are those who care for democracy, not those who oppress it, and we hope they know in their darkened circumstances that their plight will not be forgotten wherever men care for freedom and justice until at last things are brought right again in that glorious old country to which everyone in the new world owes so much.

A DISCUSSION OF THE TECHNICAL AND DIPLOMATIC ISSUES INVOLVED IN THE ABM DEBATE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. COHELAN. Mr. Speaker, in the last few weeks I have on a number of occasions commented on the inadvisability of continuing deployment of the Safeguard ABM system.

I have followed this issue for a number of years and am concerned that deployment, especially of the second phase Safeguard, would be unwise both technically and diplomatically.

Abundant information indicates that the present ABM configuration is incapable of performing its mission—missile defense.

On the diplomatic side it is becoming clear that an ABM limitation may be the cornerstone of a SALT agreement.

This is the so-called "bargaining chip" theory which is advocated by ABM proponents.

I appreciate the basis of the bargaining chip theory but strongly disagree with the contention that a deployed or deployable system is necessary to sustain our negotiating strength.

First, no advantage is gained by advancing a technically deficient system. Second, the present system complete with its deficiencies could not be deployed for a number of years.

The logical approach to ballistic missile defense is an on-going research and development program. Such a program would protect our technical advantage, and provide adequate incentive for arms limitation agreements.

Continued deployment of questionable hardware will not improve our strategic situation.

The technical and diplomatic issues involved in the ABM debate are discussed in the following article from the August 10, 1970, edition of the Washington Post.

I recommend it to my colleagues:

DIPLOMACY REPLACING TECHNOLOGY AS ISSUE IN ABM DEBATE

(By Michael Getler)

As the battle over deployment of the Safeguard antimissile system approaches its second Senate showdown in two years, diplomacy has replaced technology as the dominant argument.

Last year, the question was whether Safeguard would be effective against Russian ICBMs.

This year, it is being asked whether Safeguard would be an effective influence on Russian negotiators at the Strategic Arms Limitations Talks (SALT), making the Soviets more eager to reach an agreement.

The shift to diplomacy was inevitable, since SALT was not yet under way when the Senate held its first debate last summer. But it comes at a bad time for those who oppose Safeguard on technical grounds. They were gaining ground.

Critics of the reliability of the missile defense plan feel with some justification, that they now have the Pentagon on the defensive. Ironically, it has been the Pentagon itself, along with the normally conservative Senate Armed Services Committee, that supplied the ammunition to cast doubt on the capability of the system.

A year ago the Pentagon's top scientist, Dr. John S. Foster Jr., assured a Senate questioner that "we can defend the Minuteman ICBM fields against anything the Soviets will throw at us." Today the Defense Department says it is no longer so sure.

The doubt centers on Safeguard's Missile Site Radar (MSR)—a $200 million electronic whiz that would detect approaching enemy warheads, compute their course, and, once they came within range, launch Spartan and Sprint interceptor missiles into their path.

The radar and its computers are probably the most advanced in the world, but last year, a parade of scientists came before congressional committees and warned against its use.

The Pentagon's plan to use only a single MSR to watch over each wing of 150 Minuteman ICBMs was, in their view, too risky. The radar, they said, was the weakest link in the defense and a determined attacker could knock it out without too much trouble, leaving the interceptor missiles helpless and the Minutemen with only their steel and concrete silos for protection.

Among the alternatives suggested was a plan for using several smaller, cheaper radars.

The Pentagon insisted however, that knocking out a radar was a much tougher task for an opponent than the critics said, and Safeguard slid into being on the strength of a single vote.

Several months later, the assessment began to change.

In February, Secretary of Defense Melvin R. Laird announced that if the Russians continued building up their ICBM force and improving its accuracy, this country would have to develop new, smaller and cheaper radars for Safeguard.

The plan is to augment the single MSR, with several radars that can be spread around the base to handle more attackers and to erase any Soviet thoughts about disabling the entire Minuteman defense by knocking out just one unit.

In April, Assistant Secretary for the Army R. L. Johnson, testifying before a House Appropriations subcommittee, also hinted that use of these new radars, which have a shorter range than the MSR might lead to eventual replacement of the Sprint interceptor missile which is the heart of the force protecting Minuteman.

The Army has been working for years on experimental missiles that are both faster and more maneuverable than Sprint. Both features could be vitally important when there is less time to get to an incoming warhead, as might be the case with a radar of shorter range, or when the warhead itself may be maneuvering to get away from the defender.

Finally, in July, the Seante Armed Services Committee made its effect to turn the administration away from its plan to also use Safeguard as a nationwide area defense network, guarding against a potential attack on our cities by a nuclear-missile-equipped Communist China in the mid-1970s. The committee recommended instead that Safeguard stick to defending Minuteman.

On Capitol Hill, these first tell-tale signs of an ABM system they seemed to be taking a different shape from the one that had passed only a year earlier by a single vote rekindled many lingering doubts about how well these programs are thought out to begin with.

The most disturbing item, by far, was the move to the new radar. It reflected poorly, in the eyes of many critics, not only on Safeguard's specific design but on the Pentagon's technical judgment and foresight.

The question also comes to mind of why it took the Pentagon so long to hedge its bet on Safeguard's solo radar.

Defense officials have known about the huge Soviet SS–9 ICBM and the smaller, more numerous SS–11s for about four years.

It surely was no secret that the Russians were working hard at improving the accuracy of the SS–11, more than 700 of which are already deployed, so that it could attack Safeguard radars and perhaps even Minuteman silos, and in adding dummy warheads so that it could overwhelm a missile defense just by using up all the interceptors.

The United States has already done the same thing to the Minuteman, which is about the same size as the SS–11.

Similarly, the reason that the SS–9, some 300 of which are now strung out in underground silos across central Russia, was of such great concern to Washington virtually from the moment it was spotted was not only because it smacked of a first strike weapon, or that it could soon carry three warheads of 5 megatons each, but that it was big enough to someday carry perhaps a dozen individual nuclear weapons.

The root of the problem, as many critics see it, is that the Pentagon locked itself into an ABM system that was originally intended

for two jobs, but is now apparently headed for only one—protection of the land-based U.S. deterrent force.

President Nixon's Safeguard still uses the same basic, though improved, components of President Johnson's ill-fated Sentinel, first proposed in 1967, primarily as a defense against the Chinese threat.

Minuteman protection, a secondary role then, has since become a primary one, at least in the sense that Congress has only authorized its use in that mode thus far and seems likely to continue limiting its mission this year.

If Minuteman defense is to be Safeguard's main job, its opponents say it should be redesigned, getting rid of the costly, nonessential elements that go with nationwide protection. They also claim that with a crash program on the new and allegedly simpler radar, there need only be about a year's delay in fielding a system beyond the 1975 date now set for the first two operational Safeguard sites at Malmstrom and Grand Forks Air Force Bases.

The Pentagon and the White House disagree strongly with these views on several counts.

Officials in both places say it would take at least five or six years just to develop the new radar and still more time to install it. Furthermore, they are unwilling to halt the entire program in the face of an ominous Russian arms build-up on the basis of a critically important element that has never been built or tested.

The question of an eventual area defense network covering the entire United States is still not settled and remains a stated administration objective. By dropping the MSR, the Pentagon claims, the country would also be dropping the option to expand to broader protection someday when the Chinese missile force is more visible. The smaller radar is not likely to fill that role, they believe.

The most strenuous objection, however, comes when discussing the alleged vulnerability of the MSR.

While conceding that the radar can be knocked out by a single, well-placed nuclear burst, Pentagon weapons experts claim this is no easy task for an opponent who would "be playing bet-your-country" and would need a virtually fool-proof plan.

To knock out the radar, they say a warhead would have to come "well inside" the range at which Sprint missiles can attack. And, officials assert, Sprint is fast enough to allow time for a second shot to be fired at anything that got past the first one.

An informal congressional group known as the Members of Congress for Peace Through Law has stated that an attack using just 20 warheads would have a 99 per cent chance of knocking out a single MSR.

Across the river in the Pentagon, weapons designers say they'd like to have that explained to them.

Knocking out a radar is not the only way to get through a missile defense. In fact, under some circumstances, it could be the worst. While all the commotion is going on above the radars, the President might choose not to ride out the attack but to launch his ICBM force.

The Russians, who have already tested multiple warheads for the SS–9 and who last week test fired a new version of the SS–11 carrying two dummy warheads, could chose to rain more objects down on U.S. targets than there are missiles to intercept them.

The debate here shifts to economics, whether it is more expensive to add SS–9s at $30 million each and SS–11s at perhaps $10 million each, or to add more and more Sprints, Spartans and radars.

The one fact common to either side is that both are expensive.

Precisely what the Soviets think about the great Senate missile debate is hard to determine.

There is evidence of similar debate in Russia, and it would probably be naive to assume that they are not interested in keeping Safeguard, even in its present form, away from protecting Minuteman silos, or that their military planners view the job of getting through it as anywhere near as easy or certain as some defense critics in this country make it sound.

Privately, administration officials have been telling congressional leaders for the past few weeks that the Soviets have made a quick and positive response to U.S. suggestions about limiting ABM systems.

American negotiators at SALT reportedly have told the administration that Safeguard is the single, continuing American strategic weapon program that the Russians would like to restrict, and that the prospect of its installation around Minuteman bases is the best bargaining chip we have in getting them to limit their SS–9 build up.

If that assessment is correct, it represents a tantalizing carrot to hang before a legislature that is tired of war, suspicious of the Pentagon, but hopeful about the future.

DRUG ABUSE—DUTCHESS COUNTY, N.Y., MEETS THE PROBLEM

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. FISH. Mr. Speaker, the drug problem in Dutchess County, N.Y., as in almost all part of our Nation, is among the gravest concerns of our citizens. A group of county residents have decided to do something about it. Giving unselfishly of their time and energy, they have gathered information which is leading them down several paths, some of which are innovative, many of which are providing a beginning at coping with this blight which is such a waste of human resources. My constituents do not claim to have all the answers, but as a result of their efforts we have new questions to ask and in seeking answers to these questions have unearthed positive approaches which I hope will be helpful to my colleagues and community leaders faced with this problem across the Nation.

First, I must ask you to accept a rather provocative concept. The drug abuse problem per se is not the problem of the users and the addicted. It is the problem of the nonuser and the nonaddicted. It is not the problem of the young because the young do not consider drug use a problem. It is we, who are older, that are faced with the drug problem. Constituents who have been working in this field for many years tell me that young people do not see drugs as a problem so much as they see it as a way of life—almost a necessity in a day and age which to them is characterized by frustration, confusion, and a lack of direction. I am not applauding nor approving their rationale—merely stating it.

The foregoing concept is the outgrowth of an analysis of the record of an emergency telephone line implemented by a Dutchess County physician, Dr. Vincent Beltrani.

Called YELL, which stands for Youth Emergency Line Limited, the telephone line is serviced by specially trained volunteers who are dedicated listeners. Many similar telephone services are springing up all over the country in an effort to at least begin to pinpoint where some of the problems leading to drug abuse really lie.

According to the YELL records which are anonymous and highly confidential, only 10 percent of the phone calls received relate directly to drug abuse, or drug oriented questions, or are from people who presumably have taken drugs of some sort and are frightened. The remaining 90 percent of the calls break down roughly to 30 percent concerning parent-child relationships, 30 percent to peer relationships, 15 percent specifically school-related problems, and 15 percent world and national issues that concern youngsters, such as the draft, war, and the like.

The Dutchess County Medical Society has formed a drug abuse committee to study the ramifications of these statistics to see where, if at all, they fit in relation to the ever-growing number of drug abuse oriented arrests and convictions in Dutchess County.

Three propositions resulted which their research indicates might be first steps in beginning to cope with and ultimately begin to eliminate the drug abuse problem as it exists in Dutchess County.

First. The premise as stated before, that the drug abuse problem is the manifestation of other problems of daily living and that learning to deal with these problems and teaching the young to cope with them might eliminate some of the quest for drug dependency. A comprehensive community approach developed. If drug abuse is a manifestation of other problems, these must be worked out by parents, children, and teachers together meeting with experts.

Second. A coordinating agency was established to transmit information from one group to another involved with drug programs, collecting and making available any and all information on drug abuse and suggesting new ideas for coping with the problem.

Third. Education, it was decided, is key and must involve the very young as well as adults, in concert.

Within the framework of these proposals, the Medical Society acts more as a catalyst than an activist organization and uses as many existing facilities as possible to implement proposals. I will briefly outline the results of their catalyst type of action to date.

As a result of their efforts, existing State-appointed councils are starting to reexamine their services to determine how they can be improved and new ones implemented. A comprehensive library is being collected and housed in a portion of the County Health Building, and this program is being coordinated through the public library system. This means that very soon a person who wants information on qualified speakers, literature, or films will have access to this information as easily as he has access to his closest library facility.

Using the facilities of the Dutchess County Youth Board, under whose aus-

pices mini conferences are being held regularly, the society hopes to compile a directory of services and programs available in Dutchess County, who runs them, and what they purport to do.

The society officially recognized and helped finance a program called ADAPT—Action for Drug Abuse Prevention Training—which is organized for the training and education of the young and old, the parent and teacher and student together. The ADAPT program was conceived by the parents of seven youngsters after 5 years of research throughout the school districts of Dutchess County. Because of the unusual concept and apparent effectiveness of the ADAPT program as an educational tool, an outline of the program will be inserted in the RECORD at a later date. Specifically, the program has been accepted as part of the curriculum of one of our school districts on a regular basis and will start in the fall of this year.

The major question, of course, that must be raised is how effective is this approach? If one were to judge by the positive programs under way, then one must assume that the County Medical Society is on the right track. The right track seems to be to acquire as much knowledge about the drug abuse situation as it exists throughout your own area and then establish a coordinating facility which will in fact coordinate and get already existing organizations to do their jobs rather than create new agencies. Our varied programs in Dutchess County are moving forward and some problems are being solved with the cooperation of a large part of our county on all levels as a result of this gigantic coordinating effect. The coordinating committee which meets regularly on a voluntary basis is made up of the following people: Chairman, Raphael Mark; members: Dr. Lawrence Sweeney, commissioner of mental hygiene; Dr. Vincent Beltrani; Dennis Pearl, psychologist; Jerome Goodman, director of psychological services, St. Francis Hospital; Dr. Eleanor Peck, pediatrician. While these individuals form the nucleus of the coordinating committee, it is by no means limited to these people and experts are brought in to the coordinating conferences as they are needed. To get the maximum use of the busiest of people the conferences are called frequently, but the time is kept short and the goal is to keep duplication of services to a minimum. The continuing improvement in relation to drug abuse problems in this one county seems to be testimony that this type of coordination can be an effective tool in combating drug abuse in other areas.

MISFORTUNE'S CHALLENGE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BOB WILSON. Mr. Speaker, Joe Machugh is probably one of the best known figures in the House of Representatives, outside of yourself. He is most congenial as he stands in the corridors of the Capitol to add a word of encouragement or advice to Members as they pass to and from the House Chamber.

After a most distinguished career in the Government, he became an attorney and most lately a philosopher specializing in the mysteries of politics.

He recently authored an essay known as Misfortune's Challenge which contains many words of wisdom of interest to political figures; or as a matter of fact, to all of us.

I include as a portion of my remarks Misfortune's Challenge by Joseph V. Machugh:

MISFORTUNE'S CHALLENGE

1. Long-lasting lessons are the rungs by which we mount "Maturity's Ladder of Life." Misfortune comes to every human being—from minuscule setbacks to catastrophic distress—and almost invariable at the time of such reverses—waves of sadness engulf the victims, leaving them at nadir of their desires and with sense of overwhelming frustration. Yet, irrespective of *whatever* it was that happened and of sentiments immediately thereafter (this includes moments of ecstatic elation, too)—precisely *how one reacts to happiness*—is infinitely more important than the eventualities themselves.

2. "Falling down" always will be an unpleasant experience but the test of manhood under such conditions—*what was done*—after hitting the ground? Staying too long in that prone position, literally or figuratively, is similar to bankruptcy in business. To err is human and mistake-making *definitely* is a part of education, growth and maturity. How soon did he pick himself up; shake-off floor-dust; and embark on further effort to achieve goals upon which his mind and heart long had been focused? Did there follow soul-searching to determine if and where injudicious courses had been pursued *prior* to unhappy incident? Did he assidously aim to avoid similar errors in days ahead? Such self-examination is an imperative of first order of importance—unless past mistakes are to be repeated ad infinitum.

3. Emil Ludwig, in his masterful biography of *Napoleon* (if I recall correctly) said "His Hero" had been *"cashiered"* a number of times during very early stages of his career. On each such occasion he could not have foreseen nor have faintest notion that, before reaching the ripe age of 30 years—he would have conquered much of the then known World! Had he bridled, broiled & brooded—to exclusion of all else—never would his name have been prominently inscribed—indelibly on pages of World History. However, Ludwig wrote "The Little Corporal" took those early reverses manfully; rolled with punches; returned promptly to the fray; and rose eventually to Pinnacle-International Stature—despite final tragedy at Waterloo.

4. Area of activity makes little difference—for we are considering concept of *"principle"* meaning one of those Natural or Divinely-Ordained Rules of Conduct that cannot be ignored with impunity. Highway Speed Limits are *"Man-Made"* and ever-subject to change by man; they can be and *often are* overlooked without penalty—if no policeman was around and no accident occurred. It is exactly opposite as to Divine Ordinances we call "Principles." They can *never* be ignored (repeatedly, anyway)—without inexorably paying a price for having done so.

5. It is firm conviction of writer—"How We React to Misfortune as being more significant than reverses involved"—*Is—A principle!* As such *it* cannot be nonchalantly shrugged-off; and belongs way-up-front—among those Lessons of Life that enjoy longevity! Moreover, "Sympathy" is one of noblest of human emotions. When a person sees another undergoing an ordeal, often there wells-up in minds of the uninvolved—sense of sorrow for the victim. Old Story of "Sympathy for Under-dog" whose lamentably low luck attracts interest—*If* U.D. is acting like "Game Guy." Soon and gradually it turns to admiration for grit in fighting against obvious handicaps—then to active support, helping win final success for a less-than-favored contender.

6. Take a look at a single issue persistently plaguing President Richard M. Nixon, i.e., Viet Nam War. He did *not initiate* that War 'twas his inherited misfortune. The Record will show he has not dwelled unduly on this fact nor kept pointing finger of blame at predecessors who were responsible for our involvement therein. Rather he asserted—The Problem is what to do about it—*Now!* In his 1968 Campaign he said he had plan to End That War. Certainly he is moving in that direction, even if not fast or effectively enough for his most vociferous critics. *That* is treating an Unwanted Legacy with finesse & maturity which indeed may pay rich dividends by the time voters stream to Polls in 1970 & 1972.

7. All the World *"Loves a fighter"* and greater the odds against him—the more he will be cheered. "David" would have more support in spectator stands that "Goliath—in their Uneven Contest! Everywhere "Little People" outnumber "Giants." Didn't Lincoln say God *must* have loved little people because he had made so many of them? So, too, in any average audience there will be many more "Little ones" than "Biggies;" and normally "diminutives favor their own!"

8. Particularly as to those competing for public support would it not be well to bear in mind importance of letting the whole World know *just how* they have reacted to major misfortunes. Few things short of Death Itself (perhaps even there—as dramatically proven by "The Gentle Nazarene" Who used "that ending" to Establish Christianity—in fulfillment of Scriptures)—few things could be so disastrous as to be incapable of correction later on. Some of the profound wisdom permeating Rudyard Kipling's Masterpiece:—*"If"*—may be relevant here:

If you can make one heap of all your winnings;
Risk them all on a single turn of pitch and toss;
Lose—and start again with your beginnings;

And never breathe a word about your loss.

So, instead of commiserating or "feeling sorry for one's self;" sulking in seclusion; or trying to alibi the unfortunate episode—but silently "taking it in stride;" and starting anew from scratch—to hold old friends and convert opponents.

9. *Could* there be more sage counsel for any in calcium glare of public exposure—keep omnipresent in mind: *"What Happens"* is not nearly so important but *"Reaction to Happenings"* can be infallible recipe for future success—an Acceptance of *Misfortune's Challenge!* Of such stuff is Genuine Leadership composed! A man who has vision, sagacity & stamina to overcome obstinate obstacles—unquestionably has "The Potential" for decision-making that Executive Leadership demands in a confused and troubled World. So, A Salute to Scrappers"—who subordinate Sentiment to Sound and Long-Range Views—with Eyes on Fixed Targets—Far Ahead!

10. For, after all, there is *only one battle* that *must be won*—The Final Confrontation—*all the others are just skirmishes*—Aren't they?

TO REDUCE AUTO COLLISION INSURANCE RATES

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. CONABLE. Mr. Speaker, there is general interest in reducing the high cost of automobile collisions and the accompanying cost of the auto insurance to pay for these collisions. The Cornell Aeronautical Laboratory of Buffalo, N.Y., has been commissioned by the National Association of Independent Insurers to undertake a study of the relation of auto design to low speed crash damage. The eventual objective of the study is improved auto design, less collision damage, and lowered insurance costs. Clearly efforts of this kind are needed.

I submit for the RECORD a statement explaining more completely this significant study:

TO REDUCE AUTO COLLISION INSURANCE RATES

CHICAGO.—Your auto collision-insurance rates of the future may be significantly affected by the results of a unique crash research program to be conducted by Cornell Aeronautical Laboratory for the National Association of Independent Insurers.

The NAII, the world's largest insurance trade association, has awarded the Cornell Laboratory in Buffalo, N.Y., a $40,000 contract to develop analytical techniques for predicting the susceptibility of cars of different design characteristics to low-speed crash damage. The NAII said it is the first insurance industry-sponsored study of its kind ever conducted.

The structural-analysis formulas that Cornell Laboratory will develop for the NAII are expected to show the feasibility of predicting the varying costs of crash repairs among differing new-car designs in common impact situations. Such information, in turn, could be used by insurance companies as a major factor in establishing new crash rating scales for collision-insurance coverage.

For example, a certain model of car with a predicted low susceptibility to damage might qualify for a lower collision-insurance rate than a car that is more vulnerable to damage.

CAL safety scientists expect to show analytically how damage susceptibility and approximate repair cost of new-car models can be estimated when the cars first come on the market, or even while they are still on the drawing boards.

Dr. Patrick M. Miller of CAL's Transportation Research Department said that there is limited evidence indicating that even low-speed collisions can result in large variations in repair costs among various car models. Thus, he pointed out, it may well be possible to analytically predict these repair-cost differences.

In the first step of the six-month feasibility study, CAL will catalog and analytically describe the components of a car in the first 18 inches of the front and rear of the vehicle. Mathematical formulas then will be devised to predict the forces and deformations sustained by each car component in low-speed impacts. It will be possible to determine which components of the car are most likely to be contacted and thus damaged at a given speed. The analysis also will indicate those structural components that are considered to be most significant at various stages of the collision.

