

EXTENSIONS OF REMARKS

CAMBODIA AND LAOS
BIBLIOGRAPHY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. WALDIE. Mr. Speaker, in addition to the bibliography I submitted for the CONGRESSIONAL RECORD on Vietnam, I would like to call to the attention of the House two more bibliographies concerned with both Cambodia and Laos.

These works were submitted to me by one of my constituents, Dr. Claude M. Ury of Kensington, Calif., and in substance, the books deal with the moral, economic, and political aspects of not only the war, but the indigenous cultural and historical aspects of the areas' rich heritage.

The bibliography follows:

AUGUST 19, 1970.

DEAR CONGRESSMAN WALDIE: May I bring to your attention two additional bibliographies on Laos and Cambodia which I do hope that you will insert in the Record for the benefit of Congress and Readers of the Record?

I received numerous letters from members of Congress and teachers asking me if I could supply them with copies of the recent bibliography on Vietnam which I sent you and you inserted in the Record.

Yours most sincerely,

CLAUDE M. URY, Ph. D.

CAMBODIA: SELECTED READING LIST

(Prepared by the staff of the Center for South/Southeast Asia Reading Rooms)

BOOKS

*Area Handbook for Cambodia. By F. P. Munson and others. Washington, D.C., Supt. of Documents, 1968.

*Armstrong, John. *Sihanouk Speaks*. New York, Walker & Co., 1964.

*Benda, Harry. *History of Modern South-east Asia*. New Jersey, Prentice-Hall, 1968. (Paperback)

*Cady, John F. *Thailand, Burma, Laos and Cambodia*. New Jersey, Prentice-Hall, 1966. (Paperback)

*Coedès, G. *The Making of South East Asia*. Berkeley, U.C. Press, 1969. (Paperback on ancient and pre-European South East Asian history)

*Gordon, Bernard. *The Dimensions of Conflict in Southeast Asia*. New Jersey, Prentice-Hall, 1966. (Paperback. See especially chapters 2 and 4)

*Hall, D. G. E. *A History of Southeast Asia*. New York, St. Martins Press, 1966.

Herz, Martin. *A Short History of Cambodia From the Days of Angkor to the Present*. New York, Praeger, 1958.

Leifer, Michael. *Cambodia: the Search for Security*. New York, Praeger, 1967.

Smith, Roger. *Cambodia's Foreign Policy*. Ithaca, Cornell University Press, 1965.

*Steinberg, David J. *Cambodia: Its People, Its Society, Its Culture*. New Haven, Human Relations Area Files Press, 1957.

RECENT ARTICLES

*Barre, Jean. "Sihanouk's Neutral Way." *Far Eastern Economic Review*. vol. 53, (July 21, 1966), p. 110-113.

*—. "Cambodia: No Holds Barred." *Far Eastern Economic Review*. vol. 65 (Sept. 4, 1969), p. 611-613.

*—. "Cambodia: County Without Parties." *Journal of Southeast Asian History*. vol. 8, (March 1967), p. 40-51.

*—. "Cambodia's Hour of Crisis Arrives." *Communist Affairs*. vol. 5 (Nov./Dec. 1967), p. 17-20.

*—. "Dragon in the Reeds." *Far Eastern Economic Review*. vol. 57, (July 13, 1967), p. 115-18.

Chandler, D. "Cambodia's Strategy of Survival." *Current History*. vol. 57 (Dec. 1969), p. 344-348.

Chase, Oscar G. "Trouble With Cambodia." *Commonweal*. vol. 84, (Sept. 2, 1966), p. 552-555.

*Gordon, B. D. "Cambodia: Shadow Over Angkor." *Asian Survey*. vol. 9, (Jan. 1969), p. 58-68.

*Leifer, Michael. "Cambodia: the Limits of Diplomacy." *Asian Survey*. vol. 7, (Jan. 1967), p. 69-73.

*—. "The Failure of Political Institutionalization in Cambodia." *Modern Asian Studies*. vol. 2, (April 1968), p. 131.

*—. "New Orientation for Cambodia." *World Today*. vol. 25, (June 1969), p. 234-237.

*—. "Rebellion or Subversion in Cambodia." *Current History*. vol. 56, (Feb. 1969), p. 88-93.

*Marsot, A. G. "China's Aid to Cambodia." *Pacific Affairs*. vol. 42, (Summer 1969), p. 189-198.

"Nixon Makes a Fateful Indochina Decision." *New York Times, The Week in Review*. Sunday, May 3, 1970.

*Osborne, Milton E. "History and Kingship in Contemporary Cambodia." *Journal of Southeast Asian History*. vol. 7, (March 1966), p. 1-14.

Plate, Thomas G. "On the Deployability of United Nations Forces Along Certain Sections of the Cambodian Border." *Public and International Affairs*, vol. 5, no. 1, (Spring 1967), p. 85-98.

*Simon, Jean-Pierre. "Cambodia: Pursuit of Crisis." *Asian Survey*. vol. 5, no. 1, (Jan. 1965), p. 49-54.

*Smith, Roger. "Prince Norodom Sihanouk of Cambodia." *Asian Survey*. vol. 7, (June 1967), p. 353-362.

Willmott, William E. "Cambodian Neutrality." *Current History*. vol. 52, (Jan. 1967), p. 36-40.

LAOS: SELECTED READING LIST

(Prepared by the staff of the Center for South/Southeast Asia Reading Rooms)

BOOKS

*Area Handbook for Laos. By T. D. Roberts and others. Washington, D.C., Supt. of Documents, 1967.

*Cady, John F. *Thailand, Burma, Laos and Cambodia*. New Jersey, Prentice-Hall, 1966.

Champassak, Sissouk Na. *Storm over Laos: a Contemporary History*. New York, Praeger, 1961.

De Berval, René. *Kingdom of Laos; the Land of the Million Elephants and the White Parasol*. Saigon, France-Asie, 1959.

Dommen, Arthur I. *Conflict in Laos; the Politics of Neutralization*. New York, Praeger, 1964.

*Fall, Bernard B. *Anatomy of a Crisis; the Laotian Crisis of 1960-1961*. Garden City, New York, Doubleday, 1969.

*—. "The Pathetic Lao; a 'Liberation' Party." In Robert A. Scalapino, ed. *The Community Revolution in Asia; Tactics, Goals and Achievements*. Englewood Cliffs, N.J., Prentice-Hall, 1965.

*Halpern, Joel M. *Economy and Society of Laos; a Brief Survey*. New Haven, Yale University, 1964.

*—. *Government, Politics and Social*

*Available at: Center for South/Southeast Asia Reading Rooms, University of California, 2420 Bowditch Street, Berkeley, California 94720. Phone: 642-3095, 642-3609.

Structure in Laos; a Study of Tradition and Innovation. New Haven, Yale University, 1964.

*LeBar, Franks. *Laos; its People, its Society, its Culture*. New Haven, HRAF Press, 1960.

Modelski, George. *International Conference on the Settlement of the Laotian Questions, 1961-62*. Vancouver, University of British Columbia Press, 1962.

Smith, Roger M. "Laos." In G. McT. Kahin. *Governments and Politics of Southeast Asia*. 2nd ed. Ithaca, Cornell Univ. Press, 1964.

Toye, Hugh. *Laos, Buffer State or Battleground*. London, New York; Oxford University Press, 1968.

Vivavong, Maha Sila. *History of Laos*. New York, Paragon, 1964.

RECENT ARTICLES

*—. "Concern Grows over U.S. Commitment in Laos." *Congressional Quarterly Weekly Report*. vol. 27, (Oct. 24, 1969), p. 2069-2074.

*—. "Laos." *Far Eastern Economic Review Yearbook-1970*. Hong Kong, 1969.

Abrams, Arnold. "The Once-hidden War; Escalation in Laos." *New Leader*. vol. 53, (Feb. 16, 1970), p. 8-10.

Allman, T. D. "Laos; Cradle of War." *Far Eastern Economic Review*. vol. 68, (June 5, 1969), p. 568-9.

Bernad, Miguel A. "Blunders in Laos." *America*. vol. 117, (Dec. 23, 1967), p. 766-769.

Campbell, A. "In Hot Pursuit; Reactions to U.S. Pursuit of North Vietnamese Inside Borders." *New Republic*, vol. 158, (Jan. 13, 1968), p. 19-21.

Cranston, A. "Laos; Next Step in the Big Muddy." *Nation*. vol. 210, (March 30, 1970), p. 363-366.

Duskin, Edgar W. "Laos." *Military Review*. vol. 48, (March 1968), p. 3-10.

Grant, Z. "Report from Laos, the Hidden War." *New Republic*. vol. 158, (April 20, 1968), p. 17-19.

Hill, Kenneth L. "Laos: the Vietiane Agreement." *Journal of Southeast Asian History*. vol. 8, no. 2, (Sept. 1967), p. 257-267.

*—. "President Kennedy and the Neutralization of Laos." *Review of Politics*. vol. 31, (July 1969), p. 353-369.

*Langer, Paul F. "Laos; Preparing for a Settlement in Vietnam." *Asian Survey*. vol. 9, no. 1, (Jan. 1969), p. 69-74.

Langland, S. G. "Laos Factor in a Vietnam Equation." *International Affairs*. (London). vol. 45 (Oct. 1969), p. 631-647.

*Lee, Chae-Jin. "Communist China and the Geneva Conference on Laos: a Reappraisal." *Asian Survey*, vol. 9, no. 7 (July 1969), p. 522-539.

Shaplen, Robert. "Our Involvement in Laos." *Foreign Affairs*, vol. 48, no. 3, (April 1970), p. 478-493.

Simmonds, E. H. S. "Laos and the War in Vietnam." *The World Today*, vol. 22 (May 1966), p. 199-206.

Tran-van-Dinh. "Laos: Fiction of Neutrality." *New Republic*. vol. 158, (Feb. 24, 1968), p. 27-29.

Urrows, Elizabeth. "Recurring Problems in Laos." *Current History*, vol. 57, no. 340, (Dec. 1969), p. 361-363.

*Zaslloff, Joseph. "Laos: The Forgotten World Widens." *Asian Survey*, vol. 10, no. 1, (Jan. 1970), p. 65-72.

*Available at: Center for South/Southeast Asia Reading Rooms, University of California, 2420 Bowditch Street, Berkeley, California 94720. Phone: 642-3095, 642-3609.

Also available at the Center for South/Southeast Asia Reading Rooms: Cambodia: Selected Reading List and Selected List on War in Vietnam.

STATUS OF THE APPROPRIATION BILLS AND CONGRESSIONAL ACTION ON THE BUDGET

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MAHON. Mr. Speaker, with the action of the House today sustaining the President's veto of the independent offices-HUD bill significantly affecting the totals in respect to the appropriation bills for the current fiscal year 1971, I am inserting a summarization of the actions by Congress to date on the appropriation bills for 1971.

I am also including a résumé of the totals that are to appear in more detail in the more comprehensive budget

"scorekeeping report" for August 13, now in preparation by the staff of the Joint Committee on Reduction of Federal Expenditures, which will be mailed to all Members the first of next week.

Recommendations on the spending side of the budget handled in the appropriation bills this session deal to some extent with supplements to fiscal 1970 but mainly with the budget for the current fiscal year 1971. A handful of items relate to fiscal 1972. But a number of actions with significant impact on the budget have been taken in bills out of the legislative committees, others are pending. All of these are reported on in the "scorekeeping report" of the joint committee staff.

THE APPROPRIATION BILLS FOR FISCAL 1971

Mr. Speaker, following is a capsule of the appropriation bill totals for the current fiscal year 1971:

THE APPROPRIATION BILLS—AT A GLANCE

[New budget obligational authority. Fiscal 1971 amounts only]

	Budget requests considered	Approved	Change, (+) or (-)
1. In the House:			
a. Subtotal, 13 bills	\$68,392,995,822	\$67,820,835,817	-\$572,160,005
b. Deduct: Independent Offices-HUD bill, veto sustained	-17,216,823,500	-17,390,212,300	+173,388,800
Net total, House bills	51,176,172,322	50,430,623,517	-745,548,805
2. In the Senate:			
a. Subtotal, 6 bills	31,553,879,499	34,271,990,753	+2,718,111,254
b. Deduct: Independent Offices-HUD bill, veto sustained in House	-17,468,223,500	-18,655,019,500	+1,186,796,000
Net total, Senate bills	14,085,655,999	15,616,971,253	+1,531,315,254
3. Enacted:			
a. Subtotal, 5 bills cleared Congress	23,805,524,999	24,787,137,220	+981,612,221
b. Deduct: Independent Offices-HUD bill, veto sustained	-17,468,223,500	-18,009,525,300	+541,301,800
Net total, bills enacted	6,337,301,499	6,777,611,920	+440,310,421

Note.—The House, on Aug. 13, overrode veto of education appropriation bill; totals included in "Enacted" figures.

THE APPROPRIATION BILLS FOR FISCAL 1971 IN THE HOUSE

Mr. Speaker, prior to today, the House had passed all the bills for 1971 except for Defense which is awaiting authorization.

In these bills, the House considered a total of \$68.4 billion in administration

budget requests; approved \$67.8 billion; and made a net reduction of nearly \$600 million—more precisely, \$572,160,000. In reporting these bills, the Committee on Appropriations recommended a net total reduction of \$919,187,000, but floor changes, both up and down, added \$347,027,000 to the committee total.

The Defense appropriation bill still

pending in committee involves budget requests of \$68.7 billion.

IN THE SENATE

The Senate has passed six of the appropriation bills for 1971. In these bills, the Senate considered slightly over \$31.5 billion in administration budget requests; approved nearly \$34.3 billion; and made a net increase of \$2.7 billion—more precisely, \$2,718,111,000 above the related requests for new budget—obligational—authority.

CLEARED CONGRESS—ENACTED

Mr. Speaker, five of the fiscal 1971 appropriation bills have been sent to the President. He has returned two by way of veto—one overridden by the House today, one sustained by the House today.

As sent to the President, the five bills totaled \$24.8 billion in new budget authority, which was, in total, \$981,612,000 above the President's related budget requests of \$23.8 billion.

The vetoed independent office-HUD bill involved \$18 billion—a net of \$541,301,000 above the related budget requests.

Omitting the independent offices-HUD bill, the veto of which the House sustained, but including the education bill, the veto of which the House overrode, the pertinent totals for the remaining four bills are: budget estimates, \$6.3 billion; enacted, slightly less than \$6.8 billion; a net total increase of over \$400 million—more precisely, an increase of \$440,310,000.

Of course, the Senate must also take action on the education bill veto before the question can be finally disposed of.

The ground rules of the continuing resolution for funding the operations with respect to agencies included in the vetoed independent offices-HUD bill are stated in House report 91-1220. In substance, the general rule is a rate not exceeding the fiscal 1970 rate or the rate permitted by the House-passed bill, whichever is lower.

Mr. Speaker, I include a tabulation showing the figures for each of the appropriation bills for fiscal 1971—both including and excluding the vetoed independent offices-HUD bill:

NEW BUDGET (OBLIGATIONAL) AUTHORITY IN THE APPROPRIATION BILLS, FISCAL YEAR 1971

[As to fiscal year 1971 amounts only]

Bill	Budget requests considered	Approved	Change, (+) or (-)	Bill	Budget requests considered	Approved	Change, (+) or (-)
In the House:				In the Senate:			
1. Legislative	\$356,043,285	\$346,649,230	-\$9,394,055	1. Legislative	\$421,414,899	\$413,889,653	-\$7,525,246
2. Treasury-Post Office	3,044,755,000	2,971,702,000	-73,053,000	2. Education	3,966,824,000	4,782,871,000	+816,047,000
3. Education (veto overridden)	3,807,524,000	4,127,114,000	+319,590,000	3. Independent Offices-HUD	17,468,223,500	18,655,019,500	+1,186,796,000
4. Independent Offices-HUD (veto sustained)	17,216,823,500	17,390,212,300	+173,388,800	4. Interior	1,839,974,600	1,835,337,500	-4,637,100
5. State-Justice-Commerce-Judiciary	3,243,905,000	3,106,956,500	-136,948,500	5. District of Columbia	109,088,000	108,938,000	-150,000
6. Interior	1,610,757,600	1,610,026,700	-730,900	6. Agriculture	7,748,354,500	8,475,935,100	+727,580,600
7. Transportation	2,465,814,937	2,429,579,937	-36,235,000	Subtotal bills cleared Senate	31,553,879,499	34,271,990,753	+2,718,111,254
8. District of Columbia	109,088,000	108,938,000	-150,000	Deduct: Independent Offices-HUD bill (veto sustained by House)	-17,468,223,500	-18,655,019,500	+1,186,796,000
9. Foreign Assistance	2,876,539,000	2,220,961,000	-655,578,000	Net total, bills cleared Senate	14,085,655,999	15,616,971,253	+1,531,315,254
10. Agriculture	7,531,775,500	7,450,188,150	-81,587,350	Enacted:			
11. Military Construction	2,134,800,000	1,997,037,000	-137,763,000	1. Education (veto overridden by House)	3,966,824,000	4,420,145,000	+453,321,000
12. Public Works-AEC	5,263,433,000	5,236,808,000	-26,625,000	2. Interior	1,839,974,600	1,835,474,700	-4,499,900
13. Labor-HEW	18,731,737,000	18,824,663,000	+92,926,000	3. District of Columbia	109,088,000	108,938,000	-150,000
14. Defense	(68,745,666,000)						
Subtotal, House bills	68,392,995,822	67,820,835,817	-\$572,160,005				
Deduct: Independent Offices-HUD bill (veto sustained)	-17,216,823,500	-17,390,212,300	+173,388,800				
Net total, House bills	51,176,172,322	50,430,623,517	-745,548,805				

Bill	Budget requests considered	Approved	Change, (+) or (-)	Bill	Budget requests considered	Approved	Change, (+) or (-)
4. Independent Offices-HUD (veto sustained).....	17,468,223,500	18,009,525,300	+541,301,800	Congress.....	23,805,524,999	24,787,137,220	+981,612,221
5. Legislative.....	421,414,899	413,054,220	-8,360,679	Deduct: Independent Offices-HUD bill (veto sustained).....	17,468,223,500	18,009,525,300	+541,301,800
Subtotal, bills cleared				Net total, bills enacted....	6,337,301,499	6,777,611,920	+440,310,421

Prepared August 13, 1970, in the House Committee on Appropriations.

BUDGET SURPLUSES AND DEFICITS, FISCAL YEARS 1960-71

Mr. Speaker, apropos the question of budget spending in excess of budget revenues discussed in the House earlier today in connection with the veto messages, I am including here for general information a table of surpluses and deficits for each year from fiscal 1960 to fiscal 1971 as very tentatively estimated by the administration last May, under both the unified budget plan, and also on the Federal funds basis which prior to fiscal 1969 was called the "administrative budget":

BUDGET SURPLUS OR DEFICIT, 1960-1971

(In millions of dollars)

Fiscal year	Administrative budget	Unified budget
1960.....	+\$1,224	+\$269
1961.....	-3,856	-3,406
1962.....	-6,378	-7,137
1963.....	-6,266	-4,751
1964.....	-8,226	-5,922
1965.....	-3,435	-1,596
1966.....	-2,251	-3,796
1967.....	-9,869	-8,702

Fiscal year	Administrative budget	Unified budget
1968.....	-28,379	-25,161
1969.....	-5,490	+3,236
1970 (Preliminary actual, July 28, 1970).....	-13,000	-2,908
1971 (estimate revised May 19, 1970).....	-10,000	-1,300

¹ Currently referred to as "Federal funds."

COMPREHENSIVE BUDGET SCOREKEEPING REPORT—AS OF AUGUST 13, 1970

Mr. Speaker, the more comprehensive budget "scorekeeping report" for August 13, now in preparation by the staff of the Joint Committee on Reduction of Federal Expenditures, will be available to all Members within a few days; however, the staff has extracted a summary of this "scorekeeping report" showing, to date, the net effect of all actions of the Congress, on the President's budget estimates.

The report covers not only the regular appropriation bills, but also the so-called "backdoor" appropriation bills,

legislative bills authorizing spending of a mandatory nature, and legislative actions affecting the President's so-called negative spending proposals, such as postal rate increases.

The purpose of the scorekeeping report is to show how the actions or the inactions of the Congress on these many and varied pieces of the total legislative package affect the President's budget as originally submitted and as revised by him. It reports on congressional actions affecting the budget beginning with the actions of each committee as a bill is reported. It reflects—in separate columns—the actions of the House, the Senate, and final enactments by the Congress.

I include a tabulation tentatively summarizing congressional actions on these various measures affecting the President's budget estimates. It reflects the effects of congressional actions in terms of both budget authority and budget outlays.

FISCAL YEAR 1971 SCOREKEEPING REPORT AT A GLANCE—SPENDING SIDE OF BUDGET, AS OF AUG. 13, 1970

(In thousands)

	Changes from the budget					
	Budget authority ¹			Budget outlays ²		
	House	Senate	Enacted	House	Senate	Enacted
1. Appropriation bills.....	-\$745,549	+\$1,576,078	+\$440,310	+\$226,150	+\$1,114,250	+\$352,550
2. Legislative bills with "backdoor" spending authorizations.....	+6,892,851	+224,851	+974,851			
3. Mandatory-type spending authorities in legislative bills.....	+418,433	+575,029	+560,011	+2,061,933	+558,529	+639,811
4. Legislation affecting proposals to reduce budget authority and outlays.....	+939,000	+784,000	+784,000	+934,000	+784,000	+784,000
Total (changes from the budget as of Aug. 13, 1970).....	+7,504,735	+3,109,958	+2,759,172	+3,222,083	+2,456,779	+1,776,361

¹ Virtually every item under this heading is precise—exactly determinable (an exception would be the estimated effect of the postal reform bill).

² Virtually every item under this heading is inexact—represents a reasonable approximation of

the effect of actions on the spending side of the budget.

³ Includes \$5,238 reduction in budget authority and \$24,000 increase in budget outlays relating to Public Works-AEC bill on the basis reported (but not proved) in the Senate August 12.

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO EQUAL RIGHTS FOR MEN AND WOMEN

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 10, 1970

Mr. ROONEY of Pennsylvania. Mr. Speaker, it gives me great pleasure to note and to have participated in the passage of House Joint Resolution 264, the equal rights amendment.

For many years, antifeminine discrimination has been rationalized as a measure designed to protect women from the treacheries of a world they were unable to cope with. Surely it has become obvious that the psychological and physio-

logical differences that distinguish men from women are irrelevant in the matter of employment qualifications.

While I do not expect to witness a wholesale abandonment of motherhood on the part of the female sex, I applaud the action that will further emancipate those women who choose a career either before, during, after, or to the exclusion of marriage.

In any case, I feel this measure is a vital step forward in the process of insuring equal rights for all our citizens.

This is a fitting time, Mr. Speaker, to pay tribute to a woman who spent a major portion of her life fighting for women's suffrage. Mrs. Emma Guffy Miller was long revered as "Mrs. Democrat" in Pennsylvania and died on February 23, 1970, at the age of 95.

Mrs. Miller was Pennsylvania Democratic national committeewoman, from 1932 to the time of her death. Her po-

litical and Government career spanned more than 50 years and her efforts to improve the status of women gained her national headlines in the first quarter of the century.

At the 1924 Democratic Convention she became the first woman ever to receive votes for nomination for President of the United States.

A few of her national memberships and activities included:

Presidential elector in 1940 and 1944; League of Women Voters 1921-25; National Advisory Board Women Organization, National Prohibition Reform 1929-33; National Women's Party for Equal Rights Amendment, serving as first vice president 1950-70; national chairman, Distinguished Daughters of Pennsylvania; chairman of women's activities, Pennsylvania Federation Constitution Commemoration 1937-38; and

president for life, National Women's Party.

Six months after Mrs. Miller's death the House of Representatives passed legislation making her life's dream a reality. As we reflect on this legislation we are reminded that this is the fulfillment of her personal dedication and political struggle.

MEDICINE FROM CONTINENT TO CONTINENT

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ZABLOCKI. Mr. Speaker, for the past 2 years the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, has devoted itself to the study of foreign policy and international aspects of satellite communications.

In that regard, I recently was informed about a unique event held last March in which a program of medical training and information was telecast from the United States via communications satellite to 11 European cities.

The program was brought to my attention by Dr. Virgil T. DeVault, former director of the Office of International Health of the American Medical Association. Dr. DeVault participated in the telecast, together with a number of other distinguished American and European medical specialists.

The "Medicine from Continent to Continent" program was seen by some 30,000 European physicians and has been judged a successful use of a satellite telecommunications for medical education. As such, it points the way to future, regular use of intercontinental TV to bring increased knowledge and skill to medical personnel around the globe and thereby raise standards of health care for the world's people.

Because of the importance of this program, I am happy to place in the RECORD at this point a letter from Dr. DeVault explaining its scope and purpose, and other related materials:

HON. CLEMENT J. ZABLOCKI,
Chairman, Subcommittee on National Security Policy and Scientific Affairs, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: It is a pleasure for me to comply with your request for a letter describing the use of the media of satellite communications to transmit medical training and information programs. I attended the boldest of such programs on March 13, 1970. This telecast originated from the facilities of the United States National Aeronautics and Space Administration in Houston, Texas and was projected on to Eidophor screens in eleven European cities. Eidophor was introduced by CIBA eleven years ago and makes possible the projection of television pictures on a large size movie screen.

This "medicine from continent-to-continent" program was funded by CIBA, one of the six major drug companies in Switzerland. American and European medical authorities discussed current aspects of space medicine,

early cancer detection and basic research as it relates to everyday medical practice.

A two-way voice transmission permitted a two and one-half hour dialogue to take place. The receiving center was Davos, Switzerland where the Eighteenth International Congress for Post-Graduate Medical Instruction organized by the College of Physicians of the German Federal Republic was in progress. From Davos, the telecast was relayed to auditoriums in Badgastein, Berlin, Berne, Bochum, Cologne, Frankfurt, Hamburg, Munich, Stuttgart, and Vienna. The program was witnessed by more than 30,000 physicians from several European countries.

This event was the product of scientific collaboration among CIBA, the German Senate for Post-Graduate Medical Instruction, which is a committee of the College of Physicians, and the German Medical Society of Chicago Education Foundation, and was the most ambitious venture of this nature to date. It was a dramatic success for the use of satellite telecommunications for international medical education.

The American dignitaries and medical specialists taking part were:

Dr. Gerald B. Dorman, President of the American Medical Association.

Dr. Charles A. Berry, Director of NASA Medical Research and Operations.

Dr. Eugene F. Lutterbeck, Assistant Professor of Radiology, Northwestern University Medical School, Chicago.

Dr. Franklin S. Alcorn, Assistant Professor of Radiology, University of Illinois College of Medicine, Chicago.

Dr. Paul H. Hollinger, Professor of Bronchoesophagology, University of Illinois College of Medicine, Chicago.

Dr. George L. Wied, Professor of Obstetrics and Gynecology, University of Chicago, Chicago.

Dr. Hans G. Clamann, Chief Scientist, Headquarters Aero-Space Medical Division, Brooks Air Force Base, San Antonio, Texas.

Our counterpart dignitaries and colleagues taking part in Europe were:

Professor Albert Schretzenmayr, President, German Senate for Post-Graduate Medical Instruction.

Professor Ernst Fromm, President of the College of Physicians of the Federal Republic of Germany and of the German Medical Council.

Professor E. H. Graul, Director of the Institute for Radiology and Nuclear Medicine, Philipps University, Marburg.

Professor P. Stoll, Director of Gynaecological Clinic, Klinikum Mannheim, University of Heidelberg.

Professor A. Sattler, former Director of the Department for Pulmonary Tuberculosis and Pulmonary Diseases, Municipal Hospital of Wien-Lainc.

Professor C. M. Gros, Director of the Central Radiological Service, Hospices civils, Strasbourg.

Professor J. P. Walter, Chief Radiologist, Strasbourg Hospital Service.

The program began at 2:00 PM in Houston (9:00 PM mid-European time) and required months of inter-continental preparation. It will be remembered as a milestone in the imaginative use of live audiovisual communication and the living exchange of information which they have made possible.

The success of the program was evidenced by the number of inquiries which expressed interest in future programs and suggested ways of expanding the principles of telecommunications to lesser developed countries and of improving medical standards worldwide.

Because this program was considered an experiment in International Medical Education via satellite telecommunications and as the material presented was highly technical, little publicity was given to this project.

I am pleased at this time to submit a copy of the program and hope that the above information will be of help to your Committee. I would be happy to meet with you or members of your Committee at any time.

Sincerely,

VIRGIL T. DEVAULT, M.D.

CIBA SPONSORS LIVE INTERCONTINENTAL SPACE MEDICAL PROGRAM

HOUSTON, TEX., March 13, 1970.—On of the boldest technical feats ever attempted in medical communications will be witnessed tonight by 30,000 European physicians.

A live telecast originating from the facilities of the U.S. National Aeronautics & Space Administration in Houston and San Antonio, Texas, will be transmitted by satellite and projected by Eidophor onto motion picture-size screens in 11 European cities.

"Medicine from Continent to Continent", sponsored by CIBA, will present American and European medical authorities discussing current aspects of space medicine, early cancer detection, and basic research in space medicine as it relates to everyday medical practice.

Video transmission and projection will be one way, from west to east. Two way voice transmission, however, will permit a two-and-a-half-hour dialogue to take place.