To prove out the mathematical calculations, two new 1970-model cars will be crashed in frontal and rear-end collisions into a rigid pole in a series of four tests at speeds in the 5 to 10 mile per hour range. The actual crash damage will then be compared with the predicted crash damage. Instruments will be mounted on both the car and the pole to measure the forces involved. Researchers also will be able to study the deformation patterns of each part in a car with the aid of several high-speed cameras operating at 1000 frames per second.

Dr. Thomas Manos, professor engineering at the University of Detroit, with whom the NAII consulted in its preliminary investigation of the analytical process as a guide to damage predictability, will continue to serve as special consultant to the Association in connection with this and other studies in the auto damage field.

The NAII said it will make results of the research program available to the automobile insurance industry, to the automobile manufacturers, and to government agencies doing research in the automotive field. The NAII said it hoped the results of this program will be of value to manufacturers in their efforts to reduce automobile damage susceptibility.

The 527 affiliated companies of the Chicago-based NAII write over half of the private passenger automobile liability insurance in force in the U.S.

THE PRESIDENT AT HIS BEST

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. THOMPSON of Georgia. Mr. Speaker, to further his belief that the Presidency should be closer to the people, President Nixon recently held a press conference on the west coast. As in the past, Mr. Nixon responded knowledgeably and candidly to questions ranging from the war in Vietnam to campus unrest.

In an editorial entitled "The President at His Best," the Nashville Banner comments on this press conference. I know this will be of interest to my colleagues and I, therefore, request it be printed in the RECORD. The editorial follows:

THE PRESIDENT AT HIS BEST

The Nation welcomes, and shares, the optimistic note touched by President Nixon in his West Coast press conference last night—aware that on both the foreign policy points and those essentially domestic, he was drawing logical conclusions. The concerned constituency, by and large, recognizes the validity of some pointed observations—addressed to clarifying some public issues. And the vast segment of thinking America stands with him on these, respectful of his determination to help resolve—not obfuscate—them. He does not fabricate an opinion for expediency's sake. He does not resort to the partisan stuff of which credibility gaps are made.

Thus he said bluntly, in answer to a question, that much more is involved in campus unrest and violence where it has occurred, than government action and government policy. He put a big share of that responsibility squarely where it belonged and belongs. "It is a problem," he said, "to which college administrators and college faculties must face up. We share our part of the blame. I assume that responsibility. We will try to do better. But they have to do better, too."

He pointed out that even with the pretexts for such violent protests removed, others could be found by any element wishing such—and that, unless weaknesses likewise are corrected, "once all these things are done, still, the emptiness and the shallowness, the superficiality that many college students find in college curricula will still be there." And on these matters he solicited responsible corrective action by the college administrators themselves.

No less direct was his reply to the inquiry about Federal attitudes and procedure on the demand of some critics for compulsory school integration—particularly assignment of federal officers to that end in states and school districts deemed in violation of the law. He foresaw no force. It would be treated, he said, with cooperation—not coercion. That was a clarification, surely, significant to a watching nation. It was a commitment sound in principle, and characteristic of a stewardship that came to power with the pledge of healing, not worsening, the wounds inherited.

The President certainly is not on the defensive respecting either the war situation in Southeast Asia or the factors—however plural—of continuing problems on the home front; both categories of these likewise inherited. He was able to cite progress on the Vietnamese question—toward full and scheduled fulfillment of the U.S. manpower withdrawal. With equal propriety, in assertion of economic advance, and systematic reduction of the long-range inflation threat, he could cite the evidences of improvement to which, less than a week ago, Chairman Arthur F. Burns of the Federal Reserve Board called attention.

If it appears to the average beholder that the Chief Executive has done his homework, the impression is justified. And the reason he goes into these interviews armed with the facts and the details on the questions raised, is that as the man who bears the ultimate responsibility for decision, he acquaints himself thoroughly with these facts—and has them at his fingertips.

He believes in the right of a concerned people to KNOW. They have a proprietary stake in policy matters, foreign or domestic; and he recognizes, as their assigned steward, the necessity of a full and factual accounting. That is the central reason that, as he put it, his desire and purpose is—in working visits over the nation—to bring the White House to the people. Concentration of power and centralization of authority—away from the state and local level, and to Washington—are foreign to the Nixon philosophy.

The people have rights, in his interpretation of both the constitutional premise and the elementary freedom that IS America. But they also have tremendous individual, group, and aggregate responsibilities. The matters vouchsafed in his answers and related comment last night were a reminder of both. The President with his own recognized burdens of responsibility never greater—again was at his best.

THE 90TH ANNIVERSARY OF POLISH NATIONAL ALLIANCE

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. DADDARIO. Mr. Speaker, August 10 the Polish National Alliance of North America, the largest fraternal organization for Americans of Polish descent, observed the 90th anniversary of its founding.

It was in Philadelphia in 1880 that five immigrants from Poland, deeply concerned with the welfare of ever-increasing numbers of their compatriots

arriving in America, first conceived the idea of forming the Polish National Alliance of North America.

Initially the PNA set for itself two main objectives: to serve the best interest of Polish immigrants and to help the land of their origin, Poland, in its struggle for freedom, independence, and economic betterment.

Among the landmarks of the PNA fraternal progress is the granting of full rights and privileges to wives and daughters of PNA members in 1900. This decision brought untold benefits to the organization as the PNA became the first major organization to grant equal rights to women.

In 1912, the PNA founded Alliance College in Cambridge Springs, Pa. Alliance College is presently an accredited, 4-year liberal arts college and this year, 1970, has witnessed the graduation of the first class certified by the State of Pennsylvania to become teachers.

In 1939, the PNA donated $210,000 through the Red Cross for the aid of war victims in Poland. The PNA also actively supported the American Relief for Poland, Inc.

At the outbreak of World War II, the PNA was instrumental in organizing the Polish American Congress, a representative organization of Polish Americans dedicated to the struggle for an independent and free Poland.

Connecticut plays an important role in the framework of the PNA organization with its seven councils, more than 50 lodges and membership of over 15,000 in the adult and youth divisions.

The PNA has made many valuable contributions to both Poland and America since 1880. In light of these contributions, I urge my colleagues in the Congress to join with me in marking the 90th anniversary of the founding of the Polish National Alliance.

EFFECTS OF SCHOOL CHANGES ON SPORTS

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. NICHOLS. Mr. Speaker, the people of Alabama will soon be faced with a very serious problem that has caused great concern throughout the entire State.

I am speaking of the complete desegregation of Alabama's school systems. While we are not pleased with the methods used by the Federal courts in compliance requirements, we are law-abiding people and will respect the courts' orders.

Mr. Speaker, we in Alabama are proud of the athletic records achieved not only by our fine colleges and universities but by the smaller secondary schools, some of which will cease to exist this year as a result of the courts' rulings.

On August 2, the sports editor of the Selma Times-Journal, Mr. Jamie Wallace, wrote an editorial on the sports page entitled "Effects of School Changes on Sports."

I am against the immediate establishment of unitary school systems when they force the closing of some of our finest schools in Alabama and wish to call the attention of my colleagues to this timely article:

EFFECTS OF SCHOOL CHANGES ON SPORTS

(By Jamie Wallace)

Already untold numbers of words have been written about the current school crisis throughout the Southeast, but up until now most of it has been left to the news and editorial columns.

Little has been said about the effects it is going to have on the world of sports, my world.

A quick survey of Central Alabama indicates that the athletic picture perhaps will never be the same.

Court orders to establish unitary school systems and the decision by many people to establish private schools have enforced the changes, eliminating many of the most familiar names in Alabama high school athletics.

MISSING SCHOOLS

Schools such as Orrville, Sweet Water and Suttle are no longer scheduled to be open this year as high schools so the final chapter apparently has been written in their long athletic stories.

Others such as Linden, Thomaston and Camden at present appear to be out of the athletic business.

CONSOLIDATION

Consolidation has sopped up such schools as Hudson and Parrish High and left them as a single Selma High School so their sports past also have been written for the final time.

The same fate has fallen on both well-known predominantly white and Negro schools.

For example, East Highland High School of Sylacauga, long known as the producer of outstanding athletes and winner of the state track crown this past spring, will be no more. The same is true of familiar Booker T. Washington High in Montgomery. Both were kingpins among predominantly Negro schools.

COACHING SITUATION

Coaches find themselves in a more hazardous position than ever. Some who thought themselves well settled before the federal courts got into the school business now find themselves having to hunt new jobs or adjust to an entirely new situation.

The situation, as it has some other teachers and school officials, has also resulted in some coaches deciding to retire from the profession and launch into a complete new career.

Some of those schools eliminated had won state titles recently or contended stiffly for such.

CHAMPIONS

For example, Thomaston was the first state Class 1–A football champion. Linden had claimed the honor numerous times before the playoff system went into effect.

On the other hand, Suttle has long been a name feared in state basketball circles.

Out of the confusion has arisen the Alabama Private School Athletic Association, spearheaded by our own Morgan Academy. The organization now has set up an overall athletic program for members of the private school association and will have 30 members playing football this fall.

APSAA BUILDS

Profiting from some trial and error mistakes made in the past by the public school athletic association, the new private group has set about to build a strong system, complete with playoffs.

While as must be the case, it will take a year or so for the settling, it now appears that competition among the private institutions will be very keen this fall.

Meanwhile, there's no death bell toll for the public school athletic organization. Admittedly, there are problems for many schools Central and South in Alabama, but on the other hand there are many of our neighbors who have been little affected by latest court orders.

SCHOOL SELECTION

Selection of a school is a matter of individual choice, and so must be the athletic participation. There's plenty of room for both the private and public systems.

As we approach the beginning of full scale practice for football this fact must be kept in mind.

We must also always keep in our minds that its the youngsters who play the games and the adults who must support them and lend them encouragement, not the other way around. All too often we appear to think it might be the adults who should play the game and the youngsters who lend encouragement.

SZELL MEMORIAL IN UNPARALLELED ORCHESTRA

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. TAFT. Mr. Speaker, last month, all of us were saddened by the passing of a great musician, a genius in his field, who is known worldwide for the music his Cleveland Symphony Orchestra brightened the hearts of his listeners with.

Not enough can be said about the good will the Cleveland Orchestra spread to other nations of the world during its many trips abroad.

George Szell will live in the sounds of his orchestra, as aptly described in the following WJW–TV editorial:

A MAN WHO BUILT HIS OWN MEMORIAL

There are people in the world who have never heard of Cleveland, Ohio . . . but they have heard of the Cleveland Orchestra. They do not know that Cleveland is a city. To them, Cleveland is an orchestra.

There are a great many other people in the world who have heard of Cleveland, Ohio, and do know it is a city. And if you ask them what it's famous for, they will answer: "It's orchestra". In Europe, in the Orient, in the Soviet Union, in Africa . . . there are millions of people who do not think of Cleveland as the city on the polluted lake . . . or the city with industrial smog . . . or the city with housing and employment and education and racial problems. They think of Cleveland as the city with the finest orchestra in the world.

To some Clevelanders that orchestra is an unappreciated treasure . . . but not to any person who has ever lived through the emotion of an evening at Severance Hall . . . not to anyone who has sipped a lemonade at the Auditorium and discovered at a pop concert that the world's finest orchestra has a sense of humor, or lazed on a grass-covered slope on a summer evening at Blossom Center, hypnotized by a sound.

As long as there is a Cleveland Orchestra,

George Szell will not need an epitaph or a eulogy. George Szell is a man who spent 24 years of his life in Cleveland, Ohio, building his own memorial.

YORK COLLEGE DEAN FAVORS PROPER DRESS FOR STUDENTS

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. GOODLING. Mr. Speaker, it is said that clothes makes the man, and expanding on this concept for those pursuing formal courses of study, a prominent educator from my congressional district has recommended that neatness and appropriateness be set up as standards of dress for those attending our formal institutions of learning.

Dr. G. A. Mellander, dean of academic affairs of York College, has endorsed a dress code for college students. Because Dr. Mellander offers some interesting viewpoints in support of his recommendation, I submit them to the CONGRESSIONAL RECORD for the attention of my colleagues:

YORK COLLEGE DEAN FAVORS PROPER DRESS FOR STUDENTS

YORK.—In the spring issue of "Educational Record," Dr. G. A. Mellander, dean of academic affairs at York College, wrote in support of a dress code for college students.

Dean Mellander takes the stand that the educational process, among other things, must prepare a student to enter life as it really is, and that, generally, life in the business community precludes excessively long hair, untucked shirts and bare feet.

The text of Dr. Mellander's statement is as follows:

"Living abroad for any extended period of time frequently leads to 'reentry' problems when one returns. I worked in Puerto Rico from 1966 to 1969—a mere three years, yet it might well have been thirty for all the changes that transpired in higher education during that time.

"I would like to dwell upon one change: the novel idea that student dress is unimportant and, indeed, irrelevant. The widely held view that a student's appearance is completely divorced from the business of education has blossomed throughout the land during the past few years. The ancient shibboleth of 'academic freedom' and the more recent war cry of 'civil rights' have been raised to defend this departure from tradition. How foolish it is to propose that either of these have anything to do with the question at hand.

"Once virtually every college expected students to dress in a manner befiting an academic institution. And this was not limited to classroom attendance, for evening meals invariably called for one's best clothes and deportment. Attending college was a serious matter and students were expected to dress and behave as ladies and gentlemen. But today, in an age of ever-expanding personal freedoms, even when they restrict or impinge upon the rights of many, it is not surprising to find college after college forsaking even the merest semblance of a dress code.

"Is this justified? Must we abandon all rules and regulations? I think not. I believe proper dress—defined merely as appropriate to the occasion—is important and should be an integral part of college life as it is of every single walk of life. Although not normally spelled out in many professions, dress codes nonetheless exist in every human endeavor.

"Few will argue with the statement that education doesn't just 'happen' in the classroom and that a teacher's responsibility goes beyond teaching his academic subject. Everything that transpires on a campus has an educational impact. If we are truly preparing young people for the future, we have a responsibility not to create an artificial environment. We should not allow students such freedom in our campuses that after four years there, they will be unable to make a smooth transition to their chosen careers. Once they leave the campus, once they assume the responsibilities they seek, they will obviously have to conform to the mores and disciplines of society, just as all men have done since the beginning of time.

"Colleges and universities should educate the total person, not just awaken his mental faculties. By visual examples, by rules and regulations, by the multiplicity of educational experiences outside the classroom, students mature, acquire the habits, discipline and a mode of living necessary to continue growing after they leave college. Colleges should not abdicate their responsibilities to their students by, in effect, telling them that dress and appearance are not important. To do so is to lie.

"Faculty and administrators should not handicap a student's formation and development by looking the other way. That may be the easy way out, but in the long run it will hurt and hinder the student. College is not a preparation for life; it is life itself.

"I am not suggesting that we return to unusual or unrealistic regulations. I would recommend that neatness and appropriateness are simple enough guidelines to be observed. If a person is not neatly or appropriately dressed, it will detract from the academic atmosphere colleges try to establish and maintain. Attending college is a serious endeavor and one should not come dressed as one would for a picnic. This is not an insignificant or unimportant matter. It is central and crucial to establishing the proper tone for an academic institute."

Prior to assuming the position of academic dean at York College, Dr. Mellander was dean of faculty at Inter-American University, Puerto Rico. A 1957 graduate of Canal Zone College, he earned his doctorate from George Washington University.

WYOMING STOCK GROWERS ASSOCIATION RESOLUTIONS—1970

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. WOLD. Mr. Speaker, at their annual convention in Sheridan, Wyo., the Wyoming Stock Growers Association adopted a set of resolutions which are very pertinent. Of special interest are the positions the stock growers have taken on the questions of foreign meat imports and contaminated foreign beef.

Resolutions Nos. 1, 2, 3, 6, 7, and 8 are especially important. I believe the views of the Wyoming Stock Growers Association should be brought before Congress. I insert the resolutions listed in the CONGRESSIONAL RECORD:

RESOLUTIONS ADOPTED BY THE WYOMING STOCK GROWERS ASSOCIATION

RESOLUTION NO. 1.—CONTAMINATED FOREIGN BEEF

Whereas, the meat industry in the United States is under strict sanitary and health controls in order to supply the American consumer with safe and wholesome meat,

Whereas, over 6,000 full-time inspectors and veterinarians inspect 1062 meat processing plants in the United States, and

Whereas, there are 1,100 meat processing plants in foreign countries supplying over 1.6 billion pounds of meat annually who employ *only 15* veterinarians and *75 backup inspectors* who actually examine less than one percent of the 1.6 billion pounds imported to the United States thereby *exposing the American consumer to contaminated, unsanitary, and diseased meat,*

Now therefore be it resolved, that the Wyoming Stock Growers Association insist that meat processing plants in foreign countries that export meat to the United States be required to meet the same standards set up by the Wholesome Meat Act instead of the slip-shod, haphazard methods of inspection being practiced by foreign meat processing plants.

RESOLUTION NO. 2.—SUPPLYING AMERICA'S BEEF

Whereas, wages, taxes, interest, cost of trucks, tractors, harvesting equipment, and repairs have increased drastically over the past ten years without a compensatory increase in the price of live-stock, and

Whereas, the cattle industry has been in serious financial distress for several years, and

Whereas, beef can be purchased today with less hours of labor than ever before in this nation's history, and

Whereas, cattle numbers and meat tonnage have continually increased faster than the nation's population and can continue to do so if given a proper price incentive, and

Whereas, any action taken to weaken the present price of beef will jeopardize the nation's supply of beef because cattlemen will be forced to sell animals from their cow herds to meet high interest and high operating costs,

Therefore be it resolved, that the Wyoming Stock Growers Association urge the leadership of the American National Cattlemen's Association, the Secrtary of Agriculture, and all members of the Wyoming Congressional Delegation to resist any moves, such as relaxing of import quotas, that will curtail prices received by the nation's cattle producers and feeders.

RESOLUTION NO. 3.—TRANSSHIPMENT OF FOREIGN BEEF

Whereas, we are opposed to any relaxation of the quota system set up by the Red Meat Import Act as amended in 1964, and

Whereas, Red Meat is being trans-shipped to this country, thereby evading the quota agreements,

Therefore be it resolved, that the Wyoming Stock Growers Association is in favor that the Red Meat Import Act, as amended in 1964, be retained and imports quotas be applied to all such meats coming through other countries, except on through bills of lading, providing accurate enforcement of the law of the land.

Be it further resolved, that copies of this resolution be sent to our congressional delegation.

RESOLUTION NO. 4.—BIG GAME GRAZING

Whereas, the present coupon method of disbursing funds to the landowners of the State of Wyoming for grazing and supporting antelope is inequitable, and

Whereas, there is no compensation to the landowner for forage consumed by other big game animals,

Therefore be it resolved, that the Wyoming Stock Growers Association direct the Legislative Committee of the Wyoming Stock Growers Association to formulate a bill to be submitted to the 41st Wyoming Legislature that would include the following points:

1. On application of a landowner to the Game and Fish Commission, the Commission shall pay to such landowner an equitable fee for all big game animals which graze or feed on the lands of the landowner. This grazing fee shall be calculated on the A.U.M. basis that game and fish lands are bringing at public bid for previous year, in which—

5 antelope=1 A.U.M.
4 deer =1 A.U.M.
1 elk=1 A.U.M.

Applications for the payment of grazing fees must be made to the Game and Fish Commission prior to January 1 of any year and payment of grazing fees by the Game and Fish Commission shall be made by March 1 of the following year.

2. The number of head of such game, and the period that they graze on such deeded land, is to be agreed on by the landowner and the deputy game warden assigned to the area involved. In the event of failure to arrive at agreement, the landowner and the deputy game warden shall present their arguments to the Board of County Commissioners at their next scheduled meeting, following the failure to reach agreement, and the decision of the Board of County Commissioners shall be final.

3. The payment of grazing fees, herein referred to, to a landowner is not to be construed as agreement by the landowner to:

a. Allow access by the public without the landowner's permission, to the lands of the landowner for purpose of hutning, or any other purpose.

b. Graze any specified number of game on the land of the landowner except during the year for which grazing fees are paid.

4. The payment of the grazing fee, herein defined, is compensation paid by the Game and Fish Commission to the landowner for forage of whatever types that is consumed by the game owned by the State of Wyoming. This payment is in no manner to be construed as reimbursement for any damage which may be caused by such game to the property of the landowner.

RESOLUTION NO. 5.—TRESPASS PENALTIES

Whereas, the present $100.00 limit on the authority Justice of Peace to impose fines is hopelessly antiquated, not in line with the present day economy, and fails to provide for proper protection of Wyoming's citizens,

Therefore be it resolved by the Wyoming Stock Growers Association that the maximum fine which can be imposed by a Justice of the Peace be increased from $100.00 to $500.00.

RESOLUTION NO. 6.—INSPECTION OF LARGE CAPACITY STORAGE DAMS

Whereas, the recent failure of Reservoirs in Wyoming have caused considerable permanent damage to downstream ranchers, and

Whereas, there is presently no annual inspection of large capacity storage reservoirs in Wyoming, and

Whereas, an annual inspection of large capacity storage reservoirs would be of great benefit and consolation to life and property downstream,

Therefore be it resolved, that the Wyoming Stock Growers Association go on record as in favor of drafting and submitting legislation to provide for the annual inspection of all large capacity reservoirs and that this program be administered by the State Engineer's Office, and that the examining officer be given authority to condemn any dams that are found to be unsafe.

RESOLUTION NO. 7.—PESTICIDES

Whereas, judicious use of pesticide chemicals is essential in giving us a safe and abundant food supply and contributes by protecting human beings against pest-carried diseases and assists in increasing the productive capacity of otherwise low productive areas through control of undesirable plant species and,

Whereas, several organizations and individuals have severely attacked the use of pesticides and confused the general public by using undocumented and fictitious materials, and

Whereas, the Wyoming Stock Growers Association is concerned about the misrepresentation of facts concerning pesticides,

Therefore be it resolved by the Wyoming Stock Growers Association that regulatory authorities and agencies should consult with Experiment Station and Extension personnel who are engaged in research and proper use suggestions of pesticides before setting restrictions and parameters of pesticide uses.

And be it further resolved that Regulatory authorities and agencies consult with members of the Agricultural Industry as to the importance of pesticides in maintaining a sufficient food supply for our ever expanding population.

And that these resolutions be forwarded to Wyoming's Congressional Delegation expressing our concern as outlined above.

RESOLUTION NO. 8.—ESTATE VALUATION

Whereas, the Ways & Means Committee of the House of Representatives is presently engaged in modifying the gift and inheritance tax laws, and

Whereas, the present system of valuations based upon appraisal of fair market value has proven to be difficult as well as impractical, and

Whereas, tax records of past earnings are readily available,

Therefore be it resolved that the Wyoming Stock Growers Association does reiterate its position that the value of ranch property for estate tax purposes be based upon its proven earning ability, for this, in the final analysis is the only true appraisal of value.

NEIGHBORHOOD SCHOOLS OR FREEDOM OF CHOICE

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. COLLINS. Mr. Speaker, education of our young people is the base of America's future. Americans at the crossroads, in the suburbs, in the crowded cities, all want us to concentrate again on educational progress.

This weekend while I was back in Dallas I visited many times with concerned folks who wondered why we are not emphasizing education and training as we used to do. Why are youngsters being forced to go across town to school? And then why change schools again every year?

I have studied every survey available for the past 2 years in Washington on the busing effect on education. There has been nothing to show academic improvement. No survey can show that busing accomplishes anything except community turmoil and increased school taxes.

While Washington insists on destroying the neighborhood school system, the confusion leads to mixed-up youngsters. Youth crime rate has skyrocketed. Drug use has doubled. Mental disturbances are at a peak.

Every youngster under his constitutional rights should be given freedom. He should be able to go to his neighborhood school or to have a freedom of choice to go to any school in his district. He should not be trucked around like a load of cattle. We need to instill dignity and pride in the individual.

In the August 9 issue of the Dallas Morning News was an interesting analysis by Dick West, editorial director. West is more than an editor, he gets out with the folks and he writes facts and not hogwash. He tells it like it is. Education is vital and Dick West spells it out in the News in the following plain-spoken editorial:

NEIGHBORHOOD SCHOOLS OR FREEDOM OF CHOICE

(By Dick West)

For 16 years now, the South has been living in an uncertain and uneasy state of siege because of federal dictation to its school systems.

The dictation is bad enough. But when the orders from Washington vary from year to year—and even semester to semester—the former Confederacy, from Texas to Virginia, becomes frustrated, cynical, then belligerently bitter.

Mississippi can't do it in 20 years, any more than New York City or Newark can wipe out their ghettos and replace them overnight with gardens and fountains.

A federal bureau or court can end segregation by law. But it can't end segregation—and that seems to be the trouble.

There is no segregation by law in Dallas, but there are still schools in this county and throughout the South that are 95 to 100 per cent all white or all black. And the local government is bugged about it.

Parents and students, black and white, want schools of their choice—which is the neighborhood school closest to them—but Washington periodically sends long-haired theorists into Southern states to warn that freedom-of-choice neighborhood schools "are not what we mean by racial balance," to quote one of them.

In brief, 9 out of 10 school districts south of St. Louis have outlawed segregation by law in public education—which is all that the Supreme Court ordered them to do.

But they still have spots of total segregation. And the only way they can eliminate it is to pick up the children by the thousands and bus them for miles twice a day just to satisfy educational theorists who never saw the South, much less lived in it, but seem to get a sadistic kick out of restructuring its life.

Democrats are mad, Republicans are mad—in the South, that is—and blacks and whites in both parties are mad.

To aggravate their tensions, President Nixon months ago came out flatly against busing—but his own Health, Education and Welfare Department invades the South with threats of lawsuits to enforce busing.

A federal decision, either by HEW or a court of law, will tell a city its plan of integration is all right. The city breathes more easily. Then, out of the blue, comes a lawsuit saying the plan is not all right.

Are they nuts? parents ask.

A prime example of this confusion and vacillation is Richmond, the proud capital of old Virginny.

The Richmond News Leader recently publish a full-page open letter to the United States Supreme Court.

In 1965, a freedom-of-choice plan in Richmond was approved by a federal district court, federal appeals court and the Supreme Court. But if we read the New Leader's account correctly, Richmond faces compulsory busing.

In Richmond, under freedom of choice, every white student in the city attends an integrated school.

Richmond taxpayers spend $701 per student on its system, which is $25 above the national average. There are only 19.8 students to the teacher—the figure is close to 30 in Dallas, and the national average is 23.2. The dropout rate in Richmond is only 6.4. Nationally it is 21.5. The average teacher's salary is close to $8,000.

The overwhelming majority of blacks and whites in Richmond are satisfied.

Its current school budget is $27 million, but if busing is ordered taxpayers will have to dig into their pockets and come up with $5 million more for vehicles, tires, gasoline and drivers.

The most insane feature of this situation is that Richmond's system was approved by every federal court which heard it.

If Richmond must now change, what assurance does it have that, five years from now, it won't have to change again to suit the whims of another bureau educationist?

The average person who reads column after column, day after day, about this school problem doesn't really realize how it all began—and how it has mushroomed into a cloud of absurdity.

The original landmark decision in 1954—Brown vs. the Board of Education—didn't say that segregation was illegal: It said discrimination by law was illegal. There's a big difference, and that is the source of the current trouble.

Specifically, it said that no child could be denied admission to a school because of his race.

This means that if a black youngster in South Dallas wants to go to Thomas Jefferson or Hillcrest in North Dallas, he can.

But the decision does not mean that the government must come in, load him in a bus, and force him to go to North Dallas.

As a matter of fact, such busing is illegal under the original 1954 decision, for this reason: If the black youngster forced to go to North Dallas wants to stay at home and go to his neighborhood school, he is being denied admission to a school (his own in his own neighborhood) because of his race.

If whites in the Thomas Jefferson area want to stay there, they too are being denied admission if forced to ride a bus to a South Dallas school.

It never made sense that a black youngster's learning process suddenly becomes better if he sits next to a white youngster. But, Southern school districts must make certain that black and white areas have schools equal in instruction and facilities and, secondly, announce that anyone can go to any school he wants to.

That is all they can do—period.

And every poll ever taken—the most recent by Gallup—shows that 9 out of 10 parents oppose compulsory busing. This is another way of saying they want their own neighborhood schools.

But the turmoil continues. Washington knows best.

THE JUNTA—LEAVE IT OR LOVE IT?

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. EDWARDS of California. Mr. Speaker, it is ironical that the United States, so widely accused of abusing its power to influence the destiny of other nations, has failed to so much as flex its little finger for the restoration of democracy in Greece. It is indeed mystifying that we wage undeclared war in Indochina while refusing to exert even the minimum influence on the Greek junta to restore democratic government and civil rights. As Alfred Friendly points out in the following article from the Washington Post, Sunday, August 9, our failure to put the screws to the junta raises the legitimate question: Are we in love with it? The article follows:

THE GREEK JUNTA'S HOPELESS FUTURE

(By Alfred Friendly)

ATHENS.—In the more than three years since it seized power, the Greek military regime has run up a curiously mixed record of success and failure. It has been completely successful in establishing itself in power. Its control of the country is absolute and not threatened by any force, internal or external, on the horizon. It has completely failed to fulfill its promises of giving Greece a new basis for political life, a political "cleansing" or even a minimally competent government. Most important, it has failed miserably to win popular support at home or acceptance abroad.

A striking consequence of these failures—and also in part a cause of them—is the junta's total inability to enlist anyone of technical competence, good reputation and public stature to work in the government. The feeling remains, and is probably growing, that anyone who joins up is a quisling.

For the last few weeks it has been common knowledge, and the source for much joking in Athens, that Prime Minister George Papadopoulos has been hawking top jobs to battalions of prominent Greeks who are anti-junta. Some of them have only recently returned from prison or exile. Papadopoulos is known to be frustrated on this score and to realize—as his infinitely more blinkered and primitive military colleagues do not—that his government is simply unable to deal with its problems. It can make its writ run, but its writ is incompetent.

The failure to win popular support, to operate an effective government, to obtain the necessary economic agreements with the Common Market and other international agencies abroad, to secure the flow of indispensable foreign investment—these are the junta's Achilles' heel. Because of this, the Western democracies, and the United States in particular, possess some leverage than can be exerted on the dictatorship. The junta can afford to be indifferent or unmoved by the essentially meaningless threat of withholding future weapons supply but it cannot remain unconcerned about international condemnation and lack of real American support, for these are at the root of the junta's hopeless future prospects. Greece has not reached the point of Spain and Portugal, nor is soon likely to, where it can thumb its nose at the rest of the world.

But it is in just this area of pressure politics where Greek liberal (as against left) anti-junta opinion leaders believe the United States has not made intelligent or courageous use of its clear potential. Whatever they think about the attitude of the Pentagon or CIA, a small group of informed and pro-Western Greeks concedes that the White House and the State Department detest the junta and are sensible to the dangerous consequences of its continuance.

But, they complain, the American government has not made clear to the junta, in cold turkey terms, the degree of its condemnation, nor threatened to use the not insignificant arsenal of political and psychological weapons at its disposal if the junta does not begin the process of a return to democratic rule. Granted, the Greek critics continue, the United States cannot tell the colonels how to run the Greek government. But it can certainly make much more explicit to the colonels that they cannot expect to be admitted into decent society, much less be supported or loved, as long as they are on their present course.

A second complaint against the American government is that in failing to take its stance of moral opposition to the junta clearly and publicly, it is forfeiting the goodwill and future friendship of the oppressed Greek people. Instead—at least until the arrival here of American Ambassador Henry Tasca, who put a stop to it—American military officers would greet their Greek counterparts with excessive cordiality and fulsome statements, all of which were reproduced by the government and disseminated far and wide as evidence of how the United States loved the regime. Even Tasca has on occasion carelessly shown up on platforms with junta leaders, and seen his appearance instantly exploited by the junta propaganda machine. The gist of the complaint is that Papadopoulos is a brilliant chess and poker player who has made chumps of us.

In defense, the Americans insist that they are telling the junta, privately but in the most emphatic terms, that America intends sharply adverse action, of which public denunciation will only be one part, if the junta fails to announce before the end of the year a date for parliamentary elections.

They also argue that for maximum influence America must apply the carrot as well as the stick: an outright public condemnation at this point would be premature and would simply drive the colonels out of the Western ball park and end any possible outside influence on them.

The defense is not particularly persuasive. It is hard to see a good reason why the United States cannot play poker as well as Papadopoulos or why it cannot reassure the Greek people about its attitude toward the junta and its suppression of democracy. Instead, it lets persist in the mind of the overwhelming proportion of the Greeks—almost everyone but a handful of staunchly pro-Western sophisticates—that we cherish the colonels and support them to the hilt.

It is hard to see any good reason why the American government has not officially and publicly expressed its outrage at the indecencies the junta commits against civil rights. Or why it has not shown—as it could, subtly but unmistakably to an audience as politically savvy as the Greeks—that it will support a democratic opposition movement as it develops in the society. The question is how long America can remain equivocal, at least in public, and still convince anyone that it is *not* in love with the junta, or that it is really using what weapons it has to push toward a democratic future for Greece.

HOUSE RESOLUTION URGING SUPREME COURT DECISION ON DESEGREGATION

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. CRAMER. Mr. Speaker, I have introduced a resolution expressing the sense of the House of Representatives that the U.S. Supreme Court convene at the earliest possible date in order to settle outstanding questions related to desegregating the Nation's public schools.

When my antibusing amendment was unanimously adopted by the Congress and made a part of the Civil Rights Act

of 1964, I thought these questions had been settled. Recent court opinions, however, make it evident that they were not. Under the circumstances, an immediate decision by the Nation's Highest Tribunal is essential. That is precisely what my resolution calls for.

This is not a partisan proposal. It is not one that draws legal or other conclusions. Its purpose is simply to express our concern as a legislative body with the urgency of the questions presented to the Court in the Charlotte-Mecklenburg and other cases pending before it and our earnest hope that they will be expeditiously resolved.

I am hopeful that my colleagues on both sides of the aisle will support this effort. To that end, I am writing all Members to ask that, upon their return from the August recess, they join as cosponsors of the following resolution of the House which I plan to reintroduce at that time:

RESOLUTION

Whereas school systems throughout the Nation are in a state of chaos and disruption as a result of conflicting decisions of lower Federal courts dealing with the desegregation of the Nation's public schools, and

Whereas school administrators and board members are without adequate guidelines for determining what is required to achieve unitary school systems, and

Whereas the scope and coverage of legislative guidelines enacted by the Congress for ending discrimination in the Nation's public schools have yet to be definitely determined, and

Whereas it is imperative that these critical issues be settled in order that the Nation's public schools may effect an orderly transition in the coming school year, Now, therefore, be it:

Resolved, that it is the sense of the House of Representatives that the United States Supreme Court should schedule a special term of court to consider desegregation cases presently pending before it in order that the Nation's public school systems may be provided with judicial guidelines for ending discrimination in public education.

AIR FORCE MUSEUM—ONE OF OHIO'S TOURIST ATTRACTIONS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BROWN of Ohio. Mr. Speaker, the Christian Science Monitor recently included an article on the growing number of tourist attractions within the State of Ohio. I am particularly proud of the mention given to the U.S. Air Force Museum at Wright-Patterson Air Force Base. It is an exceptionally fine attraction and one which draws more visitors each year than any other in the State. As the article points out it stands as the oldest and largest military aviation museum in the world, with a collection of more than 8,000 planes and aviation-related items.

Within the museum one can trace the development of military aviation from its rather unsophisticated first stirrings to the most recent technological advancement. Man's exacting struggle with the various dimensions of military airpower is illuminated through numerous displays, exhibits, and ingeniously designed audiovisual presentations. One discovers an engineering history filled with both success and frustration. Significantly the visitor is also quick to realize that an inseparable connection exists between progress in military airpower and the evolution of the commercial aircraft industry in the United States.

Mr. Speaker, man need no longer be content to simply gaze at the sky. His skill and machines have enabled him to become a part of it. Crisscrossing the continents, our planes have made distances and barriers meaningless. Ever looking for new horizons we have reached the silent surface of the moon. These historic strides are the result of work which first began very near to where the Air Force Museum is located today. We in the Seventh District are proud of it for its preserves a very rich and important part of America's history. The article follows:

[From the Christian Science Monitor, Aug. 4, 1970]

OHIO EAGER TO HARVEST TOURIST CROP—NEW ATTRACTIONS BLOSSOM THROUGHOUT BUCKEYE STATE

(By Ralph I. Hubley)

COLUMBUS, OHIO.—From the busy shores of Lake Erie to a winding-river southern boundary, Ohio has developed powerful tourist attractions to pull the traveler off the Interstate highways which crisscross Buckeyeland.

Newest large attraction this year is Sea World of Ohio, a 50-acre marine life park on Geauga Lake near Aurora, between I–80 and I–90 in the northeastern part of the state.

Similar to Sea World of San Diego where sea animals perform for trainers, the Ohio facility is more amazing in that the seawater has to be manufactured on the grounds for these salt-water creatures. After the end of the season, Labor Day, the animals will be flown back to San Diego for the winter.

For the admission price of $2.50 for adults and $1.25 for children, the visitor can see shows in two amphitheaters each seating 2,500 persons. Besides these shows the visitor can picnic, fish for trout, stroll through a Japanese pavilion, and feed the animals. The parks facilities are still expanding with the addition of a lake-front stadium for water shows next year.

Another growing endeavor in the northeastern part of the state is the Blossom Music Center now in its third season at Cuyahoga Falls near Akron. Somewhat like Tanglewood in western Massachusetts in program and activities, it is the summer home of the Cleveland Orchestra. The $6.6 million center is in a beautiful wooded and hilly area.

Probably the largest attraction for children of all ages along the east-west superhighway is a Disneylike amusement park at Cedar Point, Sandusky. It is observing its 100th anniversary on a peninsula sticking out into Lake Erie.

Although visited by nearly 40,000 a day, the grounds and wide streets are kept in immaculate condition with buildings and equipment in tiptop shape. Besides the rides, free shows are given in two theaters throughout the day and evening. Also included in the park is a wide beach and picnic ground.

Greatest drawing cards along I–75 which slashes down the western part of the state are the Air Force Museum near Dayton and the River Front Stadium in Cincinnati.

Oldest and largest military aviation museum in the world, the display northeast of Dayton portrays the history of the United States Air Force in such a way as to interest all ages. Nearly half of the aircraft and missiles have to be exhibited outdoors, so construction is under way on a new $6 million facility at Wright-Patterson Air Force Base to contain the collection of 8,000 planes and other items.

The stadium, which seats 51,346 for baseball and 55,000 for football, is still undergoing construction on the press rooms, club facilities, and refreshment areas, although games are being played. The astroturf and million-dollar scoreboard are still much discussed.

A vigorous undertaking by the Greater Cincinnati Chamber of Commerce has succeeded in combining tours of the more than 100 attractions in the Queen City with fundraising efforts of clubs and organizations.

It is called Cincinnati Excursions, and the chamber organizes group attendance at games in the stadium, symphony concerts, river cruises, and city tours, and insures a profit for the sponsoring organization.

In this area can also be seen an outstanding example of state-park development. It is Heuston Woods State Park on Lake Acton near the Indiana border. It handled 2,118,000 visitors last season.

Low prices for excellent accommodations in a beautiful area account for its popularity, and reservations have to be made for the huge A-frame lodge a year in advance. This is one of 56 state parks being developed for Ohioans and other visitors.

Besides the Air Force Museum and the Football Hall of Fame near Canton, unique to Ohio is the Warther Museum, located in Dover north of New Philadelphia.

Termed a priceless work of art by the Smithsonian Institution, the collection of 56 hand-carved, operating, miniature locomotives displays the skill of Ernest Warther. An 84-year-old craftsman, he still carves in walnut, ivory, ebony, and pearl, and greets visitors personally. Even the most sophisticated travelers are impressed with this exhibit.

It is well worth a special trip to see this small but well-presented museum and to stand in awe at such a talent. Not to be outdone, Mrs. Warther has an outstanding collection of buttons in a smaller building next door.

And while in this area the visitor should not miss Ohio's first outdoor theater which presents the historical drama "Trumpet in the Land" by playwright Paul Green nightly at Uhrichsville. It is in its premier season.

Just west of New Philadelphia is Sugarcreek, called Little Switzerland. It's hard to miss with its Alpine architecture on storefronts, a cheese factory, and a sausage plant. A Swiss festival is held here each year.

The presence of Amish in the area is also obvious as black buggies, beards, and long gray dresses grace the town and roads. The weekly newspaper, the Budget, is published in Sugarcreek and serves Amish-Mennonite communities throughout the Americas.

Here in Columbus may be found the new Ohio Historical Center on the fairgrounds, the Center for Science and Industry, the new Center for Tomorrow, and German Village for state and out-of-state visitors.

YOUNG FIND FEWER JOBS

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. OLSEN. Mr. Speaker, as thousands of young Americans get ready to go back to college, thousands more are out look-

ing for work. And they are having much less success this year.

Republican economic policies have resulted in tight money and a tighter job market. This has its effects on every segment of our population, but it has a particularly serious effect on young people who have completed their college education and find the opportunities to use that education limited.

During the Nixon administration, more than 1½ million people have been added to unemployed rolls. Last month, total unemployment reached 4½ million, the highest in 5 years. A substantial number of these are young people in the 20-to-24 age group. The unemployment rate for that group is 8.3 percent, as compared to the 5-percent rate for the total population. This means that thousands of young college graduates who went out to apply for jobs in June are still looking.

The situation is even worse for those young people who do not go to college. The jobless rate for 18- and 19-year-olds is 13.2 percent. For young males, it is slightly higher—13.6 percent. Added to the uncertainties of the draft, a young man now faces increased uncertainty in job opportunities.

This is a high price to pay for Republican mishandling of the economy.

HIGHWAY PROGRAM

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. KLUCZYNSKI. Mr. Speaker, one of the best editorials I have read in support of the highway program is contained in the Evening Capital, Glen Burnie, Md., which I place in the RECORD today. I feel the Members should be aware of what some of the thinking is in other areas relative to the merits of the highway program. I commend it to the reading of all the Members. The article appears below:

SHORT-CHANGING OUR ROADS SYSTEM

America's interstate highway system "is the most substantial public works project ever undertaken in the history of civilization," Secretary of Transportation John A. Volpe told the 13th Biennial Highway Transportation Congress in Washington last spring.

It is also one of the best things that ever happened to this or any other nation, the secretary went on. Americans will realize almost $12 billion in savings by the time the system is completed, he predicted—benefits stemming from lower operating costs, time costs and convenience.

The safety features of the superroads are alone worth the expense. When completed, the system will be saving close to 10,000 lives each year, said Volpe. In fact, for every five miles of highway built to interstate standards, one life per year is saved, every year.

"If there were no other reason to build the system," he said, "this would be reason enough!" (The exclamation mark is his.)

Volpe's inflation-conscious boss, however, appears in no hurry to complete the network, whose full name is the National System of Interstate and Defense Highways.

The Department of Transportation (DOT) has announced that $1.25 billion in federal funds from the Highway Trust Fund would be released for the first quarter of fiscal year 1971, which began on July 1.

But earlier it had been expected that DOT would release more than $1.7 billion in highway funds, including $460 million left over from last year.

For the entire 1971 fiscal year, DOT reportedly plans to release only $4.6 billion in Highway Trust Funds although Congress has authorized in excess of $5.4 billion. In fiscal 1970, the states, which add another 10 per cent to the federal outlay in matching expenditures, received more than $5 billion from the trust fund.

This slowdown in the commitment of road-building money has, inevitably, elicited adverse comment from the so-called highway lobby, which charges that the $460 million was withheld to help mask a deficit in the federal budget.

Neither this sum, nor any part of the Highway Trust Fund, which comes chiefly from the federal tax on gasoline, can be used to reduce the national debt or finance job-training programs or low-cost housing. It is earmarked solely for highway construction and its retention in the public vaults merely helps to make the government's budget situation look a little bit healthier on paper.

When the 41,000-mile system (later raised to 42,500 miles) was launched on a "pay-as-you-build" basis under the Eisenhower administration back in 1956, its total cost was estimated at $27.5 billion. It was supposed to be completed at the latest by 1972.

As of last December 31, with some 30 per cent or nearly 13,000 miles of the network remaining to be built, and with 4 per cent of that not even advanced beyond the preliminary stage, $38.83 billion had already been spent.

Inflation, which nobody engineered into the plans, gobbled up most of that $11 billion-plus difference.

Since much of the uncompleted mileage is in high-density urban areas, where right-of-way acquisition costs are the highest and getting higher, and since labor and materials costs are rising at something like 10 per cent a year, any unnecessary stretch-out of the project by holding Highway Trust Fund releases below what Congress has authorized and below what the fund is able to support may rightly be called a case of penny wise and pound foolish.

And what about those lives that won't be saved because the roads that would have saved them won't be built this year?

AIR TRAFFIC CONTROLLERS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. WYATT. Mr. Speaker, on July 6 of this year I introduced H.R. 18311, which is a bill designed to provide for accelerated retirement for air traffic controllers.