The receiving center will be the popular resort of Davos, Switzerland in the canton of Grisons, where the Eighteenth International Congress for Post-Graduate Medical Instruction, organized by the College of Physicians of the German Federal Republic, is in progress.

The program will be relayed and projected to auditoriums in Germany, Austria and Switzerland and will be linked by sound with Davos, thus making voice feedback possible. Those towns receiving the programs include Badgastein, Berlin, Berne, Bochum, Cologne, Frankfurt, Hamburg, Munich, Stuttgart and Vienna.

This event is a product of scientific collaboration between CIBA and the German Senate for Post-Graduate Medical Instruction, which is a committee of the College of Physicians.

The two partners have worked together on previous occasions to bring live Eidophor-projected demonstrations of medical subjects to large professional audiences, but "Medicine from Continent to Continent" is the most ambitious venture to date.

Eidophor, introduced by CIBA 11 years ago, has become the epitome of large-screen television projection in color and black-and-white. Continuous effort has been devoted to improving the original Eidophor version. There are more than 220 permanently installed projectors now in use throughout the world in studios, universities and flight training centers. The U.S. space authority, NASA, has 34 Eidophors in operation.

Among the American dignitaries taking part in the program are Dr. Gerald B. Dorman, President of the American Medical Association, and Dr. Charles A. Berry, Director of NASA Medical Research and Operations.

The colleagues with whom they will be talking in Europe are Professor Albert Schretzenmayr, President of the German Senate for Post-Graduate Medical instruction, and Professor Ernst Fromm, President of the College of Physicians of the Federal Republic of Germany and President of the German Medical Council. The presidents of the Austrian and Swiss medical associations are also participating.

The program will begin at 2:00 p.m. Houston time, (9:00 p.m. middle European time). "Medicine from Continent to Continent," after months of intercontinental preparation, will be remembered as a milestone in the imaginative use of audiovisual

communications and the living exchange of information which they make possible.

The sponsor of the program, CIBA Limited of Basle, Switzerland is a world-renowned diversified chemical company supplying a variety of products such as dyestuffs, optical brighteners, pharmaceuticals, plastics, agrochemicals and photochemicals. CIBA Corporation of Summit, N.J. is the American subsidiary of the world-wide chemical firm. The U.S. operating divisions include: CIBA Pharmaceutical Company, CIBA Products Company and CIBA Agrochemical Company, all of Summit, N.J., CIBA Chemical & Dye Company, Fair Lawn, N.J., and CIBA Photochemicals, New York, N.Y.

MEDICINE FROM CONTINENT TO CONTINENT,
MARCH 13, 1970
[Houston time]

13.55-14.00: Overture to the telecast. Prof. A. Schretzenmayr, President of the German Senate for Post-Graduate Medical Instruction.

14.00-14.03: Greetings from the U.S.A. Gerald D. Dorman, M.D., President of the American Medical Association.

14.03-14.05: Reply to Dr. Dorman's words of greeting. Prof. E. Fromm, President of the College of Physicians of the Federal Republic of Germany and of the German Medical Council.

Lead-in by: Prof. A. Schretzenmayr (Picture: panel inscribed "Aktuelle Weltraummedizin").

14.05-14.35: Current Aspects of Space Medicine. Charles A. Berry, M.D., Director of Medical Research and Operation, NASA Manned Spacecraft Center, Houston, Texas.

14.35-14.45: Discussion: Prof. E. H. Graul, Director of the Institute for Radiobiology and Nuclear Medicine, Philipps University, Marburg.

Lead-in by: Prof. A. Schretzenmayr (Picture: panel inscribed "Früherkennung des Krebses").

14.45-14.55: Early Cancer Detection. (a) The Role of Cytology in the Diagnosis of Cancer Today and Tomorrow. George L. Wied, M.D., Professor of Obstetrics and Gynaecology, University of Chicago, Chicago.

14.55-15.00: Discussion: Prof. P. Stoll, Director of the Gynaecological Clinic, Klinikum Mannheim, University of Heidelberg.

15.00-15.10: Early Cancer Detection. (b) Progress in the Early Detection of Lung Cancer by Endoscopy. Paul H. Hollinger, M.D., Professor of Broncho-Esophagology, University of Illinois College of Medicine, Chicago.

15.10-15.15: Discussion: Prof. A. Sattler, former Director of the Department for Pulmonary Tuberculosis and Pulmonary Diseases, Municipal Hospital of Wien-Lainz.

Lead-in by: Prof. A. Schretzenmayr.

15.15-15.25: Early Cancer Detection. (c) Mammography and Xeroradiography as Aids to the Early Recognition of Breast Cancer. Franklin S. Alcorn, M.D., Assistant Professor of Radiology, University of Illinois College of Medicine, Chicago; Eugene F. Lutterbeck, M.D., Assistant Professor of Radiology, Northwestern University Medical School, Chicago.

15.25-15.30: Discussion: Prof. C. M. Gros, Director of the Central Radiological Service, Hospices civils, Strasbourg; Prof. J. P. Walter, Chief Radiologist, Strasbourg Hospital Service.

Lead-in by: Prof. A. Schretzenmayr (Picture: panel inscribed "Weltraummedizin und Praxis").

15.30-16.05: Basic Research in Space Medicine and its Relevance to Everyday Medical Practice; Prof. Hans G. Clamann, Chief Scientist, Headquarters Aerospace Medical Division, Brooks Air Force Base, San Antonio, Texas.

16.05-16.15: Discussion: Prof. E. H. Graul.

16.15-16.28: General discussion: Prof. A. Schretzenmayr.

16.28-16.30: Closing remarks. Prof. A. Schretzenmayr.

MEDICINE FROM CONTINENT TO CONTINENT:
WHO'S WHO AT THE TRANSMITTING END (IN
THE ORDER OF THEIR APPEARANCE)

Gerald Dale Dorman, M.D.—President, American Medical Association: Born 1903 in Beirut, Lebanon, where father was dean of School of Medicine at the American University. Bachelor's degree from Harvard, 1925; medical degree from Columbia, 1929. Interned in surgery at St. Luke's Hospital, New York City, in 1930-31, and engaged in private practice as a surgeon until 1942. During World War II rose to lieutenant colonel on active duty; retired from the U.S. Army Reserve in 1963 with the rank of colonel, in command of the 307th General Hospital. From 1947 to 1960 medical director for employees' health in the New York Life Insurance Company. A past president of the Medical Society of the County of New York and has served as chairman of the World Medical Association Council. Was a delegate to the AMA from the Medical Society of the State of New York before his election to the Board of Trustees in 1960 and served the AMA in various capacities, among them as chairman of its Committee on Workmen's Compensation. Installed in July 1969 as the 124th President of the American Medical Association.

Eugene F. Lutterbeck, M.D.—Assistant Professor of Radiology, Northwestern University Medical School, Chicago: Born 1909 in Fuerth, Bavaria. M.D. degree: German Federal Diploma, University of Berlin, 1935; Medical Faculty of the University of Berne, 1936. After residency in surgery and radiology at the U. of Berne, became consulting radiologist at Elgin State Hospital, Illinois; at present he exercises this capacity at 17 institutions in the state. In addition to his professorship at Northwestern, has also been Professor of Radiology at Cook County Graduate School of Medicine, Chicago, since 1948. Has published 30 papers on subjects relating to his specialty, which he describes as "radiology including radium and radio-isotopes." A past president of the German Medical Society of Chicago. Among his awards are the Officers' Cross of the Order of Merit of the Federal Republic of Germany, conferred in 1962; and the Distinguished Achievement Award in recognition of outstanding services to the community, Immigrant Service League of the Travelers Aid Society, 1969.

Hans G. Clamann, M.D.—Chief Scientist, Headquarters Aerospace Medical Division, Brooks Air Force Base, San Antonio, Tex.: Born 1902 in Gross-Schwuelper, Germany. M.D. from Heidelberg University in 1929, followed by post-doctoral fellowship from the German Society for support of Sciences at the universities of Heidelberg and Wuerzburg (1930-34). Subsequently appointed Branch Chief at the Institute of Aviation Medicine, Berlin, where he designed a parasite rapid decompression chamber and a life support system for a sealed cabin with which he conducted pioneer studies on the effect of rapid decompression upon animals and men. Awarded the Lillenthal Plakette in 1939. In 1947 went to the School of Aviation Medicine, Randolph AFB, where he was assigned as a supervisory research physiologist to the Department of Physiology-Biophysics; named Chief of Department in 1959. Author or co-author of 63 papers on physiology and aerospace medicine. Areas of interest extended to metabolism in sealed cabins, life support systems (including metabolic and respiratory requirements), and studies in weightlessness. Among his numerous professional associations is membership of the International Academy of Astronautics, Paris.

Charles A. Berry, M.D.—Director of Medi-

cal Research and Operations, NASA Manned Spacecraft Center, Houston: Born 1923 in Rogers, Arkansas. Bachelor's degree from University of California, 1945; M.D. from U. of California Medical School, 1947; MPH/Cum laude from Harvard School of Public Health, 1956. Served in U.S. Air Force from 1951 to 1963 and is a lieutenant colonel in the reserve. Became Chief of the Department of Aviation Medicine at School of Aviation Medicine, Randolph Air Force Base, Texas, in 1958 and participated in selection of the original seven U.S. astronauts. Appointed Aeromedical Monitor for Project Mercury flight operations in 1959. 1959-1962: assigned to Office of the Surgeon General USAF as Chief of Flight Medicine and in July 1962 as Chief, Center Medical Operations, NASA Manned Spacecraft Center. Now one of five directors at the Center and Medical Director for the Apollo Program, a post he also held during the Gemini Program. In present capacity, responsible for planning, implementing and continually evaluating the Center's medical research and operations efforts and serving as medical spokesman and primary point of contact with the medical community. During missions he serves as Director of Medical Operations.

George L. Wied, M.D.—Professor of Obstetrics and Gynaecology, University of Chicago: Born 1921 in Carlsbad, Czechoslovakia. M.D. from Medical School of Charles University, Prague, 1945. After serving as associate chairman of the Department of Obstetrics and Gynaecology at Moabit Hospital, Free University of West Berlin, joined the faculty of the School of Medicine of the University of Chicago in 1954. Is at present The Blum-Riese Professor of Obstetrics and Gynaecology as well as professor in the Department of Pathology of that institution and Director of its School of Cytotechnology. Is also head of the Laboratory of Exfoliative Cytology at the Chicago Lying-In Hospital. An editor of numerous professional periodicals and serves as chairman or member of many committees in the field of cytology. Author or co-author of more than 130 medical papers.

Paul H. Hollinger, M.D.—Professor of Bronchoesophagology, University of Illinois College of Medicine, Chicago: Born 1906 in Chicago, Illinois. B.S. from University of Chicago, 1928; M.S., 1930, and M.D., 1933, from Northwestern University. In addition to his present professorship in the Department of Otolaryngology in the University of Illinois, is Attending Bronchoesophagologist and Head of Department, The Children's Memorial Hospital, Chicago and attending bronchoesophagologist at the Research & Educational Hospital, Illinois Eye and Ear Infirmary, U. of Illinois; at Presbyterian-St. Luke's Hospital, etc. Sits on numerous editorial boards, among which *Practica Otorhino-laryngologica* (Switzerland) and *Archiv für klinische und experimentelle Ohren-Nasen- und Kehlkopfheilkunde* (Germany). Since 1931 has authored or co-authored approx. 300 publications.

Franklin S. Alcorn, M.D.—Assistant Professor of Radiology, University of Illinois College of Medicine, Chicago: Born 1923 in New York City. Bachelor's degree from Hofstra College, 1947; M.D. from New York Medical College, 1951. Following internship and residency in radiology at Meadowbrook Hospital, Hemstead, N.Y., became attending radiologist at Presbyterian-St. Luke's Hospital, Chicago, a position he still occupies. Appointed to U. of Illinois medical faculty in 1959. Special research interests are lymphography and mammography, on which he has prepared a number of award-winning exhibits. Has been Project Director, Mammography Training Program for Radiologists and Technologists, sponsored by the U.S. Department of Health, Education and Welfare (HEW), Cancer Control Branch, since 1966.

FILLING THE GAPS IN FEDERAL
CIVIL RIGHTS LAWS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MIKVA. Mr. Speaker, during the decade of the 1960's America took many significant steps along the road of redeeming her promises to members of minority groups. The most significant of these steps were the three monumental civil rights acts passed in 1964, 1965, and 1968. Although I was not privileged to be a Member during those years, the House Judiciary Committee on which I now serve, played a predominant role in the shaping of these important laws to guarantee human dignity.

But as great as our progress has been in enacting Federal laws to outlaw discrimination based on racial and religious discrimination, there are several significant tasks which remain undone. Today, I am introducing with a number of co-sponsors two bills which I believe will go a long way toward providing full protection of the civil rights of all Americans.

The first bill would:

One, eliminate the exemption of State and local governments from the coverage of title VII of the Civil Rights Act of 1964—Equal Employment Opportunity;

Two, provide for the withholding of Federal funds from any State or local public agency found to be in noncompliance with a court order issued under title VII; and

Three, provide the Equal Employment Opportunity Commission with cease-and-desist power to enforce title VII.

Joining me in sponsoring both bills are Mr. BROWN of California, Mr. BURTON of California, Mrs. CHISHOLM, Mr. CONYERS, Mr. FRASER, Mr. ROSENTHAL, and Mr. RYAN.

The need for this bill has been amply documented in the November 1969 report of the U.S. Commission on Civil Rights entitled "For All the People . . . By All the People." Appended to my remarks today is a summary of the Commission's report as well as a staff memorandum on the bill which I am introducing to apply the equal employment opportunity protections of title VII to hiring by agencies of State and local government.

The second bill deals with the problem of access to public accommodations without discrimination or segregation on the basis of race, color, religion or national origin. Title II of the Civil Rights Act of 1964 dealt admirably with the problem of access to public accommodations on the basis of what Congress then believed to be its power under the Constitution. Since 1964, however, decisions of the Supreme Court have made clear that Congress has far broader power under the 13th amendment to the Constitution—which eliminated slavery—than was originally believed. This decision in *Jones v. Mayer*, 392 U.S. 409 (1968), which concluded that Congress had the power under the 13th amendment, and had intended in enacting the Civil Rights Act of 1866, to outlaw dis-

crimination in the sale of housing by a private party, provides an entirely new basis for congressional action in the area of public accommodations. Combined with the continuing power of Congress under the 14th amendment and under the Commerce Clause, *Jones v. Mayer* leaves little doubt that Congress can extend the protections of title II further than it did in 1964.

This second bill, then, would extend the coverage of title II to such important public facilities as barbershops, laundries, dry cleaners, funeral homes, bowling alleys, taverns, and other retail establishments. As is indicated in another letter from the U.S. Commission on Civil Rights which I am appending to my remarks, complaints about discrimination in public service establishments of this kind have been received by the Commission. Thus, in thousands of businesses serving the public throughout this Nation, citizens are still subjected to the humiliation and indignity of racial or religious discrimination. This bill would extend existing Federal law to ban discrimination in this broad range of public accommodations and facilities.

I include material furnished by the U.S. Commission on Civil Rights.

ATTACHMENT 1

UNITED STATES COMMISSION
ON CIVIL RIGHTS,

Washington, D.C., June 24, 1970.

HON. ABNER J. MIKVA,
House of Representatives,
Washington, D.C.

DEAR MR. MIKVA: I am pleased to be able to send to you draft legislation implementing the recommendations of the report of the Commission on Civil Rights on equal employment opportunity in State and local government, *For All the People . . . By All the People*, as requested by your office.

The draft legislation would do the following:

1. Eliminate the exemption of State and local governments from the coverage of Title VII of the Civil Rights Act of 1964;

2. Confer on the Equal Employment Opportunity Commission the power to issue cease and desist orders to correct violations of Title VII; and

3. Provide for the withholding of Federal funds from any State or local public agency found to be in noncompliance with a court order issued under Title VII.

If you have further questions or if I can be of assistance, please contact my office.

Sincerely,

HOWARD A. GLICKSTEIN.

STAFF MEMORANDUM: STATE AND LOCAL GOVERNMENT EMPLOYMENT—PROPOSED AMENDMENTS TO TITLES VI AND VII OF THE CIVIL RIGHTS ACT OF 1964

SYNOPSIS

The proposed bill attached as appendix A is designed to implement, by amendment to the Civil Rights Act of 1964, recommendations IIA and IIB contained in the report of the U.S. Commission on Civil Rights on equal employment in State and local government employment, *For All the People . . . By All the People* (at pages 128-130).

Section 2 of the bill implements recommendation IIA(1), by providing for the elimination of the exemption of State and local governments from coverage under Title VII. Section 2 restates provisions of S. 2453, introduced by Senator Williams of New Jersey on June 19, 1969.

Section 3 of the bill confers cease and desist power upon the Equal Employment

Opportunity Commission recommended in recommendation IIA(2). It incorporates provisions of S. 2453, modified to provide for the suspension of administrative proceedings in cases where the complainant invokes his private civil action remedy.

Sections 4(d-e) and 5 of the bill provide for the withholding of Federal funds from a State or local agency found to be in non-compliance with a court order issued under Title VII.

DISCUSSION

Coverage of State and local government

A major defect of Title VII, which Section 2 of the bill would remedy, is the exemption of State and local governmental employees from protection.

The need for this change is clear. State and local government ranks among the Nation's most important sources of employment, accounting for nearly thirteen million employees.¹ State and local governments offer a wide variety of jobs for all skill levels and in all areas of the country. This sector is growing at a rapid pace, which promises to increase if the revenue sharing and manpower training proposals presently under consideration are enacted.

The Commission's recent report, *For All the People . . . By All the People*, examines equal opportunity in public employment in seven separate urban areas across the country. The report finds widespread discrimination against minority group members in State, city, and suburban government. This discrimination was found to be attributable to a wide variety of discriminatory practices in hiring, placement, and promotion. Furthermore it was found that State personnel agencies have failed to monitor their own programs effectively:

"The basic finding of this report is that State and local governments have failed to fulfill their obligation to assure equal job opportunity. . . . Not only do State and local governments consciously and overtly discriminate in hiring and promoting minority group members, but they do not foster positive programs to deal with discriminatory treatment on the job."²

While State and local governmental employment discrimination is unlawful under the Fourteenth Amendment to the United States Constitution, an employee or potential employee can invoke this protection only by bringing a private court suit. Experience has shown that it is unrealistic to expect individuals to bear this burden. To do so, as *For All the People* points out, "makes compliance depend on the determination and financial ability of the victim to wage a time consuming and expensive lawsuit and his success in obtaining the evidence necessary to sustain the charge." The report goes on: "The fact that victims often are impoverished members of minority groups who are ignorant of their rights makes such a remedy even more unsuitable."

Cease and desist authority

The Commission reported in 1961 that a vicious cycle of discrimination in employment opportunities was prevalent.³ Title VII of the Civil Rights Act of 1964—with its present limited enforcement machinery—was subsequently enacted and has functioned for five years. While the Commission strongly supported the adoption of Title VII, it has become increasingly clear that this legislation demands strengthening if it is to become effective. The Staff Director of the Civil Rights Commission appeared before the Senate Subcommittee on Labor on September 10, 1969, in support of pending legislation to strengthen Title VII. The Staff Director pointed out that the most critical defect of Title VII is its reliance upon informal methods of conciliation and persuasion to resolve charges of employment discrimination and

¹Footnotes at end of article.

its failure to grant the Equal Employment Opportunity Commission the power to impose sanctions.

The inadequacy of the EEOC's present operations is indicated by its performance during the first four years of its existence. During that time it recommended that 26,065 of the 40,000 charges filed with it be investigated. In 63% of the cases investigated the Commission found reasonable cause to believe that illegal discrimination had occurred. Conciliation was successful in less than half of those cases. The experience of the National Labor Relations Board, by contrast, suggests that one of the main advantages of granting enforcement power to a regulatory agency is the degree to which it facilitates voluntary compliance before the enforcement stage is reached. In 1967 in only 5.4% of the NLRB unfair labor practice cases closed was there issuance of a Board order; the remaining 94.6% were disposed of voluntarily. The experience of the more than thirty States enforcing fair employment laws through administrative cease and desist powers is similar. In one State, for example, 3,838 complaints were settled voluntarily while only 47 required cease and desist enforcement.

One alternative to the cease and desist mode of enforcement would be to give EEOC the power to enforce Title VII by Federal court litigation.⁴ It does not seem likely, however, that this remedy would be as effective as cease and desist enforcement. Under Title VII as presently drawn, employers have conciliated under the threat of private court suit, yet this has not resulted in a successful record of voluntary compliance. In addition, administrative proceedings ordinarily are less subject to delay and less burdensome for the parties than suit in Federal court. That cease and desist enforcement affords a more expeditious remedy than court suit should enhance its success in fostering voluntary compliance.

Section 3 of the proposed bill grants cease and desist powers to EEOC, incorporating sections of S. 2453. It provides that if voluntary conciliation attempts prove unsuccessful (in the view of either the Commission or the person aggrieved) the Commission shall issue a complaint and conduct a hearing—an administrative adversary proceeding—on the charge. Upon finding a violation of Title VII, the Commission shall issue an order for the respondent to cease and desist from unlawful employment practices. The order also may require the respondent to take remedial affirmative action, including reinstatement or hiring, with or without back pay. The final order of the Commission granting or denying relief is appealable to the United States Court of Appeals, and is enforceable by such court.

Finally, it should be noted that enforcement of an administrative order issued by a Federal agency against a State or local government, as provided in this section, is not subject to constitutional objection. It is well established that where a Federal administrative agency is empowered to issue cease and desist orders, and the courts to enforce them, this enforcement scheme may be directed against State or local governments. *United States v. City of Jackson, Mississippi*, 318 F.2d 1 (5th Cir. 1963), for example, was a case in which the Interstate Commerce Commission sought enforcement of an order prohibiting the maintaining of segregated waiting rooms. Defendant City of Jackson argued that "under no circumstances can any relief be had against the City itself." The court rejected the argument:

"The Elkins Act, 49 U.S.C. 42, 43 vests jurisdiction in federal courts to issue injunctions to prevent violations of the Interstate Commerce Act. Anyone therefore who commands, induces, or causes another to violate

[the Act] is subject to the court's injunctive power." (at p. 9)

The court added:

"There is no suggestion [in cases cited by the defendant City] that injunctive relief against a municipality to restrain violations of constitutional rights is improper. Indeed, such relief has long been recognized and frequently been granted in suits brought by private individuals as well as by the United States. There can be no relief except by an order binding upon the City. (at p. 11)

Private right of action

Like S. 2453, Section 3 retains the charging party's private civil remedy. H.R. 10113,⁵ on the other hand, provides that the persons claiming to be aggrieved may institute civil action only if the Commission determines that no reasonable cause exists to believe the charge is true and dismisses the charge. (Sec. 2(o)). H.R. 6229⁶ and H.R. 6228,⁷ provide a right of civil action arising either when the Commission dismisses the charge, or when, within one hundred eighty days after the charge is filed, the Commission has not issued a complaint, dismissed the charge, or entered into a conciliation agreement with the respondent acceptable to the Commission and the person aggrieved. (Sec. 6(1)).

Under Title VII as presently constituted, the private right of action arises within 60 or 120 days, depending on the circumstances,⁸ after a charge has been filed. Section 3 of the proposed bill preserves this right of the complainant to bring a private civil action, as long as the EEOC has not earlier commenced a cease and desist proceeding in the matter by filing a complaint.

The advantages to a complainant of relying upon the administrative remedy afforded by the EEOC are considerable. The administrative remedy relieves the complainant of the expense and burden of litigating his complaint.

However, it also is essential that the private right of action be retained in cases where EEOC does not afford a prompt remedy. While, as noted above, the administrative remedy normally can be expected to produce more speedy relief, it is by no means certain that this will hold true in all cases, particularly with respect to interlocutory relief.⁹

Preservation of the private right of action is important not only with respect to guarding against unwanted delay in securing relief. Because the principal enforcement mechanism under Title VII for some time has been the private civil remedy, a significant capability in Title VII enforcement is emerging within the bar, particularly among private legal assistance groups. This resource should not be abandoned, particularly not before the EEOC's cease and desist mechanism has become fully established and proven itself.

Under present Title VII, where a private suit is filed, it may be stayed up to 60 days pending termination of the EEOC's efforts to obtain voluntary compliance (Section 706e). The proposed bill does not alter this arrangement. It is anticipated that EEOC, as at present, would continue its conciliation efforts after a private suit has been commenced, until such efforts have come to appear fruitless.

The proposed bill provides that EEOC may stay or terminate its administration proceedings once a private suit has been commenced. This would give the Commission flexibility to bring about the most effective combined use of the administrative and the civil action remedies. Where EEOC is satisfied that court suit (whether by a complainant under present Section 706(e) or by the Attorney General under present Section 707(a)) will achieve adequate adjudication of the matter, the EEOC presumably would defer to the court suit. Where the EEOC does elect to initiate a cease and desist proceeding by filing a complaint, there would be several ways it could avoid undesirable duplication of remedies with respect to a previously filed civil action.

For example, EEOC could restrict the scope of the issues raised by it to issues not raised in the civil action. Alternatively, the EEOC could condition its prosecution of the cease and desist remedy—as to some or all of the issues raised in the complaint—upon the complainant foregoing his civil suit remedy.

Withholding of Federal financial assistance

Sections 4(d) and 5 of the proposed bill implement recommendation IIB by providing that where a federally assisted State or local agency has failed to comply with a court order issued under Title VII, on application by the EEOC the court may enjoin the expenditure by such government of Federal funds. The bill further provides that when such an order is issued Federal agencies shall withhold financial assistance covered by the order. The purpose of these provisions is to guard against subsidization by Federal funds of employment which is not open to all on a basis of equality.

Federal funds affect a large part of the country's work force. In addition to the millions of persons directly employed by the Federal Government, millions more are employed by recipients of Federal grants-in-aid. In large part, these recipients are State and local governments. Under these programs Congress grants assistance for specific programs which are locally administered in a manner prescribed by Congress.

In recognition of the national interest involved in the effective utilization of all available manpower, and the constitutional prohibition against governmental employment discrimination, the Federal Government has taken steps to insure that there be no discrimination with regard to its own employees or those who are employed under government contracts or federally assisted construction contracts.

By contrast, the only Federal law dealing with discrimination by recipients of Federal grants-in-aid, Title VI of the Civil Rights Act of 1964, is limited in coverage to instances of discrimination against intended beneficiaries of Federal programs. The Act prohibits employment discrimination only where employment is a primary program objective.

Under the bill's proposed amendments to Title VI and Title VII, responsibility for fund cut-off from federally assisted State and local government programs rests with the EEOC and the court in a Title VII proceeding, rather than with the funding Federal agency. This approach should help avoid unnecessary duplication of effort in the enforcement process, permitting the issue of discrimination to be adjudicated in a single forum. It should be noted that EEOC, and not a private plaintiff, is authorized to seek the fund cut-off. It is anticipated that EEOC would confer with concerned Federal program agencies in shaping any fund cut-off sought.

April 24, 1970.

FOOTNOTES

¹ U.S. Department of Labor Bulletin No. 1370-6, August, 1969.

² For ALL the People . . . By ALL the People, p. 131.

³ Employment, 1961 U.S. Commission on Civil Rights Report.

⁴ Proposed in S. 2806, the Administration's bill introduced by Senator Prouty on August 8, 1969.

⁵ Introduced by Representative Diggs on April 15, 1969.

⁶ Introduced by Representative Reid on February 5, 1969.

⁷ Introduced by Representative Hawkins on February 5, 1969.

⁸ Section 706(e) of the Act provides that the right to bring civil suit arises within 60 days after the charge is filed if the EEOC is unable to obtain satisfactory relief within that time. This period is extended to 120

days, however, in all states which afford effective fair employment practices enforcement machinery of their own, and to which EEOC accordingly is required to defer for a 60 day period under Section 706(b).

* As stated in the preceding note, the waiting period under Title VII as presently constituted generally is 60 or 120 days. Because prompt relief may be of great importance to a complainant, the waiting period for suit should not be extended beyond that now provided in Title VII. For this reason, the proposed bill does not lengthen the waiting period provided in present Title VII.

FOR ALL THE PEOPLE . . . BY ALL THE PEOPLE
(A summary of a report of the U.S.
Commission on Civil Rights)

INTRODUCTION

If government is to be for all the people, it must be by all the people. This basic precept underlies this study by the U.S. Commission on Civil Rights on the status of equal opportunity in State and local government employment.

State and local government employment is growing rapidly in the number of persons employed, the range of services provided, and the occupational categories required to perform these services. In 1967, there were more than 80,000 units of State and local governments in the United States employing eight million persons. About 22,000 of these were responsible for meeting the public education needs of the Nation. More than 58,000 governmental units, employing 4.4 million persons, served all other functions of State and local government. It is with these units that the Commission's study is concerned.

These governments are in a unique position to offer employment opportunities on a scale that few other employers can match. And because government has the clear constitutional obligation to function without regard to race, color, religion, or national origin, these employers have a basic and unquestioned responsibility to provide equal employment opportunity.

Furthermore, the civil servant, in performing government's routine chores and housekeeping duties, makes many policy and administrative decisions which have a concrete and often immediate effect on the lives of the people living within the particular jurisdiction. If these decisions are to be responsive to the needs and desires of the people, then it is essential that those making them be truly representative of all segments of the population.