The need for special consideration for these dedicated men is very obvious and I do not intend to attempt to make a case at this time for this bill. However, since the introduction of my bill, S. 3959 has been passed by the Senate and I am today introducing a second accelerated retirement bill for air traffic controllers, which is identical to the bill passed by the Senate. I do this in full support of the version finally passed by the Senate and in the hope that by so doing this bill can be expeditiously heard by the House Committee on Post Office and Civil Service, considered and passed by the House, and signed into law by the President.

In my judgment this is an absolute must if we are to provide the means for safety for the hundreds of thousands who use the airways in this country and if we are going to simply be fair to the air traffic controllers who have for years done such a magnificent job for all of us.

WHEN THE AMERICAN AIR FORCE VETERANS STOPPED THE BOLSHEVIKS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. MOORHEAD. Mr. Speaker, on Tuesday, August 11, I had the pleasure of addressing the Council of Polish Delegates, at their annual Polish Day picnic, at Kennywood Amusement Park in Pittsburgh.

This always happy event was made even more so for me because of the opportunity it gave me to meet and spend time with my many Polish constituents. This hardy, hardworking, serious-minded people, has left its mark on the industrial might of my city of Pittsburgh.

Their contributions have been varied and many.

One of their number, Joseph A. Borkowski, who is chairman of the Polish Historical Commission of Western Pennsylvania, has prepared many articles and treaties on the role that Polish Americans have played in forging our great Nation.

One of Mr. Borkowski's works has a different theme. He tells how a group of American flyers came to the aid of Poland in 1920 as it was about to be overwhelmed by the Russians.

At this time, I would like to introduce Mr. Borkowski's article into the CONGRESSIONAL RECORD:

WHEN THE AMERICAN AIR FORCE VETERANS STOPPED THE BOLSHEVIKS

(By Joseph A. Borkowski)

The year 1970 marks the 50th anniversary of the participation of American Air Force volunteers in thwarting the invading Bolsheviks in their attempt to spread communism in Western Europe. The communist threat increased with Red military successes in the Russo-Polish War (1919–1920) which developed out of conflicting territorial claims. The American Air Force volunteers were an integral component of the Polish Armed Forces and played an effective role in halting the Bolshevik onslaught.

As the Poles advanced toward Kiev, deep in Russian territory, their supply lines and defenses were thinned out and they became vulnerable to flank attacks.

On May 1920 the Russian General Mikhail N. Tukhachevsky (1893–1937) began a counter offensive in the north and started a drive towards Warsaw. In the meantime, Semeon M. Budenny a very able Cossack cavalry leader struck at the Poles between Kiev and Lwow. Outnumbered and with their flanks threatened, the Poles started a methodical rear-guard action.

The Polish Command was wary of Budenny's calvary; proven in battle against White Russian armies. They knew that unless

Budenny was stopped and defeated, regardless of any success the Poles might have had against the rushing Tukhachevsky, the Polish front based on the Warsaw-Modlin line would have collapsed. This event may have possibly proven disastrous to the young, emerging Republic of Poland.

To meet Budenny's rapid movements and locate his concentrations, the Poles sought the aid of the veterans of the American and Allied Air Forces, particularly those who saw service with the Lafayette Escadrille.

The initial attempt to enlist the Americans was made in Paris by Captain Merion C. Cooper who while on social service duty with the Poles saw the need of the Polish Armed Forces for an air force.

The first contingent to enroll consisted of the following American Air Force veterans:

Captain Merion C. Cooper; Major Cedric E. Fauntleroy; Lieutenant George M. Crawford; Lieutenant Kenneth O. Shrewsbury; Edward C. Corsi; and Lieutenant Carl H. Clark.

To further the enlistment drive in the United States, Major Paul Baer, a distinguished member of the Lafayette Escadrille, at the behest of Prime Minister Ignacy Jan Paderewski, was sent to the United States for recruiting purposes. The enlistment office was located at the Flying Club, New York City.

The roster of the Americans enlisted in the Polish cause, 1919–1921 included the following members of the Kosciuszko Squadron (7th) of the Polish Air Force, May 1921:

Colonel Cedric E. Fauntleroy, V.M.C. Va. of Missisippi and veteran of French and American Air Services (see note #1).

Lt. Colonel Merian C. Cooper, V.M.C. Va. of Florida, American Air Force;

Major George M. Crawford, V.M.C. Va. of Delaware, AAF;

#Captain Arthur H. Kelly, Virginia, AAF;

#Captain T. V. McCallum, Canada, British R.F.C.;

Captain Edward C. Corsi, V.M. Brooklyn, N.Y. French Air Service;

1st. Lieut. Elliot W. Chess, V.M.C. Va. Texas AAF.;

1st. Lieut. Carl H. Clark, V.M. Oklahoma, French Air Service;

1st. Lieut. Earl F. Evans, Texas, AAF;

1st. Lieut. Thomas H. Garlick, New York, British R.F.C.;

#1st. Lieut. Edmund P. Graves, Massachusetts, British R.F.C.;

1st. Lieut. J. Inglis Maitland, Michigan, British R.F.C.;

1st. Lieut. Kenneth M. Murray, New York, AAF;

1st. Lieut. E. H. Noble, V.M. Massachusetts, AAF;

1st. Lieut. H. C. Rorison, V.M., North Carolina, AAF;

1st. Lieut. K. O. Shrewsbury, V.M. W. Va. & New York, AAF;

1st. Lieut. John C. Speaks, D.F.C.; Ohio, British R.F.C.;

Others who served in the Polish Air Force included the following:

Major Paul Baer; Major Bruse M. Mohler; Lt. C. E. Harp; Lt. D. W. Hughes; Lt. A. Koslanding; Lt. R. T. McFarland; Lt. ------- McGehee and Captain Joseph C. Sterling.

In addition to the above American roster there was M. H. Winkler English of the British Air Force and Captain G. G. Chisholm, a Canadian and veteran of the Canadian Air Force.

Colonel Cedric E. Fauntleroy was the first American Air Force Pilot to be recruited. He had more than 4,000 flights for the A.E.F. and at one time served with the famed Rickenbacker's, "Hat in the Ring Squadron."

All the enlistees were incorporated as a fighting unit of the Polish Armed Forces and were given the same rank that they held in their original fighting outfits and received the same pay as their counterparts in the Polish Air Force which amounted to $6.00 per month. Maj. Cedric E. Fauntleroy who was subsequently named the commander of the Kosciuszko Squadron and spoke for the American volunteers, stated that, "although enlistees underwent many hardships, they came to Poland as soldiers of adventure."

A typical member of the Kosciuszko Squadron was Captain Harmon Rorison of Wilmington, N.C. who actually travelled 6,000 miles and accepted a rank of a lieutenant to fight the Reds for a pittance. Captain Rorison distinguished himself time and time again in reconissance and straffing missions against Bolshevik forces. At one time he was downed making one of his daring approaches on enemy positions and was missing for seven days but only to return to continue fighting until the end of Polish-Russian War.

Another outstanding fighter pilot was Lt. George M. Crawford who at times seemed reckless and irresponsible in attacking the enemy as far as the Poles were concerned, but was most effective in destroying massive concentrations and steamboats loaded with Bolsheviks, which attempted to outflank the Poles. On several occasions he was successful in sinking river troop ships, sometimes inflicting total losses. One would cite similar examples of others upon whom Polish land forces depended to locate the enemy and its movements.

The Kosciuszko Squadron proved a very effective force in countering Budenny's threat to Polish land forces and the Polish right flank. The collapse of the same and Budenny's penetration and capture of Modlin would erase all Polish defenses against the approaching Bolshevik land forces to Warsaw.

A New York Times correspondent, on August 28th, 1920 wrote this about the American Pilots, "The Kosciuszko aerial squadron is playing an important part in the defense of Lemberg (Lwow). The smaller machines being used repeatedly for attacking the cavalry under General Budenny, Bolshevik commander. The pilots are making four or six flights some days and have been cited twice by the General Staff within a week.

"Prisoners report that the morale of the troops under Budenny is being shattered by the effective work of the aviators under Major Fauntleroy."

It was hard work. Further, it was all outdoors in a land where winters are hard and long. Despite this and many other hardships, there were more applicants than vacancies in the volunteer force. It can be truly said that the American members of the Kosciuszko Squadron have repaid the debt to Kosciuszko, Pulaski and others who fought in the American Revolutionary War. Above all they upheld the reputation of the fighting qualities of the American Soldier who willingly sacrifices to preserve democracy.

The Polish Falcons of America District IV will commemorate the American Pilots' contributions to the Polish cause on Sunday, September 6, 1970 at West View Park with appropriate ceremonies. The Polish Falcons will also honor the surviving veterans of the Polish "Blue" Army. viz: Gustave Pieprzay, National Physical Director of Polish Falcons; John Lewandowski and Jacob Ryzowics.

NARCOTICS

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. LOWENSTEIN. Mr. Speaker, the late Senator Robert F. Kennedy once distinguished between two kinds of violence. On the one hand, he said, there is the violence of the assassin, the terrorist, or the mob—forms of violence with which we are all too tragically familiar. On the other there is "the violence of institutions: indifference and inaction and slow decay." This second form of violence, Senator Kennedy said, is "slower but just as deadly, destructive as the shot or the bomb in the night."

Narcotics addiction is a manifestation of this "second kind of violence," a manifestation which in the past few years has surged into one of the graver social problems facing our country. Some 200,000 Americans are currently maimed by narcotics addiction, four times as many as have been killed in Vietnam.

About 54 percent of those persons live in the State of New York, more than 90,000 of them in New York City. According to the New York State Narcotics Addiction Control Commission, two of every 100 persons in New York City between the ages of 15 and 44 are addicted to an opiate drug.

Dr. Robert I. Dupont, Director of the Narcotics Treatment Administration in Washington, D.C., estimates that on the average, each of the District of Columbia's 10,000 addicts spends $50 per day to sustain his habit. That works out to $15 million a month for narcotics in the Nation's Capital alone. Is it any wonder, then, that criminal activity soars in order for addicts to obtain money in such large sums to maintain their habits?

It has become fashionable to decry drug addiction, but our inaction betrays us. For example in Nassau County, which is not exactly what one would call a deprived ghetto area, there were an estimated 10,000 addicts at the beginning of 1970—and treatment facilities for 680, including those treated in jail. Certainly these facilities are a fine result of concerned public officials and private citizens, but their inadequacy reflects the financial strapping of local and county governments. It is clear that municipal and State authorities do not have access to sufficient resources to control, let alone eradicate, the growing problem of addiction. Yet today no Federal support program exists to assist local authorities in the treatment of addicts.

It is time to recognize that the elimination of drug addition is highly urgent, not only in terms of reclaiming wasted human potential but also in terms of eliminating perhaps the major cause of violent and assaultive street crime. Not only must we commit the necessary resources to establishing a system of rehabilitation and prevention programs, but we must also provide sufficient facilities for detoxification and rehabilitation for every addict who seeks such assistance.

There has been a tendency in the past to meet public outrage against narcotics with strong laws and insipid enforcement. This approach does little more than breed contempt for law.

The latest examples of this approach are "preventive detention" and "no-knock searches," two proposals now touted by some as legislative panaceas for the drug addiction problem. They are, in point of fact, next to useless in the en-

forcement of narcotics laws and dangerous encroachments on individual freedoms. Preventive detention would permit the courts to keep certain suspects in jail until their trials—the same jails which have been repeatedly upbraided as hotbeds of the drug traffic. Incarcerating addicts in such prisons is like locking brer rabbit in the brier patch. No-knock search warrants would permit police to enter houses unannounced in order to prevent suspects from destroying evidence—as officers have done in practice for years with no significant effect on drug abuse. The present practice of permitting no-knock entries under extraordinary circumstances should not be expanded into a routine police procedure—a procedure which will do far more to discourage respect for law and lawmen than to discourage drug use.

Legislating away everyone's rights and liberties will stop neither the drug traffic nor narcotics addiction. Provision of the resources to enforce just laws will. Slicing up the Bill of Rights is no substitute for providing the men, money, and material to do the job.

It is time to take a more discriminating look at the whole drug problem. One reason the problem has grown to the proportions it has may well be a tendency to oversimplify and overgeneralize in discussing it. For instance, there is a tendency to talk about narcotics addiction and drug abuse, when in reality they are two different problems. Heroin addiction in the ghetto is a far cry from barbiturate and tranquilizer abuse in the suburbs, and while both are serious and urgent problems involving the use of pharmaceuticals, each demand a vastly different approach.

For many years the Bureau of Narcotics warned young people that marihuana was as physically dangerous as heroin when in fact it was not. The tragic result was that the Bureau suffered a total loss of credibility with millions of young men and women, and that its warnings concerning the opiates and the amphetamines went unheeded by thousands of them. Mythology and old wives' tales no longer provide sufficient facts on which to base a national drug policy. The same sort of subtle and critical distinctions demanded in laboratory investigations of drugs should be demanded of inquiries into the social and legal aspects of the problem.

Just as it has become fashionable to decry drug addiction, it has become equally fashionable to demand further study of the drug problem. Again, however, the fashion is to demand much and do little. For example, those favoring reform of the marihuana laws have for 5 years and more been told more research is needed. They, and concerned citizens everywhere, may now appropriately ask "Why has not that research been done?" Drug arrests in the State of California alone are approaching the six-figure mark. It is outrageous and intolerable that the scientific inquiries everyone from the President on down agrees are desperately needed still are not underway. Drug research has suffered in the past from economy cuts, but this is a dangerous and terrible false economy. It is roughly akin to leaving the skull and crossbones off a bottle of poison in order to save the cost of printing the warning label. Obviously a massive scientific investigation into all aspects of the drug problem is long overdue.

Certain legislation I have joined in sponsoring in the House of Representatives could be highly useful in solving the drug problem. H.R. 13785 provides for a comprehensive program combating narcotics addiction and drug abuse. H.R. 17350 would establish the administrative structure for an all-out Federal attack on the problem. H.R. 13786 would establish a Commission on Marihuana to conduct a comprehensive investigation of that drug and the problems associated with its widespread use.

These measures if passed into law will not signal the end of the narcotics problem in the United States, nor even the beginning of the end. But they will signal a beginning, and that beginning is long overdue.

FARMWORKERS NEED FEDERAL PROTECTION

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. KOCH. Mr. Speaker, on August 5 our colleague from Illinois (Mr. MIKVA) and I offered an amendment to the farm subsidy bill. That amendment provided that any farmer receiving payments of over $5,000 in farm subsidies would be required to certify that he is in compliance with all applicable Federal, State, and local employee health and safety laws. The amendment was defeated by a vote of 37 to 58.

The enormous need not only for that amendment but for additional legislation which would protect all farmworkers and provide at least minimum sanitary and physical conditions for them and their families was demonstrated on August 7, 1970, in the State of New Jersey. I am annexing the article reporting this incident affecting the farmworkers in New Jersey which appeared in the New York Times of August 8, 1970. I hasten to add that New Jersey is not singular in this area and that many other States have woefully failed in providing protection for farmworkers.

We should not and must not turn our backs in providing help for large numbers of our citizens in need of Federal protection. I urge the Agriculture Committee to give attention now to the plight of farmworkers and provide legislation guaranteeing decent protection for their health and safety.

The article follows:

TWO POVERTY AIDES SEIZED AT JERSEY MIGRANTS' CAMP

(By Ronald Sullivan)

BRIDGETON, N.J.— Two antipoverty officials, a lawyer and a caseworker, were arrested today on trespass charges after they refused an order to leave a migrant farmworkers camp that they were trying to inspect.

The incident followed what antipoverty officials termed a summer of threats and intimidations by farmers to keep them from assisting the thousands of black and Puerto Rican migratory farm workers who pick New Jersey's vegetable crop.

This reporter, who had accompanied the two officials, also was arrested by the state police on a trespass charge after being assaulted by a farmer who said that "even President Nixon" would not be allowed to see the conditions in the migrant camp he maintained near here.

The farmer, Morris Tedesco, lunged at the reporter, striking a camera against his face. "I'll smash you for this, I'm going to get you for this," Mr. Tedesco said. "This is my property. You can't come in here looking around."

The two antipoverty officials arrested with the reporter were Peter K. Shack, a Camden County Legal Services, Inc., attorney, and Frank Tejeras, a caseworker. All three were taken to the Upper Deerfield Municipal Hall and later released on their own recognizance pending a hearing Monday.

Joseph Paresi, who owns fields of tomatoes nearby, warned several visitors that the farmers would resort to violence as, he said, the black civil rights movement had. He said that at least 95 per cent of the other farmers here in Cumberland County and in nearby Salem and Gloucester Counties agreed with him.

PREDICTS MORE VIOLENCE

"This violence is going to snowball," he said. He also said that he sometimes felt that either Hitler or Stalin would have known how to deal with the migratory farm workers in the camp he maintains about 200 yards from his home.

Max Rothman, the head of the Camden County Legal Services, a Federally funded antipoverty organization that is providing free legal services to migrant farm workers here, said today that his staff attorneys were being repeatedly threatened and intimidated by farmers who refused to allow anyone into the camps on their farms.

Big no-trespassing signs have been sprouting in the South Jersey farming region. A number of Federal and state antipoverty, health and education officials have told of being run out of camps by gun-wielding farmers.

Mr. Rothman said he was threatened by a farmer carrying a heavy crow bar when he attempted to visit a black migrant camp just south of here.

The State Department of Community Affairs in Trenton is seeking legislation to guarantee antipoverty officials and other qualified persons seeking to assist migrant laborers easy access to their camps. In a brief filed with the department, Mr. Rothman charged that the farmers were using the state's trespassing law to prevent themselves from being ordered to make costly improvements.

Today's arrests, according the antipoverty lawyers, set the stage for state and federal court test of the constitutionality of the trespass law.

The lawyers contend that it violates a constitutional right of migrants to have easy access to the outside world.

REPORTS OF BEATINGS

"The farm workers themselves are the real victims of the law," said Mr. Rothman. "They are not only deprived of their basic, human dignity and the fundamental right to have visitors of their choice, but they are also deprived of the full benefit of Federal programs aimed at helping them uplift themselves from the squalor and deprivation of the camps in which they live."

Other Federal officials said that the farmers were also using the trespass law against the workers themselves by isolating one camp from another so that any wage or living improvements were kept secret and by

using the camp isolation as a "chilling" weapon to maintain tight control.

Mr. Rothman's office has handled numerous reports of farm workers' being driven away without pay and beaten for acts of defiance.

Four years ago, farmers here drove Federal VISTA volunteer workers from the camps, accusing the volunteers of stirring up Negroes and helping a drive that summer to organize them into a labor union.

The initial controversy and subsequent reports of squalor and unlawful working conditions led to a package of reform legislation in 1967 that was intended to improve camp conditions and guarantee migrants a $1.50 minimum wage.

But the squalor remains in many of the camps here.

Although State law requires farmers to provide flush toilets in their camps, the only sanitary facility for the 30 or so Puerto Rican migrants at the Tedesco camp was a privy that was crawling with flies.

Seven men slept in one room in which the screens were torn. There were no sheets or mattress covers, as required by law.

Mr. Shack, a former Peace Corps volunteer, was at the camp to investigate a report from Ramon Cruz, a 19-year-old migrant who said he suffered a cut on his hand while working in the field last month and, unable to work since then, had received no wages.

Mr. Tejeras went to the camp to pick up Toño Rivera, a 36-year-old migrant whose face was recently slashed and who had to be returned to the hospital to have the stitches removed.

Mr. Shack and Mr. Tejeras were arrested after Mr. Tedesco refused to let them into the camp and after both men had asked to remain there until the two migrants—who were not there—returned.

$17.70 A WEEK FOR TWO

At another camp, Mrs. Florenzia Lorenzo, a 36-year-old mother with 10 children, showed the pay stubs for herself and her husband. The slips showed that the Lorenzos made $17.70—with 95 cents deducted for Social Security—for a week's work.

The 12 Lorenzos slept in one small room, with bed space for eight of them. Their clothes were kept in an abandoned refrigerator.

On days when there was no food, Mrs. Lorenzo said, she went into the fields and took vegetables which she boiled for her children.

For three days this week, she said, the camp had no running water.

A. J. Rosena, the acting chief of the State Migrant Labor Bureau, which is responsible for making sure that living and working conditions for the state's 20,000 seasonal migrants are lawfully maintained, contended that conditions in the 1,200 camps "were great" this summer.

Mr. Rosena said the farmers were probably concerned that the present trepass controversy would lead to further attempts to unionize the farm workers. He said he shared many of the farmers' misgivings over farm worker unionization efforts.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 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?

VALUABLE INFORMATION ON BOMBINGS AND TERRORISM IN THE UNITED STATES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. ASHBROOK. Mr. Speaker, in March of this year, to help cope with the increasing use of bombings as terroristic acts of violence, I cosponsored H.R. 16699 which proposes to strengthen the laws concerning illegal use, transportation, or possession of explosives and their related penalties. Later, on July 21, I joined a number of my colleagues in introducing H.R. 18573, which would regulate the importation, manufacture, distribution, storage, and possession of explosives, blasting agents, and detonators, among other purposes.

The urgent need for legislation of this type was graphically and frighteningly illustrated in hearings recently held by the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations under the chairmanship of Senator JOHN MCCLELLAN. Statements were received by the subcommittee from representatives of the Treasury Department, Post Office, Justice, General Services Administration, and the U.S. Army at the Federal level. Also included was testimony from the police commissioner of New York City, the chief deputy attorney general of the State of California, deputy director of the Tactical Command of the Puerto Rico Police Department, the executive director of the Illinois Crime Investigating Commission, the attorney general of the State of Iowa. Needless to say, their combined contributions provided valuable and topical information on this most pressing issue. In addition, three staff studies by the subcommittee on bombings, terroristic attacks against police facilities and personnel, and thefts of dynamite and other explosive materials in the United States were made available to the public. Unfortunately, at least in the Washington area, the hearings did not receive the press coverage they deserved.

For instance, I learned that in my home State of Ohio, from January 1, 1969 through April 15, 1970, 28 explosive bombings and 105 incendiary bombings took place, with an additional 67 bombings, unclassified as to type, reported by police, for a total of 200. Add to this 62 attempted bombings and 1,767 bombing threats and the people of Ohio get a clear picture as to the extent of this type of terrorism.

Fortunately, this wealth of information compiled by the subcommittee will be shortly available for interested officials and the public at large.

The hearings were supplemented by displays of "do it yourself" literature disseminated in the United States by various sources plus the foreign origin of some of this terroristic material.

When one considers the increase in bombings, the increase in instructional bombing material and the increase in violence-prone groups in the Nation, one begins to appreciate the enormity of the issue. These three aspects were covered quite adequately by Philip R. Manuel, staff investigator for the subcommittee in his testimony during the hearings.