PATTERNS OF MILITARY GROUP EMPLOYMENT IN STATE AND LOCAL GOVERNMENT

The basic finding of this study is that State and local governments have failed to fulfill their obligation to assure equal job opportunity. In many localities, minority group members are denied access to responsible government jobs and often are totally excluded from employment except in the most menial capacities. In many areas of government, minority group members are excluded almost entirely from decisionmaking positions, and, even in those instances where they hold jobs carrying higher status, these jobs usually involve work only with the problems of minority groups and tend to limit contact largely to other minority group members. Examples include managerial and professional positions in human relations commissions or in welfare agencies.

The Commission's study focused on government employment in seven major metropolitan areas—San Francisco-Oakland, Baton Rouge, Detroit, Philadelphia, Memphis, Houston, and Atlanta—representing 628 governmental units and nearly one-quarter of a million jobs. Negroes held about one-fourth of these jobs.

More than half of the Negro workers in State and local government were employed

by central city governments. In San Francisco, Philadelphia, Detroit, and Memphis, Negroes held jobs equal to or in excess of their proportion of the population. In Baton Rouge and Oakland, the proportion of city jobs held by Negroes was half their proportion of the population.

In State, central county, and suburban employment, Negroes were generally employed in proportion to their populations in the northern governments surveyed but not in the southern governments. The poorest record was in the Louisiana State government, where only 3.5 percent of the noneducation jobs surveyed were held by Negroes, who made up 31.7 percent of the area population.

In every central city, except San Francisco and Oakland, Negroes held 70 percent or more of all laborer jobs. In the Southern cities—Baton Rouge, Memphis, Atlanta, and Houston—more than half of all Negro employees on their respective payrolls held such jobs. In Atlanta, where one-third of the 6,000 city jobs were held by Negroes, only 32 Negroes held white-collar positions. In only two cities—Philadelphia and Detroit—did the number of Negroes in white-collar positions come near to reflecting their proportion of the population.

Similar patterns were found in State, central county, and suburban governments. Baton Rouge and Atlanta, both State capitals, provide a significant number of State jobs. Yet there were only 23 Negroes, less than half of 1 percent, in the 4,800 white-collar State jobs in the Baton Rouge metropolitan area. In the Atlanta metropolitan area, less than 5 percent of the white-collar State jobs were held by Negroes, compared to 50 percent of the service worker jobs.

Despite the overall unfavorable occupational status of minority group members in State and local governments, they generally have better access to white-collar jobs than in private employment.

In the two metropolitan areas in which they are a significant minority—Houston and San Francisco-Oakland—Spanish Americans in public employment were more favorably distributed in white-collar jobs than Negroes but less favorably than Anglos.

Oriental Americans held a substantial number of State jobs in the San Francisco-Oakland area but were underrepresented in jobs with the cities of San Francisco and Oakland. In this metropolitan area the overall occupational status of Oriental Americans was more favorable than that of majority group employees although they tended to lag in managerial positions. (See Table 3, Page 27)

MINORITY WORKERS AND PERSONNEL SYSTEMS

The inequities in minority group employment in State and local government are caused by a variety of factors. The Commission found that State and local governments have often discriminated in hiring and promoting minority group members. Furthermore, these governments have failed to perceive the need for affirmative programs to recruit minority group members for jobs in which they are poorly represented. In addition, minority applicants frequently are subjected to a variety of screening and selection devices which bear little, if any, relation to the needs of the job, but which place them at a disadvantage in their effort to obtain government employment. There have been few efforts by State and local governments to eliminate such unequal selection devices.

RECRUITMENT

"After 300 years of rejection, it takes a certain type of person to even apply when the chances are that he will not be selected even if he is one of the most qualified."—Negro leader in Memphis—

The claim that qualified minority applicants are not available was made by many public officials in the cities surveyed. Yet very few governments had made any concerted

attempts to seek out qualified minority applicants. In Baton Rouge, Atlanta, and Houston, for example, the minimal step of recruiting at the predominantly Negro colleges in the locality was rarely taken.

A few measures designed to attract minority group members have been adopted by several governments. These include advertising as an "Equal Opportunity Employer", mailing literature to predominantly Negro schools and organizations, and advertising through minority group news media. One weakness in these and other efforts made to recruit minority applicants is that the techniques have not been part of a systematic, comprehensive program but instead have been used on an *ad hoc* basis. Further, there has been no evaluation to determine if these techniques have been successful.

Despite all recruitment programs the most frequently cited means of learning about job opportunities for both whites and Negroes is the word-of-mouth referral. Because of rigid patterns of urban segregation, however, this network of communication rarely crosses racial or ethnic lines. Consequently, minority group members are least likely to learn about jobs in areas where few, if any, minorities are employed and are most likely to learn about jobs in those areas which traditionally employ minority group members. A comprehensive affirmative program to recruit minorities is essential if the patterns of employment segregation that exist in various departments and occupations in State and local government are to be broken.

Job requirements

"There is a great temptation to translate skills needed into concrete education and experience requirements arbitrarily."—Authority on Public Personnel Administration—

The most successful recruitment program is of no consequence if job requirements are unnecessarily high and unrealistic and if discrimination in the selection process eliminates capable minority group applicants.

The Commission found frequent examples of screening devices which were not valid indicators of ability to perform satisfactorily on the job. These include education and experience requirements, written and oral examinations, background and character checks, and residency and citizenship requirements. The Commission also found very little evidence that governments are reevaluating job requirements with a view toward increasing opportunities for minority group members.

In many instances education and experience requirements, set higher than necessary, eliminate minority group applicants who can actually perform the job. A Texas placement counselor recognized the problem:

"The jobs open are those requiring experienced people and minority group members just do not have the experience. It works sort of like the grandfather clause."

Written Examinations

In addition to education and experience requirements many governments require written examinations for most entry white-collar positions as well as for promotions. The written examination is a recognized handicap for many minority group members who, on the average, do not perform on such tests as well as members of the majority group. The tests used by most governments have not been validated—that is, there is no established correlation between how well an individual scores on the examination and how well he subsequently will perform on the job. When such a relationship has not been established, the written test becomes a means of discrimination against minority group members in that it eliminates from consideration, based on low examination scores, those who can actually perform the required duties of the jobs as readily and efficiently as majority group members who score higher on the examination.

Several governments have failed to recognize that tests can discriminate; others have undertaken minimum steps to improve minority test performance. These steps include providing applicants with preparatory material, increasing the time allowance, and lowering the passing score. The city of San Francisco has completely eliminated the written test for many lower level positions.

Oral Examinations

Oral examinations are frequently used in addition to, or in lieu of, written tests. The oral test seeks to measure attributes of behavior, such as poise, leadership, alertness, and speaking ability. Oral tests were the subject of considerable criticism in the northern jurisdictions studied where they were used more extensively than in the South. Because of the unavoidable element of subjectivity, the oral test can be manipulated to the detriment of minority group applicants. The charges reported to Commission staff included discrimination on the part of board members, lack of minority representatives on boards, emphasis on traits not related to the job, and the selection of board members with no experience in dealing with minority group members.

Steps have been taken by several governments to improve the performance of minority applicants on the oral examination. The State of California, for example, sends each applicant a pamphlet to prepare him for the interview. A briefing on the particular problems of minorities is given to board members who, if possible, include a minority person. In addition, the interview is tape-recorded to provide a record which can be consulted should any questions or complaints arise.

Performance Tests

A third means used to evaluate an applicant's qualifications is the performance test in which the applicant demonstrates his ability to do the actual tasks associated with the job. The Commission discovered an increasing interest in the potential which performance tests offer minority group members since they eliminate factors which may be arbitrary and irrelevant, such as verbal skills, inherent in written tests. A Detroit official stated that he believed that the only way to get equality of opportunity was through the use of performance testing. The International City Managers' Association accepts the relevance of the performance test for selection and states that: "Performance tests also make it more feasible to reduce or eliminate arbitrary minimum requirements yet assure that only qualified candidates will be placed on eligible lists."

Personnel administrators criticize the performance test primarily because it is time-consuming and expensive to administer. Nonetheless, both the State of California and the city of Philadelphia have experienced success with performance tests. A program to develop and use performance tests for a wider range of occupations was launched a few years ago by the California State Personnel Board. The board eventually increased its production and use of performance tests and found that they were more acceptable than written tests to most minority group members because they could see a direct application of the test to the job.

Arrest and Conviction Records

As part of the general background check, governments also investigate potential employees for possible police records. The use of arrest and conviction records as disqualification for public employment affects members of minority groups more adversely than the majority group. Negroes over 18 years of age, for example, are about five times more likely to have been arrested than whites. Negroes and other minorities are also more likely to have been arrested without probable cause. Information on arrests and convictions was almost always requested on the application

form but very seldom was the applicant informed of the government's policy on hiring persons with police records. None of the governments surveyed automatically excluded an applicant with an arrest record from employment in nonpolice jobs. Only five jurisdictions automatically disqualified an applicant with a conviction record. However, many persons feel that the presence of the arrest and conviction question on the application discourages many minority group job seekers.

Most governments surveyed state that in evaluating an applicant with a police record, they consider such factors as age at the time, recency, frequency, type of offense, subsequent conduct, and nature of the job applied for. In most governments, however, there were few or no guidelines and supervision in implementing the stated policy concerning applicants with police records. Arrest and conviction policies which were liberal both in design and execution were reported by some jurisdictions. The San Francisco Civil Service Commission, for example, reported that 90 percent of the applicants with criminal records gained eligibility on civil service lists. The policy of the California State Personnel Board has been stated as follows:

"Persons with arrest and conviction records are entitled to receive thorough and tolerant consideration on an individual basis, taking into account the social and humane need for their rehabilitation as well as the requirements of the position for which they apply."

General Requirements

Most State and local governments studied also impose a variety of requirements on job applicants which are unrelated to the job. Examples of these are citizenship, residency, voter registration, and party affiliation. Among the jurisdictions covered by the Commission's study, citizenship requirements were a barrier only to the Spanish-speaking and Oriental aliens in California where a State statute prevents aliens from holding any State or local government job. The impact of this barrier was expressed by a Mexican construction worker:

"... When we work on the highways, one of the requirements is that we be citizens of the United States. Why do we have to be citizens to dig a ditch or to pick up rocks? ... My sons and my wife are all American citizens and I have to work to maintain them."

Of the 21 jurisdictions surveyed during the study's field investigation, all but five also had some form of residency requirement for public employees. However, the Commission found that residence rules, in general, present no major obstacle for minority group members who want to obtain public employment since most minority group members live in central cities where the greatest job opportunities in State and local government exist. In communities with discriminatory housing policies, however, residency requirements necessarily prevent minority group members from gaining access to local government jobs.

Two governments—the State of Louisiana and the city of Baton Rouge—have provisions which give strong preference to registered voters. These requirements present a serious barrier to Negroes, many of whom are still disfranchised in many parts of the South. In Delaware County, Pennsylvania, party affiliation is a requirement for county jobs but has had no noticeable effect on minority group employment there.

The Probationary Period

The probationary period is the last step in the process of testing the applicant's qualifications. Although it is designed to allow employees to be easily dismissed if their performance is unsatisfactory, very few employees are ever dismissed during this period in the jurisdictions surveyed. There was also no evidence that minority group members

were dismissed at a higher rate during this period.

Professional public personnel administrators recognize the "crucial importance" of the probationary period "since no job test yet devised is infallible." The probationary period, as a prolonged performance test, also offers considerable potential as a more productive selection device. By allowing personnel systems to experiment with traditional personnel techniques, the probationary period can be used to reject those who cannot satisfactorily perform the duties of the job.

Prejudiced attitudes and biased treatment

"I don't think it [desegregated washrooms] is healthy for the employees of this department. ... There's no way they can get their mouth (sic) down on a drinking fountain."
—Southern department official—

Prejudiced attitudes and biased treatment of minority employees were reported in several governments. Segregated facilities, segregated work assignments, social ostracism, and lack of courtesy formed the work atmosphere for many Negro employees. Examples were numerous in both the North and South: A San Francisco department head reportedly referred to Negroes as "boys" and Orientals as "Chinamen." In Shelby County, Tennessee, a former Negro porter who was promoted to a technician position found he was not welcome at the lunch table with his white co-workers. In Detroit, it was reported that the public works department assigned workmen to crews on a segregated basis. The park commission in Memphis had integrated staffs on "integrated" playgrounds but no black recreation workers were assigned to white area playgrounds.

In Baton Rouge, a city official was asked if he would hire a Negro. His response: "Would you steal a million dollars?" The personnel director of a Georgia State Highway Department, explaining why there was no black secretarial help in the department said:

"There are no Negroes at all there. It will be a while before we do hire them. The people in the office don't want them. We are not required to hire them by the Civil Rights Act of 1964. ... States and municipalities are excluded by the Civil Rights Act from hiring Negroes. ... But I am sympathetic to them, I'm not opposed to hiring a nigger."

More common than these direct expressions of racial prejudice, however, were expressions of indifference to the subject of equal opportunity. Many officials felt that their responsibility was satisfied merely by avoiding specific acts of discrimination in hiring and promoting. Concern with some of the less obvious inequalities, such as excessively high qualifications or testing devices which do not fairly evaluate potential job performance, was not seen as part of the job.

A general lack of sensitivity to the reluctance of minorities to apply for jobs in governments and agencies with reputations for discrimination was evident in the South. The sentiments of the black community in Baton Rouge were expressed by a local civil rights leader:

"Black people know that people at the Capitol are white. We know our place. We know we're not supposed to be there. ... It's not a question of what's on the books—it doesn't need to be. We can get the picture in a lot of ways. ... This fear of working in white men's jobs just permeates the State. Most Negroes are afraid of white people, afraid of working with them, and think they're inferior to them."

Promotions

"Many of the [Negro] laborers are plain darn lazy and satisfied with a laborer's salary."—Department official in Memphis.

Promotional opportunities for minority employees are critical factors in the achievement of equal employment opportunity. Minority group persons interviewed in all gov-

ernments studied repeatedly complained of their limited access to higher level jobs and to supervisory positions.

Promotions are generally based on one or more of the following factors which present the same problems as those encountered in the initial selection process: education and experience, length of service, performance, written and oral examinations, and such subjective character traits as leadership, personality, and cooperation.

The performance evaluation and length-of-service requirements present additional barriers to equal opportunity. The subjective nature of most performance evaluations allows for discrimination. An official of the Michigan State Civil Rights Commission said that it is quite common in Detroit for a Negro employee to get high efficiency ratings until he is eligible for promotion at which point his ratings begin to decrease. In Philadelphia, as well, two respondents charged that supervisors' evaluation were systematically lowered from "outstanding" to "satisfactory" when minority group employees became eligible for promotion.

Seniority, or length of service requirements, also limit promotional opportunities for minority group members. In areas where Negroes have been systematically excluded from employment in the past, they are not on equal footing with white employees. An Atlanta personnel official confirmed that black employees were not promoted at the same rate as whites because seniority is involved and "Negroes have not filled many jobs until recently."

Other charges of discrimination in promoting minority workers were found in several jurisdictions. In Oakland, a former consultant to the California State Fair Employment Practice Commission related an incident in which a dark skinned Mexican American had failed an oral promotion examination because of "personality and attitude." Although the FEPC ruled it was clear and conscious discrimination, the Oakland Civil Service Commission refused to reconsider the case, agreeing only to have a minority person as a member of the next oral panel.

Particularly evident in the South was the reluctance to allow Negroes to supervise whites. Personnel officials in Memphis stated that Negroes were a small minority among supervisors and that no Negroes supervised white employees. In the department of public works, for example, most of the laborers were black while most of their supervisors were white.

The merit system

"While it might be expected that city merit employment systems would answer nondiscrimination and high levels of minority worker participation in government employment, no general correlation can be made between the patterns of minority employment and the existence of such systems. . . ."—U.S. Conference of Mayors—

Although civil service merit systems generally have broadened opportunity for public service, they alone do not guarantee equal opportunity or equal treatment for minority group members.

Administrators of merit systems frequently were found to have violated the merit principle and to be practicing conscious discrimination. Many governments with merit systems, including Atlanta and Memphis, at one time maintained separate lists of eligible candidates—one white and one black.

In addition to overt discrimination, merit system structures often embody practices and procedures developed over the years which no longer meet current needs and which serve to inhibit the opportunities of minority group members. Among these are the written test and the education and experience requirements.

However, within a rigid framework, merit systems give the public administrator con-

siderable discretion either to promote or to impede equal employment opportunity. The mechanics of the selection process, for example, lends itself to manipulation. Among the most easily manipulated are the examination "passing" score, the civil service register or list of eligibles, and the final selection procedure.

In many jurisdictions, the score which determines the eligibility of an individual for further consideration fluctuates from one test to the next according to the supply and demand of applicants. This indicates that merit system administrators can adjust their own definition of who is qualified for employment. The procedure may be used for or against minority applicants—the lower the passing score, the more minority applicants will pass the examination.

The civil service register—a list of names ranked from highest to lowest of all those who have passed the screening process—is another merit system mechanism which can be used by administrators to affect equal opportunity. There are two types of registers: a continuous register which contains the names of all eligibles from successive examination who are entered wherever they fit into the ranking, and the closed register which contains the result of one examination. Since minority candidates on the average are likely to pass with lower scores than majority candidates, their names may never be reached on the continuous register. However, the continuous register has certain advantages. It allows for an uninterrupted recruitment program and eliminates the long interval between examinations, which is found with the closed register, allowing candidates who have failed to retake the test within a short period of time. On the other hand, the closed register of long duration often enables eligible candidates with low scores to be hired if they are still available when their names are reached.

The final selection procedure, by which one candidate is selected for the job, offers considerable opportunity for manipulation to avoid hiring minority group members. In most of the 18 jurisdictions with merit systems in which interviews were conducted, at least one public official informed Commission staff that such manipulation was practiced. Even in San Francisco, where only the top name on the register is certified for consideration, officials stated that there have been instances when certain departments have left a secretarial job vacant until another department has selected the top person on the register if that person is a Negro. Other governments were said to have filled vacancies by transfer from another department to avoid hiring nonwhites.

Most governments select from among the top three candidates. In Baton Rouge, an official said that department heads have been reluctant to fill any vacancies with a black applicant when either of the other two applicants is white. A Pennsylvania official believed it was the practice of many white administrators to select a white secretary. He admitted that if given the choice he would "naturally" select a white secretary.

It is evident that the existence of a merit system alone is not a guarantee that all persons will be treated equally. The principles of merit and equal opportunity in public personnel systems are compatible but not always integral. The principles do not necessarily reflect the system in practice and the apparatus of the system is not in itself insurance that equal opportunity is a reality.

EQUAL OPPORTUNITY IN POLICE AND FIRE DEPARTMENTS

"... the nine black policemen employed by Baton Rouge were assigned to Negro areas and were not allowed to give so much as a traffic ticket to a white person."—Negro leader in Baton Rouge—

Barriers to equal opportunity for minority

group members are greater in police and fire departments than in any other area of State and local government. Many departments have only recently begun to hire minority group members. The city of Baton Rouge, for example, did not hire Negro policemen until 1963; the city of Memphis hired its first Negro fireman in 1955.

While 27 percent of all central city jobs surveyed were in police and fire departments, only 7 percent of the Negro employees were policemen. In Philadelphia, which employed proportionately more Negro policemen than any of the other central cities surveyed, 20 percent of the police force was Negro compared to 9 percent in Atlanta and less than 6 percent in the other survey cities. State police forces had an even worse record. Four States—Louisiana, Pennsylvania, Georgia, and Texas—employed no Negro Policemen in the metropolitan areas surveyed. Fire departments employed even fewer Negroes. At the time of the survey, the city of San Francisco, with more than 600 firemen, employed only one Negro fireman. In Philadelphia, Detroit, and Memphis the proportion of firemen jobs filled by Negroes was half or less than the proportion of police jobs. (See Table 4, Page 28)

In both police and fire departments, Negroes were conspicuously absent from positions above the level of patrolman or fireman. Of all the central city police departments surveyed, Oakland was the only one to have a Negro captain. In central city fire departments, only Philadelphia and Oakland had a Negro at the level of captain or above. Of the more than 2,000 sergeants and lieutenants in the eight cities surveyed, only 21 were Negroes.

Spanish Americans, similarly underrepresented, were employed in police and fire departments less than half as frequently as Anglos. In the Houston metropolitan area, there were no Spanish Americans employed by the Texas State Police Department.

The Commission found that police and fire departments have discouraged minority persons from joining their ranks by failure to recruit effectively and by permitting unequal treatment on the job, including unequal promotional opportunities, discriminatory job assignments, and harassment by fellow workers.

Many of the police departments studied have conducted vigorous recruitment programs, some of which have included specific attempts to recruit members of minority groups. For the most part these efforts have been unsuccessful. Among the obstacles to successful recruiting, mentioned by officials in many cities the Commission studied, are the tension and hostility that exist between the black community and the police department. The Michigan State Civil Rights Commission said:

"The Departments that are making the greatest headway in obtaining minority group applicants are those that have made headway in reversing their image in the minority community. . . ."

The greatest obstacle to minority hiring is the selection process. Among those Negroes who are recruited and do apply, the proportion which is finally accepted for the force is usually quite small. Proportionately more Negroes than whites are screened out by the written and oral examinations, the physical and medical examinations and, in particular, the background and character check.

The problems inherent in the written examination for police and firemen are comparable to those encountered in regular civil service examinations. Oral examinations and background investigations are also crucial areas for minority group applicants. The screening, almost always conducted by white policemen, tends to favor applicants whose background and character most closely resemble those of the investigating officer. In Detroit during one period, 49 percent of the

Negro applicants who reached the preliminary oral examination stage were disqualified during the oral examination and background investigation, while only 22 percent of the whites were disqualified at this point.

The Michigan Civil Rights Commission characterized the screening process used by the Michigan State Police Department as one which provides several opportunities for persons harboring racial prejudice (consciously or unconsciously) to discriminate. An example was cited where seven black candidates for jobs as State troopers passed the written examination and five were eliminated during the field investigation. The Michigan Commission found that:

In at least one case, there was a serious question regarding the manner in which the applicant's credit record was evaluated by the investigating trooper. . . .

In San Francisco it was reported that police investigators were unusually meticulous during security checks of black candidates, digging into past criminal records, common law marriages, and other related matters in great detail. A case was cited in which a Negro had been rejected because of a juvenile arrest for stealing a jar of hair oil, even though he had never been convicted.

Discrimination on the job was reportedly more pervasive in police and fire departments than in other areas of government. The effect of these practices—segregated assignments, limited opportunity for promotion, hostility among co-workers—was unquestionably another significant factor in increasing the difficulty of recruiting minority group members for jobs with police and fire departments.

Segregated assignments were more prevalent in the Southern cities surveyed. In Baton Rouge, a Negro leader said that Negro policemen were assigned exclusively to Negro neighborhoods and were not allowed to issue traffic tickets to a white person. The chief of police denied the allegation, but he conceded that Negro patrol cars were limited to the Negro areas of the city. Negro policemen in Memphis were restricted to Negro areas and segregated in patrol cars until 1967. Some patrol cars now have been integrated but there were still no Negro policemen assigned to white areas at the time of the study.

Racial tension ran high between black and white policemen in many areas. A San Francisco official told of instances where white policemen used racial slurs in the presence of black policemen and where derogatory notes had been pasted on their lockers.

Working conditions in fire departments have been even more strained than those in police departments. Commission staff was told that problems in sharing facilities and equipment accompanied the integration of many fire departments. The first black fireman in San Francisco, for example, had to carry his own mattress with him when he moved from one station to another during the training period. He also had to bring his lunch because he was not allowed to use the firehouse range. During the early days of integration in Oakland, black firemen had to bring their own dinner plates while white firemen used those provided by the department. When Atlanta hired its first Negro firemen, a new fire station was built with a separate house for the 12 white officers and drivers. When Negro firemen were assigned to other stations the same number were assigned to each shift so that white firemen would not have to sleep in the same bed as black firemen.

Several of the cities surveyed hired their first black policemen and firemen in groups; for example, Memphis hired 12 Negro firemen in 1955, Baton Rouge hired six Negro policemen in 1963. If these departments had continued to recruit minority applicants with the success enjoyed during their initial year, it is likely that the number currently on the force would be substantially higher.

FEDERAL REQUIREMENTS FOR EQUAL OPPORTUNITY

Although State and local public employment is not now covered by the requirements of Title VII of the Civil Rights Act of 1964, the Federal Government does administer two policies designed to promote equal opportunities in certain programs of State and local government: (1) the Federal Standards for a Merit System of Personnel Administration, which primarily covers public assistance and State health programs, State employment and unemployment insurance programs and civil defense programs; and (2) a non-discrimination requirement in contracts between the Department of Housing and Urban Development (HUD) and local public housing and urban renewal agencies. Neither program has been effective in providing equal opportunity for minority group members. No effective standards and guidelines have been established for an affirmative action program to correct past discriminatory practices and to increase opportunities for minorities. The limited efforts which have been made have not been successful.

The Federal merit standards

The Federal merit standards were established by statute in 1939 to improve the State administration of federally aided programs. In 1963 a prohibition against discrimination on the basis of race and national origin was added, and State regulations were required to provide for an appeal procedure in cases of alleged discrimination.

Noncompliance with the merit standards may result in (1) withdrawal of Federal funds; (2) the disallowance of a specific program expenditure; and (3) a Federal court suit seeking specific redress. Until 1968 none of these sanctions had ever been used to enforce compliance with the nondiscrimination clause. In 1968 the Department of Justice filed suit against the State of Alabama charging that it had refused to adopt explicit racial nondiscrimination regulations and that it had systematically denied employment to Negroes in the federally aided programs subject to the Federal merit standards.

The Federal merit standards do not now require an "affirmative action" program to increase employment opportunities of minorities. Because racial data are not collected for all the programs, it is difficult to measure the effects of the nondiscrimination clause. Judging from the data collected by the Commission and the limited data that are available elsewhere, however, the impact has been limited. The clause has not resulted in a reduction in the disparities nor has it significantly improved the performance of the States with the poorest records of minority employment.

Implementation of the merit standards is the responsibility of the Federal agency granting the assistance. Supervision, however, rests with the Office of State Merit Systems (OSMS) in the Department of Health, Education, and Welfare. OSMS has provided no definite procedure or written guidelines for State action either to eliminate discrimination or to increase opportunities for minority group members.

HUD contracts with local housing and urban renewal agencies

The contracts providing for Federal financial assistance to public housing and urban renewal agencies contain clauses prohibiting discrimination in local agency employment and requiring each local agency to take affirmative action to ensure equal employment opportunity. There has been no consistent and effective machinery in HUD to make the equal employment clauses effective instruments for assuring Negroes and other minority group members equal access to all jobs and equality in promotion and assignment. The provision, which provides for the filing of complaints by persons who believe they have experienced discrimination, places the

burden of nondiscrimination compliance on the individual.

Violation of the HUD contract can result in (1) withholding of funds; (2) HUD's taking over a project or managing it directly (in the case of public housing); (3) a Federal court suit. Until 1968 when the Department of Justice filed suit against the Little Rock, Arkansas housing authority charging discrimination in its employment practices, none of these sanctions had been used as a result of violation of the equal employment clause.

In summary, the Federal Government has not exerted the leverage available to it through the Federal merit standards and other nondiscrimination requirements of federally assisted programs to provide equal employment opportunity in State and local government employment.

THE COMMISSION'S RECOMMENDATIONS

I. Action needed to achieve equality in state and local government employment

A. Every State and local government should adopt and maintain a program of employment equality adequate to fulfill its obligation under the equal protection clause of the 14th amendment to assure:

1. that current employment practices are nondiscriminatory; and

2. that the continuing effects of past discriminatory practices are undone.

B. Although the programs of employment equality adopted by individual State and local governments will vary widely with the particular needs and problems of each, all such programs should include the following three elements:

1. An evaluation of employment practices and employee utilization patterns adequate to show the nature and extent of barriers to equal opportunity for minorities and of any discriminatory underutilization of minorities;

2. Preparation and implementation of a program of action which is calculated:

a. to eliminate or neutralize all discriminatory barriers to equal employment opportunity; and

b. to undo any patterns of minority underutilization which have been brought about by past discrimination.

II. Methods of enforcement and assistance by the Federal Government to advance equality in employment in State and local government

A. Congress should amend Title VII of the Civil Rights Act of 1964 (1) by eliminating the exemption of State and local government from the coverage of Title VII, and (2) by conferring on the Equal Employment Opportunity Commission the power to issue cease and desist orders to correct violations of Title VII.

B. The President should seek and Congress should enact legislation authorizing the withholding of Federal funds from any State or local public agency that discriminates against any employee or applicant for employment who is or would be compensated in any part by or involved in administering the program or activity assisted by the Federal funds.

C. Pending congressional action on Recommendation II B, the President should (1) direct the Attorney General to review each grant-in-aid statute under which Federal financial assistance is rendered to determine whether the statute gives the agency discretion to require an affirmative program of nondiscrimination in employment by recipients of funds under the program; and (2) require all Federal agencies administering statutes affording such discretion to impose such a requirement as a condition of assistance. In the event the Attorney General determines that under a particular statute the agency does not have the discretion to impose such a requirement, he should advise the President whether he has the power to

direct the agency to do so. If the Attorney General advises the President that he lacks such power in a particular case, the President should seek appropriate legislation to amend the statute.

ELEMENTS OF AFFIRMATIVE ACTION

The first step in the program of employment equality is an assessment of needs and problems. This requires a thorough evaluation by the State or local government of the employment practices of each of its constituent agencies to determine the effect of its practices on utilization of minorities. Although the principal aim is to identify barriers to equal opportunity, the evaluation also should make note of those policies which have the positive effect of overcoming such barriers.

In order to make this assessment, and to identify patterns of minority underutilization, the State or local government will need to gather and review comprehensive information, by race and ethnic group, on employee distribution among the various agency components, job levels and locations, as well as data on referrals, applications, hires, promotions, and other personnel actions.

This initial evaluation should culminate in a written analysis of discriminatory barriers to equal employment opportunity in the State or local government, as well as an analysis of any patterns of minority underutilization which have resulted from the operation of such discriminatory barriers.

Having evaluated employment practices and assessed patterns of minority underutilization, the next step is to formulate a program which will overcome barriers to equal employment opportunity and, in addition, will bring about whatever changes in minority utilization are necessary to undo the effects of past discrimination. Where patterns of minority utilization are to be changed, the programs should include specific goals, or estimates, to be achieved within a specific period of time.

Even in those cases where evaluation has disclosed that the present employment practices of a government, or of one of its component agencies, fully overcome all barriers to equal employment opportunity and that no pattern of discriminatorily created underutilization of minorities is present, formulation of relevant practices into a program is still desirable in order to help assure that nondiscriminatory practices continue to be followed.

Affirmative programs should be developed in a form which makes clear the obligations of each component agency of the government. Programs should be put in writing and made available upon request to public employees, minority leaders, and others with a legitimate interest in the status of minorities in public employment. Staff responsibilities for implementing the program should be allocated clearly, and employees informed of the program and of their rights, duties, and obligations under it.

The adoption of affirmative programs by State and local governments may be subject to limitations imposed by statute, State constitution, city charter, or the like, which require that certain employment policies be followed. Similar limitations may be created by the amount or terms of budgetary allocations made to governments or to their component agencies.

Questions of the right or duty of individual public agencies or officials faced with such restrictions can be resolved only on a case by case basis. However, inherent in the supremacy clause of the Constitution is the requirement that State and local governments must alter any laws, regulations, or practices which stand in the way of achieving the equality in public employment which is required by the equal protection clause of the 14th amendment.

The following is a sampling of the kind

of actions which State and local governments will usually need to include in programs of employment equality.

Recruitment

a. Maintain consistent continuing communication with the State employment service and schools, colleges, community agencies, community leaders, minority organizations, publications, and other sources affording contact with potential minority applicants in the job area.

b. Thoroughly and continually inform these sources of potential minority applicants about current openings, about the government's recruiting and selection procedures, and about the positions (together with personnel specifications) for which applications may be made.

c. Inform all applicant sources, both generally and each time a specific request for referral is made, that minority applicants are welcome and that discrimination in referrals will not be tolerated.

d. Fully inform each applicant of the basis for all action taken on his or her application. Supply in detail the basis for rejection, including evaluation of tests and interviews. Suggest to rejected minority applicants possible methods for remedying disqualifying factors.

e. Make data on minority employment status available on request to employees, to minority leaders in the job area, and to others with a genuine concern in employment nondiscrimination.

f. Invite minority persons to visit State and local government facilities; explain employment opportunities and the equal opportunity program in effect.

g. Include minority persons among those who deal with persons applying for employment, with clientele, or with other members of the public, in order to communicate the fact of minority equal opportunity.

h. Coordinate the employment and placement activities of the various agencies of the State or local government, at least for the purpose of facilitating minority applications or requests for transfer. To the same end, maintain minority applications or transfer requests on an active basis for a substantial period of time.

i. Participate in Neighborhood Youth Corps, New Careers, other Federal job training or employment programs, or similar State or local programs. In connection with such programs, or otherwise, make a particular effort to design work in a way which gives rise to jobs which are suitable for minority group persons who are available for employment.

j. Independent of outside training programs, institute on-the-job training or work-study plans, in which persons are employed part-time while studying or otherwise seeking to satisfy employment requirements; this may include summertime employment for persons in school.

k. Solicit cooperation of academic and vocational schools to establish curriculums which will provide minority candidates with the skills and education necessary to fulfill manpower requirements.

Selection

a. Take steps to assure that tests used for the purpose of judging applicants are demonstrated to be valid in forecasting the job performance of minority applicants.

b. Pending validation, discontinue or modify the use of tests, minimum academic achievement, or other criteria which screen out a disproportionate number of minority applicants.

c. Do not in all cases give preference to nonminority applicants on the basis of higher performance on tests or other hiring criteria, as long as it is apparent that competing minority applicants, especially where they have waiting list seniority, are qualified to do the job.

d. Where tests are used, employ them as a guide to placement rather than as the determinant of whether an applicant is to be hired.

e. Make increased use of tests comprised of a work sample to be performed on the job.

f. Make increased use of the probationary period, affording an opportunity for on-the-job training and enabling the applicant's ability to be judged on the basis of job performance.

Placement and Promotion

a. Make available to minority applicants and to present minority employees a complete description of positions for which they may be eligible to apply.

b. In the initial placement of newly hired employees, wherever possible, place minority employees in positions or areas with low minority representation.

c. Broaden job experience and facilitate transfers of minority employees by creating a system of temporary assignments in other positions or agencies.

d. Individually appraise the promotion potential and training needs of minority employees, and take action necessary to permit advancement.

e. Announce all position openings on a basis which will bring them to the attention of minority employees and make clear that minority persons are eligible and encouraged to apply.

Discipline

a. Formulate disciplinary standards and procedures in writing, and distribute them to all employees.

b. In case of proposed disciplinary action, inform the employee of the infraction alleged and afford an opportunity for rebuttal. If the rebuttal is deemed unsatisfactory, clearly state the reasons why.

Facilities

Assure that facilities, including all work-related facilities and those used in employer-sponsored recreational or similar activities, are not subject to segregated use, whether by official policy or by employee practice.

In addition to the above actions, there is a need for a continuing review of employment practices and of their effect upon minority group persons. Such a review requires the regular collection and evaluation of data on employee distribution and personal actions.

These data afford an important measure of the effectiveness of steps taken to overcome barriers to minority employment by showing the actual impact of employment practices on minorities; the data may also indicate points at which changes are needed in the affirmative program to make it more effective. Similarly, where patterns of minority underutilization which arose from past discrimination are being corrected, comparative racial and ethnic data show the extent to which required changes in minority utilization are in fact being made.

Like the affirmative program itself, current data on minority employment should be made available to persons and groups with a legitimate interest in the status of minorities in public employment.

The following are illustrations of the steps necessary for an effective continuing review by State and local governments of their employment practices and of the status of minorities in employment.

a. Maintain records containing for the period covered, (and indicating nonminority-minority classifications and the positions involved), complete data on inquiries, applications, hires, rejections, promotions, terminations, and other personnel actions, as well as data as of the end of the period, (by nonminority-minority classification), on employee distribution within the work force.

b. Maintain on file for a reasonable period of time, (with nonminority-minority classification), a file on each applicant (including

those listed on a civil service register) adequate to document the specific grounds for rejection or passing over of the applicant.

c. Maintain a record (with nonminority-minority classification), of applicants by job source, to facilitate review of the impact of each source upon minority utilization.

d. Where there are a substantial number of separate components within the State or local government, make periodic inspection and review of employment practices and minority status in the various component agencies.

e. Regularly interview minority employees upon termination to determine whether discriminatory acts or policies played a role in the termination.

U.S. COMMISSION ON CIVIL RIGHTS,
Washington, D.C.

HON. ABNER J. MIKVA,
House of Representatives,
Washington, D.C.

DEAR MR. MIKVA: This is in further response to your letter of April 20, 1970, addressed to the Chairman of the Commission in which you request the Commission's view respecting the advisability of amending Title II of the Civil Rights Act of 1964 (42 U.S.C. § 2000a) to cover many establishments not now covered by the Act.

Since the Civil Rights Act of 1964 became effective in July 1964, the Commission has received complaints regarding a number of types of public accommodations not covered by the Act, including bars, taverns, barber-shops, funeral homes, bowling alleys, laundries, dry cleaners and other retail establishments. Between January 1, 1966, and April 3, 1970, the Commission received 28 complaints against businesses which serve the public but which are not covered by the Act. A summary of the complaints received is attached to this letter as Attachment A. I am also enclosing copies (Attachment B) of several letters we have received complaining of racial discrimination by facilities not covered by the Act. In response to our inquiry, the Civil Rights Division of the Justice Department indicates that it does not have statistics on the number of public accommodations cases that were not prosecuted because the facilities were not covered by the Act.

In a recent case the Supreme Court has broadened the coverage of Title II so that now it would be construed to cover many establishments not previously thought to be covered. In *Daniel v. Paul*, 395 U.S. 298 (1969), the Court held that the Lake Nixon recreation area near Little Rock, Arkansas was covered by Title II.

In the course of that decision the Court held that recreational facilities are covered by Title II as a "place of entertainment" even though the patrons are not entertained as spectators or listeners but directly participate in the recreational activities. The Court found that an establishment affects commerce as defined under the Act even if the source of the entertainment is mechanical. Thus, the operations of the recreation area affected commerce because the club's juke box was manufactured outside the State and played records from outside the State. As a result of this decision, we have been advised that the Justice Department will now bring suits against bars and taverns and other places of entertainment that have a juke box or pin ball machine in the establishment. Prior to the *Daniel* decision, these suits would not have been brought.

However, despite the fact that the courts have taken a broad view of Title II, there are still a number of establishments not covered by the existing language of the Act. Therefore, we are transmitting draft legislation based on the current act and a model anti-discrimination statute found in a booklet entitled, *The Model Anti-Discrimination Act* (1966), (Attachment C). The recom-

mended language provides an all inclusive definition of "public accommodations" that would necessarily include every type of establishment open to the public. It would end the limited list approach adopted in 1964 and would cover a number of establishments not covered by the present law even with the expanded definition of places and sources of entertainment.

The suggested legislation is based both on Congress' power under the Commerce clause and the State action requirement of the Fourteenth Amendment as is Title II of the Civil Rights Act of 1964. In addition, it may be argued that the Thirteenth Amendment to the Constitution would provide authority for an expanded public accommodations act. The Thirteenth Amendment states:

"Section 1. Neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been duly convicted, shall exist in the United States, or any place subject to their jurisdiction.

"Section 2. Congress shall have the power to enforce this article by appropriate legislation."

In the *Civil Rights Cases*, 109 U.S. 3 (1883), the Supreme Court concluded that while the Thirteenth Amendment authorized Congress to eradicate the last vestiges and incidents of slavery and secure to all citizens certain rights such as the right to make and enforce contracts, purchase, lease, sell and convey property, it would not apply the amendment to every act of discrimination including discrimination in public accommodations. At that time, the Court did not hold that denial of access to places of public accommodation could be "justly regarded as imposing any badge of slavery or servitude upon the applicant." 109 U.S. at 24.

In 1968 the Supreme Court in the *Jones v. Mayer* case, 392 U.S. 409 (1968) concluded that the Civil Rights Act of 1866 outlawed discrimination in the sale of housing by a private party. Congress' power to outlaw this type of discrimination was based, according to the Court, on the Thirteenth Amendment. In the course of its opinion, the Court noted that in the *Civil Rights Cases* the Court had taken a different position on the question of public accommodations. We think it is possible that the Court will in the future extend the "contract" doctrine of *Jones v. Mayer* to include access to all places of public accommodation should the question arise.

If we can be of further assistance to you in this or other matters, please call upon us.

Sincerely,

HOWARD A. GLICKSTEIN,
Staff Director.

LIST OF COMPLAINTS

The following is a list of complaints received by the U.S. Commission on Civil Rights from January 1, 1966 through April 3, 1970 against businesses which serve the public but which are not covered by the public accommodations section of the Civil Rights Act of 1964.

RECEIVED

Bars and Taverns (minority group persons denied service):

Mallory Bar, Steele, Missouri, March 10, 1969.

Firestone Lounge, Memphis, Tennessee, April 7, 1969.

Olie's Lounge, Fort Worth, Texas, June 16, 1969.

Tim Buck Two Tavern, Dorsey, Maryland, April 1, 1968.

Dupree's Corner Bar, Atlanta, Georgia, April 8, 1968.

Plaza Inn, Atlanta, Georgia, April 8, 1968.

Ranger Lounge, Sidney, Montana, July 15, 1968.

Banks (these complaints relate only to general public services such as check cashing):

State National Bank, Southport, Connecticut, March 23, 1970.

Cairo Banking Company, Cairo, Georgia, April 22, 1968.

Newspapers (carry discriminatory classified employment advertising):

Raleigh News and Observer, Raleigh, N.C., January 13, 1969.

Confidential Flash, Savannah, Georgia, January 28, 1966.

Montgomery Advertiser, Montgomery, Alabama, August 15, 1966.

Birmingham News, Birmingham, Alabama, August 15, 1966.

Insurance companies (minority group persons charged higher rates or denied insurance coverage):

Atlas Insurance Agency, Sarasota, Florida, January 13, 1969.

Unnamed insurance company, Henderson, N.C., December 15, 1969.

Various insurance companies, Los Angeles, California, July 15, 1968.

Unnamed insurance company, New Orleans, La., January 30, 1967.

Willford Insurance Co., Drew, Mississippi, December 19, 1966.

Barber shops:

Avenue Barber Shop, Woodboro, Texas (4 separate complaints received), May 19, 1969.

J. T. Mitchell Barber Shop, McMinnville, Tenn., May 8, 1967.

Gulf Gate Barber Shop, Houston, Texas, August 28, 1967.

James Haynie's Barber Shop, Munday, Texas, December 4, 1967.

Various beauty salons, Washington, D.C., September 26, 1966.

Shorty's Barber Shop, New Braunfels, Texas, October 10, 1966.

Buckhorn Barber Shop, New Braunfels, Texas, October 10, 1966.

Funeral Home: Wetherford Funeral Home, San Marcos, Texas, September 23, 1968.

Dry Cleaners (advertise "white customers only"): Meadowview Cleaners, Bossier City, La., August 29, 1966.

Taxicab companies (refuse to pick up minority group passengers): Beck's Cab Co., Albany, Ga., September 26, 1966.

COMMUNITY RELATIONS COMMISSION,
Fort Worth, Tex., May 23, 1969.

MR. J. RICHARD AVENA
U.S. Commission on Civil Rights,
San Antonio, Tex.

DEAR MR. AVENA: The Community Relations Commission of Fort Worth, has had numerous complaints filed with us alleging discrimination against Negroes in taverns and lounges.

Attached is a copy of one such complaint and a copy of the record of our efforts to negotiate, but we have been unsuccessful in resolving it. The lounge owner freely admits that he refuses service to Negroes and is unwilling to change his policy.

This is creating considerable difficulty within the community and we are very anxious to secure a policy of equal access regardless of race, color or creed. The Texas Brewers Association have also attempted unsuccessfully to obtain a change in policy.

We are referring this complaint to you for your consideration and assistance inasmuch as we do not have a local public accommodations ordinance at this time.

Sincerely yours,

ORRA G. COMPTON,
Executive Director.

PUEBLO, COLO.,
June 21, 1968.

U.S. CIVIL RIGHTS COMMISSION,
Washington, D.C.

DEAR SIRS: My husband, William W. Roybal, works for Civil Service out of the Pueblo Army Depot for Calibration Section. He travels to different army installations all over several states. Texas is one of them. My children and I visit him wherever he

goes when we are able. Recently we were in Texas and visited the HemisFair, Houston and Galveston, all of which we enjoyed very much. However, my reason for writing is a little unpleasant. On June 10, 1968 we were staying in Temple, Texas. I sent my children to a "Swim Park and Miniature Golf," 3615 South General Bruce Drive, Temple, Texas. They were refused the privilege of swimming. I am sure, because of their Mexican heritage. I assumed the place was a public pool since there is a big sign on the hi-way advertising the place. There are no visible signs stating the place is private. I called the Chamber of Commerce in that city later and inquired about a public pool. This "Swim Park" was the first referred to me.

This type of incident is destructive of my efforts to teach my children democracy and equality. I habitually stress to them the importance of education for success in our nation. They take music and dancing lessons, belong to church choir, have belonged to Scouts, attend Catholic schools, etc. We give them all the opportunities possible to help them become solid citizens. It takes only one little act such as this to destroy much of what they have learned.

May I request that this situation be investigated. If a mistake has been made, may I suggest that this pool be advertised as private so that others such as myself need not experience the same unpleasant embarrassment.

Yours respectfully,

Mrs. TRINIDAD M. ROYBAL.

Please reply.

OMAHA, NEBR.,

February 23, 1969.

COMMISSIONER OF RIGHTS,
Washington, D.C.

DEAR SIR: I am typing this letter to you in regards to four brothers which I had in the service. One of my brothers was killed in Viet-Nam. I went to the funeral in Missouri. Then we were refused to be serviced in this Bar because we were "Black"! The place in which we were refused to be serviced was: Mallary Bar, 415 Maine St., Steele, Missouri.

The date in which this happened was Feb. 1, 1969 at the time of 8:30 P.M. on a Saturday.

Now I'm the sister of this man in which lived and fought for this Country and now that he is dead they make this insult on his family. I would like for you to "investigate."

Sincerely yours,

Mrs. ALICE HEGWOOD.

BREVARD COLLEGE STUDENT

GOVERNMENT ASSOCIATION,

Brevard, N.C., April 27, 1970.

DEAR SIR: We have a problem regarding the legality of the refusal in the barber shops of Brevard, N.C., to cut a black man's hair.

None of the shops are connected to any other kind of public accommodations.

If you could help us in any way concerning the legal aspects or the illegal aspects of this discrimination, we would like very much to hear from you.

Thank you for your concern.

Sincerely yours,

KEN EATON,

President, S.G.A.

DRAFT LEGISLATION AMENDING TITLE II OF THE
CIVIL RIGHTS ACT OF 1964, 42 U.S.C. § 2000a
(1964)

§ 2000a Prohibition against discrimination or
segregation in places of public accom-
modation—equal access.

(a) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public ac-

commodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.

(b) "Place of public accommodation" means a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public if its operations affect commerce, or if discrimination or segregation by it is supported by State action.

(c) By way of example, but not of limitation, "place of public accommodation" includes facilities of the following types:

(1) a facility providing service relating to travel or transportation;

(2) a barber shop, beauty shop, bath house, swimming pool, gymnasium, reducing salon, or other establishment conducted to serve the health, appearance, or physical conditions of individuals;

(3) a campsite or trailer park;

(4) a comfort station; a dispensary, clinic, hospital, convalescent home, or other institution for the infirm; a mortuary or undertaking parlor; and

(5) any establishment (A) (i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment.

(d) The operations of an establishment affect commerce within the meaning of this subchapter if it is an inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence; if it serves or offers to serve interstate travelers or a substantial portion of the food or beverages which it serves, or gasoline or other products which it sells, has moved in commerce; if it customarily presents films, performances, athletic teams, exhibitions, or other sources of entertainment which move in commerce; and in the case of an establishment described in paragraph (5) of subsection (c) of this section, it has physically located within its premises, an establishment the operations of which affect commerce within the meaning of this subsection. For purposes of this section, "commerce" means travel, trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia and any State, or between any foreign country or any territory or possession and any State or the District of Columbia, or between points in the same State but through other State or the District of Columbia or a foreign country.

(e) Discrimination or segregation by an establishment is supported by State action within the meaning of this subchapter if such discrimination or segregation (1) is carried on under color of any law, statute, ordinance, or regulation; or (2) is carried on under color of any custom or usage required or enforced by officials of the State or political subdivision thereof, or their agents; or (3) is required or condoned by action of the State or political subdivision thereof.

(f) The provision of this subchapter shall not apply to a private club or other establishment not in fact open to the public, except to the extent that the facilities of such establishment are made available to customers or patrons of an establishment within the scope of subsections (b) and (c) of this section.

HANOI MUST NOT CONTROL AMERICAN FOREIGN POLICY

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. LEGGETT. Mr. Speaker, a recent editorial in the Los Angeles Times brought out a point I feel cannot be overemphasized.

We must make our own foreign policy. We must determine the right course, and set ourselves firmly upon it.

Now that we have decided to get out of Vietnam, we must decide how quickly we can safely move our troops, secure the return of the POW's, and proceed to get out. We must stop waiting for the other side to negotiate a settlement, or we will be waiting forever. We must stop letting Saigon have a veto over our actions, or Ky and Thieu will keep us there forever.

The three conditions of withdrawal set forth by President Nixon—the level of the fighting, the success of Vietnamization, and the progress of the negotiations—are all dependent on what the Vietnamese do. This will never work. The only way we are ever going to get out will be to resolutely decide to get out, and leave Vietnam to the Vietnamese.

I insert the editorial entitled "The Best Way Out of Vietnam," from the Los Angeles Times of July 20, 1970, in the RECORD at this point:

THE BEST WAY OUT OF VIETNAM

Issue: Are the current arguments in the administration really to the point of how best to get the U.S. out of Vietnam?

The recent public differences between the White House and Secretary of State William P. Rogers illustrate one of the reasons we believe that the Administration is not taking the surest road out of Vietnam.

The disagreements, now partly papered over by Rogers, were over the Communists' willingness to negotiate at Paris, and the effect of the Americans' Cambodian operation on the talks.

Rogers, who had evidently opposed the Cambodian venture, first appeared to be saying last week that the decision to send American troops into Cambodia made the North Vietnamese and the Viet Cong even less willing to negotiate than they had been before.

We are inclined to agree, but be that as it may, Rogers came around under White House prodding and said later that while the long-term prospects for peace had not been damaged by Cambodia, the other side, "probably because of Cambodia," will not even respond to American overtures for another month or so.

This quick footwork put Rogers in step with the White House, which apparently believes that the Communists will not respond with a yes or no to the new American overtures until the summer is past.

Who doesn't hope their answer will be yes?

One can imagine a series of events in which the North Vietnamese, lured by hints of American concessions on the one hand and pressed by the Soviet Union on the other, would enter into serious talks, perhaps linked to a conference on all Indochina. Such an outcome is what the Administration hopes for. American officials show keen interest in the latest writhing of a hint, by

way of India, that the Russians want a conference.

But past history and current events lead us to think Rogers was right when he said that prospects for a negotiated end to the war are dim "because the enemy doesn't show any interest in wanting to end the war."

The trouble with the Administration's current policy is that it rests upon hopes for negotiations. Which is to say it rests upon the willingness of the other side to negotiate. Which is to say the Administration's policy leaves the rate of American withdrawal to the Communists.

Believing that for reasons both foreign and domestic it is urgently necessary for the United States to get out of Vietnam as fast as possible, we believe the United States should take wholly into its own hands the power of decision over the rate of withdrawal.

The President can accomplish this end by publicly announcing his determination to withdraw all American forces from South Vietnam in the next year and a half.

The withdrawal of the United States from Vietnam then would depend no longer upon decisions made in Hanoi.

FREEDOM CAN BE ALL OR NOTHING

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. FOREMAN. Mr. Speaker, to bring to mind to my colleagues, I should like to take this opportunity to comment on the August 21, 1968, invasion of Czechoslovakia. Let us not forget these people and their plight. Let us recognize the continued threat of Communist takeover and decay—both from without by force, and from within by complacency.

As we will be in recess next week, I hope all of us will, on August 21, 1970, bear in mind the words of our great General MacArthur, "Freedom can be all or nothing."

A quarter century and more has passed since Gov. Alfred E. Smith took his famous walk out of the Democratic Party, but his speech in 1936 sounds now as if it could be given today.

Governor Smith said on a January night in Washington:

Let me give this solemn warning, there can be only one capital, Washington or Moscow! There can be only one atmosphere of government, the clear, pure, fresh air of free America, or the foul breath of communistic Russia.

There can be only one flag, the Stars and Stripes, or the Red Flag of the Godless Union of the Soviet. There can be only one national anthem: The Star-Spangled Banner or the Internationale. There can be only one victor!"

What has happened to the disciples of Jefferson and Jackson and Cleveland? There is only on thing we can do. We can either take on the mantle of hypocrisy or we can take a walk, and we will probably do the latter.

And take a walk, Al Smith did. His life-long party affiliation has prevented an open break. But, he told his friends, the steady movement of our country toward the left was too great not to be opposed now.

So spoke my mind and type of politician. I wish we had more men in government today who believed and thought and worked like Al Smith did.

Norman Thomas, three times defeated Socialist Party candidate for the Presidency, said the American people would never accept the Socialist Party platform, but, bit by bit, they have embraced it under other labels until they have even surpassed the original goals. Nikita Khrushchev, after his visit to the United States, said:

When I was in America I told the people their grandchildren would be living under a red flag. What I didn't tell them was that they would hoist that red flag over themselves, but that they would call it something else.

HORTON SALUTES CHIEF CARLTON L. FITCH OF BRIGHTON POLICE UPON RETIREMENT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. HORTON. Mr. Speaker, it is always a pleasure to congratulate a man for a job well done, but when that job is terminating and the man is going into retirement, the congratulations are tempered somewhat with regrets at his leaving.

When that gentleman is an outstanding police officer, it is with even more mixed emotions that we see him go.

The man to whom I refer is Carlton L. Fitch, chief of the Brighton Police. I have known Carlton for many years and know him to be a most outstanding law enforcement officer, a truly splendid gentleman and a real friend to all who come in contact with him. Yes, I think, even those who have had cause to be arrested by Chief Fitch down through the years, would agree he is a fine man and very fair in his treatment of all.

Carlton has served with the Brighton Police Force for 28 years, the last 10 as chief. He has seen the community prosper and grow, and he has seen the police force expand from six men when he started, to a well organized, highly skilled force of 33 men now.

He has been shot at a few times, he has had to take part in chases of law violators at speeds of greater than 100 miles an hour, he has saved several lives, he has had to engage in rough and tumble arrests, and by the same token, he has used highly scientific methods of police skills in solving some very complex cases. Carlton is truly a police officer who has come up through the ranks to reach the top, and all the while he has gained the respect and admiration of the entire area.

Chief Fitch has now reached the age of 65 years and retirement. There will be another fine man to take his place as head of the Brighton force, but Carlton will be greatly missed. As he steps down and into retirement he has no intention of becoming inactive. He will carry on his work of helping others, which up

until now has been only part time. He will now be able to devote more time to helping a fine group from the Rochester inner city, the Full Gospel Church of Joseph Avenue, in the building of their "Miracle Village" near Sodus in Wayne County. The church, the village, and Carlton's beloved Brighton are all within the 36th Congressional District of New York which I have the honor to represent in the Congress, so naturally I have a tremendous personal interest in all of this.

Recently the Brighton-Pittsford Post ran a feature story on the then imminent retirement of Chief Fitch. It was authored by Jeffery Parnall and gives some highly interesting facts and background on Chief Carlton L. Fitch. I would like to share it now with my colleagues so that they, too, may know more about this outstanding fine man:

FOR CHIEF FITCH, "A SECLUDED LIFE"

(By Jeffery Parnall)

When Brighton Police Chief Carlton L. Fitch retires next week, he will move to an isolated "swiss chalet-type house" that he built himself, because he likes "the secluded life."

"I guess I've seen too many people and their problems," the chief said.

With the Brighton force for 28 years, the last 10 as chief, Fitch said, "What I like about the job is doing things for other people, but sometimes you need a place to get away."

Silver-haired at 65, the chief has penetrating blue eyes and a face with many lines of worry, but he smiles easily and often.

"You should retire at 65 and let the younger men have a chance to come up," he said in an interview this week.

A journeyman in carpentry at age 20, Fitch in his younger days helped build 400 to 500 houses in the Brighton area as a building sub-contractor and built the home next to Camp Beechwood on Lake Ontario in Wayne County, where he will retire.

Fitch joined the force as a constable in 1942 because "building was down during the war. I didn't want to work in a factory, and I guess I had it in the back of my mind that I wanted to do police work."

"Back then, there were six men on the force and if you could breathe and felt warm, you were hired," the Chief said, smiling. "The job didn't require any schooling, the pay was \$1,800, and we had to buy our own guns, and our duties were like those of a night watchman."

"Now there are 33 highly skilled men on the force with 14 to 16 weeks' initial training at each promotion. There are in-service training refresher courses and special classes for things like judo and fingerprinting."

Another change, said Fitch, has been the development of police science technology. For instance, Brighton Police got a conviction on a burglar arrested 50 times or more in the city due to a plaster cast of a tire the chief made.

A resident of Brighton for most of his life, the chief said that when he built his house in 1938 at Edgewood and Warren avenues, "you could stand on the roof and see only six other houses."

Deer used to walk within 30 feet of the house. People have built on every lot now.

Recounting many experiences, Chief Fitch said "I've been shot at a few times." Once, after knocking on a door, someone fired a rifle through it. The man thought Fitch was a burglar.

While giving chase in Brighton to a man in a stolen car the chief said casually, at 90 to 100 miles an hour, he fired a shot at the vehicle before the chase ended in Rochester.

Years later the chief stopped the same man coincidentally at the same point where the chase had started, and the man showed Fitch something—the bullet the chief had fired years before.

"On one of my first days on the force I put some bullet holes into a stolen vehicle on the run—when the car was recovered, I can't tell you what the owner said to me."

"One time I was thrown off my motorcycle when I hit a dog by accident. I cracked three ribs and took six stitches in my elbow—still had to go to work the next day."

"Every day there is something to remember. Just a few weeks ago, when we were trying to capture a daylight burglar—a beagle puppy found him for us. The man was well hidden in the brush, out of sight of the officers—but the puppy went straight to the hiding place and started to wag its tail. We checked it out and found our man."