In order to alert the American public as to the serious nature and scope of terroristic bombings throughout the country, I include the testimony of Mr. Manuel in the RECORD at this point:

STATEMENT OF PHILIP R. MANUEL, INVESTIGATOR, PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. Chairman, my name is Philip R. Manuel. I have been an investigator on the Subcommittee's staff since March 1, 1968. I have had approximately ten years experience in the field of investigations.

As a part of this investigation of bombing and terrorism, the staff has prepared three separate studies which relate to: (1) Bombings, both explosive and incendiary, and attempted bombings; (2) Thefts of explosives; and (3) Terroristic attacks and assaults on law enforcement facilities and personnel.

BOMBINGS AND ATTEMPTS

The first study I introduce is a chronological list of some bombings and bombing attempts during the period January 1, 1969 through July 9, 1970. It was compiled by research of public source material, news clips, and coordination with major law enforcement agencies.

This study does not list every bombing or attempt in the United States during this period. Our intention in this study was rather to collect and isolate readily available information on bombing incidents, thereby giving the Subcommittee and the Congress a cross-section or profile of the scope of the problem including the nature, pattern and escalation of cases involving misuse of destructive devices. However incomplete it may be, I believe the study represents the first detailed composite work on the subject. At the start of this investigation, we quickly learned that no source—either Federal or local government or private institution—had this type of information available.

Mr. Chairman, I offer this first staff study, prepared under my direction and the overall supervision of General Counsel Adlerman, as an exhibit in these hearings.

Schedule A of the study summarizes the statistical totals by month, year and category. Schedule B breaks down the targets of bombings and attempts into specific categories.

We recorded on Schedule A a total of 1,188 bombings and attempts for 1969 and for 1970 through July 9, including 599 explosive bombings, 453 incendiary bombings and 136 attempts to bomb.

For 1969 we recorded a total of 602 bombings and attempts, including 298 explosive bombings, 243 incendiaries and 61 attempted bombings. For the 190-day period from January 1 to July 9, 1970, we recorded 586 bombings and attempts, including 301 explosive bombings, 210 incendiary bombings and 75 attempts.

When we started this study, we expected to document an average of at least one incident per day. Our average on completion of the study shows 1.6 per day for calendar year 1969 and a startling 3.1 per day for 190 days in 1970, for a combined average of 2.1 per day for the 18-month period. That figure doubles our original expectation, even though it includes only approximately 20% of total bombings and attempts reported to the Sub-

committee by the Treasury Department as a result of their nationwide survey made at our request.

Schedule B shows that from January 1, 1969 to July 9, 1970, the targets of these 1,188 bombing attacks included:

Seven foreign embassies and consulates, all in 1970.

One hundred six bombing attacks on Federal Government property, including Selective Service Offices and ROTC facilities.

One hundred twenty-six attacks on State and Municipal Government property.

One hundred fifty-one attacks on industrial facilities, public utilities and railroads

Two hundred fifty-three bombings in private homes and against personal property such as automobiles; in this category we also recorded 16 separate incidents of teenagers injured while constructing homemade bombs.

Two hundred twenty-eight bombings against schools and colleges, 145 of which occurred at colleges, 71 at high schools and 5 at elementary schools. Approximately ⅓ of these bombings occurred in high schools and elementary schools, indicating that teenagers and even younger children are taught how to use explosives and incendiaries and indeed are using them.

Thirty-two bombing attacks were directed at churches and synagogues.

All of these bombing incidents are recorded by date, place and brief description, in the body of study.

THEFTS OF EXPLOSIVES

The second staff study is a chronological list of some thefts of dynamite and other explosive materials in the United States from January 1, 1969 to May 30, 1970. The study was compiled from pertinent public source material, news clips, and from reports of such thefts by manufacturers to the Institute of Makers of Explosives in New York City. Those manufacturers who belong to the Institute regularly report thefts from their magazines and from contractors and customers. We do not intend to convey the impression that we have included here all thefts which occurred during this period. However, from available information, this study represents a profile of the nature, frequency and type of thefts.

Mr. Chairman, I offer the second staff study as an exhibit.

In the study, we have documented by date, location and description a total of 87 separate thefts involving 31,370 pounds of dynamite and other explosives, 94,018 blasting caps and 101,540 feet of detonating cord and fuse wire.

The documented thefts of 31,370 pounds, or approximately 16 tons, of explosives clearly points to a lack of security in the storage of this dangerous material. In the past, contractors and other users of explosives generally have stored supplies of dynamite in remote areas, mostly in primitive storage shacks without adequate security. The study also contains details of thefts of explosives from military installations, as reported in the press. Most of these thefts, however, are not made public, but are reported through military channels. Last week we had testimony from the Chief Deputy Attorney General of California who told the Subcommittee about the alarming frequency of thefts of arms, ammunition, grenades and explosives from military installations in that State. Following my testimony this morning, the Subcommittee will hear from a Deputy Assistant Secretary of the Department of the Army who will be accompanied by officers from the other armed services. Among other matters, they will testify about the problem of thefts of destructive material from military installations.

TERRORISTIC ATTACKS AGAINST POLICE

The third staff study, which I believe is also the first of its kind to be made public, is a chronological compilation by state of terroristic attacks, including bombings, both explosive and incendiary, sniping and ambushes directed against police and other law enforcement personnel and their facilities during the years 1968, 1969, and through July 1, 1970.

In preparing this document we received information from Federal and local law enforcement agencies. We sought to eliminate from this study any deaths and injuries to police officers which related to customary police duty. We included only terrorist-type acts.

I offer this third staff study as an exhibit. In summary, we recorded a total of 359 separate attacks on police, including 40 explosive bombings, 27 incendiary attacks, 14 bombing attempts, 216 ambushes and snipings, and 62 cases in which officers were injured attempting to quell riots, disturbances and demonstrations.

These 359 attacks resulted in 23 deaths of police officers, and 326 injuries to police officers.

The State of California ranked first in total attacks with 70 recorded cases, followed by Illinois with 60 and New York and Florida with 22 each.

Mr. Chairman, we also have investigated printed matter of the "do it yourself" type, which tells people how to make bombs and how to conduct sabotage and guerrilla warfare.

Last June, the Subcommittee held hearings on four extremist organizations: Students for a Democratic Society; the Black Panther Party; the Student Non-Violent Coordinating Committee, and the Republic of New Africa. Testimony in those hearings disclosed that these organizations possessed and distributed such printed material on bombmaking.

In my prepared statement, I have described certain of those publications which we had available in June of 1969 and which were then made exhibits in our hearings.

During this investigation we have done considerably more work in this field, and my statement now explains the results of that work.

I wish to discuss the results of the Subcommittee's investigation concerning the nature, sources and distribution of printed matter of the "do it yourself" variety which instructs individuals either by diagram or step-by-step directions in the making of explosive and incendiary devices. Also included is printed matter which advocates the necessity or desirability of active sabotage terrorism and guerrilla warfare in this country.

By way of introduction to this subject it should be noted that during the period June 16 to June 30, 1969, this Subcommittee held public hearings into the activities of four separate extremist organizations; namely, the Students for a Democratic Society (SDS), the Black Panther Party (BPP), the Student Non-Violent Coordinating Committee (SNCC) and the Republic of New Africa (RNA).

Testimony and exhibits in the hearing record show conclusively that members of these organizations have distributed or caused to be distributed books, pamphlets, newspapers or similar documents containing detailed instructions and diagrams on the making of incendiaries and explosives ranging from simple Molotov cocktails to very sophisticated bombs made of nitroglycerine and other highly volatile substances.

More than 20 such documents and publications were introduced as evidence. However, they were not printed in the hearing record. In light of recent events involving the use of bombs, a short review of the more pertinent exhibits may offer perspective which would aid in preparing remedial legislation.

Exhibit #269 contains a document entitled, "Mechanical Methods of Sabotage" which was distributed at the October 1968 convention of SDS in Boulder, Colorado, and a document entitled, "What We Must Do Now—An Argument for Sabotage as the Next Logical Step Towards Obstruction and Disruption of the U.S. War Machine," which was printed in Toronto, Canada, for distribution in the U.S. to various anti-war groups, including the SDS. Testimony established that SDS members distributed this document and discussed its contents at their meetings.

The document "Mechanical Methods of Sabotage" gives detailed instructions on making all types of incendiaries and explosives, plus instructions on when they can be used by revolutionary groups and what results can be expected. Most of the bombs and incendiaries described in this booklet can be made by the potential bombmaker from materials easily obtained. Diagrams give step-by-step instructions for making these weapons.

The second pamphlet "What We Must Do Now" urged the use of incendiary devices to immobilize local draft boards, ROTC buildings, other Government agencies, and war industries. The pamphlet contains detailed instructions for making incendiary devices. It emphasized the necessity for clandestine attacks and urges that only two or three persons know about any sabotage plan, in order to preclude compromise. After this pamphlet on sabotage was circulated, a wave of assaults with firebombs was, in fact, made against campus ROTC facilities and some Selective Service Board offices across the country.

Many exhibits were introduced to show that the Black Panther Party has issued instruction sheets and pamphlets on the making of destructive incendiaries and explosives, including but not limited to Exhibit #333 entitled, "Firebombs." This document gives step-by-step instructions for assembling destructive devices from easily obtainable material. It was distributed by the BPP at their November 1968 "retreat" held in Oakland, California. A very similar instruction sheet was printed in the Black Panther newspaper of Saturday, November 16, 1968, on page 22, entitled, "Grenades and Bombs: Anti-Property and Anti-Personnel." The Black Panther newspaper had an estimated circulation at that time of 45,000 copies, distributed all over the country. While the newspaper itself does not in so many words advocate the use of the bombs it describes, the danger of putting such information in the hands of persons indoctrinated by Black Panther propaganda is clear.

Exhibit #408-c of our hearings is a diagram on how to make a bomb and a timing device. It was found in the boot of Mid-west SNCC Director Charles Koen after his arrest by the St. Louis Police Department on September 4, 1968. A comparison of the diagram and instructions with the description given by the FBI of the explosive device which killed SNCC members Ralph Featherstone and William Payne just before the trial in Maryland of former Chairman H. Rap Brown, indicates that this type of weapon has been known to SNCC members for a long time.

Evidence also showed that basically the same type of bomb making instructions, complete with diagrams, can be obtained easily from certain mail-order houses. For example, a police official from Jersey City testified that Black Panther members in his area were instructed to order books on making bombs, both explosive and incendiary, from a mail-order firm called Panther Publications, Inc., in Boulder, Colorado. Among the books that one could order from Panther Publications were numerous U.S. Army Field and Technical Manuals, used for training by the U.S. Army.

We considered it important in this current investigation on bombing and terrorism in the United States to determine more fully the sources, nature and distribution of this type of printed material.

Our investigation discloses that there are at least five mail-order operations in existence at this time from which individuals can obtain reproductions of U.S. Army Field and Technical Manuals which tell how to make explosive and incendiary devices. These mail-order houses circulate brochures and catalogs. Several have advertised these manuals in nationally known magazines.

The mail-order establishments are:

(1) Panther Publications Incorporated, Boulder, Colorado;

(2) The Normount Armament Co., also known as The Combat Bookshelf, Forrest Grove, Oregon;

(3) The Angriff Press, Hollywood, California;

(4) Combat Books, McDonald, Ohio; and

(5) The Sons of Liberty, Hollywood, California.

I introduce five separate exhibits showing that the five organizations above offer for sale specific U.S. Army Field and Technical Manuals containing instructions plus diagrams on the making of explosives and incendiaries. Exhibit #1 is a mailed catalog from Normount Armament Co. advertising for sale among other things the following U.S. Army Manuals:

1. Guerrilla Warfare, FM 31–21.
2. Ranger Training, FM 21–50.
3. Irregular Forces, FM 31–15.
4. Evasion and Escape, FM 21–77.
5. Hand to Hand Combat, FM 21–150.
6. Bayonet Fighting, FM 23–25.
7. Boobytraps, FM 5–31.
8. Grenades and Pyrotechnics together with Demolition Reference Cards and Mine Reference Cards, FM 23–30.
9. Explosives and Demolitions, FM 5–25.
10. Demolition Materials, TM 9–1946.
11. Military Explosives, TM 9–1910.

Exhibit #2 is a combined book list for 1969–70 for Normount Armaments and Panther Publications, which offers the following U.S. Army Manuals:

1. Land Mine Warfare (FM 20–32).
2. Military Pyrotechnics (TM 9–12370–20).
3. Combat in Fortified and Built-Up Areas (FM 31–50).
4. Guide to Viet Cong Boobytraps and Explosives Devices Dept. of Army Pamphlet 381–11.
5. Guide to Germ Warfare TM 3–216.
6. Guide to Chemical and Gas Warfare TM 3–200.
7. Special Forces Operational Techniques, FM 31–20.

Exhibit No. 3 is page 18 from the national magazine Gun Week of March 6, 1970, showing advertisements from both Angriff Press, Hollywood, California, and Combat Books, McDonald, Ohio, offering military manuals and other books on explosives and incendiaries.

Exhibit No. 4 is a copy of a mail solicitation for U.S. Army Technical Manual TM 31–200–1 Unconventional Warfare Devices and Techniques, offered by the Sons of Liberty, Hollywood, California.

The national leader of the Sons of Liberty is James K. Warner, who formerly was the National Secretary of the American Nazi Party and has also been affiliated with the National States Rights Party. During this investigation, we attempted to interview Mr. Warner regarding the source of the Army documents which he offers for sale, and his intention in doing so. However, Mr. Warner would not cooperate and refused to answer pertinent questions.

Investigation also established that a mail-order operation called Atlan Formularies is involved in selling two separate documents dealing with the manufacture of explosive and incendiary devices. The first is a pamphlet called "Militants' Formulary" and the second is a book called "Explosives Like Granddad Used to Make". The documents are sold by Donald E. Sisco and published by an organization called Sturmstrup Press, Post Office Box 9011, Phoenix, Arizona. Mr. Sisco is an admitted former member of the Minutemen and the American Nazi Party. Post Office Box 9011 in Phoenix is the mailing address of the headquarters of the Arizona branch of the American Nazi Party. In the pamphlet, "Militants' Formulary," Mr. Sisco identifies current works on making explosives and advises the reader how and where he can purchase them. In addition, Mr. Sisco gives the reader sources of chemicals which can be obtained in the making of explosive and incendiary devices. He tells how to order them so that the purchases cannot be traced.

The section dealing with explosives gives detailed instructions on the uses of potassium chlorate, ammonium nitrate, gunpowder, ignitors, chemical delay ignitors and every conceivable type of bomb, including the match-head bomb, the pipe bomb, anti-personnel bombs, gas tank bombs, and all types of incendiary or firebombs. I introduce a copy of the "Militants' Formulary" as an exhibit.

Panther Publications, Inc., offers for sale a book entitled, "150 Questions for a Guerrilla," written by General Alberto Bayo, the man who trained Fidel Castro, Che Guevarra and other Cuban revolutionaries in the art of guerrilla warfare. This book was brought directly to the United States from Cuba by the president and operator of Panther Publications, Robert K. Brown. Mr. Brown had the book translated into English, copyrighted it, and has offered it for sale. In an interview which I had with Mr. Brown in Boulder, Colorado, it was learned that Panther Publications has sold about 5,000 copies of this book.

In order to show the wide-spread distribution of this book which contains diagrams and instructions for the manufacture of explosive bombs and incendiaries and offers guidance to the prospective saboteur in picking targets, the Subcommittee has prepared a chart tracing the book from its origin in Cuba in 1959 to its use by various militant groups and its reprinting in underground papers.

I introduce this chart into evidence. The first exhibit on the chart is a copy of the original book in Spanish published in Havana, Cuba, in 1959, showing certain diagrams of Molotov cocktails and grenades and incendiary devices. The second exhibit is the translation into English, for sale by Panther Publications for $2.00, showing the identical diagrams on bombmaking.

Law enforcement officials all over the country have documented for us incidents where these diagrams have been circulated on college campuses, or have been found in the possession of members of extremist organizations, or have appeared in certain underground papers of considerable circulation. A number of these diagrams were entered as exhibits in our hearings on the SDS and Black Panthers.

Some examples which appear on the chart are:

1. Copy of this book was found by the Philadelphia Police Department in a raid on the headquarters of the Revolutionary Action Movement (RAM) in Philadelphia in 1967.

2. In 1968, 1969 and 1970, the same diagrams with a cover page identifying the SDS "New Left Notes" were distributed in SDS workshops at their convention in East Lansing, Michigan in June 1968, and at their convention in Boulder, Colorado in October 1968. Copies have also appeared, according to testimony, on college campuses in Iowa and California.

3. Copies of the same diagrams were obtained by the San Francisco Police Department in a raid on an apartment occupied by Black Panther members in March, 1969.

4. Copies of the diagrams were found in the possession of members of the Student Non-violent Coordinating Committee (SNCC) when they were arrested in New Orleans in May 1968 during the trial of H. Rap Brown.

5. The diagrams were reprinted in the "Rat," a New York underground newspaper, in its February 6, 1970, edition.

6. When Chicago police and FBI agents discovered dynamite and other arms in an apartment at 5433 N. Kenmore Street in Chicago, occupied by members of the Weatherman Faction of SDS, they found among other material, the book, "150 Questions for a Guerrilla" containing the same diagrams.

Many other examples could be included. However, this chart should give the Subcommittee some idea of the circulation of this type of printed matter to members and sympathizers of these groups.

Our investigation also found another example of printed material emanating from Cuba and mailed directly into the United States. It deals with the necessity, desirability, strategy, and tactics of guerrilla warfare, sabotage and terrorism.

The Subcommittee's staff has prepared another chart showing the nature and proliferation of this material relating to the January-February 1970 issue of a book called "Tricontinental." This book is self-identified as the theoretical organ of the Executive Secretariat of the Organization of Solidarity of the Peoples of Africa, Asia and Latin America, headquartered in Havana, Cuba. The postal address is Post Office Box 4224, Havana, Cuba. The book is printed and disseminated from Havana. The feature article in this edition is a 41-page treatise on guerrilla warfare, strategy and tactics called the "Minimanual of the Urban Guerrilla." It was written by Carlos Marighella, a Brazilian guerrilla fighter who is described as "one of the strongest advocates in theory and practice of urban guerrilla warfare." "Tricontinental" explained that this article was considered an instrument of the arms struggle in the cities of Brazil. However, the "Minimanual" contains lessons useful to any revolutionary. "Tricontinental" stated that the publication of the "Minimanual" was part of its mission to spread understanding of revolutionary activities, strategy, and tactics. Some of the more significant passages from this "Minimanual" are:

"The basic question in the technical preparation of the urban guerrilla is nevertheless to know how to handle arms such as the machine gun, revolver, automatic, FAL, various types of shotguns, carbines, mortars, bazookas, etc."

* * * * * *

"A knowledge of various types of ammunition and explosives is another aspect to consider. Among the explosives, dynamite must be well understood. The use of incendiary bombs, of smoke bombs, and other types are indispensable prior knowledge."

* * * * * *

"To know how to make and repair arms, prepare Molotov cocktails, grenades, mines, homemade destructive devices, how to blow up bridges, tear up and put out of service rails and sleepers, these are requisites in the technical preparation of the urban guerrilla that can never be considered unimportant."

* * * * * *

"The highest level of preparation for the urban guerrilla is the center for technical training. But only the guerrilla who has already passed the preliminary examination can go on to this school—that is to say, one who has passed the proof of fire in revolutionary action, in actual combat against the enemy."

* * * * * *

"The construction and courses in explosives and sabotage must be organized. The primary materials for practicing these courses must be obtained ahead of time to

prevent an incomplete apprenticeship—that is to say to leave no room for experimentation. Molotov cocktails, gasoline, homemade contrivances—such as catapults and mortars for firing explosives, grenades made of tubes and cans, smoke bombs, mines, conventional explosives such as dynamite and potassium chloride, plastic explosives, gelatine capsules, ammunition of every kind are indispensable to the success of the urban guerrillia's mission."

* * * * *

"The method of obtaining the necessary materials and munitions will be to buy them or to take them by force in expropriation actions especially planned and carried out."

* * * * *

"The urban guerrilla will be careful not to keep explosives and materials that can cause accidents around for very long, but will try always to use them immediately on their destined targets."

* * * * *

"In order to function the urban guerrillas must organize in small groups. A group of no more than four or five is called the firing group.

"The firing group plans and executes urban guerrilla actions, obtains and guards arms, studies and corrects its own tactics—the old type hierarchy style of the traditional left does not exist in our organization. This means that except for the priority of objectives set by the strategic command any firing group can decide to assault the bank, to kidnap or execute an agent of the dictatorship, etc.

"No firing group can remain inactive while waiting for orders from above, its obligation is to act. Any single urban guerrilla who wants to establish a firing group and begin action can do so and thus become a part of the organization.

"This method of action eliminates the need for knowing who is carrying out which actions since there is free initiative, and the only important point is to increase substantially the volume of urban guerrilla activity in order to wear out the Government and force it on to the defensive. The firing group is the instrument of organized action within. Its guerrilla operations and tactics are planned, launched and carried through to success."

* * * * *

"The organization is an indestructible network of firing groups and of coordinations among them that functions simply and practically with a general command that also participates in the attacks. An organization which exists for no purpose other than pure and simple revolutionary action."

"Tricontinental" came to the attention of the Subcommittee in October 1968. The September-October issue was mailed from Cuba to a post office box the Subcommittee used to collect publications of extremist groups. This issue—the cover is shown on the chart—illustrates ways to mount a Molotov cocktail on a shotgun to make a weapon which can be useful in city fighting from roofs, balconies, terraces and similar places. The reader receives this command, "Use It." To give the Subcommittee some idea of the proliferation of the tactics and strategy of Carlos Marighella, I wish to point out that we found detailed information about him in the March 1970 edition of "Leviathan," an organ affiliated with the Weatherman Faction of SDS.

We also established that the April 18, 1970 issue of the Black Panther newspaper carried an article called "Organizing Self-Defense Groups." This article was accompanied by diagrams of Molotov cocktails and the so-called "peoples' " hand grenade, which is made from easily obtainable materials. Describing Panther concepts of "self-defense," Donald Lee Cox, chief of the Panther underground, quotes from Carlos Marighella:

"The accusation of assault or terrorism no longer has the negative meaning it used to have. It has acquired new clothing, a new coloration, it does not factionalize, it does not discredit; on the contrary it respects a focal point of attention. Today, to be an assailant or terrorist is a quality that ennobles any honorable man because it is an act worthy of a revolutionary engaged in arms struggle against the shameful military dictatorship and its monstrosities.

"So with that I can say all self-defense groups must strike blows against the slave master until we have secured our survival as people, and if this takes shooting every pig and blowing up every pig sty then lets get on up."

This article also contains advice on books, mostly U.S. Army manuals, which can be purchased from the Normount Armament Company. Other issues have advised the reader to order the same type of books from Panther Publications Inc.