The chief has saved a few lives during his career including that of a fireman, unconscious from a fall, whom the chief crawled into a fire to save, and a man who panicked in a fire and was trying to save 30 suits and about 20 pairs of shoes.

"It was funny to see him trying to save them all—in the end he didn't save any," Fitch said.

Chief Fitch's main hobby is building. When he retires the Chief hopes to give more of his know-how to the Full Gospel Church of Joseph Ave. in building their "Miracle Village" near Sodus.

For his help to these people in the past and for his good record of service, the chief received from the Brighton Kiwanis Club, of which he is a member, the distinguished service award.

He also is a Shriner and a 32d degree Mason.

Many other awards also appear on the walls of the chief's Town Hall office, including one from Monroe Community College for his efforts in the formation of the police science course there. A troop of Explorer Scouts cited the chief for building a cabin cruiser for them from an old "liberty boat." One plaque honors Fitch as founder of the County Association of Chiefs of Police, including seven surrounding counties.

The chief's other hobbies include boating, feeding animals and shooting, though not at animals. "I spend about \$5 weekly on bird seed," Fitch said.

Touching is the chief's affection for his deaf and blind English cocker spaniel, Windy. "I have to walk him all the time—I'm sort of his seeing-eye man," Fitch said.

Asked about the attitude of the community toward the police, Fitch said, "It's like waves in the sea. Two years ago we were often called 'pigs' and things such as that—now I think there is a strong upturn in respect for the police. People realize there is a thin line between them and the big problems and for reasons of self-preservation they respect the police."

No one has ever complained about the police budget, Fitch said. "We're hoping to expand the force by four men next week."

The best ratio of police to population is 1½ per thousand. Currently, Brighton has a ratio of about 1 per thousand.

How does Fitch feel about social problems? "I deplore drug taking—assurity of punishment not necessarily jail, is a solution to the problem. A child shouldn't go to jail for having one marijuana cigarette, but the sellers of it should. When we had the problem of the kids who burned the flag, we had them raise the flag at the Town Hall for a month."

On student unrest—"The injunction method we used at Monroe Community College is a good way to handle it—that way no one gets hurt. Publicity should also be limited."

The Vietnam War—"I figure if you elect a

man for the job, you should stand by him for as long as he is in office."

Pollution—"The minimum fine for littering should be \$5 to \$10, up to \$100, and it should be enforced. It would help if people would send letters to us when they see someone litter and we could warn the offender."

As Brighton's third police chief, Chief Fitch could not say who his successor would be. "Your guess is as good as mine," he said.

The chief and his wife, Mabel, have one son and two grandchildren.

MAHONEY TO HEAD CIVILIAN APPEALS AGENCY

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. LEGGETT. Mr. Speaker, I am pleased that the U.S. Army has decided to establish a civilian appellate review agency. This new agency, abbreviated CARA, has been in partial operation since July 1. Full operation will begin the first of the year, and the first-year funding will be \$1.4 million.

CARA is designed to be as independent as possible from the regular chain of command. The main office is located in downtown Washington, not in the Pentagon. The seven field offices are located in civilian office buildings, rather than on military bases.

Under the present system, base commanders can operate with almost absolute authority. Grievance investigations, like courts-martial, are of questionable validity since the investigators, like the court-martial juries, are dependent upon the commanders for fitness reports and other considerations.

CARA will investigate complaints of discrimination, unfair adverse action and other grievances. Its investigators will be entirely independent of the local command, and will report directly to the highest authorities in Washington. It appears that justice is at last beginning to rear its head even within the Armed Forces.

One of the principal reasons for my confidence in the new agency is that it is directed by Paul Mahoney, whose efforts are largely responsible for the creation of CARA. I once had the pleasure of employing Mr. Mahoney as an associate member of my staff for 6 months, and I have the highest respect for his ability and dedication. Men of the caliber of Paul Mahoney are hard to find—they administer Government programs at their best. The Army is to be congratulated for this important action.

The Federal Times reports on the new agency as follows:

ARMY ESTABLISHES NEW CIVILIAN APPEALS AGENCY

(By Bob Williams)

WASHINGTON.—The Army Department has established a civilian appeals agency that when fully operational Jan. 1 will rule on grievance and discrimination complaints at seven offices around the world.

According to Paul Mahoney, who heads the Army Civilian Appellate Review Agency (CARA), "We have spent considerable effort

in making this organization as objective as possible. We want to give employees a fair shake."

At an interview here, Mahoney said CARA field offices were purposely located away from Army posts, largely to "physically" separate them from management.

Offices in the United States were roughly placed along the lines of the numbered continental Armies, he said. Two other offices have been created in Heidelberg, Germany and Honolulu.

Since July 1, the offices have handled discrimination appeals, but Mahoney said it will not be until the first of the year that grievances are handled by trained investigators.

He said the agency has a first-year funding of \$1.4 million. Its staff which numbers 74 full-time employees, represents some of the best talent the Army possesses, Mahoney asserted.

Designated as a class II facility, it has real clout, Mahoney feels. He said installation commanders "will really have to lay their reputations on the line" if they contest investigator findings.

His staff will have a three-fold mission that includes:

The responsibility to investigate discrimination complaints in this country and abroad. Staff members will make findings on the evidence they gather and prepare recommendations, including corrective action to comply with regulations and standards of the Army Department and the Civil Service Commission.

They will conduct similar full-scale probes of employee grievance and adverse action appeals. And as in the case with discrimination complaints, his staff will prepare a list of findings and recommendations to correct abuses as they occur.

Office chiefs also will keep in close touch with the "central and regional CSC offices on equal employment opportunity, grievances, appeals and related matters." They will represent the Army Department in the "field on employee complaints of discrimination and grievances and appeals."

"As things stand now, we have divided the grievance and discrimination complaint function, but I believe as we gain experience our investigators will be qualified to handle both types of reviews," said Mahoney.

He said the Army decided to create CARA because "employees generally had little faith in agency management." Under the previous system, management was "judge, jury and executioner." Mahoney added that the practice of using part-time investigators, "whose findings were not binding on installation commanders," left much to be desired.

The image his organization wishes to convey to the workforce, he said, is that we are not "a friend of management. We've got to prove our objectivity."

Investigators will have a great deal of freedom, he asserted. Most of them will be GS-13 level employees. They will possess top secret clearances which will enable them to enter just about every facility operated by the Army. They will have the authority to review records, personnel files, call witnesses, and if they decide hearings at the facility are not advisable, "my staff can arrange to have them off post, possibly at one of our field offices," Mahoney said.

He said, however, "If we cannot build credibility into this system, we will have nothing more than we had before."

One of the main advantages offered by the new system, Mahoney believes, is that the time to resolve cases will be sharply reduced. "We are aiming at 60 days, but I think this can be reduced as we gain some experience."

Many of the investigators have law degrees, Mahoney said, but he suggested that many other factors were considered when the initial selections were made. He cited

a draft copy of the CARA manual, which says:

"The success of an investigator or examiner depends not only on how well he knows the methods and procedures of investigation, but also, to a great extent, on his own personality, attitude and character.

"In the course of his work, he will probably be called upon to interview a variety of witnesses, and he must of necessity adapt himself to changing situations as they occur. He should be politely circumspect in all his contacts. At the same time he should act with firmness and steadfastness of purpose."

Thus, a familiarity with Army, Defense Department and CSC regulations is of marked importance. "Also, investigators must possess adequate writing skills," he said.

He explained that staffers will report through their chiefs directly to him or his deputy, Dale Boundy. And Mahoney is responsible to Charles Mullaley, the Army's director of civilian personnel.

The upshot is that if serious problems arise, top officials at the Pentagon will be informed immediately. "I don't think you'll find too many persons risking their career when they realize this," Mahoney said.

He said the agency should be of real assistance to the unions, noting, "We have found that union representation is sometimes superior to that provided by management. CARA will add a new dimension of professionalism to the equation that, I think, all parties will appreciate."

His office, which was purposely removed from the Pentagon, is in Room 1013, 2nd and R Streets S.W., Washington, D.C. 20315. Mahoney and Boundy can be reached at Area Code 202-695-2807.

Office chiefs and their addresses follow: Thomas McNeely, USACARO, Atlanta, Room 450, Citizens Trust Building, 75 Piedmont St. N.E., Atlanta, Ga. 30303. The telephone number is area code 404-363-5801.

Vernon Johnson (acting chief), USACARO, Dallas, c/o DCSPER OCP Field Representative, Room 114, Federal Building, 31 Hopkins Plaza, Baltimore, Md. 21201. Or area code 301-962-2350. Mahoney said this is a temporary location.

Vernon Bargainer, USACARO, Dallas, Room 601, Thomas Building, 1314 Wood St., Dallas, Tex. 75202.

Gil Yarchever, USACARO, Sacramento, Room 3542, Federal Building, 650 Capitol Mall, Sacramento, Calif., 95814. Or area code 916-449-3257.

Ken Young, USACARO, St. Louis, c/o U.S. Army Administration Center, TAGO, 9700 Page Boulevard, St. Louis, Mo. 63132. This is a temporary address.

Jim Stamps, USACARO, Honolulu, Hawaiian Life Building, Room 205, 1311 Kapiolani Boulevard, Honolulu, Hawaii.

Bill Harris, USACARO Heidelberg, APO New York 09102.

PROGRESS UNDER LAW AND STUDENT VIOLENCE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. SPRINGER. Mr. Speaker, Mr. Thomas W. Samuels, a leading attorney in Decatur, Ill., has put the problem of campus unrest in its proper perspective.

In a Law Day address before the combined service clubs of Decatur, Mr. Samuels pointed out that the trouble with so many young people is that they do not know history, saying:

In their ignorance and immaturity they mistakenly believe that progress, reform and the correction of grievances can be accomplished only by rioting, violence and vandalism.

Tom Samuels may be aptly described as the elder statesman of the legal fraternity in our section of Illinois. He is a legal scholar of erudition and a keen student of current affairs. His trenchant wit enlivens his most serious discourses. His Law Day speech drew so much praise from his original audience that a local radio station later put it on the air. The station has since been flooded with requests for copies. I strongly recommend that my colleagues read his speech in its entirety:

PROGRESS UNDER LAW AND STUDENT VIOLENCE

The statement once made by Chief Justice Hughes, that the law is what the judges say it is, is true in a limited sense only. It certainly is not a complete definition of the law. By that statement Justice Hughes was referring, I think, to the power of the courts to interpret the law, rather than to the law itself. It is unquestionably true that where a passage in the law is unclear, the interpretation placed upon it by the courts of last resort is final. But the great bulk of the law is not unclear.

What then is the law, if it is not merely what the judges say it is, and how has it developed? Has it been responsive to human needs, and has it contributed to the reform of social ills and social injustice?

First, what is the law?

The law is that set of rules, regulations, standards and sanctions by which, with common consent, our personal relationships, business and commerce are regulated, and without which there would be utter chaos and anarchy.

One author has defined law as "the mechanism (for want of a better word) by which man has sought protection from the arbitrary despotisms of uncontrolled power; from the threat or fact of injustice to his person and to his property; from dispossession of his human and his civil rights; from the degradation that arises from social inequalities destructive of his personal significance and worth . . . and from the disruption of life by the irrational forces of passion, caprice and chance."

The law we know today has evolved slowly out of the experience and wisdom of the ages, and its evolution has kept pace (lagging sometimes behind) with the growth and needs of modern civilization.

Much of the law we know today and by which we are governed, was not the law 100 years ago, or even 50 years ago.

"At one stage of the development of our law," legal historians tell us, "a man charged with a crime was subjected to trial by fire. If he survived the ordeal, he was innocent; if not, he was guilty. That was barbarism. Cruel and excessive punishment for minor offenses at one time was the rule. Up until the middle of the fifteenth century, killing another, in self-defense, could not be pleaded as a defense in a murder case." Imprisonment for debt was a common punishment.

In 1776, one of the most notable years in the history of mankind for many reasons, Adam Smith published his "Wealth of Nations," a book long regarded by many economists as a sort of economic bible.

In this book he advocated allowing every man to pursue his own interests in his own way, with few, if any, restrictions. Every man, he said, should be permitted to bring his industry and his capital into the freest competition. In this way "only the strong and the fit would survive. Every man for himself and for himself alone."

This concept of the survival of the fittest

became, and for many years was, the gospel of our economic life and was recognized by the law.

Under this philosophy:

(a) You could enslave human beings if you were strong enough;

(b) You could sell adulterated food and dangerous drugs with impunity;

(c) You could misbrand and falsely label your products;

(d) You could work your employees for unlimited hours a day and under the most unsanitary and hazardous conditions;

(e) You could work children long hours in mines and other dangerous places;

(f) You could conspire with others to fix prices. The Sherman Antitrust law was not passed for more than a hundred years after Adam Smith enunciated his *laissez faire* doctrine.

(g) You could, without fear of punishment, misrepresent what you sold; it was up to the purchaser to discover the facts. This was the doctrine of *caveat emptor* (let the purchaser beware).

"You could do all these things," it has been said, "and only the fit and the strong would survive. That was considered good economics, and it was all lawful."

But gradually we have changed all that. "We came to see," as one writer has put it, "that the ape and tiger method of the struggle for existence was not compatible with humane principles; that real progress depends not on imitating the jungle process, but in combating it, and that our efforts should be directed not so much toward survival of the fittest as toward fitting as many as possible for survival."

Under this new concept which over the years worked itself into law, we abolished slavery, enacted pure food and drug laws, abolished child labor, required safe, humane, and sanitary working conditions, imposed strong restrictions on the competitive process, recognized the basic rights of free speech, freedom of worship and all the other freedoms enumerated in the Bill of Rights of our Constitution. We substituted for the doctrine of *"caveat emptor"* (let the purchaser beware) the more enlightened doctrine of "let the seller beware." Under this new doctrine, if you are going to sell securities, for example, you had better make sure you do not misrepresent their worth or omit any information material to their worth.

Now all these great and beneficial improvements in the law and many, many others, have been brought about by peaceful and lawful means—not by violence, not by smashing windows and burning buildings, disrupting courts and flag-burning.

It is not true, as many misguided and ignorant young college students appear to believe, that the law over the years has not been responsive to human needs.

It is not true that the law has not adapted itself to the solution of new problems and new conditions.

It is not true that this country has been indifferent to the needs of the poor, the weak and the aged.

There are some well-intentioned people running around the country today telling impressionable student audiences that we are a sick and dying nation—dying from the sickness of poverty and indifference to human needs and human values.

Well, if poverty were a fatal illness we would have been dead long ago. In fact, there wouldn't be a nation alive today.

The Pilgrims who landed at Plymouth Rock knew nothing but poverty.

There was dire poverty among the Colonists.

Poverty stalked the trails of those hardy souls who crossed the mountains and prairies to settle the West.

Widespread poverty followed the Civil War.

There was poverty during and following the panics of 1873 and 1892.

There was world-wide poverty during the depression years of the 30s.

There is poverty today—too much poverty. I don't condone it, and I am not saying that because we have always had poverty we should not be concerned about it. But I am saying that we have done something about it.

As one observer of our efforts in the field of social justice has said, "We are taking care of the poor, the aged and the sick on a scale never before dreamed of. By unemployment insurance, by Workmen's Compensation, by housing and welfare programs, by Medicare, by minimum wage legislation, by Social Security, and by support of farm prices, we have increased the material and spiritual well-being of many millions of people." And, we have done all this by law and without resort to rioting or vandalism.

We are not a sick and dying nation. We are a great and compassionate nation.

But to hear some of our young radicals—both students and professors—talk, you would think that our country is so completely indifferent to human needs and so completely rotten that it ought to be destroyed now, by violence, if necessary.

Students this week told our Legislature that campus turmoil and unrest would not cease until we do something about the social issues facing the nation. Since it didn't cost these students anything, they apparently do not realize that the American people have almost broken their backs in the cause of social justice and reform.

The fact is, there has been more social legislation—more awareness of and response to human needs in the last 50 years than in all the rest of our history, and I repeat, it has all been accomplished by lawful means.

Maybe not all of this legislation has been wise. Maybe some of it needs revision. It may be that we have placed too much emphasis on help and too little on self-help. Whether all this social legislation in the long run proves to be wise or not, it has at least been a sincere attempt to meet the needs of modern man. We have made progress and we have made it under the law and by lawful means.

True, progress has sometimes been slow, but all sound progress is slow. All sound growth, whether of nations or trees, is slow. But we have grown as a nation despite some cancerous spots on our body politic, and we have done it all under the law and by lawful means.

It is not so long ago that we burned people at the stake in this country. It has not been long since the mentally defective were objects of derision and laughter. Now we take care of them. It has not been long since lynching was a common and widely-condoned practice. The march of the human mind is slow, as Edmund Burke said, but it has marched during the short life of our republic.

The trouble with so many of our young people who believe all this talk about sickness is that they don't know history. They are not only ignorant of history, not only immature and without experience, they are, like children, impatient. In their ignorance and immaturity they mistakenly believe that progress, reform and the correction of grievances can be accomplished only by rioting, violence and vandalism.

Admittedly, there are wrongs and imbalances that remain to be corrected, but the point I am trying to make and the clear lesson of our history is, that you don't have to burn down the house because there are termites in the basement.

These impatient, ignorant and often arrogant youngsters like to talk about the "generation gap." If we oldsters were only younger and know as much as they know, we would understand the realities of life, and we would applaud their classroom boycotts, their sit-ins, their rioting and other mindless actions.

Now there is a generation gap. Obviously, there is a gap of an entire generation between the ages of 20 and 50. But the real gap—the gap they do not understand, is a gap, not merely in years, but a gap in knowledge and experience and in the practical judgment and wisdom that come only from experience and maturity. The gap they talk about is in their heads, but they don't know it. That's the real generation gap.

Maybe we oldsters are "squares."

Maybe we do believe in the old-fashioned decencies of life.

Maybe we do love our country and respect its laws and its courts.

Maybe we do believe in law and order.

Maybe we do thrill at the sight of the stars and stripes.

But at least we are not so ignorant and so incredibly stupid and naive as to think we can improve our country by tearing it down and defying its courts. Maybe we are not young enough to know everything, as James M. Barrie once said, but we are old enough to know a few things.

No people on earth enjoy greater freedom under the law—freedom of speech, of petition, of worship, and of assembly. Our rights and blessings transcend anything known in the entire history of the human race.

But the law is not all a matter of rights, as so many people seem to believe. There are definite limitations upon all our rights.

Thus, although I have the right of free speech, I do not have the right to slander my neighbor. In other words, there is a limitation on my right of free speech.

I have the right to build a fire on my premises, but not if it endangers my neighbor's house, for that would be an unlawful nuisance.

I have the right to march upon the streets, but not the right to join with others in rioting, window-smashing, rock-throwing and vandalism.

I can write as I please, but I have no right to forge your name on a check or a deed.

I have the right to drive a car, but not while intoxicated or at a high and dangerous rate of speed.

I have the right to speak, but not the right—certainly not the moral right—to cry "fire" in a crowded theatre, as Holmes once said.

I have a right to drive my fist back and forth, until it comes in contact with your nose, and then that right ends precisely where your nose begins.

"The essence of the law," someone has said, "the ideal of the law (not always attained) is justice and mutual respect for the rights of others." In the exercise and enjoyment of all our wonderful rights and freedoms for which mankind has struggled and died throughout the centuries, we must never lose sight of the fact that every right has its limitations and that every right must be measured against the rights of others.

No man exercises his rights in a vacuum, but only as a living part of society. It is an eternal truth that no man liveth unto himself. Each of us is but a single cell in that great human organism we call society, and each of us contributes to the health or disease and destruction of that organism in proportion as each of us is, or is not a sound cell in that organism.

I believe that students who destroy university property, who block the entrances to university buildings and by force prevent others from entering, who by force and violence seek to prevent and do prevent companies like Dow Chemical and General Electric from interviewing prospective employees among students, who riot and burn because they don't like the decisions of our courts, are law breakers and should be dealt with as such, promptly and vigorously.

"These young militants despise the universities for their research on the weaponry of war," as Eric Sevareid has observed. "They withhold their respect for the universities' role in taming the beast in man and vastly improving his physical, material and psychic existence over the years."

"They claim they hate war, but they love their own substitute wars on campuses and elsewhere."

Some of these students are outright anarchists; some of them are Communist inspired. Some of them may be idealistic. However, the fact that they are young and idealistic and disenchanted with society as presently organized is no excuse for their senseless and unlawful acts; and those silly, muddle-headed, pusillanimous professors and administrators who can't distinguish academic freedom from academic license, who appease these young lawbreakers, negotiate with them, grant them amnesty and apologize for them, are, in my judgment, worse than the students, and deserve nothing but public contempt—and they have it.

Equally deserving of public contempt, in my opinion, are those so-called intellectuals (mostly of liberal persuasion) who profess to find idealism in the depredations against public order and decency by those left-wing militants recently involved in the bombing outrages.

I agree entirely with the New York Times which recently warned its readers that "Bombings must not be glossed over as merely the misguided actions of idealistic youth; they are the criminal acts of potential murderers."

Now, I have no quarrel with idealism. We have always been an idealistic nation, but our young idealists should be reminded, as President Henry has said, that "They are not the first idealists nor are they the first missionaries in social service or the first to dream of improvements in our social structure." Indeed, he says, "It has been theirs to reap the harvest of the efforts of many others in our history" who have dreamed of social change and who, by lawful means, have made their dream come true.

Nevertheless, many young radicals and revolutionaries, particularly the Students for a Democratic Society, contend that their fathers and grandfathers have made no meaningful contribution to the welfare of mankind; that they have succeeded only in making a mess of our society, and that it should therefore be destroyed, by violence if necessary.

Let us take a brief look at this "mess" our forefathers have created.

Mr. Eric A. Walker, President of Pennsylvania State University, drawing upon some facts gathered by Bergen Evans of Northwestern University, had this to say, in substance, to a graduating class:

"Your parents and grandparents are the people who within just five decades—1919-1969—have, by their work, increased your life expectancy by approximately 50 percent—who, while cutting the working day by a third, have more than doubled per capita output."

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

"These are the remarkable people who lived through history's greatest depression. Many of them know what it is to be poor, what it is to be hungry and cold. And because of this, they determined that it would not happen to you, that you would have food to eat, milk to drink, vitamins to nourish you, a warm home, better schools and greater opportunities to succeed than they had."

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

"Because they were materialistic, you will work fewer hours, learn more, have more

leisure time, travel to more distant places and have more of a chance to follow your life's ambition.

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

"And these are the people who had the sense to build the United Nations.

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

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

"They have made more progress by the sweat of their brows than in any previous era."

Some mess!

And, they have done it all within the framework of the law and under the protection of the law.

All I can say is: I hope those members of the present generation who, with no lack of modesty, place themselves at the knowledgeable end of the generation gap, will contribute in their lifetime one-tenth as much to the welfare of mankind as their forefathers have contributed.

"If they can make as much progress, if they can accomplish as much in as many areas as their forefathers have accomplished in just two generations, they should be able to solve a good many of the world's remaining ills.

"Maybe they can succeed, where we have failed, to find an alternative for war.

"Maybe they can find an answer to the problem of racial hatred."

This is their challenge. But they will never meet this challenge by violence and lawlessness.

Our young radicals, left-wing professors, some editorial writers and intellectual snobs like to sneer at what they call "the Establishment"—"our rotten, hypocritical establishment."

Just what is this so-called establishment that they are so eager to destroy?

I'll tell you what it is.

It's our churches, our police and fire departments, our stores and factories which produce the necessities and luxuries of life and furnish us with jobs.

It's baseball and football.

It's high school basketball.

It's our textile mills.

It's free public schools.

It's trade unions, collective bargaining, hard roads and automobiles.

It's airplanes.

It's radios and televisions.

It's pasteurized milk and unadulterated food.

It's modern farm machinery.

It's going to the moon.

It's a free press, free elections, Boy Scouts and Y.M.C.A.s.

It's our courts and our Constitution.

It's Social Security.

It's the finest telephone system in the world.

It's air conditioning.

It's the highest per capita income in the world.

It's our mounting war on pollution.

It's our hospitals, research centers, nursing homes, mental clinics, orphanages, banks and junior colleges—all developed under the law and protected by law.

In short, it is all those attainments and all those institutions, with all their flaws, that make up modern civilization and furnish us with a degree of affluence, protection, leisure,

comfort and convenience such as has never before been experienced by mankind.

This is our "dirty, rotten establishment" which our radicals and left-wingers are out to destroy.

The American people, the great silent majority, if you please, are fed up with these radicals and revolutionaries, these bomb-throwers, anarchists, vandals and left-wingers who never miss an opportunity to downgrade our country. If they are not willing to work for reform within the framework of law, I say: let them go to some other country if they think they can find a better one, or let them go to jail, where most of them should be now.

I do not wish anyone to conclude from what I have said that I am against peaceful dissent. I am not. The right to dissent is one of our most precious heritages. We have had dissenters and healthy dissension throughout our history. In George Washington's time there were those who vigorously dissented against the war and loudly insisted that the Revolution was a tragic mistake.

There were those who dissented, almost to the point of treason, against our Civil War. They called it "Mr. Lincoln's war" and demanded that he throw in the sponge and let the South go its way. In a shouting, tumultuous, overflow peace meeting held in New York City on July 2, 1862, they adopted a resolution, amid hisses and boos at the mention of the President's name, reciting that "God never intended that we should succeed in this war." Stop it, they cried. This war between brothers is immoral. Bring the boys home now, they demanded. But Lincoln, resolutely facing the noisy dissenters of his day, stood fast. Fortunately, history has a way of reappraising the events of the day. I believe that history will reappraise the events of our time.

We should not be unduly alarmed, therefore, because we have dissenters among our students. We have had dissent and dissenters throughout our history, but a great deal of the collegiate dissent we are experiencing today is lawless and pointless, or so it seems to me.

What on earth did the students at Northwestern University expect to prove or gain by setting fire to the University's Traffic Institute or by blocking traffic on Sheridan Road and thereby infuriating the residents of Evanston?

What on earth did the students at Yale expect to gain or prove by setting fire to the Law School, or the students at Washington University by burning the ROTC Building, or the students at Illinois by smashing windows and forcing the merchants on Green Street to barricade their store windows, or the students at California by destroying manuscripts recording a lifetime of research, or by destroying a local bank building?

Mothers and fathers are breaking their backs to send their children to college. For what purpose? To dissent? Yes, peacefully, among other things, if they like, but not for rampaging on the streets, imprisoning deans in their offices, destroying college records, burning down buildings, throwing rocks at officers who try to quiet them down and engaging in other such senseless and mindless conduct.

As one editor recently commented:

"Students, like everyone else, have a right to speak their mind on any subject, but we have never envisioned the purpose of college as that of providing a base for marauding bands to embark on street rampages, arson, and worked-up confrontations with law enforcement organizations."

I ask you: How can such senseless conduct possibly help our country, or right any wrongs? How can it in any way serve to furnish a guide to our elected public officials or improve the lives and well-being of our citizens?

A few days ago I listened to a group of

university presidents discussing the crisis on our campuses. They told us how deeply concerned the students are over the ills of society. Well, aren't we all? But we are not burning, bombing and rioting about it. We have seen that evils and grievances can be corrected by lawful means. If these students would spend more time reading the history of our country and less time listening to the detractors of our country, they would know that grievances can be corrected and that reforms can be brought about by lawful means.

While these educators did not expressly condone rioting and vandalism on the campuses, I did not hear them say one word about discipline, punishment or restitution for damages done to property. It seemed to me that the undertone of their remarks was one of apology for the actions of the students, rather than sorrow that such things could happen on our campuses. I detected no semblance of backbone in any of them, nor any indication of awareness of their responsibility to the thousands of students who are there for an education, nor to the frustrated parents and taxpayers of the nation who are footing the bills.

Much of the conduct we are now seeing on our college campuses is not peaceful dissent; it is sheer lawlessness; and in my opinion it would not be so widespread and serious today if our college administrators had not weakly tolerated it and condoned it when it first reared its ugly head.

President Nixon warned Columbia University two years ago that "If student violence is either rewarded or goes unpunished, then the administration will have guaranteed a new crisis on its own campus and invited student coups on other campuses all over the country."

I never thought I would live to see our university administrators and faculties cave in and close down our institutions of higher learning in the face of violence. They have yielded to the mob! What an example for the rest of us! The Chancellor of Northwestern University, on the closing down of that school, said it was done "in symbolic recognition of the concerns that trouble our campus." Academic hogwash! What an excuse for closing down an institution of higher learning! Closing down a college because students are seriously concerned with the ills of society, is about as weak, irresponsible and senseless as closing down a church because its members are seriously concerned with the sins of mankind.

When a university accepts tuition for a semester's schooling, it thereby enters into an implied contract to furnish a semester's schooling. When school authorities haven't the moral courage to stand up against the mob, I suppose it is too much to expect them to perceive the moral implications of breaking a contract.

In my opinion, we need a new set of leaders among our educators. What good is an education if it isn't backed up with judgment, horse sense and moral courage?

The time has come to reject, totally and forever, violence as a means of protest, not only on our campuses, but everywhere.

Before closing this talk, I want to make it "perfectly clear," in the words of Mr. Nixon, that I am not condemning all college students. I am convinced that it is a minority of students, frequently joined and urged on by outsiders, who are creating the havoc on our campuses, interfering with the rights of their fellow students, and seriously damaging the public's image of our institutions of higher education. The great majority of our youth are sincere, responsible, and wholly admirable. My only objection to them is that I am not one of them.

I began this talk in the hope that I might convince you that great progress and great reforms have been made, and can only be made, under law and by lawful means; that

law in today's world is not "just a figure of speech or a rhetorical flourish, but our protector, our heritage, our refuge and our glory." Whether I have succeeded is for you to say.

It is only through law and order that we can survive and continue to progress.

Without it, we would revert to a jungle life.

Let us then respect the law and obey it. If we don't like it, let us strive to change it in the manner provided by law. If we don't like the decisions of our duly-elected leaders, let us express our dissent peacefully and without resort to senseless violence. There is no other defensible way. Any other way means anarchy.

We have grown and prospered as a nation by law and by lawful means. We still have our shortcomings, but we are nevertheless the greatest and freest nation on earth.

Let us therefore stand up for it, speak out for it, and defend it against the creeps, the weirdoes, bombers, haters, radicals and revolutionaries who, while enjoying its blessings, wish only to destroy it.

NATIONAL ENVIRONMENTAL CENTER

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ERLBORN. Mr. Speaker, a lot of people are surprised at the amount of environmental work now being done at Argonne National Laboratory, which is on the outskirts of Chicago.

Argonne is a facility of the Atomic Energy Commission, and its principal assignment, of course, is searching into the peaceful uses of the atom. It has been suggested, however, that Argonne would be a good location for a National Environmental Research and Development Center.

This suggestion comes from my colleague, Representative JOHN ANDERSON, and me.

Why? Because Argonne has the capability to carry on a large number of research projects. The people are there now. The know-how is there. The buildings are there and the laboratories are there.

A sizable part of Argonne's effort already has been turned toward environmental studies, including smogless propulsion of commercial vehicles and the ecology of the Great Lakes. Argonne has developed a system by which urban areas can forecast any period of heavy sulfur dioxide concentration in the atmosphere and is currently working with the National Air Pollution Control Board to design a national emergency operations control center for air pollution episode control.

Two of Argonne's major facilities are the Zero Gradient Synchrotron—ZGS—a 12.5-billion-electron-volt "atom smasher," and JANUS, a reactor designed to study the effects of neutrons on living organisms. The ZGS—fifth largest machine of its kind in the world—is used for high-energy physics experiments by scientists from midwest-

ern universities. One of the most trouble-free machines of its kind, it has made possible experiments which have added to man's knowledge of the building blocks of nature. JANUS has recently begun its role as an outstanding irradiation facility in Argonne's radiobiology program.

Argonne's headquarters are in the district which I represent, but much of its work is done in Idaho. Representative ORVAL HANSEN of that State accompanied me on a visit to the Illinois facility in July. We were impressed by the possibilities.

"DOC" NELSON—UTAH AGGIE

HON. SHERMAN P. LLOYD

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. LLOYD. Mr. Speaker, students who went to college at Utah State University are known as "Aggies," and all attempts to change the name into something more sophisticated have thus far failed.

One of the greatest "Aggies" of them all was George "Doc" Nelson, former light heavyweight wrestling champion of the world, and for many decades, trainer and wrestling coach at Utah State. He became so well-known and so beloved for his wonderful personality and his persistent kindness and consideration that a fieldhouse was named after him.

"Doc" Nelson died last week. He was in his advanced years. When I was an undergraduate at Utah State many years ago and a sports correspondent for Salt Lake City newspapers, "Doc" Nelson was my good friend and has remained so through the years. The Deseret News eulogized him in an editorial on August 10, which I wish to put in the CONGRESSIONAL RECORD as befitting the memory of a great human being:

GEORGE NELSON

If a man can leave a legacy of character, then George Nelson must have left a large one.

His obituary tells a lot about the man—that he was a top athlete, trainer of top Utah State University athletes, and active churchman. But it tells little of "Doc" Nelson's character.

It does not tell the kind of trust and admiration he inspired in Aggie athletes to help them turn in top performances. It does not tell the high regard that prompted the USU to name its fieldhouse after him. And his obituary does not tell the countless personal ways he helped his athletes.

"Doc" Nelson was blessed with an honesty and sense of humor that helped him talk many young athletes through their problems. "His stories are legend," says one sports writer. And he was blessed with a wife who loved the young men who were his pride, who cared for some of them when they needed nursing or a good meal.

But those who worked with "Doc" Nelson know he didn't hoard the blessings he received. They know he gave himself to others and he passed those blessings on. With his death the past weekend, Utah has lost one of its most outstanding citizens.

BROWNOUTS AHEAD FOR PACIFIC NORTHWEST, TOO

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ULLMAN. Mr. Speaker, residents of the Pacific Northwest have become used to hearing about the power shortage problems of the rest of the Nation while feeling quite secure about their own resources. For 30 years, the Pacific Northwest, with its own great hydroelectric resources of the Columbia River and Canadian natural gas supply, has been the most power-rich region in the United States.

But this abundant power supply, once considered inexhaustible, is being threatened by an unprecedented demand for electric power by industry and the public. There is no definite agreement among experts on how much power actually will be needed during the next few years in the Pacific Northwest, but many have forecast power problems, beginning in the winter of 1971-72, and reaching a precarious imbalance during the winter of 1976-77. While over 3 million new kilowatts of new power will be added to the present supply by 1975, the region will still be 185,000 kilowatts behind the demands of consumers and industry and reserves established by the Federal Power Commission.

In view of these predictions, the Pacific Northwest and most of the Nation are being forced to deal with some complex questions: How much power will be needed in the closing decades of the 20th century? Are power demands unreasonable in light of environmental concerns? How much generation can the region build, or afford, without an excessive intrusion on the ecology? What is excessive environmental change? Recent articles in the East Oregonian in my congressional district and the Oregonian of Portland indicate forcefully the problems to be faced.

On July 28 of this year, I cosponsored a bill, H.R. 18666, which would establish a Commission on Fuels and Energy to study these and other important questions. The Commission would be designed to recommend programs and policies intended to insure, through maximum use of indigenous resources, that the U.S. requirements for low cost and adequate energy are met, and to reconcile environmental quality requirements with future energy needs. The possibility of a nationwide power shortage is real, and must be faced before it becomes critical.

I commend the articles to the attention of my colleagues:

[From the East Oregonian, Aug. 4, 1970]

NORTHWEST FACING POWER SHORTAGE

(By Bill Hill)

(EDITOR'S NOTE.—Utility spokesmen say a power crisis is developing in the Northwest both in electrical energy and gas supplies. The following analysis of the situation was produced by a writer close to the situation for more than a year.)

For 30 years the Pacific Northwest has been the most power-rich region in the United States in terms of electrical energy. Electricity costs in the region are among the lowest in the nation.

But the picture is changing, changing in terms of methods used to generate electrical energy, and, perhaps, due to change in cost to consumers and industry.

After years of outcry by preservationists to end hydroelectric projects on the Columbia and Snake rivers, Northwest Utilities have focused attention on nuclear power for salvation in the production of electricity.

And now, antinuclear sentiment, along with waning water power and opposition to other kinds of utility plants and transmission lines, is growing faster than the demand for more electrical energy.

There is no agreement between utilities on how much power actually will be needed during the next few years. In some areas of the Northwest the picture is gloomier than in other areas. But the Bonneville Power Administration is forecasting an electrical energy gap as early as 1973.

Unless Canadian officials approve requests from Washington, Oregon, Idaho and Nevada natural gas companies for an additional three million cubic feet of natural gas daily, a problem is expected to develop for industry and consumers alike.

This shortage of fuel is viewed as a dangerous situation for such new industrial complexes as the Atlantic Richfield refinery near Ferndale and the Harvey Aluminum plant in Klickitat County, Wash., both requiring large quantities of natural gas.

The problems of power-producing energy for the Northwest no longer can be summed up in dollars and cents. They now are being viewed from the angle of availability. In some quarters it is said that a lack of power is going to start inhibiting living standards.

The Northwest already has turned, for the first time, to a coal-fired electrical plant. The huge complex is in construction near Centralia, Wash., site of the only major coal deposit in the Pacific Northwest. Power from this plant is scheduled to go "on the line" by the end of next year. It will amount to 700,000 kilowatts. The plant, sponsored by Pacific Power and Light, Portland, will consume up to 18,000 tons of coal daily.

At about the same time the Chelan County Public Utility District's Rocky Reach Dam improvement in generating capacities will put on the line 476,000 kilowatts of new power. The John Day Dam, near Rufus, Ore., will generate nearly a million new kilowatts of power by 1972. Despite all of this new electrical energy, the Northwest still will be 176,000 kilowatts behind the demands of consumers and industry and reserves established by the Federal Power Commission.

By 1975 the Northwest will be 185,000 kilowatts short despite the addition of nearly three million new kilowatts of power from various other generating facilities.

If all programed construction at Northwest generating plants is carried out on schedule—which they fear may not be done—the energy gap could be closed by 1976. Six facilities will put 2.1 million new kilowatts of power on the line during 1975–76, resulting in a surplus of 792,000 kilowatts.

The surplus would exist, utility officials say, as a percentage overage required by the FPC. But one thing obviously troubles regional power companies: the unexpected. A huge industrial complex in any of their areas requiring vast quantities of electrical energy could upset programs.

Robert D. Timm, Washington state's director of utilities and transportation, has warned industrial development leaders and legislators that strict adherence to timetables for construction of electrical generating plants is mandatory to prevent "brownouts" by 1975.

Loss of the power that would have been

generated by the Eugene, Ore., nuclear plant—turned down by voters in May of this year—was a blow to Northwest utilities.

Eugene will share the power produced by Portland General Electric's Trojan plant at Rainier, Ore., the first Northwest nuclear-fueled plant, aside from the one in operation at the Hanford Atomic Energy Works near the Tri-Cities in southeastern Washington. The Hanford facility is operated by Washington Public Power Supply System.

A second nuclear plant, scheduled for Western Washington, is under study at Roosevelt Beach near Moclips, Wash., sponsored by WPPSS. Plant construction tentatively is scheduled for completion by late 1976 or early 1977.

The third Northwest nuclear plant, originally scheduled for construction at Kikut Island in Skagit County, is co-sponsored by Seattle City Light and Snohomish County Public Utility Dist. 1.

It, too, has faced area opposition which remains unresolved.

Because of public reaction, officials believe long delays in construction could be more costly than transporting the power to Puget Sound from a plant at Hanford, one alternative proposal.

In the meantime, a survey by the Bonneville Power Administration has indicated that existing transmission towers between Seattle and Hanford could accommodate 700-kilovolt lines in a manner that will provide seven times the transmission capability along existing rights-of-way.

In contrast to other areas of the Northwest which oppose nuclear generating plants, the Tri-City made a strong bid for siting nuclear plants in their area. Indications are, they may get their wish.

Having lived with nuclear energy for more than a quarter century, communities comprising the Tri-Cities are conditioned to nuclear power and view these plants as just another industrial development for the area providing more jobs and an additional economic base.

Exactly what view environmentalists are going to take of this situation remains to be seen. Their opposition could rise if a large cluster of nuclear plants is set along the Columbia, using river water to cool condensers.

On the other hand, indications are that such plants would use holding pools and cooling towers so that heated water would not be returned to the river. One plan is to use the heated water to irrigate farmland as far north as the Yakima Valley.

The average kilowatt hour production of these proposed nuclear plants is 1.1 million.

In examining the power generating capacities of federally financed dams along the Columbia, it seems environmentalists have missed a bet by not calling for installation of the 11 generating units originally designed, but not built, into the Chief Joseph Dam at Bridgeport, Wash.

Jim Green, project engineer at Chief Joseph Dam, who recently moved to the Grand Coulee project, says no funds have been approved to install generators in the 11 waterfall outlets built into the project.

The dam, 51 miles below Grand Coulee, is an Army Engineers project with 16 generators already installed. The project's return on electrical energy—\$145 million in 12 years—exceeds the total cost of the dam, \$144.4 million.

But its power-producing potential hardly has been tapped. With installation of 11 other generating units, Chief Joseph Dam could produce in excess of 700,000 kilowatts of new power, equal to that of the Centralia coal-fired plant and nearly equal to the output of one nuclear-fueled plant.

With a moratorium on dam building along the Snake River approved by the U.S. Senate, no more dam sites on the Columbia for hydroelectric projects, the absence of Northwest coal fields for coal-fired electrical plants,

an insufficient supply of natural gas to fire plants—Northwest utilities have but one alternative: nuclear-fueled generating plants.

By 1990 at least 20 Northwest nuclear plants will be needed, utilities say. Where the plants are sited will determine consumer cost of electricity for the region in the years ahead.

[From the Oregonian, Aug. 5, 1970]

NORTHWEST POWER SHORTAGE MAY
BECOME CRITICAL

(By Gerry Pratt)

How do you like the idea of a power shortage where you are asked not to open the refrigerator door any more than you have to? Or to turn down the house temperature from 72 to 68 degrees? Or to reduce commercial lighting like neon signs?

It happened in California not long ago. It happened in Oregon in 1952 when the Defense Electric Power Administration issued an edict reducing all large power loads by 10 per cent.

It couldn't happen now? Listen to H. R. Richmond, administrator of the Bonneville Power Administration speaking of the critical power situation developing through 1970–1977. To successfully meet load demands, he says,

1—"All hydro and thermal generating units must be installed on schedule, a most difficult accomplishment;

2—Considerably better than critical water runoff conditions must evolve;

3—Wintertime temperatures must be normal or above;

4—There must be no forced outage failures of large generators, particularly during the critical years of 1972–73 and 1973–74.

"Should any of these conditions not be satisfied, the firm loads of the publicly, co-operatively and privately owned utilities probably could be met, but large loads would have to be curtailed."

If we go to California for replacement power the rate is roughly twice the rate what we pay locally for interruptible power.

Irony? Here in the Northwest with the great power resources seeded in the Bonneville Dam and now reaching up into Canada?

MILLS TAKE MUCH ENERGY

Sure, we have lots of power. But a glance at the BPA contract schedule shows where it goes: Alcoa with aluminum plants at Wenatchee and Vancouver, Wash., 390 megawatts; Anaconda at Columbia Falls, 225 megawatts; Harvey at The Dalles, 180 megawatts with another plant coming on the line across the river sitting on a contract for an additional 105 megawatts of firm power; Intalco at Bellingham, Wash., with 280 megawatts; Kaiser with aluminum pot lines in Spokane and Tacoma, 490 megawatts; Reynolds with Longview and Troutdale plants, 422 megawatts. And now, still pledged but long past its original contract date, Northwest Aluminum at Astoria has a claim to an additional 240 megawatts to go on the line just when the power squeeze begins to tighten on the rest of industry in 1973.

Experts never questioned the value of an aluminum reduction plant until now, except the farmers who sued because they claimed the fumes damaged their crops and contaminated their cows. But now, with the arguments rising over the safety and ecology of the big scale atomic plants planned in our future to meet this mushrooming power demand, even aluminum plants are being measured for what they provide against what they take out of the Northwest's basic power resources.

Bonneville, which made the deal to sell off that last large block of low-cost firm power to Northwest Aluminum and then renewed the contract when Northwest failed to fulfill its contract, is quick to point out the plus side of the aluminum industry.

In 1969 they say the industry in the Northwest produced 657,000 tons of aluminum, 36 percent of the entire aluminum production in the United States. Aluminum pot lines and their auxiliary works employed 12,000 people and paid \$112 million in salaries and wages or something slightly more than \$9 million a month scattered over the region. But at the same time those pot lines soaked up 2,352 megawatts of power. And Richmond expects the entire peak load of the Pacific Northwest Group Area to peak at 19,900 megawatts in the winter of 1970-71 with a deficiency of 230 megawatts on peak or just about what is planned for Northwest.

ELECTRIC SPREAD "BROAD"

Tektronix, one plant in Beaverton, paid salaries of \$5.5 million a month and employed better than 8,300 people in that plant which used a mere 17 megawatts. The spread between the great electroprocessing pot lines consumption of power and what it takes to turn the wheels of normal industrial and manufacturing plants is that broad.

Even the big electro chemical plants such as Penn Salt in Portland takes only 34 megawatts; Hanna Nickel has a contract for 85 megawatts for the entire operation; Oregon Steel Mills take 20 megawatts; Crown Zellerbach's Camus layout takes 70 to 80 megawatts.

At Warrenton near Astoria, Northwest Aluminum proposes to use 240 megawatts to employ something between 600 and 700 people.

It is now too late, says Bonneville, to undo the extension granted Northwest Aluminum's power contract. But by the time they get going in October, 1973, the pact will have only 13 years to run. There are no options or extensions in a BPA contract of any kind.

What any aluminum plant builder would be facing is a whole new power ballgame after 13 years. There is room with that fact in mind, BPA sources admit, for negotiations to delay the plant—if we get down to regulating the refrigerator doors.

KLEPPE COMMENTS

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. KLEPPE. Mr. Speaker, at this point I include the text of my August 1970 newsletter to my constituents of the west district of North Dakota:

AGRICULTURE ACT OF 1970

After 38 days of public hearings, 92 executive sessions, 27 night meetings, and a year and a half of negotiating nearly every sentence and word of the 57-page Farm Bill, the House Agriculture Committee came up with a bill that was ultimately passed by the House and sent to the Senate where action is hoped for shortly.

There has been a lot of emotional dialogue about this bill. It has been made the "whipping boy" by many who are not satisfied with the provisions.

As a Member of the House Agriculture Committee, I sat through the long hours of debate and negotiation. This is not the bill I would have written personally, nor is it the kind of farm bill the Administration would write if it had the power to do so. It is a compromise bill which has the thoughts and writings of many. It had the support of the Chairman of our Committee and the ranking minority member. It had the support of the Republican and Democratic leadership of the House. It is a very minimum bill, but vital to agriculture in this Country.

If the Farm Bill had not passed the House (and it did so with only a majority of 41 votes) our Nation's farmers would have faced either a straight continuation of the 1965 Act or a reversion to the old laws in effect prior to 1965. As one North Dakota newspaper commented recently, "The cost to North Dakota if a farm bill is not approved in this session of Congress is staggering."

In many ways this bill is similar to legislation of the past, but it at least contains some movement and direction toward the free market. It suspends quotas and controls on wheat and cotton, and it establishes a set-aside system that should help provide farmers with greater flexibility in the management of their own farms. This year when we are suffering from some drought in sections of North Dakota, wheat certificates become that much more important because they can represent the only income that some farmers receive. Of major interest to North Dakota is my amendment which makes it mandatory that wheat certificate payments be at 100% of parity for the domestic portion.

Our national prosperity is directly linked with our farm prosperity. Without a sound agricultural economy we are not going to have a sound total economy. The assistance we provide in the new Farm Bill will be repaid many times over to American taxpayers and consumers. This bill represents the best bill possible at this time, even though it isn't the best possible bill.

THE ECONOMY

One of the most critical problems facing our country today is inflation. Much has been said concerning the causes of inflation and what the future holds for our economy. A brief review of the facts is in order.

From 1960 to 1970, the cost-of-living went up 25 percent. Because of the mismanagement of our economy during the two previous administrations, President Nixon assumed office facing a budget deficit of \$60.6 billion.

What policies did President Nixon adopt when he took office? He has cut the national budget for 1971 by almost \$20 billion. For the first time in twenty years, we are spending more on human resources than on defense. The President has outlined 57 saving actions (reducing or elimination of Federal programs) designed to save \$2.5 billion, and hopefully, achieve a balanced budget for 1971.

While the Administration has been struggling to break the inflationary cycle, some Members of Congress still are intent upon increasing spending. I believe that this is one of the contributing factors to our present inflation and for this reason I have voted to cut government spending by more than \$35 billion during my two terms in the House.

True, we are still feeling the grip of inflation. Inflation, created by a decade of massive fiscal irresponsibility, cannot be stopped overnight. The President's anti-inflationary policies are having some effect on the economy. The per capita income was at an all time peak in the second quarter of this year. Money is becoming more available. Interest rates have been edging downward. Housing is already improving. Commitments for mortgages are rising. All indications are for an improved economy during the last quarter of this year.

The time is long overdue for the "big spenders" of the Congress to assume their share of responsibilities if the economy is to continue to prosper once again. Continued reckless spending, as we have witnessed so often in the past, will only serve to fuel the fires of inflation.

CAMBODIA

When President Nixon announced his decision to send American troops into Cambodia to clean-out the Communist sanc-

tuaries, he was viciously attacked by some Members of Congress, the press, and many college students. It is now obvious that his criticism was both unreasonable and unwarranted.

The President, in announcing his decision, promised that all American troops would be out of Cambodia by June 30, 1970. He has kept his word and we are now seeing the dividends from his bold move. Hostilities have sharply decreased in South Vietnam. Our casualties are at their lowest level in 3½ years. The North Vietnamese and Viet Cong forces have suffered a severe set-back. But most important, the endless list of enemy supplies and weapons captured in Cambodia can no longer be used against American troops.

I consider the remarks by one of our own servicemen who was there, Spec. 4. Jim Keler of Chicago, to be the best assessment when he said, "It was a lot better for us to come over and get the stuff this way, than them throwing it at us every day the other way. If they don't have it they can't shoot it. I think it will save a lot of lives. I think the President was right in doing it. I only wish somebody had had the guts to do it a long time ago."

SOUTH FLORIDA CITIZENS SUPPORT PRESIDENT NIXON

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BURKE of Florida. Mr. Speaker, a few days ago I received in the mail more than 4,500 petitions signed by citizens of the 10th Congressional District of Florida which I represent.

These citizens were inspired to send forth the petition by Mr. John Powell, the publisher of the Fort Lauderdale Tribune, one of the outstanding weeklies in the State of Florida.

What surprised me least about the petitions was the fact that these citizens were not moaning because they are Americans nor were not urging the destruction of some American institution ridiculing the President or praising the Vietcong.

Far from it. They are American citizens pledging allegiance to America and to President Nixon. When I think of those who are causing trouble for our Nation in her time of need, I feel deep pride in the citizens I represent. Their pledge of allegiance speaks for itself.

In offering my thanks to John Powell and his petitioners, I urge my colleagues to read the petition. It makes a lot of sense.

The petition follows:

WE PLEDGE ALLEGIANCE: A PETITION TO PRESIDENT NIXON

We, members of the Silent Majority, object to demonstrations and desecrations to our flag promoted by professional revolutionaries.

The television networks are filled with interviews of people talking about being "turned off" and alienated from their country.

We, the undersigned, have been alienated, too. We are alienated by the unpatriotic rabble we see on our television screens.

If you are going to listen, don't forget that we, too, are Americans.

We want you to listen not only to the angry mob, but also to the loyal, taxpaying,

concerned Americans who believe that change must come only through constitutional means—not by violence and threats of violence from a small minority who attract the television cameras.

Our message to you is that we also want the war in Vietnam to end. But we think your decisions in Vietnam and Cambodia are in the best interest of America.

Do not fall us now in the face of a mob brought to a frenzy by enemies of our country.

THE THIRD FOREST AND THE ECONOMICS OF SCARCITY

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ABBITT. Mr. Speaker, on May 14, 1970, Mr. John E. Ray, third executive vice president of Union Camp Corp., delivered a splendid address entitled "The Third Forest and the Economics of Scarcity" at the Resources for the Seventies Cooperative Field Conference on Forestry and Natural Resources at Millarden Farms in Woodbury, Ga.

Mr. Ray is one of the outstanding forestry leaders in the Nation and his address is both eloquent and informative. I would like to include this herein with my remarks.

Mr. Ray and his associates in Union Camp Corp. are doing a splendid job not only in the promotion of the forestry industry but in working among community interests in all of the areas where the company has its plants. I know of no industry in the Nation which emphasizes more the obligations and responsibilities of its employees within the communities where they reside than does the Union Camp Corp. It is extremely active in the field of community and employee relations and its efforts in this connection are a benefit not only to the company's employees but to the communities and the Nation.

Mr. Ray's address follows:

THE THIRD FOREST AND THE ECONOMICS OF SCARCITY

(By John E. Ray III)

It's sort of ironic for me to address you in such a bountiful state as Georgia and after a fine and filling lunch . . . because what I plan to talk about is the Economics of Scarcity, the very real Economics of Scarcity that the forest products industry is approaching right now.

Economics of Scarcity! That's a phrase we haven't heard very often for 30 years or more. It sounded strange to me too when it first came to mind as I was preparing this talk. Here we are producing and consuming more forest products and in greater quantities than ever before in the history of man—576 pounds of paper and paperboard per American capita and an annual total of 43.7 billion board feet of lumber and plywood.

Yet the Economics of Scarcity is, I believe, not only accurate but—to use today's popular adjective—relevant in describing our current situation.

Now our current standard of living is fabulous compared to, say, the hard times of the thirties. But even the depressed thirties would have appeared luxurious to the people of Elizabethan times. And Elizabethan conditions were beyond the wildest dreams of people who lived a thousand years earlier.

And so on back to what Thomas Hobbes called the "nasty, brutish, and short" life of primitive man.

The point is that scarcity is relative. Our current levels of consumption may seem like anything but scarcity by previous standards. But we don't live by or derive our feelings of well being from previous standards.

Let's look at it another way. Suppose we were forced back to the consumption levels of ten years ago. Suppose, on a per capita basis, we had only 433 pounds of paper at our disposal, and 17 per cent less lumber and plywood. We would, I'd venture to say, feel very deprived, very much up against it.

And yet that's precisely the kind of retrenchment that could lie ahead of us. Let's examine some trends.

Presently there are about 2½ acres of woodlands for every person in the United States. Based on population growth projections and the erosion of forests to make way for airports, highways, housing developments and other manifestations of urban spread, by the year 2000 there will be no more than 1½ acres of forest land per American—and at Union Camp we're very much aware that that's only one pine growth cycle away.

That's a major element of scarcity developing . . . in the form of a shrinking supply base for our raw materials.

There are scarcities developing too in the means of production for transforming the raw materials into forest products. The scarcity of labor to tap pine trees, for example, has seriously weakened the gum naval stores industry. Georgia, which produces 85 to 90 per cent of domestic output, has seen this product group go down during the soaring sixties from \$25 million to less than \$9 million.

In the prime forest product area of paper—where for a long while now we've grown accustomed to talking and thinking in terms of overcapacity—the situation has suddenly reversed itself. Tight money, the traditionally low return on the huge outlays required for new mills and papermaking machines, and, most fundamentally, the increasing difficulty and cost of acquiring backup resources of wool and water have reduced the oncoming increments to production potential very significantly. In 1969 only 2.7 percent was added to existing papermaking capacity. Compare that to the average annual increment of 4.6 per cent for the rest of the sixties. And current industry plans call for a continued lowering of that average.

It comes as a shock—it happened so quickly—to realize that the problems ahead will more likely be in the area of supplying paper demand rather than creating demand to absorb production capabilities.

Turning to lumber, a scarcity situation could be shaping up there as well. If deferred demand breaks through the tight money bind, we could be heading towards the near-term needs of 2.5 million new housing units a year specified by Housing and Urban Development Secretary George Romney. In 1968—not a boom year but more typical than 1969's depressed construction level—we started 1.5 million new dwellings and produced 43.7 billion board of lumber and plywood. Applying straight percentage increases, meeting new housing needs at a 2.5 million level will require production of 73 billion board feet of lumber and plywood.

How did it all happen? Why, after 25 years of plenty, are we abruptly up against limits not only in our wood supply but in resources which have heretofore seemed limitless such as usable air and water?

The answer, I believe, is that, over the past generation, we've become a nation of voracious consumers. We eat more, buy more durable and non-durable commodities, use more services, and enjoy more luxuries than any nation in history. The average American uses about 200 pounds more paper and paperboard than the average Swede who ranks

next in per capita consumption and about nine to ten times as much as the average Russian who thinks he's coming along right well. Two-car American families are commonplace and some of our biggest cities are faced with the incredible problem of how to deal with abandoned cars, cars that people just walk away from when they break down. We consume so much that merely getting rid of our total refuse has become a major task.

Still it's a good life and I'm sure all of us would like to see continued improvement in living standards. With the accent on consumption, however, it's difficult to get across the problems of producers and ways of solving them.

But that's exactly what we have to do. By one tree growth cycle from now, demand for forest products is expected to double. And for the South, according to the Southern Resources Forest Committee, the rise will be even greater with wood usage going up 2.3 times current levels.

How do we go about combating the pending Economics of Scarcity in the forest products industry?

If we define Economics of Scarcity as a situation in which supply fails to keep pace with demand, a course of action emerges. We have to accelerate supply.

Generally speaking, there are two broad roads to this goal. One is through greater utilization of our wood resources.

Georgia has made remarkable advances in this direction. During the sixties, while state pulpwood production went up about 35 percent, the use of chips, sawdust, and other formerly wasted wood residues rose 250 percent. That's had the impact of adding more than a million acres to Georgia timberlands. And, going by national and regional trends, it's reasonable to anticipate at least a doubling of current usage of wood residues over the next tree growth cycle.

I'm proud to say that Union Camp has contributed to Georgia's record. Our Savannah mill was the first in the state to use chips and pine slabs and today residues provide 21 per cent of our pulping needs.

We're also pursuing another form of increased utilization through two new Chip-N-Saw mills, now under construction in Georgia, which will enable us to process into lumber smaller diameter logs than was previously possible.

These and other utilization measures—like recovering more wood fiber in the pulping process—will help. But the most effective, direct approach to augmenting supply is by the other road . . . by increasing wood yield per acre.