The Subcommittee also disclosed that the entire text of these articles on so-called "Self Defense Groups" have been distributed to various Black Panther chapters. Examples on the chart show these documents stamped with the identification of the Connecticut State Chapter of the Black Panther Party and the National Committee to Combat Fascism in Washington, D.C.

Further proliferation of this material is indicated on page 11 of the May 30, 1970 edition of the Washington, D.C., underground newspaper, "Quick Silver Times." That page has an exact duplicate of the article "Organizing Self-Defense Groups" from the Black Panther paper of April 18. It is significant to note that page 11 contains this article advising people to shoot policemen and blow up police stations, while the next two pages contain a map showing locations and giving descriptions of police stations and other related law enforcement agencies in the District of Columbia.

We also obtained copies of a publication from Berkeley, California, called "Black Politics." It calls itself an independent journal providing a forum for vanguard theories and ideas that deal with crucial issues. It says that it believes freedom, justice and equality must be obtained by those means which the oppressed think necessary. The business manager is identified as Tom Sanders of Berkeley, also a member of the editorial board. Several issues have contained articles by a person using the name George Prosser. I introduce the following articles from "Black Politics" written by Prosser:

(1) Vol 1 No 1, dated January 1968—page 13, an article entitled "Weapons for Self Defense;"

(2) Vol 1 No 3, dated March 1968—page 4, an article entitled "How to Acquire The Rifle;"

(3) Vol 1 No. 9–10, dated Sept.-Oct 1968—page 18, an article entitled "Handguns;"

(4) Vol 2 Nos 11 & 12, dated Jan-Feb 1969—page 18, an article entitled "An Introduction to Elementary Tactics" (involved in urban guerrilla warfare). In this article Prosser recommends reading material as follows:

(a) We Shall Fight in the Streets—by Capt. S. J. Cuthbert.

(b) Guerrilla Warfare by "Yank" Bert Levy.

(c) Total Resistance—Major H. von Dack-Bern.

(d) 150 Questions for a Guerrilla—General Alberto Bayo.

(e) The War of the Flea—Robert Tabor.

(f) Guerrilla Warfare—by Che Guevara.

Prosser states in the article that all these books can be bought from Panther Publications, P.O. Box 369, Boulder, Colorado or "The Combat Bookshelf," P.O. Box 211–L, Forest Grove, Oregon 97116.

(5) Vol 2 Nos 13 & 14, undated—page 42, an article entitled "Terrorism and Sabotage" with an advertisement for Panther Publications.

In the Prosser article "An Introduction to Military Tactics," the author indicated the importance of the timing concept for guerrilla warfare. Prosser stated:

"The time has come for us to consider some of the elementary tactical principles involved in urban guerrilla warfare, but it should be understood at the outset that we do not advise action now to carry out these principles. A certain period of preparation is necessary before armed actions can seriously be considered. Weapons, ammunition, explosives and much related equipment must be obtained and stock piled, suitable recruits and the desired revolutionary orientation must be selected and trained."

In "Terrorism and Sabotage," Prosser stresses the difference between organized effective sabotage as opposed to individual acts of terrorism. This Prosser article reproduces pages from official military manuals on demolitions and explosives. There are instructions and diagrams for making Molotov cocktails for firing mortor shells, and advertisements for handbooks on explosives and small arms and ammunition. Prosser wrote that he is not advocating that anyone follow his instructions; the material is for the interested reader. He said: "To sabotage railroad lines only the simplest equipment is needed, crowbars and sledge hammers. To derail a train all that is necessary is to loosen the tie mountings on each successive ties." He then describes how communications and transporation may be effectively sabotaged.

Mr. Chairman, all the documents represent a small sample of all we have collected which teach how to make explosives and incendiaries or which show the necessity and desirability of conducting active sabotage and guerrilla warfare in this country.

There is a very serious question involved in our examination of these materials. When an organization prints and circulates such instructions on how to construct and use explosive and incendiary devices, at the same time extolling the virtues of such acts, is that organization in fact advocating and encouraging the readers of such material to commit sabotage? Unless it can be proved that the paper or document advocated that the reader actually blow up a target and that in turn it can be proved that the reader acted upon this prompting, existing law evidently has no effect.

Barring a confession, there is no possible way to prove in court that a person blew up a power line or a building, or derailed a train, by reason of reading how to do it in a specific article or handbook, whether those instructions were disseminated by the SDS, the Black Panthers, the American Nazi Party or the U.S. Army. The Army, for example, has handbooks and manuals on demolition which are currently being circulated among revolutionary extremists of all kinds. Obviously the Army did not intend that they be used to sabotage installations in this country. On the other hand, the authors and distributors of printed matter of the type introduced in our hearings, not only by the staff but also by every other witness who has appeared before us, would be hard pressed to explain what their intent was, if it was not to stimulate and provoke violent action of some sort.

There is also the question of the legality of using the mails to distribute this type of printed matter. In that regard, I would like to submit as an exhibit a press release issued by the Post Office Department on Saturday, October 7, 1967. In that release,

the Postmaster General at the time, Lawrence F. O'Brien, disclosed that the Post Office had barred from the mail the May 1967 edition of the Crusader Monthly Newsletter written by Robert F. Williams, who was then living in Peking, China. Mr. O'Brien said the publication was guilty of "flagrant violation of law and decency." He said the publication encouraged U.S. servicemen in Vietnam to murder fellow soldiers and engage in sedition. Mr. O'Brien stated that the May 1967 edition violated U.S. law and that the postal services would not carry any written matter which advocates treason and insurrection. In citing the legality under which the Post Office Department had acted in banning the Crusader Newsletter of May 1967 from the mails, Mr. O'Brien stated that the publication violated a number of laws including Title 18 of the U.S. Code, Sections 957, 1461, 1717A and 2387.

Section 957 makes it a penal offense for anyone in the aid of any foreign government willfully to possess or control any property or papers designed for use in violating a Federal law or any treaty obligation of the United States.

Section 1717A states that any matter which violates Section 957 is non-mailable and is not to be carried in the mails.

Section 1416 provides for criminal penalties for those who mail matters "tending to incite arson, murder, or assassination." This subject matter is unmailable.

Section 2387 makes it a crime to distribute any written or printed matter which advises insubordination, disloyalty or refusal of duty by any member of the military.

At the present time, Mr. Chairman, the staff research on these four sections of the law indicates that they are still in effect. Questions about their constitutionality have not been decided by any court.

With that in mind I would like to introduce as an exhibit, an article which appeared in the Black Panther Newspaper on Saturday, May 2, 1970. This article was written by Eldridge Cleaver, Minister of Information of the Black Panther Party, and is addressed "To My Black Brothers in Vietnam."

"We appeal to you Brothers to come to the aid of your people. Either quit the Army, now, or start destroying it from the inside. Anything else is a compromise and a form of treason against your own people. Stop killing the Vietnamese people. You need start killing the racist pigs who are over there with you giving you orders. Kill General Abrams and his staff, all his officers. Sabotage supplies and equipment, or turn them over to the Vietnamese people. Talk to the other Brothers and wake them up. You should start now weeding out the traitors amongst you. It is better to do it now than to allow them to return home to help the pigs wipe us out. Especially the Uncle Tom officers should be dealt with now, because the pigs will use them as effective tools against our people. When you can no longer take care of business inside the Army, then turn yourself over to the Vietnamese people and tell them you want to join the Black Panther Party to fight for the freedom and the liberation of your own people. If you do cross over, you don't have to worry about the Vietnamese people abusing you. They will be glad to see you drop out of the Army because what they want most in life is to stop the fighting in their land. You have a duty to humanity as well as to your own people not to be used as murderous tools by racist pigs to oppress the people."

Following my testimony this morning, we will hear from a representative of the General Counsel's Office, U.S. Post Office Department and from the Chief Postal Inspector, who may be able to enlighten the Committee as to the effectiveness of current law on determining the mailability of this type of printed matter.

THE UNSUPPORTED AND UNSUPPORTABLE GREEK JUNTA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. FRASER. Mr. Speaker, the internal and external failures of the Greek junta are well documented by Alfred Friendly in his August 9, 1970, article, "The Greek Junta's Hopeless Future," which appeared in the Washington Post. They include "the failure to win popular support, to operate an effective government, to obtain the necessary economic agreements, with the common market, and other international agencies abroad, and to secure the flow of indispensable foreign investment." These failures all stem from the junta's suppression of democracy in Greece by oppressive and abhorrent methods, including detention and torture of political opponents.

Yet, while the majority of Western European democracies oppose the Greek dictatorship by public statements and votes of expulsion in such forums as the Council of Europe, the American Executive equivocates privately and remains mute publicly. It is time for our Government to forthrightly declare its support for a return to parliamentary democracy in Greece, which would return to the Greek people the means to make their own political decisions. The article follows:

THE GREEK JUNTA'S HOPELESS FUTURE

(By Alfred Friendly)

ATHENS.—In the more than three years since it seized power, the Greek military regime has run up a curiously mixed record of success and failure. It has been completely successful in establishing itself in power. Its control of the country is absolute and not threatened by any force, internal or external, on the horizon. It has completely failed to fulfill the promises of giving Greece a new basis for political life, a political "cleansing" or even a minimally competent government. Most important, it has failed miserably to win popular support at home or acceptance abroad.

A striking consequence of these failures—and also in part a cause of them—is the junta's total inability to enlist anyone of technical competence, good reputation and public stature to work in the government. The feeling remains, and is probably growing, that anyone who joins up is a quisling.

For the last few weeks it has been common knowledge, and the source for much joking in Athens, that Prime Minister George Papadopoulos has been hawking top jobs to battalions of prominent Greeks who are anti-junta. Some of them here only recently returned from prison or exile. Papadopoulos is known to be frustrated on this score and to realize—as his infinitely more blinkered and primitive military colleagues do not—that his government is simply unable to deal with its problems. It can make its writ run, but its writ is incompetent.

The failure to win popular support, to operate an effective government, to obtain the necessary economic agreements with the Common Market and other international agencies abroad, to secure the flow of indispensable foreign investment—these are the junta's Achille's heel. Because of this, the Western democracies, and the United States in particular possess some leverage that can be exerted on the dictatorship. The junta can afford to be indifferent or unmoved by the essentially meaningless threat of withholding future weapons supply but it cannot remain unconcerned about international condemnation and lack of real American support, for these are at the root of the junta's hopeless future prospects. Greece has not reached the point of Spain and Portugal, nor is soon likely to, where it can thumb its nose at the rest of the world.

But it is in just this area of pressure politics where Greek liberal (as against left) anti-junta opinion leaders believe the United States has not made intelligent or courageous use of its clear potential. Whatever they think about the attitude of the Pentagon or CIA, a small group of informed and pro-Western Greeks concedes that the White House and the State Department detest the junta and are sensible to the dangerous consequences of its continuation.

But, they complain, the American government has not made clear to the junta, in cold turkey terms, the degree of its condemnation, nor threatened to use the not insignificent arsenal of political and psychological weapons at its disposal if the junta does not begin the process of a return to democratic rule. Granted, the Greek critics continue, the United States cannot tell the colonels how to run the Greek government. But it can certainly make much more explicit to the colonels that they cannot expect to be admitted into decent society, much less be supported or loved, as long as they are on their present course.

A second complaint against the American government is that in failing to take its stance of moral opposition to the junta clearly and publicly, it is forfeiting the goodwill and future friendship of the oppressed Greek people. Instead—at least until the arrival here of American Ambassador Henry Tasca, who put a stop to it—American military officers would greet their Greek counterparts with excessive cordiality and fulsome statements, all of which were reproduced by the government and disseminated far and wide as evidence of how the United States loved the regime. Even Tasca has on occasion carelessly shown up on platforms with junta leaders, and seen his appearance instantly exploited by the junta propaganda machine. The gist of the complaint is that Papadopoulos is a brilliant chess and poker player who has made chumps of us.

In defense, the Americans insist that they are telling the junta, privately but in the most emphatic terms, that America intends sharply adverse action, of which public denunciation will only be one part, if the junta fails to announce before the end of the year a date for parliamentary elections.

They also argue that for maximum influence America must apply the carrot as well as the stick: an outright public condemnation at this point would be premature and would simply drive the colonels out of the Western ball park and end any possible outside influence on them.

The defense is not particularly persuasive. It is hard to see a good reason why the United States cannot play poker as well as Papadopoulos or why it cannot reassure the Greek people about its attitude toward the junta and its suppression of democracy. Instead, it lets persist in the mind of the overwhelming proportion of the Greeks—almost everyone but a handful of staunchly pro-Western sophisticates—that we cherish the colonels and support them to the hilt.

It is hard to see any good reason why the American government has not officially and publicly expressed its outrage at the indecencies the junta commits against civil rights. Or why it has not shown—as it could, subtly but unmistakably to an audience as politically savvy as the Greeks—that it will support a democratic opposition movement

as it develops in the society. The question is how long America can remain equivocal, at least in public, and still convince anyone that it is *not* in love with the junta, or that it is really using what weapons it has to push toward a democratic future for Greece.

MRS. NELLIE EADES KUHNLE CELEBRATES 100TH BIRTHDAY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, on August 26, 1970, Mrs. Nellie Eades Kuhnle of Petaluma, Calif., will be celebrating her 100th birthday anniversary. There are many aspects of Mrs. Kuhnle's life that in my judgment have great historical significance.

This very remarkable lady is a living legend in her community and our great Golden State of California, and I believe my colleagues would appreciate knowing something of her life's history and background.

Therefore, I want to record, permanently, in the CONGRESSIONAL RECORD, some of the highlights of an extraordinary life story.

We, in the Congress, pay tribute to one of California's "century citizens," Mrs. Nellie Eades Kuhnle, as she prepares to enter the second century of her life.

Mrs. Kuhnle is one of a very few remaining people who can claim with justifiable pride that they are the son or daughter of one who came to California during the gold rush.

Her father, George Henry Eades, migrated from Sherborne, England, to the United States in 1846 and to San Francisco via Cape Horn in 1852 drawn by the adventures of the gold rush. After a brief period in the Yuba River Mines in 1853 and 1854 and as a teamster in San Francisco during 1855 and 1856 he purchased property at Petaluma, Sonoma County, Calif., in 1857 on which his only surviving child, Nellie Eades, was born on August 26, 1870. This land, which was originally part of the sprawling estate of Gen. Mariano Guadalupe Vallejo, remained her home until 1944 when she and her husband, Perry Kuhnle, whom she married on May 24, 1894, retired to her present home in Petaluma.

Not only can she look with pride upon the contributions of her pioneer father in the formation of California, but also to the fact that her father-in-law, Jacob Kuhnle, served with distinction in the Union Cavalry during the Civil War.

Mrs. Kuhnle has never left her native State and only seldom during her century of life has left the county in which she was born. Though in ill health for the past 2½ years she has never lost interest in life around her and daily enjoys the visits of her three daughters who also reside in Petaluma.

Her father recalled with great pride that he cast his first vote as an American citizen for Abraham Lincoln in 1860, and subscribed to the tenets of the Republican Party throughout his life as has Mrs. Kuhnle.

On the anniversary of her birth, Mrs. Kuhnle's family will gather to commemorate not only the milestone of a century but to honor a true California pioneer in every sense, one of the very precious few who remain among us.

WINDING DOWN THE VIETNAM WAR

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. MINSHALL. Mr. Speaker, I am pleased that the Plain Dealer, one of the Nation's most widely read and highly respected newspapers, finds that President Nixon's approach to the war in Indochina is a realistic one. Its lead editorial last Sunday, August 9, is a very thoughtful summary of the Nixon program which will wind down the war, bring our American troops home, and end the heavy toll in American lives and funds this tragic conflict has claimed. The article follows:

[From the Cleveland Plain Dealer, Aug. 9, 1970]

WINDING DOWN THE VIETNAM WAR

One of the reasons this newspaper supported Richard M. Nixon for president of the United States in 1968 was our hope that he would offer a new approach to the problem of Vietnam.

Recent inside reports indicate that President Nixon is proceeding with a definite schedule to wind down the war in Indochina regardless of the positions of either North or South Vietnam. This is a very important new approach to the war in Indochina and in our view a realistic one. Regardless of the public statements about negotiating our way out of Indochina, it is now obvious this is not possible.

American Presidents John F. Kennedy, Lyndon B. Johnson and Nixon have all tried in varying degrees to adopt tough military and hard negotiating positions in hopes of bringing North Vietnam to the negotiating table to effect a meaningful solution. All these attempts have failed. Sophisticated observers have pointed out that even our allies in Vietnam will never take over their own war until we set a timetable of withdrawal and adhere to it.

It now appears that the United States is setting a timetable and plans to move out, as reported in The Plain Dealer by Warren Rogers of the Washington Post/Los Angeles Times Service.

Rogers' article quoted Pentagon sources. It has not been challenged, much less denied. So far as it has been made public, the timetable calls for:

U.S. forces to halt offensive military operations by May 1.

American ground troops to quit Vietnam altogether by the end of 1972, except for 20,000 advisers.

American withdrawal into base areas, coming out only for patrols in secure rear areas and as defensive mobile reaction forces.

These points, if confirmed, include several made by critics of Nixon policies, particularly former Defense Secretary Clark M. Clifford and retired Army Lt. Gen. James M. Gavin.

Clifford in June 1969 called for a pullout of "about 100,000" ground troops in 1969 and a complete pullout by the end of 1970. Mr. Nixon never quarreled with Clifford—all the President said at the time was that he hoped to better Clifford's schedule. Last May, after Cambodia, Clifford renewed his call for withdrawal of all combat troops by the end of this year and all military personnel by the end of 1971, provided "arrangements have been made for the release of all U.S. prisoners of war."

The purported Nixon plan to withdraw to base areas echoes the enclave proposal of Gen. Gavin, a former ambassador to France who broke with the Johnson administration over the war.

So Mr. Nixon appears fairly close to the proposals of Clifford and Gavin, the distinction being that the President's so-called timetable is secret and not attributed to him while Clifford's is public.

Mr. Nixon lets Secretary of Defense Melvin R. Laird and others in the Pentagon leak the word while the President stands clear. He still will be flexible, not committed publicly, avoiding awkward zig-zags.

While America has some obligation to South Vietnam, America does not have to stay there much longer. Our obligation is about over, paid for with 43,134 dead as of July 31, plus billions in taxpayers' money, a lot of it squandered by corrupt Vietnamese officials.

This seems to be the message coming out in bits and pieces about a withdrawal timetable. We assume that Saigon, as well as Hanoi, is reading it loud and clear.

POTOMAC POLLUTION

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. DADDARIO. Mr. Speaker, a recent article published in the New York Times dealt with a problem with which we are all too familiar. The headline reads, "The Polluted Potomac: Sewage and Politics Create Acute Capital Problem." The article goes on to cite facts and figures which expose the disgraceful condition of the Capital's river in a most embarrassing manner. We can no longer tolerate this unconscionable situation. How can we in the Congress presume to clean up the Nation's rivers while our own river, flowing through the Capital itself, grows progressively unsightly and unhealthy?

It is estimated that 80 million gallons of raw sewage is dumped into the Potomac every day. This waste material not only covers the river with masses of floating filth, but supports algae and bacterial growth which threaten its most essential elements.

Sewage draws dissolved oxygen from the river, creates a thick, clinging sludge on its bottom, and breeds such enormous numbers of bacteria that one official of the water control agency called the Potomac "a severe threat to the health of anyone coming in contact with it."

Coliform organisms, a sort of intestinal bacteria, have been numbered at 4,000 times higher than the safety level. Detergent foam and sewage sludge have destroyed plantlife on which fish feed, and ruined their spawning grounds.

As much as any other river in America, the Potomac is being strangled to death

by the abuse and insensitivity of the population it helps to support.

A program is now being developed which would coordinate the agencies of Federal, State, and local governments in a great common effort to clean up the Potomac. The leaders of this project have set July 1, 1975, as the target date for the ultimate cleansing of the river.

This program will cost money. But can we afford not to provide it? I urge all of my colleagues to dedicate their most serious attentions to this very critical problem and to keep these facts in mind when the Congress is asked to provide funds for its restoration.

THAT GREAT GENERATION NEVER WAS LOST

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, Mr. H. E. Baum of Arlington, Va., recently called my attention to a most interesting column written by columnist Smith Hempstone, entitled "That Great Generation Never Was Lost."

As I share Mr. Baum's conviction that the article deserves the widest possible attention, I insert it in full at this point in the RECORD:

THAT GREAT GENERATION NEVER WAS LOST

(By Smith Hempstone)

We are, we are told by teen-age philosophers and their sycophants, privileged to be in the presence of a great generation. And, of course, they are right.

We have only to look about to see the faces of that generation which truly can be called great. But you will not find its members on the campus or among the street people or in narcotics-sustained rural communes. You will find them putting the finishing touches to their careers, bouncing their grandchildren on their knees or—the unlucky ones incarcerated in old folks' homes by a society which scorns its aged.

One of the characteristics which has distinguished man from other animals long extinct is his capacity to adapt to change. It is this genius which has given him dominion over all the earth and its waters, and thrust his questing spirit to the fringes of outer space.

No generation has shown a greater willingness and capacity to adapt to change, channeling man's exploding knowledge into the conquest of new business, than those men and women born in the waning years of the last century and in the first decade of the present century.

These tough-minded Americans fought a grisly world war, kept their balance through the heady years of the 1920s and endured a grinding depression. They knew what it was to be hungry and cold and—because they knew—vowed that it would never happen to their children or their children's children. And it didn't.

When that peace for which so many had died collapsed in the face of a twisted tyranny, they didn't cringe: They went out and, at the cost of much blood and tears kicked the stuffings out of Mr. Adolf Hitler. And when that nightmare ended, they had the compassion to expend billions of dollars to help their former enemies reconstruct their lands and their lives.

Buffeted by an ideological hurricane, they spurned the easy solutions of fascism on the one hand and communism on the other, believing that, for all its distortions and inequities, democracy remained the one road which free men could travel to a just society.

Born into a world where education was the privilege of the few, they made it the right of the many. They fostered that responsible unionism which has given those who work with their hands a place in our economic sun without parallel in human history, reducing the working day by a third while doubling per capita output.

While in the field of health, they virtually eliminated the epidemics of typhus, diphtheria, smallpox, scarlet fever, measles, mumps, polio and tuberculosis which had ravaged their youth, increasing life expectancy by 50 percent. Meanwhile, venereal disease, which had been virtually stamped out, again has become epidemic; and that can hardly be pinned on septuagenarians.

Socially, they clung to and expanded the American dream of an open society which gauges a man's worth by his individual qualities rather than by his accent or antecedents. Inheritors of a legacy of unthinking racism, they moved belatedly, slowly but surely to extend to black Americans those rights and privileges which are and should be their heritage.