That's where the Third Forest comes in. I'm sure most of you are as or more familiar with the idea of the Third Forest than I am . . . and that's a very good reason for me to clarify my use of the concept. The First Forest is the original virgin timberland, the forest primeval, and the Second is the Forest that replaced it according to the random forces of nature alone. The Third Forest is the scientifically managed Forest the one in which we—businessmen, public servants, and interested citizens—play or can play a role.

I'm going to cite figures that don't sound like much in themselves, but you have to realize that they are the backbone of our contribution—as people involved in the forest products industry—to the present peak in living standards. And what might read like slight changes in yield are reflected as thousands of tons of paper and millions of board feet of lumber.

Here again, Georgia shines. For the South as a whole, average annual forest yield per acre is .4 cords of wood. Georgia averages 25 per cent more or half a cord per acre.

As might be expected, companies in the forest products business do better. At Union Camp, for example, on our Georgia acreage

we average .7 cords of wood per acre per year. On our best tree farms, under absolutely optimum conditions, we manage an annual acre yield of 2½ cords.

There's tremendous room for improvement in wood yield. But, by the nature of the slow-growing beast, that means sustained, consistent effort . . . continued research in growing bigger, more densely fibered trees and accelerating their growth; sharpening techniques of site preparation, seeding, fire and disease prevention, and harvesting efficiency.

Union Camp, for one, expects to be getting one to 1.2 cords of wood per average acre by the end of the seventies. Now, I realize that our company puts more time and money than most landowners into growing more wood. After all, it's a major aspect of our business. So I'm not suggesting our goal as a general standard to be achieved over the next ten years.

What I am suggesting is that we aim for that kind of average yield for the South by the year 2000, by the end of this beginning tree growth cycle. If we could by then attain a 1.2 cords average per Southern acre—with the progressive state of Georgia showing the way with a 1½ cords yield—and if we could generalize that same tripling rate of advance nationally, we would offset the 40 per cent shrinkage that will have taken place in our base of supply. We will be able—with the help of the increased utilization of wood I mentioned before—to provide the greater number of Americans living then with the 800 pounds of paper and paperboard each is projected to consume, to supply their increased lumber requirements, and, in short, meet the doubled demand on forest products brought on by continuously improving standards of living and communications.

I don't think that kind of increased yield is an unreasonable expectation. State and federal forestry agencies and forest products companies will, of course, continue their efforts in that direction.

But the real hope of improvement lies, I'm convinced, in the private sector of the forest economy. Simply because so much can be done there.

Take this state, for example. Seventy-eight per cent of Georgia's timberlands are privately held . . . by some 200,000 farmers and businessmen. Fifteen per cent is owned by industry and the remaining seven per cent by federal, state, and local government. Business and government, we can assume, utilize progressive methods of silviculture and so get better than average wood yield. That means that the private sector—about 20 million acres—is producing somewhere under the half cord average for Georgia as a whole.

How can we help to beef up yields of private holdings? One way is to continue and step up what we have been doing . . . spreading the message of good forestry practices.

Our Georgia Forestry Commission does itself proud along these lines. With its assistance in fire fighting and prevention, and its counseling of private landowners on advanced cultivation practices, it ranks with the best public agencies in the nation.

The Future Farmers of America is another group that is doing its share. It is helping to bring an awareness of the importance of trees and increasing know-how and interest in forest cultivation into the classrooms. That will certainly have long-run beneficial impact on private land yields.

And business, including Union Camp I'm happy to say, is actively spreading the word. Like other forest products companies, we have been and are educating everyone who will hold still long enough, cooperating with all other groups in the field, and distributing free seedlings to landowners, youth groups, and others.

These and other educational activities have helped and will continue to help importantly increase yield in the private sector.

Another area that is definitely worth investigating is that of incentives. I would point out that, while industry had been installing improved silviculture practices for years before 1944 when timber production became eligible for capital gains treatment, that incentive did provide much added impetus to such programs. I would suggest that a more equitable ad valorem tax structure applied to forest lands would greatly encourage improved wood yield. I'm sure too that incentives can play a roll in important special areas—such as hardwoods cultivation—where very little has been done and which involve inordinate expense for private enterprises or individuals.

It's interesting to note that the Third Forest started during a time of plenty. Companies were improving their forests and wood production 80 years ago, simply as good business practice, with no thought of imminent scarcities. Fortunately, with the help of public and private groups, a good start was made towards the higher wood yields we will need in the future.

Today with wood resources showing their limitations in the face of overwhelming growth in demand coupled with an eroding supply base, it is not too much to say that the Third Forest is as essential to the future progress of the forest products industry as the cotton gin was to the development of the early textile industry.

And I suspect the Third Forest will work in the same way. Just as volume production by the cotton gin put pressure on finding improved ways to pick cotton—and, incidentally, on increasing cotton yield per acre—so the Third Forest will generate pressure on the means of production.

Take, for example, the trend I described before in the slowed growth of new paper production capacity. If an increased flow of raw material is forthcoming from our lesser acreage, ways will be found—through equipment and processing advances, assuming that additional mills will not be feasible—to produce the greater quantities consistent with demand growth.

In housing, to take another example, production methods applied to the new factory built, modular homes indicate that 20 per cent more dwellings can be built from a given amount of lumber and plywood.

But again, whatever private enterprise can do is based upon the growth of the Third Forest. And that's a cooperative effort, entailing business and individuals, public and private organizations.

That brings up other resources which have become worrisome. Previously I mentioned usable air and water.

I'd like to make some remarks on them from a different viewpoint than that taken by the current chaotic concern. I find some very strong analogies between the need to combat pollution and the need to combat scarcity through the Third Forest.

I could say that the forest products industry has demonstrated concern with pollution long before it became a publicized problem. I could say that my company has spent \$10 million over the past decade on preventing pollution and that we're continually upgrading our anti-pollution equipment and techniques.

All that is true, but it's beside the point. It's talking defensively and in no way induces a productive approach to the problem.

In reality, like the imminent scarcity of wood resources, the idea of air and water being in "short supply" has developed suddenly. It has taken us by surprise. Let's admit it. How many people really thought ten years ago that there might be limitations to these resources?

Let's also admit that we are all guilty. The

consumer through his wants—and I dare say needs—for automobiles, paper, appliances, and most everything else; the producer through his desire to make a reasonable profit by satisfying these needs; the garbage-generating citizen is guilty; so is the tourist passing through; so is the Communist and the Capitalist, the Democrat and the Republican. We can all cry "Mea culpa!"

Once we get beyond the finger-pointing stage, we can think clearly. Like the Third Forest, combatting pollution of our elements is a collective project. It goes beyond the single company or the single industry, beyond the single state. It's as ridiculous to put a company out of the competitive running by laying on an exorbitant expense for pollution control as it is for a company to argue that it should continue to pollute air and water because it can't afford to install anti-pollution equipment. We don't even find general agreement as to what the most effective pollution control entails.

Conserving our air and water resources is at least a regional problem with strong federal overtones. It requires intensive, broad-based, coordinated action.

Despite the role of villain assigned to us by some groups, industry can be counted on to do its share. Looking at the forest products area, industry has certainly proven its cooperative, responsible attitude. Most companies have over the years, and despite satisfying ever rising consumption, planted millions more trees on the timberlands under their jurisdiction than they've cut down. Industrial woodlands have consistently promoted the multiple use concept, providing hunting, fishing, and other forest recreational opportunities to more people than ever before.

Those of us who are concerned with growing forests and producing forest products stand at the interface between rising demand and the resources needed to supply it. I think we're in excellent position not only to satisfy greater consumption but also to expand the productive conservation of these resources.

THE CALIFORNIA WATER PROJECT PRESENTS ANOTHER PUZZLE—EAST SIDE OR WEST SIDE?

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. WALDIE. Mr. Speaker, 3 weeks ago I inserted a list of questions asked by California resources secretary, Norman B. Livermore, Jr., regarding the East Side canal project.

His questions, Mr. Speaker, were asked of the Bureau of Reclamation and centered on the environmental impact of the proposed East Side Division of the Central Valley project and the effect of the development of many thousands of acres of new cropbearing lands on the agricultural economy of California.

As a consequence of Mr. Livermore's asking those questions, East San Joaquin Valley interests correctly interpreted the State officials as favoring one project, the State water project, over another, the East Side Division of the federally financed Central Valley project.

The problem, Mr. Speaker, is that there is not enough water to supply the proposed needs of these two mammoth projects.

The dissent among the water contractors in this matter is growing, despite the efforts of the State's "water company," the Department of Water Resources, which is trying to soothe both sides for fear that the real weaknesses of the water planning in California will be made apparent to the people of the State.

At a recent meeting of the State of California's Board of Agriculture, William R. Gianelli, director of the Department of Water Resources took note of the gathering clouds of competition for California's remaining water and suggested that the water users should not be fighting among themselves but, instead, should be fighting against the "extreme conservationists."

What Mr. Gianelli is really saying, Mr. Speaker, is that the water contractors of State and Federal water should band together and fight the people of the State who are very concerned about the effects of massive water development upon the environment of the areas of origin and the areas of receipt.

Mr. Speaker, "extreme conservationists" is a label fitting all conservationists. There is no half effort to preserve the environment.

I believe Mr. Gianelli knows that fact, and that he and the others who would peddle the State's water resources to those who would add to the rampaging and disastrous growth of the Los Angeles Basin and the very real economic problems facing the State's agricultural industry are deluding themselves if they think they are up against a handful of "extremists."

The people of the State are concerned—extremely concerned.

Mr. Speaker, I would like to place into the RECORD a letter to the State Agriculture Board from John Garabedian, a grower from Fresno, Calif., who is unhappy at the State's efforts to send water south at the expense of the East Side.

I would also like to place into the RECORD a response to that letter from Mr. Gianelli.

I would draw to the attention of those who read these letters the absence of consideration regarding what will happen to the areas of origin if the water they are bickering about is diverted.

The letters follow:

PETERS & GARABEDIAN,
Fresno, Calif., June 29, 1970.

ALLAN GRANT,
President, State Board of Agriculture,
Sacramento, Calif.

DEAR MR. GRANT: As you know, I will be unable to attend the meeting on Thursday. I am, therefore, writing this letter pertaining to our state water problems. Inasmuch as Mr. Gianelli is going to speak to the Board on this subject, I believe this letter is timely. Please read it after Mr. Gianelli's talk. I am in full agreement with practically all of Mr. Gianelli's thinking, but I cannot say the same about Mr. Livermore there in Sacramento.

I am particularly concerned that San Joaquin Valley water needs are being ignored while emphasis is being placed on moving water to Southern California. As an example of matters causing my concern, I have noted that in spite of the fact that the Proposed Feasibility Report for the East Side Division of the Central Valley Project to serve areas

in the San Joaquin Valley was received by the State of California in December of 1968, no comments have yet been forwarded to the Department of the Interior.

In the meantime, the state has sent approving comments to the Department of the Interior on the Proposed Feasibility Report on the Peripheral Canal which report was received in Sacramento in July, 1969. Maybe it is significant that the Peripheral Canal would serve the State Water Project which would deliver water to southern California areas.

The East Side Canal will serve areas in Stanislaus, Merced, Madera, Fresno, Tulare, Kings and Kern Counties in addition to furnishing water in Sacramento and San Joaquin Counties as a supplement to the Folsom South Canal.

Many thousands of acres of already developed agricultural lands in the San Joaquin Valley must have the supplemental water supplies now available for the East Side Canal if they are to survive severe water shortages and rapidly falling water tables. In addition, predicted population increases in California will have both direct and indirect results in the worsening of the existing critical situations. Demands will increase for municipal as well as agricultural supplies.

There is a great danger that unless prompt action is taken by the state to advance the East Side Canal, this badly needed facility will have been sacrificed to satisfy environmentalists who want this long-allocated and available water for discharge to the delta and the ocean. Blithely, casually and unrealistically these people are saying that east side areas should look to the "north coast" for water while the environmentalists actively oppose such "north coast" development.

The unfortunate result is liable to be that the water needed for the initial phase of the East Side Project will be lost while over 2,000,000 acre feet of northern California water flows through central California and over the Tehachapi to serve southern California. 1,500,000 acre feet has been allocated to the East Side Division by state and federal agencies for years and until this water, made available by federal CVP storage and conveyance features can be delivered to the many applicants who have asked for over 4,000,000 acre feet per year from CVP, the present CVP water and power contractors will be liable for repayment of allocated construction costs.

The East Side Division and the Peripheral Canal will use the same take-out from the Sacramento River near Hood and will use several miles of joint canal. East Side and Peripheral Canal projects should be authorized together and constructed jointly by stages.

If Peripheral Canal is authorized ahead of the East Side Division, it is likely that the East Side Division will be set back years with the result that the water now available will go to other areas.

It is inconceivable that the state government can turn its back on this important part of our state's progress.

The East Side Canal will be able to improve delta water quality through discharges to east side streams; improve fish and wildlife conditions by releases at various points; make possible by means of the Hood-Clay Pump Connection of the East Side Division the delivery of adequate flows in the American River passing Sacramento; and will provide additional recreational facilities to meet growing demands from San Joaquin Valley people as well as Southern Californians.

Bankruptcy and devastation will result in large agricultural areas unless progress is made immediately to bring about construction and use of this vital project which is badly needed.

Very truly yours,

JOHN GARABEDIAN.

DEPARTMENT OF WATER RESOURCES,
Sacramento, Calif., July 3, 1970.

MR. JOHN GARABEDIAN,
Member, State Board of Agriculture,
Fresno, Calif.

DEAR MR. GARABEDIAN: Don Weinland, Executive Officer for the State Board of Agriculture, read your letter of June 29 to Chairman Allan Grant at the meeting of the Board held yesterday at the Irvine Campus of the University of California. I responded briefly to the points raised in the letter, and I am sorry you were not there to hear my comments. Don Weinland asked me to respond to your letter, and I am pleased to do that at this time.

First of all, those of us in the Resources Agency, Mr. Norman B. Livermore and myself, are trying very hard to make certain that all areas of the State are given equal treatment insofar as the use of our water resources are concerned. As far as I know, I do not believe that any responsible state official with whom I am acquainted has recommended early authorization and construction of the Peripheral Canal solely on the basis that it would serve the State Water Project and deliver water to Southern California areas.

Permit me to elaborate. The Peripheral Canal is a joint federal-state facility which would serve the Federal Central Valley Project as well as the State Water Project. As a matter of fact, the present arrangement contemplates that 50 percent of the water which would be diverted through the Canal would be used for federal project purposes and 50 percent for State Water Project purposes, with the costs of this canal being shared on the same basis. The San Luis Unit of the Federal Central Valley Project, the exchange contract which allows many along the east side of the Valley to receive water from the Madera and the Friant-Kern canals, as well as water delivery by the Bureau of Reclamation along the route of the Delta Mendota Canal, are all direct federal project beneficiaries from the Peripheral Canal. Of the State's 50 percent share of the water which would be diverted through the canal, only slightly in excess of one-half would be diverted to areas south of the Tehachapi Mountains. From these figures, therefore, you can see that the Peripheral Canal will be used to the extent of about 75 percent in the San Joaquin Valley for agricultural purposes with the remaining approximate 25 percent being used in areas of Southern California. Hence, the Peripheral Canal is not a facility designed to serve water solely to Southern California—most of the use from it will be in the San Joaquin Valley.

As you correctly report, the East Side Project report was forwarded to the State for comments approximately a year and a half ago. The cost of the East Side Project is now approaching \$1 billion, whereas the federal share of the Peripheral Canal is only slightly in excess of \$100 million. As a consequence, the projects are of considerably different magnitudes as compared to costs and problems associated with federal authorization and funding. Also, one of the problems associated with the East Side Project which has caused delay has been the insistence of the Secretary of Interior that guarantees of adequate drainage be provided before the East Side Canal can proceed without suggestions as to how this might be done. Secretary Livermore has, on several occasions, corresponded with the Secretary of Interior in an attempt to clarify the federal position concerning the necessity for drainage facilities before the Project proceeds.

There are a number of other problems concerning the East Side Project upon which clarifications are being sought from the U.S. Bureau of Reclamation. It has been our general view that as many of these problems

as possible should be cleared up at the State level instead of debating them in Washington or at the time of congressional hearings.

Let me assure you that we State agencies understand the problems of falling ground water levels on the east side of the San Joaquin Valley and recognize the importance of maintaining the existing agricultural economy in that area. We are hopeful that some of the problems concerning the Project can be resolved and the State's comments forwarded without undue delay.

Please let us know if you have any questions.

Sincerely yours,

W. R. GIANELLI,
Director.

MIDGET SOVIET PEACE STEPS TOUTED AS GIANT STRIDES

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BOGGS. Mr. Speaker, the very able columnist, Joseph Kraft, has written a very perceptive article on the situation in the Middle East. I would like to share it with my colleagues:

[From the Baltimore Sun, Aug. 13, 1970]

MIDGET SOVIET PEACE STEPS TOUTED AS GIANT STRIDES

(By Joseph Kraft)

WASHINGTON.—The world has recently been wearing a more peaceful aspect because of some give on the Soviet side. But the Russians have been obliging on problems that are about as apt to go away as rheumatism.

Their concessions have been trivial and subject to easy reversal. So the Washington view is that the Russians are mainly trying to gain time for sorting out internal leadership problems that must be resolved before fundamental decisions can be taken.

The most striking sign of Soviet give has come in the agreement with West Germany to renounce the use of force. The agreement was tied up months ago in negotiations between Andrei Gromyko, Soviet foreign minister, and Egon Bahr, a special assistant to Chancellor Willy Brandt of West Germany.

For purely internal political reasons Bonn then decided to append to the agreement provisos that would keep open the questions of German reunification and a possible Big Four arrangement on the status of Berlin. The Russians could easily have balked, leaving the Brandt government in an awful hole. Instead they accepted gracefully. And when Chancellor Brandt decided to go to Moscow for the signing, Premier Alexei Kosygin even came off vacation to be present.

A similar show of pliability has marked the Soviet role in the Middle East. The Russians could have gone on using tension between Israel and Egypt to penetrate deeper and deeper into the area.

Instead they elected to favor the 90-day cease-fire proposed by the United States, and in the Moscow talks with President Gamal Abdel Nasser, they used their influence to foster Egyptian acceptance.

Lastly, there is the matter of the Strategic Arms Limitations Talks in Vienna. The proposals put forward by the United States could have been rejected by the Soviet Union on a number of plausible grounds. For example, they do not cover the MIRV, or multiple independently-targeted reentry vehicles, where this country is way ahead. They impose special limits on the biggest bombs and missiles where the Russians have put their energy.

Instead the Russians let these proposals go by without serious protest. And so the second, or Vienna phase of the marathon talks, has featured a note of amity.

Despite these pleasant atmospherics, however, the Soviet moves are trifling in their intrinsic significance. A settlement in Europe still turns on two almost primeval issues—the status of Berlin and the role of the two Germanies. In the Middle East, there are not even the beginnings of harmony on such basics as the status and the borders of Israel. And while an arms agreement is likely, the area covered seems to be shrinking with the final outcome not yet assured.

Indeed, the striking feature of current Soviet behavior is that minimal gestures are being made to look like major steps forward. And it is in this connection that the theory of unresolved internal problems comes on stage. For the existence of these problems is beyond question.

A new party congress, Russia's most important political forum was announced at the highest levels last month, only to be postponed a few days later, until next spring. Adoption of a long-overdue five-year plan has been similarly put off. A number of the highest Soviet leaders—including Premier Kosygin, President Nicolai Podgorny and Mikhail Suslov of the party secretariat—seem ripe for retirement. And continuing transfers of younger contenders—most recently the rumored shift of V. S. Tolstikov from party boss of Leningrad to ambassador to China—suggests that major shuffles are being prepared.

The best guess, in these circumstances, is that the Soviet leadership is easing pressure on foreign fronts in order to gain a breathing spell for setting its own house in order. The big decisions are almost certainly yet to be made.

So while the harmony of the present moment is not to be wholly discounted, while indeed it makes sense to seize opportunities, the most important thing for the United States is to be ready for any outcome in the uncertain shifting now going on inside the Kremlin. In that connection, the Senate's narrow approval for continuing the antiballistic missile program seems about what the doctor ordered.

TRIBUTE TO GEORGE HOBERG

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. LEGGETT. Mr. Speaker, Lake County, Calif., the paradise of California's vacationland, lost its leading citizen last week, George Hoberg.

George pioneered the development of Lake County's Hoberg's Resort, the most notable in northern California. The Hoberg Resort over the past many decades catered to thousands of vacationers. Because of George Hoberg's management the lives of many people were made a little more pleasant for a few weeks of the year.

George Hoberg was active in serving his community, a graduate of Cogswell College in San Francisco, became a leader in the State resort and tourism industry, and served as president of the California Hotel and Resort Owners Association, the Redwood Empire Association, and the Lake County Chamber of Commerce.

George Hoberg also was a leader in the effort to redevelop Lake County to achieve a southerly diversion of the Eel River.

George was a friend of mine and the kind of Californian that measurably helped make our State great.

SIXTH ANNUAL LEGISLATIVE QUESTIONNAIRE RESULTS 9TH DISTRICT—NEW JERSEY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. HELSTOSKI. Mr. Speaker, the response of my constituents to my sixth annual questionnaire is most gratifying. To date, I have received 24,485 responses to the questionnaire, which indicates to me the high degree of interest residents of the Ninth Congressional District of New Jersey have in their Federal Government and the critical issues of the day.

The questionnaire was sent to all households in the Ninth Congressional District. I feel that through such an extensive sampling I was able to obtain an accurate reflection of the prevailing opinion in my district on the most important issues facing our Nation.

There were many questionnaires that had additional comments attached to them. These are in the process of being answered individually. The enthusiastic response to my request for expanded individual opinions proves decisively that people are concerned about their Government.

I wish to take this opportunity to extend my thanks to all the residents of the ninth district who took the time and effort to study, evaluate, and respond to the questionnaire. It is an honor and a privilege to represent the people of the district.

At this point all 24,485 responses have been tabulated. It is my intention to send a copy of the results to every resident of the ninth district so that my constituents can compare their personal views with the consensus of opinion of the other residents of the district. The tabulation was a tremendous task, and I wish to express my appreciation publicly for the fine cooperation of the many volunteers and members of my staff who spent countless hours completing this tabulation.

Mr. Speaker, I find several points particularly clear in the responses on my constituents.

There continues to be a high degree of interest in the war in Southeast Asia. An overwhelming number of respondents opposed further escalation of the war, and a similar percentage backed the continuation of the dual policy of phased withdrawal and seeking peace at the negotiating table. Reaction to the extension of the war into Cambodia was strongly negative with considerable sentiment in favor of firmer congressional

oversight of Presidential actions in conducting the war.

In connection with the question asking my constituents to rank issue areas according to their personal priorities for action, a large number placed ending environmental pollution at the top of the list, backing their choice with a resounding 95 percent vote in favor of fines for industrial polluters of the air and water. This obviously represents, Mr. Speaker, a clear mandate in favor of more vigorous Federal action in the field of pollution control.

Quite naturally, many residents of the Ninth District expressed concern about the troubled state of our economy, with a large number in favor of wage, price, profit, and credit controls to end inflation. I believe this suggests, Mr. Speaker, that perhaps by constituents are not completely satisfied with the administration's approach in redirecting the economy and expect more assertion on the part of Congress to restore the conditions

of prosperity and economic growth which we experienced throughout the decade of the 1960's.

Certainly the indicated support of my constituents for programs to establish special institutions for the rehabilitation of criminals and narcotic addicts, to provide a guaranteed income for poor people, to increase the number of scholarships and loans to college students from low- and middle-income families, and to regulate marketing practices in order to better protect consumers reflects a concern on their part for domestic social improvement. This, in turn, signals Members of Congress to take cognizance of the need to reorder our spending priorities. My constituents' views regarding excessive military spending is confirmed in their opposition to further deployment of the ABM and MIRV systems, and their support for reductions in troop assignments in Europe and Asia.

Mr. Speaker, these are but some of the generalizations one can make on the

basis of the questionnaire results. The statistical tabulations follow in two parts, and I commend them to the consideration of my colleagues in the hope that they will derive some insight from them as to the state of public opinion in the Nation at this time.

Mr. Speaker, for a long time we have been talking about reassessing our priorities. The results of the second part of the poll indicate that the conditions of our environment and the question of Vietnam are major concerns in the Ninth Congressional District. Inflation and narcotics traffic follow closely. The problems of hunger, the conquest of killer diseases and education also stand high on the list of priorities.

In presenting these results, Mr. Speaker, I feel that they represent a good cross-section of views and opinions of my constituents. I value their thinking and the care which they took in making their evaluations.

The listing of the results follow:

PT. I.—1970 LEGISLATIVE QUESTIONNAIRE

[In percent]

	Yes	No	Undecided
1. Our involvement in Vietnam has now reached the 14-year point. What course should we now pursue?			
(a) Step up military action to defeat North Vietnam and the Vietcong?	22.7	66.4	10.9
(b) Proceed with gradual withdrawal of our troops leaving the battlefield fighting to the South Vietnamese, but continuing our conference efforts to bring peace to the area?	64.2	29.6	6.1
(c) Should Congress set a definite date for withdrawal of our troops?	47.3	43.3	9.3
(d) Complete withdrawal of our military forces leaving the decision to be reached on the future of South Vietnam to those principally involved—South Vietnam, North Vietnam, and the Vietcong?	53.0	36.4	10.5
(e) Do you favor the Cooper-Church amendment which would prohibit the use of funds to retain U.S. troops in Cambodia after July 1, 1970 (the deadline of the President) unless otherwise authorized by Congress?	62.5	31.4	6.0
2. Would you favor enactment of legislation compelling a President to get congressional approval before sending or committing American troops to any foreign land?	59.9	33.4	6.6
3. Should we hold in abeyance further testing and development of the expensive Safeguard antiballistic missile system (ABM) and the multiple-war head missiles (MIRV) until an agreement is reached or not reached on arms control at the strategic arms limitation talks (SALT) being held by the United States and Russia?	49.8	39.1	11.0
4. Should we sharply reduce the size of our troop assignments in Europe and Asia with a twofold purpose—placing greater responsibility on other nations to maintain peace in their areas and to make more funds available for our domestic programs?	79.8	14.5	6.5
5. Do you favor the United States selling additional Phantom and Sky Hawk airplanes to Israel?	58.3	27.0	14.6
6. Do you favor a détente with mainland China directed at expanding trade and cultural relations and her admission to the United Nations?	54.2	31.9	13.8
7. Do you feel voluntary restraints by all sectors of the economy would be sufficient to slow down inflation?	32.4	53.7	13.8
8. As a last resort would you favor wage, price, profit, and credit controls?	65.4	23.3	11.2
9. With regard to the environment, do you favor:			
(a) Barring lead in gasoline?	81.4	7.4	11.1
(b) Fines for industrial pollution of the air and water?	95.1	2.4	2.4
10. Do you favor additional scholarships and loans for college students from low- and middle-income families?	71.5	20.3	8.1
11. Do you favor proposals pending before Congress which grant postal employees an 8-percent pay increase and creates a private Government corporation to operate the Post Office Department with the right to set mailing rates and wages of employees?	73.6	13.5	12.8
12. President Nixon has proposed a welfare plan under which a federally guaranteed income would be available to those on relief and which also provides benefits for the working poor. Do you think the idea is a good one?	51.1	33.2	15.6
13. Would you favor the establishment of a complete volunteer military force and the ending of selective service (the draft) keeping in mind it would mean greatly increased salary costs to attract volunteers?	44.3	43.5	12.1
14. Do you favor a system which provides for alternative services (governmental, Vista, Peace Corps, Red Cross) to military service?	58.6	29.7	11.6
15. Would you favor creation of a Federal-State program establishing special institutions for rehabilitating—academically and vocationally—those convicted of crimes for the 1st time and to keep them apart from hard-core criminals?	87.9	7.4	4.6
16. Would you favor making it a criminal offense to mail unsolicited or unasked for pornographic advertising to a person—adult or minor?	74.4	17.0	8.5
17. Do you favor election of Presidents by popular vote in place of the present Electoral College system?	80.5	12.7	6.7
18. Do you favor a requirement that packages be labeled to show the per unit cost of an item?	81.8	11.3	6.8
19. Do you favor legislation to protect individuals from receiving unsolicited credit cards through the mail?	87.1	8.3	4.5
20. Do you favor Federal funding for drug abuse education?	74.1	17.2	8.6
21. Do you favor additional funding of Federal rehabilitation programs for narcotic addicts?	69.8	19.8	10.3
22. The House recently passed a bill increasing social security benefits by 5 percent and with an escalator clause to keep pace with the cost of living. Do you think this is appropriate and adequate?	58.6	25.7	15.6

PART II—PRIORITIES

What is your order of priorities? Please mark the following numerically (1, 2, 3, etc.) in the order of their importance to you.

Relative standing in the group in terms of total number of responses:

- Air, water pollution, environment.
- End war in Vietnam.
- Inflation, unemployment, cost-of-living.
- Narcotics traffic and addiction.
- Hunger and Malnutrition.
- Conquering "killer" diseases.
- Education.
- Syndicate or organized crime.
- Street, house-breaking crimes and root causes of them.
- Housing.
- Plight of Cities.
- City, suburban transportation.
- Racial discrimination.
- Highway safety and construction.
- Expanded job training for disadvantaged.
- Space program.
- Foreign Aid.

NATIONAL COUNCIL OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS ENDORSES THE ABOLITION OF THE DRAFT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, several weeks ago I and a group of 60 other Representatives introduced a bill to implement the Gates Commission's recommendations and establish an all-volunteer army.