They placed books, music, telephones, radio, television and automobiles, things which—when properly used—enrich the lives of men, within the reach of all. They gave unstintingly to their children and grandchildren, making the present generation of Americans the tallest, healthiest and perhaps the brightest—if not the wisest—in this nation's history.

Having split the atom, they put it to work for the good of mankind, preserving in tumultuous times that fragile nuclear peace upon which the life of the world depends.

Because they were neither angels nor prophets, they made mistakes. They left some tasks unfinished. They began others which might better have been left undone. But in the main, they intended well and they did well, leaving this country and the world better places than they had found them.

If the tantrum tots of today succeed in channeling their inner chaos to construct a more perfect union, they will be building upon the foundation laid by a generation, mistakenly called lost by Gertrude Stein, which never copped out, never stopped trying, never gave up believing.

THE RETIREMENT OF CHARLES "KAROL" BURKE

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. ZABLOCKI. Mr. Speaker, one of the first newspaper reporters I met after I came to Congress in 1949 was Mr. Charles "Karol" Burke, the Washington representative of the Polish-American Congress. At that time he made the following observation:

In 1939, when Hitler delivered his ultimatum to Poland, Poland's Foreign Minister gave Poland's public response in these words, "Peace, like all things in this world, has its price. But there is one thing in the lives of nations as well as men that is without price—and that is honor. With these words, Poland alone defied the aggressor. The world respected this Polish sense of honor and President Roosevelt stated that Poland was an inspiration to mankind. The war was prosecuted, the war came to an end, and the former allies of Poland who so admired its sense of honor, dishonorably turned that nation over to the Soviet sphere of influence.

Shocked by this callous disregard for Poland's freedom and independence, over 5,000 delegates representing the 10 million Polish-American population, met in convention in 1944 in Buffalo, New York and organized the Polish American Congress.

One of the organizers of the Polish-American Congress was Charles "Karol" Burke. He helped the Polish-American Congress establish its headquarters in Chicago. At that time, Mr. Burke, who was a newspaper man in Chicago, was asked to man a press and information office in Washington on a temporary basis. The initial 6-month period has extended to a service of 26 years and now, after a life of dedication and personal sacrifice, he is retiring. Whenever he has expressed a desire to return to Chicago, the board of directors urged him to remain until a replacement could be found. His personal sense of honor, duty, and obligation induced him to accede to these wishes.

While the search for a successor went on, Charles Burke's life of service to Polish-Americans, including many Members of Congress, flowed on in an ever-widening stream. During those years, he made many devoted friends throughout the Government and throughout the Nation. I am pleased to include myself among them. He has never been too busy to be of help to me or my staff regarding all facets of life among Polish-American citizens or about the history of the country of their ancestors. He has given this important service in his own quiet, gentlemanly, unobtrusive way to many Members of Congress who number Polish-Americans among their constituents.

One cannot recall hearings on the Katyn Massacres, the Pulaski Days, the Days of Commemoration of the Polish Constitution of the Third of May, and many other Polish holidays, and events without thinking of Charles "Karol" Burke and his indefatigable assistance in commemorative remarks and ceremonies. He became the Polish expert and is known as America's unofficial "Mr. Polonia" in Washington. His previous experiences as a Polish-American newspaperman in Chicago, Milwaukee, Pittsburgh, and Detroit have given him knowledge and insight of the views and desires of America's Polonia.

Now in his 75th year and after 26 years of service, Charles "Karol" Burke is retiring. His absence from the Washington scene will be sorely felt. However, it will be tempered by the knowledge that he will be replaced by a talented, energetic Polish-American who has distinguished himself by service to our country—retired Army Col. Casimir L. Lenard.

Colonel Lenard, of Chicago, is a mem-

ber of a well-known and patriotic Polish-American family. He recently retired after 30 years of distinguished military service in World War II, the Korean, and Vietnam conflicts. Colonel Lenard has been awarded the Silver Star with cluster, the Legion of Merit, the Meritorious Service Medal, the Bronze Star, the French Croix de Guerre with palms, and numerous other citations. Undoubtedly his representation of the Polish-American Congress and the Polish-American press will be as distinguished as his military career.

To Charles "Karol" Burke on his retirement, I express my own sentiments, and I am certain the sentiments of my colleagues in the House of Representatives when I say, Charles Burke, you have been a valued friend throughout these years. Your dedication and devotion to your work have been reflected in the contribution you have made to our lives. You will be long remembered with a sense of gratitude and sincere friendship. We wish you many more years of good health, good luck, and God's choicest blessings.

SECOND ANNIVERSARY OF THE SOVIET MILITARY ACTION AGAINST CZECHOSLOVAKIA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. BOB WILSON. Mr. Speaker, I call the attention of my colleagues to the date of August 21, which marks the second anniversary of the Soviet military action against Czechoslovakia. This action violated the United Nations charter; it violated the freedom of a people who sought only self-determination and peace; it violated the trust of other world nations. But most of all it violated the conscience of man. When the Soviet Union assembled a half million men to crush little Czechoslovakia, it demonstrated graphically to the world that communism can rule only by force—that it offers nothing but enslavement to the masses its ideology pretends to revere, and poses a threat to any free nation that harbors within its borders the agents and provocateurs of the Communist system.

The Czechoslovak National Council of America has designated August 21 as the "Soviet Day of Shame." American citizens of Czech, Slovak, and Subcarpatho-Ruthenian descent will hold meetings to remind the world of this international atrocity. Many Americans of other descent will join them, letting the world know that the torch of freedom still burns bright in the hearts of the Balkan people and in the hearts of Americans who four times in this century have borne arms to defend it.

August 21 is an infamous anniversary. It should serve as a reminder to all of us that behind the Red banner is the blood of martyrs—its symbol is the hammer and sickle, but should, in reality, be the iron boot. I join my colleagues in saluting the brave Czech people—and their fight to reclaim their homeland from tyranny.

GOVERNMENT AGAINST LIFE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. SCHMITZ. Mr. Speaker, for many months a nationwide life prevention and elimination campaign has been underway in these United States. Unprecedented in its massive use of the communications media and in its explicit rejection of traditional morality, this campaign has invaded almost every home and school with its strident message: that our top-priority task in this country is to get rid of people.

The suddenness and vehemence of this assault took most Americans by surprise. In one State after another, legal barriers to the antilife movement crumbled. The crowning horror so far came in the State of New York where, as of July 1 of this year, any unborn baby may be killed up to 6 months after conception, if its mother wishes, or can be persuaded to ask a doctor to do it.

In our own State of California, abortion on demand is already a reality under the fraudulent "mental health" clause of the 1967 abortion act, and a bill to remove all State income tax deductions for more than two children has been approved by the revenue and taxation committee of the State senate.

Here in Congress, legislation has been introduced in both House and Senate to allow the killing of unborn children throughout the United States, and to remove the Federal personal income tax deduction for all children after the second. Testimony before the House Committee on Interstate and Foreign Commerce revealed that a bill is pending in the Florida State Legislature which would legalize the killing of old people—"euthanasia"—and that a bill in the Hawaii State Legislature would compel the sterilization of all women after they have their second child. Such legislation heralds the coming of a new nazism to our land.

This is the context in which we must view a major "family planning" bill, S. 2108, now under consideration by the House Committee on Interstate and Foreign Commerce. Passed by the Senate July 14, without adequate notice, without a single statement in the RECORD in opposition, and without a rollcall vote, this bill was rushing through in steamroller fashion with almost nothing but favorable testimony, until a few of us made the House committee aware of the extent of the opposition. It then had a full and fair hearing on August 7.

S. 2108 would provide over $1 billion from the taxpayers of the United States for contraceptive distribution and research. The bill is more notable for what it does not say than for anything it does say. Nowhere does it define "family planning"—a phrase which some of its proponents clearly regard as including abortion and sterilization and which, in light of the New York law and others, almost certainly will be so interpreted. There are no restrictions on the age or marital status of those receiving contraceptives; one witness at the House committee hearing stated that they could and would be given to 12-year-old girls. An opposition witness described this—in my opinion quite rightly—as putting Congress on record as condoning fornication and adultery.

It is most unlikely that legislation so offensive to the conscience of millions of Americans would ever have received serious consideration were it not for the fears aroused by constant talk of a "population explosion." Yet the report of President Nixon's own National Goals Research Staff, released in July, concluded—page 60:

> The question of population size in the United States is not Malthusian. The issue is not whether we can feed and clothe a population of any size we can realistically envisage, or even supply it with the expanding amount of energy it may demand . . . We have before us a set of decisions. One which appears not to be urgent is that of overall size of the population—even after the effects of a considerable amount of immigration are taken into account.

The report pointed out that if present trends continue for just 10 more years, our national population growth will stop altogether. Entitled "Toward Balanced Growth: Quantity With Quality," it is available from the U.S. Government Printing Office, Washington, D.C. 20402, for $1.50 per copy, for anyone interested in or desiring to verify these statements. There is no population explosion in the United States as a whole, though there may well be too much crowding in a few urban areas.

MODERNIZING THE CONGRESS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, for the past several weeks, the House has been considering H.R. 17654, the Legislative Reorganization Act of 1970. While we have spent many hours discussing this measure, we have failed to complete action on it. Many Members, including myself, are concerned that the slow pace will prevent us from completing work on this bill—and by completing work I mean seeing the bill passed by the other body and signed into law this session.

The slow action on the part of the House has been noted by many outside observers as well. Today's Washington Post contains an excellent editorial on "Modernizing the Congress." As the editorial notes, "The country, even more than Congress itself, would be the loser," if we fail to pass H.R. 17654. The article follows:

[From the Washington Post, Aug. 11, 1970]

MODERNIZING THE CONGRESS

Like the king of France who "went up the hill and then came down again," the United States Congress in 1967 went through the motions of overhauling its antiquated procedures—and then adjourned without doing anything. And now, in 1970 it seems well on the way toward the same futility. Three years ago, the Senate spent six weeks in debate on an extensive reorganization measure and at last passed it—only to have the House let it languish and expire as the 90th Congress came to a close. This year the House has been discussing the issue for a month or more, and has adopted some significant reforms; but it has not yet gotten around to passing anything and seems in grave danger of letting it slide until it may be too late for the Senate to take concurrent action.

The reorganization of established institutions always encounters the obstacle of entrenched interests. Those who have come to power through the old ways of doing things rarely like to relinquish that power. Those who know the ropes—even though the ropes may be sadly worn and frayed—are often disinclined to see them replaced. The inertia is natural and one may sympathize with its beneficiaries. But the United States Congress can no longer afford such sympathy. It is rapidly becoming an anachronism, inadequate by the needs of a great democracy.

Here it is, midsummer, a time when provident and industrious legislators ought to be on vacation or attending clambakes in their constituencies; and the members of Congress are not yet half through the inescapable obligations of the session. They are about to give themselves a respite, it is true; but it is hardly an earned respite or one that can be taken with clear conscience. The mechanism creaks. It puts despotic power into the hands of old men and frustrates initiative by the young and innovative. It shirks responsibility. It bamboozles the public.

The tragedy of what is now happening is that most of the Congress recognizes this and is prepared to accept a measure of reform. The Senate Government Operations Committee has approved a bill—much the same as the one the Senate as a whole passed three years ago—which would effect a modest streamlining. The House has tentatively approved a number of more radical changes—which may or may not be acceptable to the Senate if a completed bill ever goes over to that body.

Both chambers, however, have so much to do—so much that has been left undone—that they may end by ignoring their internal reform and marching down that hill again. The country, even more than Congress itself, would be the loser.

BRISTOL, CONN., FEELS PINCH OF UNEMPLOYMENT

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. DADDARIO. Mr. Speaker, there is no working man or woman in the United States today who has to be told that inflation has now reached its worst level in years. Thousands of Americans are out of work with no relief in sight—3,200 of them live in Bristol, Conn. I am enclosing an article, published in the New York Times, which particularizes the unfortunately typical situation in Bristol.

The President has told us that inflation can be curbed only with "an acceptable level of unemployment." The millions of Americans now out of work find this position anything but acceptable. Presumably, the President is working. Hopefully, he is working with the rest of us toward a better solution for our inflationary crisis than the unemployment of millions of America's workers. The article follows:

HIGH RATE OF UNEMPLOYMENT IS GIVING BRISTOL AN EXTRA INFLATIONARY PINCH

(By John Darnton)

BRISTOL, CONN., August 5.—This city of 57,000, landscaped by the Industrial Revolution in gray chimneys and red-bricked factories, is caught in the slack of the nation's economy.

The number of people without jobs rose to 3,200 in June—12.6 per cent of the labor force—according to the latest report of the state labor department. The percentage is the highest in the state and more than twice the national average.

For many families in Bristol, it has meant drastic cuts in their budget. For the state unemployment compensation office, it has meant longer lines. For the stores, especially those dealing in heavy appliances and luxury goods, it has meant less money in the cash register.

"It's hard to get by," said George Worthley, 28-year-old carpenter, who has been laid off for 24 weeks. "I used to work seven days a week, but now it's impossible to find anything at all."

HIGH COST OF LIVING

Richard Saucier, another carpenter who has not worked steadily since last December, draws a check of $99 a week to support himself, his wife and their five children. "Meat has become so expensive, we have had to do without it," he said.

Some city officials are not pessimistic about Bristol's economy.

"There's a feeling of slowness," said Mayor J. Harwood Norton, seated behind his desk on the top floor of the new City Hall. "But I'm not despairing."

Bristol officials maintain that seasonal slowdowns, vacation layoffs and a strike at the Hildreth Press Company have inflated the ranks of the jobless.

Most of all, they derive consolation from a report issued by a special "task force" on unemployment that was established in June after the unemployment rate for the previous month had risen to 9.5 per cent from 8.7.

The report, based on a 20 per cent sample of unemployment records, maintained that 51 percent of those without work had been laid off by companies situated outside of the city.

"We are being charged for people laid off out-of-town," said Irving William Wessman, chairman of the task force. "No one has thrown in the sponge as far as industry in Bristol is concerned."

The report also said that 44 per cent of the unemployed were women. Officials take this statistic to mean that many of them were "second breadwinners" and that their families, while suffering hardship, were not destitute.

Not everyone in town is pleased with the report. "They're just playing around with statistics," charged Dr. Harry H. Hershman, the Democratic town chairman. "When you have a problem for which you have no solution, you go out and create a blue-ribbon committee."

C. Stewart Anthony, executive vice president of the Bristol Chamber of Commerce, denied that there were no jobs to be found. "I don't know of any man in Bristol who couldn't find work if he wanted to," he said.

This theory was disputed by some of those who have been looking for work. "It's no use to look," said Mrs. Bertrand Fillion, in the living room of her home on Divinity Street. She had been laid off four months ago at Superior Electric, where she soldered motors. "The last time I went to the unemployment office, while they were stamping my card, they even said it was no use." To scrape by and provide for her 16-year-old son and 10-year-old daughter, Mrs. Fillion has been supplementing her husband's income by taking on sewing jobs.

"We learn to do without the extras," said a neighbor. Mrs. Antonetti Giovennelli, who was told six months ago that she would be out of work for only a few weeks at Woodside Precision, Inc.

The merchants, too, have begun to feel the pinch. "Everyone's had to pull in the belt," said Larry Weeks, the manager of Finan & Weeks, a men's clothing store one block off Main Street. He said business had dropped 10 per cent since the beginning of the year.

Bristol, which calls itself "Mum City, U.S.A." because of its garden-variety chrysanthemums, is in the mid-industrial belt of the state. An increasing number of its residents are commuting to jobs outside the area. In the higher-income northeast section of the city, many residents work for the Hartford insurance companies 18 miles away. Elsewhere, there are the skilled workers who travel to the Pratt & Whitney plants that dot the area.

There is a feeling of languidness, but not complete stagnancy, in Bristol that seems exemplified by the 47-acre downtown urban renewal project that is slowly nearing completion after 10 years of red tape and partisan battles.

There are several large factories, but much of the manufacturing takes place in the small shops that surround them. These turn out highly specialized products, forged by the skilled hands of the watchmaker, the diemaker and the toolmaker.

Because the products are component parts of other products, the companies that make them are dependent upon the main-line manufacturers, and when orders slacken there, they are the first to feel it. "If cars don't sell, everybody's out," remarked Pete Bachman, chairman of a union workshop.

The largest employer in town is New Departure-Hyatt Bearings, a division of General Motors, which manufactures ball bearings. The second largest is The Wallace Barnes Division, Associated Spring Corporation, the world's largest manufacturer of precision-mechanical springs.

Figures on layoffs from these two plants were not available, but most people in and out of government felt that the pace of production had slackened.

Since the early eighteen-hundreds when a man named Gideon Roberts began making wooden clocks and peddling them on horseback, Bristol had been a center of the clock industry. Several months ago, however, the Sessions Clock Company, which was more than 100 years old and was once the employer of more than 500 craftsmen, closed its doors. The other clock company here, Ingrahams, has been taken over by the McGraw-Edison Company and converted to the production of fuses and timing devices for bombs and grenades.

Connecticut as a whole is heavily involved in defense contracts. According to the State Planning Council, 42,000 factory workers were employed in work related to the war in Vietnam in June, 1968, 9 per cent of the manufacturing labor force.

BUSINESS SURVEY PLANNED

Since January, 1955, military prime contract awards to companies in Connecticut have amounted to almost $19.9-billion, an average of $6,810 for each resident.

The state's economy has been sliding downward for the last year, judging by all leading economic indicators. In June, there were 86,200 persons unemployed, the highest number since February, 1961.

Bristol's mayor is planning to survey all the businesses in the city to find out how much of their production would be affected by an end to the war. He also hopes to get a resolution adopted by the Connecticut Conference of Mayors calling for more Government orders in the state to make up for cutbacks in defense contracts.

Bristol has had a high unemployment rate, off and on, for years. The city was hard hit by the recession of 1960–61, and has qualified for Federal funds as a "depressed" area.

It carries its burden inconspicuously. Banks report no discernible pattern in runs on savings accounts. There are no men sitting idle on street corners. Aside from three public housing projects, there are no deeply impacted slum areas.

But the effects of the high unemployment are felt behind the curtained windows of the two-story and three-story frame houses scattered over the 27-square-mile area, and in the lines of the machinists, bench-workers and laborers waiting for checks at the unemployment office.

The agency reported that this June it paid out $398,000 compared to $87,457 for the corresponding month last year. The claim load is up to 2,700 from 1,200.

THE COASTAL AND ESTUARINE ZONE: A NATIONAL INTEREST

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. HELSTOSKI. Mr. Speaker, I am privileged to place before Congress a most learned and thorough address on our coastal and estuarine zone delivered by Mr. Alfred A. Porro, Jr., of Rutherford, N.J., before the Marine Technology Society at its meeting in Washington, D.C., from June 29 to July 1.

The subject covered by Mr. Porro is highly important to the present and future of our environment and economy, and I recommend that all read the address for Congress will be called upon to make many key decisions on our coastal and estuarine zone.

Mr. Porro, who has gained great stature in his field, is adviser to the U.S. Commission on Marine Science, Engineering, and Resources, and the Meadowland Regional Development Agency in New Jersey.

The address follows:

THE COASTAL AND ESTUARINE ZONE: A NATIONAL INTEREST

(By Alfred A. Porro, Jr.)

ESTUARINE, ECOLOGY, ENVIRONMENT, AND ECONOMICS

The close of the decade of the Sixties witnessed the arrival of a new consciousness—a new language which will be utilized by attorneys, public officials and the general public to a greater and growing extent in the Seventies. Such words as "ecology", "environment," "estuaries" have been equated and are now being utilized with age-old terminology such as "economics". The year 1969 gave birth to a historic document—one which will lay the foundation for protection and development of the marine resources, coastal and ocean zones of the nation. The United States Commission on Marine Science, Engineering and Resources released its detailed report entitled Our Nation and the Sea and the supplemental volumes early in the year. It is to be hailed as one of the most comprehensive studies completed to date regarding the marine resource problem challenging this country. The presentation of the facts and statistics "as they are" in the estuarine and coastal zone is outstanding and shocking indeed. The analysis is comprehensive. Irrebuttable recommendations are made.

The Nation has been challenged with a common query—how to obtain truly well-balanced planning and usage of great stretches of estuarine areas and how to equitably resolve title and related problems. The pattern, to date, has been for the most part, one of indiscriminate reclamation and exploitation, lack of balanced planning and complete disregard of conservation of valuable marine resources. Pollution sweeps through rivers and coastal zones as a bolero of death. Jurisprudential and political hurdles eject themselves periodically in the form of a title dilemma, boundary challenges and jurisdictional mazes.

The Federal Government spends over $1,000,000 annually in estuarine areas. Geographically and physically this marine environment involves 28 states, a 33,000 mile shore and river line, 109,000 square miles of water and 75% of the Nation's growing population.

The estuaries of the United States "are the nursing and feeding grounds for most of our commercial fish and all of our shellfish—which provide the basis for a $400,000,000 a year industry." It is this same zone that provides water-based recreation—boating, fishing and swimming. The same zone is a catalyst of economic activity: Ports, shipping, transportation and industrial development. The resources of this zone are an essential part of the domestic food supply and industrial supply—fish and agriculture, to oil, gravel, gas and weed.

Few guidelines have existed to provide for balancing of conflicting uses and interests; few guidelines have been put in the way of economical and environmental considerations or values. The decade passed has seen many environmental changes in our coastal zone; many due to technological development and advances; many due to natural changes such as shore line erosion, loss of nutrient areas and diversions in circulation. It is in this zone that technological, scientific, commercial and industrial progress have found man in the unique position of outwitting himself. Industrial waste and detergents invade the wetland; effluents pour into and choke waterways and reclamation schemes trap and spread pollutants, all without any respect to the standard governmental jurisdictional boundaries.

The coastal and estuarine zone is truly a "system." By its very nature, it is not limited by local, county or state boundaries. Poor planning in one portion of the estuarine belt must and will affect other portions.

The problem is a national one. The Raritan River Basin estuarine is but a small segment of a large continuing zone. New Jersey boasts of having approximately 244,000 acres of such areas which stretch into 17 of its 21 counties. This, too, is only a small segment of the overall picture.

Thus, the Federal Commission recommended that a National Estuarine and Coastal Management Act be enacted which will provide policy objectives and guidelines for such areas, with Federal review. The states have been called upon to pass general legislation which would uniformly treat the ailment of all estuarine areas throughout that State and the Nation.

Many states have already passed statewide "marshland" acts, setting the guidelines, standards and even machinery for enforcement. Typical of such "Wetland Acts" are those of Massachusetts, Maine and Rhode Island. Others are pending in New Hampshire, Connecticut, Maryland and Georgia. These Eastern States have seen sister states fail to respond to this call or merely attempt to do a piecemeal job.

A SLIGHT DISSENT

Although the general proposal of the Commission respecting the management of estuarine zones must be complimented, it has failed in one respect; i.e. the providing of "teeth" in the proposed legislation. As one of the advisors who worked with the Commission, the privilege of dissent is exercised at this time. The report and its supplement treat too gingerly and too optimistically the subject matter of State participation. In spite of strong and creative approaches taken throughout the report and recommendations, it suggests that the participation by states would be on a concept of voluntary participation—optimistic and weak! The massive result that is desired and expressed throughout the sections of the study regarding the needs and the public interest in the estuarine and coastal zone deserve a sounder and stronger approach. Mandatory guidelines and standards are necessary. This one basic aspect of the legislation could make the difference of failure or success of the program.

A National Oceanic and Atmospheric Agency is proposed to deal with and review proposals for long range planning in coastal and estuarine areas. It is hoped that regional and coastal authorities will be formed by the various states of the Union. Guidelines and objectives are set forth. The old faithful Federal inducement of grants and/or guarantees are provided; this is a teaser but not a compeller. Hopefully, through the availability of such grants, Federal policy can be effectuated and the national interest protected.

A State, regardless of how dramatically it may be injuring the national interest as a result of its poor or piecemeal treatment of its estuarine or coastal area and regardless of how tragically a particular system of estuarines may be affected by its action or lack of action, cannot in any way or manner, under this proposal, be compelled to comply with the Federal guidelines, planning or proposals for the area.

It is in this respect—it is with regard to this weakness—it is with regard to this basic approach that a dissent is cast at this time.

PUBLIC INTEREST—NATIONAL INTEREST

The public interest of which we are concerned is a broad one—it is a local one; it is a State one; and overridingly, it is a National one. An attempt to define "Public Interest" is always a tidy mess. Thus, no such attempt will be made here. However, the tempo of the public interest can be felt rhetorically in a statement made by General Woodbury:

"What is this public interest we are talking about? What public are we talking about? Are we talking about the local public—the people who are employed in the Coastal Zone, who live in the neighborhood, who have homes along the shore, the people who commute to the area for jobs? Is this the public we are concerned with? Or is it the using public, people who come from a long way off to swim or to use the marinas or the other facilities of the ocean or the lakes? Is it the users of the facilities that can't be there because the use has been preempted by some other use. * * *"

In the estuarine and coastal zone the public interest is all; i.e., local, state and federal. The federal interest reflects the overriding national interest which provides the legal and constitutional jugular vein for federal jurisdiction. Repeatedly, the nature of the estu-

arine and the problems that are being generated there reflect themselves as being unimpressed and unimpaired by state or local boundaries. The pollution in the Raritan River Basin in New Jersey must affect the coastal and estuarine areas of Staten Island of New York and Delaware. The extinguishing of valuable fish and living marine resources in New England must affect the interest of those citizens in North Carolina. The coastal and estuarine zone constitute a system—they constitute an inter-relationship between all States; they constitute a problem which can only be capably handled by a true and effective federal interface. This zone is one for national concern—it truly is a concern of the national interest.

PRESENT MAZE—LOCAL, STATE AND FEDERAL ROLES

A. General

The present maze of governmental roles, local, state and federal in the coastal zone are basically disjointed and uncoordinated. Essential to a truly effective system and structure is a set system, responsibility, control, coordination, financial strength and public support. The system must be both flexible and rigid. When put to this formula, the present system sadly fails.

A disjointed parade of different bands playing varying tunes and duplication of lyrics appears to be the image of the federal maze. The activities and programs of the agencies have proven to be individually credible and essential. Approximately five departments of the Executive, with numerous sub-bureaus and branches and related foundations and institutions, presently participate in the protection of the coastal and estuarine areas. Here the individual entity varies in function and jurisdiction; great variance appears in effectiveness. Individually none constitutes a fully and independently effective system of coastal zone management. Combined, without coordination, a like result.

Although some state or local programs have reflected substantial strides to more effective estuarine planning and administration, the very nature of this zone disregards technical state boundaries. The jurisdiction of no governmental body coincides with the boundaries of the coastal zone. The multi-state nature of the estuarine is reflected by the unrestrained animal and marine resources, waterways, and uses visiting from state to state.

Yes, a great many of the challenges presented by the coastal zone could be and are handled on a local, state or regional level, providing the benefit of a close local familiarity and expertise with the problem area. Yet, the short-coming of such a limited approach is obvious; no unified system for conservation or balanced development for the whole coastal zone could result.

Although some states have commendable programs for various aspects of the estuarine and coastal zone, such as fisheries, recreation, conservation and economic development, few states have truly effectuated state-wide comprehensive programs.

Basically, it can be stated that in this regard the state governments have failed. This is not to overlook the progressive steps taken in such states as Massachusetts, California, Rhode Island, and some other states. A study of the whole picture and the various states individually forces the conclusion that on the basis of past experience alone, a voluntary state authority system would not be effective.

B. The New Jersey debacle—a case in point

Many contradictions in policies, departments, motives, and approaches make obvious the need for compulsory national guidelines. The pattern in a great majority of the states is absolutely ineffectual in so far as an overall state-wide program is concerned. A case at point is our beloved Home State. New Jersey has approximately 224,000 acres of marshland and is an important coastal state. It is plagued with extreme pollution in the Raritan River Basin and the Newark Bay area. Some of the most valuable estuarine areas in the country were once found in these areas and undoubtedly some of the most valuable estuarine areas in the country still exist in this State.

The legislative history of the subject matter is interesting. The first official comprehensive plan for marshland development in New Jersey, dates back to 1916, wherein a scheme for the whole state was established. Prior executive statements, however, can be found which allude to the subject matter. On May 8, 1930, the Meadows Reclamation Commission submitted a comprehensive report and plan of development of marsh and meadowlands, in and near Newark Bay, its tributaries and Arthur Kill Zone Map. This plan encompassed the contiguous and still uniquely similar and parallel Northern New Jersey Estuary, centering around the tide waters of the Newark Bay. The concept at that time was to have an overall State Commission vested with the regulation and reclamation of the valuable estuarine areas of the State.

In 1949 the Regional Development Act became law; it provided the legislative enactment for the creation of inter-municipal cooperative agencies for estuarine and other development areas. Under this Act the Department of Conservation and Economic Development commenced with many municipalities to tackle the tremendous planning and title problems vexing certain estuarine areas. Progress was experienced—however, it was deterred. In 1963 the Legislature formed a nine-man Commission to study the problem and prepare a "comprehensive plan for the reclamation and development of the entire (North Jersey) meadowland area". In June, 1965, the final report of the Commission was submitted and in December, 1966, a supplemental report was filed. Both reports strenuously urged a state-wide Reclamation Authority, however, the inability of the State Legislature to enact a state-wide program and the tremendous competition between two of the State Departments involved, namely the Department of Conservation and Economic Development and the Department of Community Affairs resulted in a true debacle of the program. Although it was proposed that a state-wide agency be formed to balance the planning of the 244,000 acres involved and to set uniform guidelines—this did not occur. The New Jersey marshland stretches from the northerly portion of the State through the vast wetland of the Newark area on the mid-state marsh in the Raritan and Middlesex areas and finally trots on to the southerly and westerly portions of the State. State politics did not move as smoothly and uniformly throughout the zone.

A mere 18,000 acres were described in legislation and given an expert public relations send-off. The Hackensack River Basin was deemed to be in need of development for purposes of housing and the creation of a new city. Basically, the control of the estuarine was immediately transferred out of the Department of Conservation and Economic Development into the Department of Community Affairs. Needless to say, the function, purpose and mission of these two Departments were and are extremely different. What was once an area rich in marine resources and in need of a true balance between the interest of conservation and economic development, was carved out and dedicated to a destiny. This dedication by the means of a special district immediately relieved any political fears of such a happening in the other acres of marshland. Likewise the title problem, in practice, is also being handled in a fragmented and on a nonuniform basis. For example, in the early part of 1969, the then Governor declared a moratorium with respect to any further riparian grants; however, it was later discovered that this alleged moratorium was meant to specifically and merely apply to the area that had been sacrificed, namely, the 18,000 acres and not the balance of the State. Almost simultaneously, the Commissioner of Conservation and Economic Development declared his own little moratorium which was later discovered to have been meant only to apply to the southern portion of the State, concerning himself primarily with the conservation aspects and interest in the same.

This typifies, to a great extent, the disjointed, uncoordinated, politically influenced state approach which is certainly not limited to New Jersey, but is reflected in other parts of the country. Ineffectual piecemeal attempts, ignoring the interdependency of the same system and the likeness of its various problems, such as pollution, balancing of planning, development and conservation is the rule rather than the exception.

A NEW JURISPRUDENCE

Any proposal that has as its basis the mistaken attitude that the Federal Government should not and cannot delve more strongly across the sacred state jurisdictional boundaries is indeed weak. Such a program is much too strongly state oriented and noticeably lacks Federal effectiveness.

It is time to recognize that a new jurisprudence has been borne, quite unintentionally to some extent, yet it is here. A new philosophy of law, a new philosophy of political structure, a new philosophy of organizational mechanism, and a new philosophy of coordinating the whole "system" has in fact emerged through court decisions and legislation. The language to be utilized should be a "system of management" and it should be recognized that "the jurisdiction of the coastal zone does not coincide with boundaries". The true evaluation of the system requires us to scrap to a great extent to old cliches that are now being abused and merely used to impair a truly progressive and effective program. The concept of "State's Rights" is a sacred one indeed, yet to allow it to be utilized to prevent a more active Federal role in an area that undisputably requires it, is disgraceful. The trap of being bounded by existing structures and existing concepts is dangerous when considering management of the estuarine area. The trap of locking out Federal influence in an area where the need for the Federal catalyst, coordination, leadership and capacity is obvious, must not be allowed to be successful in this instance.

Our concept of government has changed greatly throughout the last few decades. It is no longer a series of self-contained cubicles bounded by local and state artificial boundaries. As stated by then Commissioner Robert C. Yosi of Massachusetts, "Government should be where the action is." Which government? The government which contains the best capability to meet the particular problem or problem area at hand; the government which is best equipped to handle the particular challenge presented? When dealing with a multi-nature problem area such as the coastal and estuarine zones, a multi-level governmental "system" is necessary. A network which effectively creates an inter-relationship and interface between all levels of government which necessarily comes in contact with the estuarine and coastal zone. Namely, an inter-relationship between the local, state and federal government which would effectively navigate to each level that particular function which it is best suited to handle and to conduct itself both individually and in an overall coordi-

nated system. This cannot be accomplished by fearing to venture, to some extent, with new concepts and true innovations.

Presently, whether it be recognized or not, the Federal control, with regard to various aspects of the estuarine and coastal zone is deeply imbedded. As previously stated, approximately five executive departments, twenty bureaus and many federal councils and institutions concerning itself in these areas have already transgressed traditional boundaries.

The commerce clause has in the last century taken on a new face. It has served as the vehicle of interjecting federal power and the exercise of federal management in areas requiring the same. The estuarine and coastal zone is no exception. It should be noted and made absolutely clear that by interjecting this federal interface it should not preclude state and local action, however, the federal role must be predominent in the event the delegated responsibilities of the state government are not met.

Obviously, the commerce and defense powers and other related federal powers provide the partial explanation of the present federal involvement in navigational, shoreline, and other marine works of improvement. Significant federal property power has been exercised. Admittedly much control over the Coastal Zone is comfortably encompassed in the powers constitutionally reserved to the States by the Tenth Amendment, however, this new jurisprudence recognizes the necessity of inter-relationship of governments. In fact, very relevant examples can be pointed to. The field of pollution control is cited; the field of water resource program is cited; regulation of population in the areas of fisheries, regulation in the areas of wildlife; regulation in the area of recreation. Admittedly, most of the programs that are referred to as examples are programs that vest primary control in state government, however, effectively provide the teeth to enforce federal standards and guidelines. Thus, this must be the aim and result of the proposed management system for the estuarine area.

A NEW CREATION

A. A national umbrella

A new creation is proposed. This creation will be able to cope with the tremendous overlapping jurisdictional problems and will also be able to realistically materialize upon the State and local experience and closeness to the various regions. The gravamen of the concept involves a Local-State-Federal creation—"a duet", "marriage" or "partnership" which is in the nature of an overlay rather than a new unit of government. Representation, participation and support from all levels of government. The concept is good and should be truly utilized; it must, on the other hand, not be weak; participation must be mandatory, guidelines clear and rigid—flexible and effective.

The National umbrella must exist for effective coordination of the many federal agencies presently relating to the estuary and the setting of national objectives and guidelines. Inter-State action and local participation, on the other hand, cannot be usurped or diminished. Any attempt to usurp all powers of the local or state government will be tragic to the plan. Legislation of this nature, although being mandatory, must not be irresponsive to governmental functions and powers which are properly and historically vested on other levels.

B. Area

The area in question shall constitute all of the estuarine and coastal zone of the country including the Great Lakes areas. It should not be treated as a new jurisdictional area, nor as a new city or state. The area is dictated not by traditional boundaries but by scientifically defined regions; i.e., an invisible protective screen. The area will not be ruled or governed but rather guided and unified. For purposes of this presentation, five regions are suggested: (1) Great Lakes Region; (2) North-Eastern Coastal Region; (3) South-Eastern Coastal Region; (4) Gulf Region, and (5) Western Coastal Region. The Regions should be divided upon such factors as area, common problems and conditions and studies, reports and recommendations of the scientific and the technical world. However, the legislation shall apply uniformly to all—no special district approach should be utilized.

Within each region shall be sub-regions, basins or local areas. These are to be divided with the same theory, purpose and intent; with the same reflection of the scientific, social, technological and conservation needs of a society.

C. Administration and control

The administration and control of this program is suggested to follow the same regional pyramid effect. Participation must be mandatory, obligations and responsibilities defined and enforcement provision forceful. A weak structure will give birth to a weak program and plan—a weak result.

Each region will organize in accordance with basic guidelines providing for representation from each State within the Region. The method of selection, the internal administration of the region authority, creation of sub-regions, form and functions shall be State and Locally controlled. Statewide authorities within the region varying from strong central state-controlled authorities to bi-county or inter-municipal groups should result.

All regions combined constitute the whole. The total program shall be directed and coordinated from the top. The new creation shall be a strong authority with representation of key factors. Its composition would consist of all major levels; i.e., Local, State and Federal—a National Umbrella. The local-state interests would be represented by a member selected by and from each of the five regional authorities, recognizing both economic and conservation interests. The federal interests to be represented by a member of the various agencies or bureaus presently dealing with various aspects of the problem, such as the Departments of Interior, Commerce, Defense, Transportation and Health, Education and Welfare. Thus a strong factor for Federal Agency coordination will also arise.

This interface shall, from within its membership, choose its own officers, consultants and employees. It would implement the express statutory purposes and mission of the body. It would set and define the national objectives and policy guidelines. In addition to coordinating the federal activities, it would coordinate the various regional master plans, resolve conflicting plans and regulations, and provide a continuing inventory of research and studies. A National Interface! All to result in a well-balanced overall environmental system. Its planning, regulatory and acquisition function will stimulate the ultimate realization of a national master plan of the estuarine and costal zone managed through an effective structure.

In addition to the normal general powers of an authority, necessary to execute its mission, this body should have extensive redevelopment, renewal, condemnation and acquisition power. Obviously, the implementation of any national master plan would be questionable without this.

Extensive powers, respecting other areas, such as pollution, dredging, drainage, water resources, solid waste disposal, engineering and related standards are essential. Where overlapping and duplication with existing activities occur, coordination will be easily obtained.

Final and ultimate resolution of problem areas, and conflicts in policy, regional plans, activities and the like will be vested in this body.

D. Financial

The financial structure, as the percussion of the orchestra, shall provide the tempo and beat of the program. Without strength and power, a meek composition can be anticipated. The proposed administrative structure lends itself to a combination and pooling of many powerful sources of funds. Federal funding, State and Local funding and revenue bonding are available.

Independent and combined financial structures will be necessary. The regional regime must of necessity be financially independent and dependent also—financial independence by state and local funding and its own bonding power respecting localized and regional projects and missions; financially dependent upon federal funding regarding matters generally to aid regional plans and to execute the overall master plan. Further, federal funding made available to the regional authorities will aid the cause of regional and public acceptance.

Sturdy and time-tested financial concepts regarding capital improvements of the past can be utilized, such as special assessments, bonding and the like. New and progressive concepts such as an inter-municipal, interstate and/or Federal-State tax-sharing pool, self-liquidating public projects such as beaches, marinas and other waterfront developments, and leasing of sovereign owned land may be utilized.

The National Umbrella can immediately and sensibly be interjected in and administered out of the Department of the Interior and upon creation in the National Oceanic and Atmospheric Agency.

E. Federal review

An essential aspect of the overall program will be that of necessary federal review. Unlike the New Jersey special district approach, the "action" and "operative" aspects of the program will be vested at that level of government "where the action is" and the review function at the top of the pyramid. As recognized by the Commission, continuing overlapping federal review will be a constant need.

"* * * It is imperative that the national interest be protected. If for any reason coastal zone authority cannot act in the public interest, the federal government shall participate in the actions of the coastal zone authority. Regardless, the federal government should have power of review.

'The federal review role is critical. In our discussions with those in the area we found general agreement that the state should manage the coastal zone; they have the responsibility and have, or at least should have, the detail local knowledge necessary for sound management. However, there may be times when local pressures will tend to force the coastal zone authority to act in a manner not in the national interest. The mere threat of federal review will often suffice. If not, the federal government should be empowered to act in the public interest."

It is respectfully suggested that a program that is premised on voluntary participation of the states would not give the necessary degree of federal review or at least would not give the necessary degree of power to effectuate enforcement after federal review. Strong national objectives and standards must be set and a collateral power to enforce the same must exist with the strength to enable the interjection of the federal interface in the event the national objectives and standards are not complied with after a determination based upon federal review.

F. Coastal zone laboratories

Integrated and essential to the overall coastal zone and estuarine area program must be the Commission's recommendation

that coastal zone laboratories be established in association with appropriate academic institutions to engage in the scientific investigation required in the estuarine and coastal areas. The report extensively and overwhelmingly justifies the need for a continuance and increase in the separateness of scientific research from the formal governmental structure, yet receiving full and complete federal financial support. The estuarine and coastal processes must be studied and continued in a scientific atmosphere; the results are essential to the advice of both the federal, state and local structures managing this zone.

The National Oceanic and Atmospheric Agency, under the direction of the National Sea Grant Program, should have the prime responsibility to provide institutional support for the coastal zone laboratories. The Sea Grant College and Program Act of 1966 must be amended to permit grants for the construction and maintenance of vessels and other facilities.

To integrate the coastal zone laboratory proposal into a governmental department, such as the Department of the Interior, as has been recently suggested, would be a true injustice to the effectiveness of a necessary program. To attempt to diminish the effectiveness of this independence of scientific research and to strip it from academic atmosphere, is truly unjustified and would highly detriment the effectiveness of the overall program.

The governmental structure and the Coastal Zone Laboratories recommended by the Commission can be effectively coordinated.

CONCLUSION

Thus, in conclusion, it is stressed that the type of progressive and essential program that is called for in order to obtain effective coastal zone management and balanced planning of the estuarine system cannot be accomplished by voluntary participation of the States. On the other hand, it cannot be effected by the usurption of local and state functions. The interface proposed herein provides a problem solving approach to the subject matter involved rather than a cubical-boundary governmental concept. The tremendous work product of the Commission and the years of studies and hearings relating to the estuarine demand such an effective administrative structure and such a progressive solution. The development of our jurisprudence and political concepts have truly laid the basis for an extremely progressive and pyramid type overlay in which an overall uniform federal umbrella would coordinate regional programs giving due regard and recognition to state and local functions and expertise.

SERVICE ACADEMIES FLOURISH

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 11, 1970

Mr. HUNT. Mr. Speaker, contrary to what one might believe from reports in the daily press, interest in a military career is still high among America's youth. Patriotism, love of country, devotion to duty and to our American ideals are not dead despite constant efforts of the news media to portray the majority of our young people in this light. I commend for your attention the following item from the July 30, 1970, issue of the Paterson, N.J. News:

SERVICE ACADEMIES FLOURISH

The largest enrollment in the history of the nation's three military service academies give the lie to student opposition to the Vietnam war. The total enrollment of 12,848 at West Point, Annapolis and Colorado Springs probably exceeds the number of hard core students who have been responsible for the trouble on the campus everywhere.

Of course, the cadets get as good an education as money can buy. It is free. They also get paid while studying. When they graduate, they pay back the taxpayers by serving a specified number of years in their chosen service. But those are incidentals. The important thing is that they will be launched on a military career that for most is for life. Their training is tough. When they get through, they are ready—as men as leaders to take command in the world's greatest military power.

This year, the class of 1974 was built with the biggest minority enrollment in history, a total of 299. West point has 107, including 40 blacks. The Air Force enrolled 140 from minority groups, including 66 blacks plus American Indians, Spanish Americans, and Oriental Americans. The Navy accepted 52 blacks, but total minority figures were not available.

Here is an All-American military machine being shaped by men who in another decade will be in command. More power to them as young Americans.

SENATE—*Wednesday, August 12, 1970*

(Legislative day of Tuesday, August 11, 1970)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by Hon. HUGH SCOTT, a Senator from the State of Pennsylvania.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

"We thank Thee, Lord, Thy paths of service lead
To blazoned heights and down the slopes of need;
They reach Thy throne, encompass land and sea,
And he who journeys in them walks with Thee."

—*Calvin W. Laufer.*

Help us to walk with Thee this day in paths of service free, remembering that whoever would be greatest must be the servant of all. Make us equal to our high trust. Make us just, honest, and fair in our demeanor that by our efforts the highest and best purposes of the Nation may be furthered. Show us clearly what our duty is and help us to be faithful in doing it. And to Thee shall be the praise and the glory. 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 of the Senate (Mr. RUSSELL).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 12, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HUGH SCOTT, a Senator from the State of Pennsylvania, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. SCOTT thereupon took the chair as Acting President pro tempore.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding the rule of germaneness, there be a brief period for the transaction of routine morning business, with a 3-minute limitation therein, until the Senate is prepared to proceed with the pending business.

The PRESIDING OFFICER (Mr. NELSON). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. 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 of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR HOLLINGS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from South Carolina (Mr. HOLLINGS) be recognized for not to exceed 30 minutes tomorrow, following the speech by the distinguished Senator from Oklahoma (Mr. BELLMON).

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED AMENDMENT TO THE CONSTITUTION RELATIVE TO EQUAL RIGHTS FOR MEN AND WOMEN

Mr. MANSFIELD. Mr. President, there appears on the Legislative Calendar Order No. 1101, House Joint Resolution 264, proposing an amendment to the