This is an issue which has gained support from Members of both political parties and across the entire ideological spectrum. Many groups and associations realize the need to end the draft. One of

these is the National Council of Young Men's Christian Associations.

At a recent meeting, the national council resolved that "the national administration and the Congress give very high priority to complete abolition of the draft at the very earliest possible date." The entire text of the resolution follows:

RESOLUTION OF THE NATIONAL COUNCIL OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS ON THE SELECTIVE SERVICE SYSTEM

Whereas, the issue of Selective Service is one of the deepest concern to the young people in whom the YMCA should have the greatest interest and to whom the YMCA should have the most desire to appeal; and

Whereas, the National Board of the YMCAs adopted on February 7, 1970, a comprehensive resolution on the subject of Selective Service based on a careful study by a well qualified, broad based task force;

Now, Therefore, be it resolved that the National Council of the YMCAs of the USA

endorses and supports the Resolution adopted February 7, 1970 by the National Board of the YMCAs concerning Selective Service and urges its widespread dissemination and support; and

Resolved, further, that the National Council urges the national administration and the Congress to give very high priority to complete abolition of the draft at the very earliest possible date; and

Resolved, further, that copies of this Resolution and of the February 7, 1970 National Board Resolution be sent to the President, the Secretary of Defense, and every member of Congress.

RICHARD L. WEITZEL

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. GAYDOS. Mr. Speaker, the adults of each generation, it seems, view the youth of the day with extreme skepticism. They study the youth, their ideas and ideals, their fads and their interests, and they wonder what will become of the Nation when the boy becomes a man.

Strangely enough, the Nation has prospered under each generation. Each has produced outstanding men in every walk of life. The youth of today, I believe, will perform likewise.

For instance, Richard L. Weitzel, a 14-year-old boy from West Mifflin, Pa., in my 20th Congressional District, has all the earmarks of becoming such a leader of tomorrow. A son of Mr. and Mrs. Richard L. Weitzel, this young man was one of 34 boys in the entire Nation selected to the 1970 Pop Warner All-American Team of Little Scholars. He was chosen for his excellent performance as a scholar, an athlete, and a leader.

I would like to insert in the RECORD the letter announcing Richard's selection to the All-American team along with two articles from his community's newspaper, the New Daily Messenger. These articles summarize Richard's many accomplishments today and it is obvious why he was selected for the Pop Warner All-Stars.

Mr. Speaker, I believe the late Glenn Scobie Warner, for whom this national football organization was named, would have been proud of Richard. I know I am.

The material referred to follows:

POP WARNER LITTLE SCHOLARS, INC.,
Philadelphia, Pa., June 10, 1970.

Master RICHARD WEITZEL,
West Mifflin, Pa.

DEAR RICHIE: It is with great personal pleasure that I inform you officially of your selection to the 1970 Pop Warner All American Team of Little Scholars.

Your proven accomplishments in the field of scholarship, athletics, and community service have marked you as an ideal example of the finest qualities of American youth and eminently qualifies you to take part in this year's 19th annual Little Scholars' Pilgrimage to Cincinnati, Ohio from August 2 to August 9, 1970.

You and your parents can be justly proud of this recognition which places your name on a select list of scholar-athletes who have emulated the character building example of the late, great Glenn Scobie "Pop" Warner.

Congratulations and sincere best wishes for a wonderful and enlightening trip.

Yours truly,

ANTHONY F. VISCO, Jr.,
National Football Commissioner,
Pop Warner Junior League Football.

[From the Daily Messenger, June 20, 1970]

RICHARD WEITZEL NAMED TO POP WARNER TEAM

Richard L. Weitzel, son of Mr. and Mrs. Richard L. Weitzel, 101 5th Avenue, West Mifflin, Pennsylvania, has been selected as a member of the 1970 Pop Warner All American Team of Little Scholars.

Chosen for his excellent performance in the classroom, gridiron, and all-around leadership, Little Scholar Richard Weitzel will travel as part of a squad of 34 Little Americans for a one week pilgrimage to Cincinnati, Ohio.

Highlights of this trip will be their attendance at the opening day game at Cincinnati's new Riverfront Stadium between Paul Brown's Cincinnati Bengals and Vince Lombardi's Washington Redskins, a visit with Ohio Governor, James Rhodes, and trips to the professional football Hall of Fame in Canton and to the Air Force Museum in Dayton.

Richard is "a credit to his family and his community" according to the Hon. Joseph M. Gaydos, U.S. Congressman, House of Representatives, from Pennsylvania. Richard, the top student in the ninth grade class of 256 at Homeville Junior High is on the stage crew and editor of Homeville J. High School newspaper, and a member of the Knights of the Altar, Catholic Youth Organization, and the National Honor Society; he also received the American Legion Scholarship Award. Richard plays spit end and halfback for the West Mifflin Trojans, coached by Donald T. Polens, Steel Valley Football League. He was named "Most Valuable Player." Richard, 14 years old, would like to go to Notre Dame.

According to Herbert Barnes, Pop Warner Board Chairman, each Scholar-Athlete represents an outstanding example of the qualities emulated by the late, great Glenn Scobie "Pop" Warner for whom the nationwide junior grid organization was named. All of the named Little Scholars will receive a framed certificate signifying their achievement and recognition as an outstanding American youth.

The nationwide youth football program that bears his illustrious name (Pop Warner Junior League Football), now in its 42nd year of operation, continues to innovate the grid game at the very grass roots level of pre-high school football.

Working with youngsters between the ages of seven and fifteen years, the Philadelphia headquartered Pop Warner Junior League Football program has pioneered safety-first football, where youthful grid opponents are carefully and strictly matched according to both maximum and minimum age and weight limitations.

[From the New Daily Messenger, July 1, 1970]

FROM THE SIDELINES

(By Ray P. Johnston)

Ray Weitzel is a perfectionist!

Whether behind his desk at Homeville Junior High, as a member of the Catholic Knights of the Altar, or as half-back and spit end for the West Mifflin Trojans, Rich Weitzel is not satisfied with second-best.

The 14-year-old student has been selected as a member of the 1970 Pop Warner All American Team of Little Scholars; not an honor to be taken lightly—but then, Rich Weitzel doesn't take anything lightly.

Only the best can make the Pop Warner team. Needless to say the son of Mr. and Mrs. Richard L. Weitzel of 101 Fifth Ave., West Mifflin worked hard for the honor.

He was chosen for excellence; in the classroom, gridiron, and all-around citizenship and leadership. He'll travel as part of a squad of 34 Little All Americans for a one week pilgrimage to Cincinnati, Ohio.

He'll be there at the opening day game at Cincinnati's new Riverfront Stadium between Paul Brown's Cincinnati Bengals and Vince Lombardi's Washington Redskins.

He'll visit Ohio Governor James Rhodes. He'll take trips to the Professional Football Hall of Fame in Canton and the Air Force Museum in Dayton.

Richard Weitzel has proven himself worthy of the honor and his accomplishments have brought honor to his family, his school, his team and his community. Congressman Joseph M. Gaydos recently cited Richard for being a credit "to his family and his community."

They say that brains and football just don't go together. Rich Weitzel is proving that statement wrong, and he's spelling it out in capital letters.

Rich Weitzel is the top student at Homeville Junior High in a class of 256. He's on the stage crew. He's editor of the Homeville Junior High newspaper and he's a member of the Knights of the Altar, Catholic Youth Organization. The young athlete is a member of the National Honor Society. He also received the American Legion Scholarship Award.

When the young scholar sets his books down and picks up a football he means business. He plays spit end and halfback for the West Mifflin Trojans, coached by Donald T. Polens, Steel Valley Football League.

Named the "Most Valuable Player," he has no doubts about his future. He wants to go to Notre Dame.

The way things look, he'll make it!

NAZI DOCUMENTATION CENTER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. WOLFF. Mr. Speaker, a distinguished constituent of mine, George H. Rausch, has called to my attention a problem regarding the threat to continued operation of the Nazi documentation center which has been operated by Simon Wiesenthal and which has been instrumental in bringing many former Nazi officials to justice.

Though we cannot bring back the 6 million dead we can bring to justice those responsible for the holocaust.

Mr. Rausch's letter and a letter he received from Mr. Wiesenthal fully explain the present situation confronting the documentation center.

Considering the importance of this matter in providing for international justice I commend these letters to my colleagues' attention and include them in the RECORD at this point:

JUNE 25, 1970.

HON. LESTER D. WOLFF,
Cannon House Office Building,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WOLFF: You are aware, I am sure, of Simon Wiesenthal's great contribution to the cause of justice. It has been through his efforts that international criminals like Eichman were brought to the bar, and his Documentation Center, at this time, is the only agency in the whole world con-

cerned with bringing to justice individuals of such infamy. It is unthinkable that the free peoples of this world should brook any interference with this man's work.

I am enclosing a copy of a letter we have just received from Mr. Wiesenthal.

We hope that you will find it possible to bring the potential threat to the Documentation Center to the attention of not only the Congress of the United States, but such other officials in our Government who can speak for the people of America and intervene in the Center's behalf.

It gives me a great sense of security to know that this matter will have the support of your influence in Washington.

Most cordially,

GEORGE RAUSCH.

DOKUMENTATIONSZENTRUM DES
BUNDES JUDISCHER VERFOLGTER
DES NAZIREGIMES,

June 16, 1970.

Dear Friends of the Documentation Center:

You have certainly read in the papers about the heavy attacks and defamations on the party-congress on June 11th of the Austrian Socialist Party which forms the Government, against me and the Documentation Center. Minister Leopold Gratz called the Documentation Center a "Feme- und Spitzelorganisation", i.e. vehmic and secret-agent organisation.

We did not accept this silently, but brought an action against Minister Gratz. Our friends abroad—particularly the organisations of the Nazi-prosecuted, organisations of the Resistance, Jewish and non-Jewish—sent telegrams of protest to Chancellor Dr. Kreisky and to the Socialist Party.

We know very well that the Socialist Party needs the votes of the former Nazis for to reach the majority. It is reported that there might be a Nazi-amnesty.

In the present Austrian Government there are several Ministers with a Nazi past. Considering this the Documentation Center did not dare to let that pass without pointing to it. Our friends in Austria understood that the Minister threatened to have the Documentation Center closed.

Presently we are the only ones to be active against the Nazis. If you think the Documentation Center must not be silenced please cable your opinion to Chancellor Dr. Bruno Kreisky, Bundeskanzleramt, 1010 Vienna, Ballhausplatz, or to the Sozialistische Partei Österreichs, 1010 Vienna, Löwelstr. 18. If you think that some of your friends might be willing to do the same, please give them the address and our thanks.

With kindest regards,

SIMON WIESENTHAL, Dipl.—Ing.

CRIMINAL JUSTICE PROFESSIONS ACT

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MIKVA. Mr. Speaker, the years of neglect and distorted priorities which have led us to ignore the needs of our criminal justice system—our police departments, our courts, our jails and prisons, and our probation and parole services—have now resulted in the personnel who staff those institutions becoming the target of much unwarranted criticism and abuse.

Police and law enforcement officers—the vast majority of whom are dedicated and conscientious public servants—are

criticized and ridiculed by those who have never faced the hard decisions which the policeman makes every day he is on the beat. Judges whose inadequate numbers and insufficient resources delay the trial process for months are accused of "coddling criminals," because we have not provided the wherewithal to bring defendants to trial fast enough. Overloaded parole and probation officers are asked to carry casework burdens which are twice or three times the optimum for adequate supervision. Jail and prison administrators are so short-handed that 80 percent of their time and money must be spent on purely custodial functions, with no resources for the rehabilitation which is supposed to be the objective of a corrections system.

Staggering under these accumulated burdens of neglect, the morale of the men and women who staff the institutions of our criminal justice system is falling disastrously. Recruitment and training of new talent for these essential fields is often impossible because of inadequate pay and because of the low regard in which these occupations are held by some people. Even when pay and status are at acceptable levels, the danger involved in criminal justice occupations—especially in police work—often destroys morale and removes the incentive for aggressive and imaginative law enforcement work. In my home in Chicago, seven police officers were tragically shot in the line of duty during 1969. In the last month alone another three more officers were murdered while on duty.

Clearly some assistance from the Federal level is required on an emergency basis if we are to avoid having the administration of criminal justice break down entirely in our major metropolitan areas where crime is concentrated. For this reason I am introducing today a bill entitled the Criminal Justice Professions Act. This proposal would begin to revitalize the criminal justice occupations, to provide incentives for broader-based recruitment and better training and education, to supply the rewards of better pay and higher social status for the men and women in the criminal justice professions.

The bill has three main parts. First, it would provide for Federal programs to increase the educational and training opportunities open to police, court administrators, and corrections specialists. It would provide them fellowships of \$3,500 per year for graduate or professional programs of study, it would subsidize travel to other jurisdictions within the United States and in foreign countries to study the advanced techniques of law enforcement and corrections in other locations. Finally, it would establish a program of local and regional seminars and for the exchange of modern, up-to-date approaches to the problems of administering the criminal law. All of these programs would be designed to increase the opportunities for criminal justice professionals.

A second part of the bill would go beyond improving opportunities to improve the incentives and rewards for criminal justice professionals. One section would authorize payments by the Law En-

forcement Assistance Administration to State and local criminal justice agencies to pay educational achievement supplements to the salaries of their personnel. These supplements could be as much as 5 percent of the employee's basic salary for a degree from a 2-year accredited institution of higher education, 10 percent for a 4-year degree, and 15 percent for a graduate degree.

In addition there would be incentive payments—subsidized by the Federal Government—for service in high crime and high risk areas. The areas which qualify for such incentive pay would be determined by the IEAA Administrator in consultation with local police authorities.

I should add at this point that I sponsored another bill in July of last year, H.R. 13054, to extend Federal survivors' and disability benefits to local law enforcement and firemen, or their families, when these men are killed or totally disabled in the line of duty. This kind of guaranteed coverage would in some areas provide a significant additional incentive to recruitment and retention of men in these often hazardous occupations. I still find it difficult to understand why President Nixon's Attorney General and the Justice Department have opposed this proposal to benefit the courageous men of our local police and fire departments.

The third and final part of this bill would focus the efforts of our criminal justice professionals on those areas which are the proper concern of the criminal law—dangerous and harmful crimes against persons and against property. Title III of the Criminal Justice Professions Act would establish a Commission To Study the Limits of the Criminal Sanction. The Commission would be composed of the chief Federal law enforcement officer—the Attorney General—as well as the Secretary of Health, Education, and Welfare, Members of the House and Senate, and three criminologists from private life appointed by the President, one of whom would be designated Chairman.

The purpose of the Commission is to study these many areas of behavior which we are now trying to regulate or control using the criminal law, but which are, in reality, not suited to control through the criminal law. Such areas as drunkenness and alcoholism, family relations problems, traffic control and accident investigation, narcotics addiction, abortion, gambling, and vagrancy are social, medical, and economic problems. But perhaps they should not be criminal problems. Treating them as criminal problems means that the valuable skills and time of police, prosecutors, judges, and sometimes corrections, probation and prison personnel must be devoted to what are essentially social, medical, or economic problems.

The Commission would study which, if any, of these questionably criminal areas could be better controlled, regulated or treated through social or medical programs rather than through the criminal law. As just one example, over half of the arrests in the United States in a recent year were for drunkenness. The time which police and judges could save if

these problems were handled by local Alcohol Treatment Centers would be an invaluable contribution to the war against violent street crime. Similar savings might well be possible in analogous areas like traffic control, family relations, and so forth.

In addition to studying possible areas of decriminalization, the Commission would recommend the best types of incentives to encourage States and local governments to switch from criminal treatment to social or medical means for handling behavior which can best be controlled or regulated through non-criminal programs.

In the three principal ways described above—by creating additional opportunities, by providing real incentives to take advantage of those opportunities, and by focusing the skills and efforts of criminal justice personnel on serious crime problems, the Criminal Justice Professions Act could make a real contribution to revitalizing the police departments, criminal courts, and corrections programs of our Nation's cities. And revitalize them we must if we are ever, in the words of the Founding Fathers, "to insure domestic tranquillity."

VOTER REGISTRATION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BROWN of California. Mr. Speaker, once again I am contacting every resident of my district in an effort to aid in increasing voter registration. This year, I am pleased to note, two excellent civic-minded organizations are cooperating to make this a completely nonpartisan effort—the California League of Women Voters and the California Jaycees. I want to commend these two organizations and am inserting the text of the card I will send out at this point in the RECORD:

Voter Registration '70 (Sponsored by: California League of Women Voters and California Jaycees), Post Office Box #1765, Santa Monica, California 90406.

DEAR CONSTITUENT: The act of voting is fundamental to a democracy. But you cannot vote unless you are registered. If you, or anyone in your household, are eligible to vote but unregistered at this address, I urge you to register before September 10, so that you may vote in November.

To help you in this process, I am providing the attached form. If you are unregistered, please fill it out and mail it. It will be given to a Deputy Registrar and every effort will be made to register you to vote.

You are eligible to register to vote if by November 3: you will be 21 years of age, have lived in California for one year and the county for 90 days.

If you have any questions, please call one of the numbers below.

GEORGE E. BROWN, JR.,
Member of Congress.

Republican: 256-3121 (Northeast Los Angeles). 483-9550 (Los Angeles).

Democratic: 261-4122 (East Los Angeles—habla Espanol). 666-5171 (Northeast Los Angeles).

Registrar of Voters—628-9211.

Congressional Offices: 688-4644 (Los Angeles), 287-0302 (San Gabriel).

If you are not now registered to vote fill in and return.

(Note: filling out and returning this card does not register you to vote, but every effort will be made to have a Deputy Registrar contact you).

To: Congressman George Brown:

We are presently not registered to vote:

(Please print)

Names: _____

Address: _____

City: _____ Zip: _____

Phone: _____

Best time to contact: In the evening, during the day, call first.

Please ask the Democratic, Republican, Peace and Freedom, American Independent,

Party to have a Deputy Registrar contact me.

Registration closes September 10.

IT IS POSSIBLE TO ERADICATE MARIHUANA

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. SPRINGER. Mr. Speaker, I append herewith the third article of a four part series written by Ed Borman, news editor of the News-Gazette, Champaign, Ill., on how it is possible to eradicate marihuana.

Dr. Ellery Knake of the University of Illinois is an agricultural expert on noxious weeds and their elimination.

Dr. Knake gives a simple explanation on how it is possible to control marihuana with a chemical spray provided that it is done at the right time and the spraying must be widespread.

In view of the many questions that have been asked members of the Interstate and Foreign Commerce Committee about marihuana eradication, I know that this article by Mr. Borman will be most informative.

The article follows:

IT'S POSSIBLE TO ERADICATE MARIHUANA

(By Ed Borman)

The University of Illinois' top weed specialist has told a congressional investigator that \$1 worth of 2-4-D chemical will kill marihuana growing along two miles of fence row.

However, Dr. Ellery Knake emphasized that the chemical must be sprayed at the right time—when the marihuana is not more than two feet tall.

And, he said, the spraying must be widespread, not just here and there by a few conscientious farmers.

Dr. Knake and student associates at the UI have cultivated and sprayed marihuana at the Urbana municipal dump to demonstrate what can be done.

He provided reports to Robert Rebein, an investigator for the Interstate and Foreign Commerce Committee of the U.S. House of Representatives, with the hope that federal authorities will join in the efforts to get something done with Illinois marihuana that is being harvested and sold in nationwide narcotics traffic.

Dr. Knake's principal mission in life is to disseminate the know-how of the UI College of Agriculture to Illinois farmers. He has tried that on the marihuana problem—through pamphlets, newspaper stories, radio-tv, and stories in farm journals.

And still the marihuana flourishes within a few miles of the University campus and over much of the Midwest.

Dr. Knake told the congressional investigator who came here this week that he is convinced it will take something more than the "educational" and "voluntary" approach of the past.

He believes that more governmental action is required against the plant that was introduced into this area as part of a national effort and now has become a national social problem. Marihuana is wild hemp. Hemp is the source of fiber for rope. When normal supplies from the Philippines were shut off during World War I and II, Midwest farmers were encouraged to grow hemp to make rope for the Navy.

Old-timers can recall when there was 187 acres of hemp in one field near Thomasboro. The hardy plant now grows profusely in uncultivated areas such as along fence rows, ditch banks, and Interstate highways.

The problem of eradication, according to Dr. Knake, is that to be effective, spraying must be done in May, June or no later than July—when the marihuana plants are not more than two feet tall, preferably smaller.

At that time of the year, Illinois farmers are busy cultivating corn and soybeans.

In the "educational" and "voluntary" approach, farmers are being asked to leave their corn and soybean work—when "it may rain tomorrow"—and spray the marihuana that is doing the farmers no harm.

Human nature and modern farm problem being what they are, Dr. Knake concedes that is asking a lot.

To the credit of farmers, he points out that many of them make an effort to get rid of the weed later in the year—about this time, when the pickers start coming to Champaign County from all over the country. By then, the specialist explains, the weed is seven or eight feet tall and so tough that most feasible sprays won't kill it, and only the sharpest of blades will cut it.

Marihuana is an annual plant, which perpetuates itself with seeds. The seeds now forming will bring on an even larger crop next year.

The 1969 Illinois Legislature tried to attack the problem by declaring marihuana a "noxious weed" and attempted to apply the same procedures which eradicated Canadian thistle and other troublesome weeds from the state's farmland.

Chairman Wesley Schwengel of the Champaign County Board of Supervisors a farmer, told the congressional investigator that the board's Noxious Weed Committee, headed by Lowell Routh of St. Joseph, has made a conscientious effort to apply the new state law here, but it hasn't worked.

Weed commissioners were appointed in 12 Champaign County townships, but they have been ineffective and the illicit pickers are flocking to the fields again.

"We're going to have to have some help from somewhere," Schwengel told the congressional investigator.

Dr. Knake envisions a combination of township weed commissioners, who know their home areas and their neighbors well, and a concentrated government-financed spraying crew working steadily during the critical times of June and July, when the weed is susceptible to spraying with cheap chemicals without danger to farm crops. The local commissioners could report where the spray crew was needed.

The UI agronomist points out that marihuana eradication can not be an "overnight" or even one-year job. Because the hardy seeds can lay dormant in the soil, it will take two three or four years, but he says, "It is quite possible to get rid of it gradually and ultimately to get ahead of it."

Congressman William L. Springer arranged for the congressional investigator, a former FBI agent, to come here because the House Interstate and Foreign Commerce Commit-

tee has before it a bill which seeks to modernize the federal laws on narcotics and drugs. Springer is the senior Republican on the committee.

The pending bill, on which Springer is a principal sponsor, continues the classification of marijuana as an illegal narcotic and gives the U.S. attorney general authority to eradicate it.

However, the proposed law will not mean eradication unless some agency is given the direction and the funds to do something about it.

THE SST

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. CULVER. Mr. Speaker, of major concern to those who are interested in the preservation of the environment is the proposal for the development of the supersonic transport plane—SST. Scientists studying the SST are now learning that what may appear to be progress in air travel could actually result in the further deterioration of our environment.

The SST is designed to carry its passengers faster than the speed of sound everywhere and everything within a 50-mile swath along the entire length of the supersonic flightpath will be struck by a severe shockwave. The SST under development now is being subsidized with Federal funds, and should not be confused with the new Boeing 747, the jumbo jet, which travels just below the speed of sound, produces no sonic boom, and has been financed entirely by the aviation industry.

Of the objections to the development of the SST raised by environmental groups such as the National Audubon Society and the Wilderness Society, the following seem to be the most significant:

First. Climatic change: Flying at altitudes between 60,000 and 70,000 feet, the SST will put large quantities of water, carbon dioxide, and nitrogen oxides into a section of the atmosphere that is isolated from the lower atmosphere.

Warning that—

This is potentially such a significant problem that we really must understand it before proceeding in any way to alter the water vapor content of this part of the atmosphere—

Dr. Gordon J. F. McDonald, the scientist member of the Council on Environmental Quality, pointed to two dangerous consequences: First, if the concentration of water is increased sufficiently, it could form high, thin layers of cloud in this part of the atmosphere that could persist for a long time, and potentially could have a very large effect on climate; second, putting water into this part of the atmosphere will decrease the amount of ozone which shields the earth from damaging radiation. If, by any agent, ozone is stripped from the atmosphere, life on earth, except in the oceans, would end.

Second. Sonic boom: A sonic boom arrives with a sudden, loud bang and a pressure disturbance capable of shatter-

ing windows, cracking plaster, vibrating shelves, and triggering rock slides. If overland supersonic flight is permitted, people working, relaxing, and sleeping will be disturbed repeatedly, and damage to glass, plaster, and other materials could amount to several million dollars per day.

An alternative is a total ban on all overland supersonic flight. The FAA has proposed such a regulation. But, if it should develop that the economic success of the SST depends on overland flight—as one Department of Transportation official put it, "It's easier to change a regulation than a law." The sonic boom problem will not end with restricting supersonic speeds to over-water flights. Every SST that would fly the Atlantic would boom an estimated 4,000 persons on the ocean. The booms would be especially intense just off the coast, the greatest concentration point of commercial shipping, fishing, and pleasure vessels. Persons on such ships must expect as many as one or two sonic booms per hour, day and night.

Third. Air pollution: While serving as Under Secretary of the Interior, Mr. Russell Train, Chairman of the Council on Environmental Quality, cited atmospheric pollution and ground contamination as yet another environmental hazard posed by the SST. The operation of SST's at subsonic speeds—including speeds necessary for takeoff and landing—results in inefficient fuel combustion which releases a heavy discharge of pollutants. Inefficient fuel combustion is no small problem when the amount of fuel consumed by the SST is taken into account: for instance, during takeoff the SST burns 1 ton of fuel each minute—far more than subsonic jets burn for the same operation.

Fourth. Airport noise: According to one scientist, when the SST on landing and takeoff tears down its 2-mile runway, it will be like 50 subsonic jets taking off simultaneously. These landings and takeoffs are expected to produce noise levels exceeding 100 decibels—a pavement breaker registers 115 decibels at the operator's ear—over an area 4 miles long and approximately 2 miles wide surrounding the runway. The noise field would be three to four times louder than current FAA standards permit.

The President's SST Ad Hoc Review Committee reported that the noise levels of SST operations will be intolerable and the apparent cause of a wide variety of adverse effects to the populations in communities bordering SST airports. Not only does prolonged exposure to intense noise produce permanent hearing loss, but recent studies show that such exposure may harm other organic, sensory, and physiologic functions of the human body.

The House of Representatives by a very close margin recently approved an additional \$200 million in Federal funds for the development of the SST. Action in the Senate on the SST will be taken this fall.

The question of the SST is a critical problem for all Americans. As an industrialized society, we must control progress—progress cannot control us.

HOW TO RESPECT AND DISPLAY OUR FLAG

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. HELSTOSKI. Mr. Speaker, in recent weeks I have received numerous complaints about the misuse and defiling of the American flag. I know that other Members have heard similar protests from their constituents.

Americans are concerned about the desecration of the flag and the growing commercial and political abuse of it in violation of true patriotism and the laws of our land.

Many of those who have contacted me have asked for official information on the proper use and display of the flag. Thus, I am furnishing my constituents with copies of the pamphlet, "How To Respect and Display Our Flag", prepared by the Veterans Day National Committee based on House Resolution No. 408, adopted February 5, 1962.

I firmly believe in the provisions and rules set forth in this document and am having reprints made of it at my own expense so that my constituents will have as much information as possible about how to honor this valued part of our national heritage.

The American flag is one of our most hallowed national symbols. It was adopted by the Continental Congress on June 14, 1777, as our national emblem and stands, in effect, for the birth of our Nation and our democratic way of life.

Most Americans do honor and respect the flag and the things it stands for, but there are those who blatantly spit on it, burn it, drag it in the dirt, wear it as an article of clothing, employ it for advertising purposes and maliciously use it as part and parcel of their campaigns for political office.

To acquaint everyone with the provisions governing respect and display of our flag and the things that may and may not be done with it, I hereby place in the Record the text of the pamphlet published by the Veterans Day National Committee:

HOW TO RESPECT AND DISPLAY OUR FLAG

The Pledge of Allegiance to the Flag: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

FLY YOUR FLAG REGULARLY AND CORRECTLY, HERE'S HOW!

The U.S. flag when carried in a procession with another or other flags, should be either on the marching right (the flag's own right), or, if there is a line of other flags, in front of the center of that line. Never display the U.S. flag from a float except from a staff, or so suspended that its folds fall free as though staffed.

The U.S. flag, when displayed with another flag against a wall from crossed staffs, should be on the U.S. flag's own right, and its staff should be in front of the staff of the other flag.

The U.S. flag should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.

When other flags are flown from the same halyard, the U.S. flag should always be at the peak. When other flags are flown from adjacent staffs, the U.S. flag should be hoisted first and lowered last. No flag may fly above or to the right of the U.S. flag (except flags of other nations; see below).

When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.

When the U.S. flag is displayed from a staff projecting from a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When suspended from a rope extending from the building to a pole, the flag should be hoisted out, union first, from the building.

When the U.S. flag is displayed other than from a staff, it should be displayed flat, or so suspended that its folds fall free. When displayed over a street, place the union so it faces north or east, depending upon the direction of the street.

In the chancel of a church or on a speaker's platform the U.S. flag is placed to the speaker's right. Other flags are to be placed to the speaker's left. When displayed elsewhere than on the platform, the U.S. flag should be placed at the right of the audience facing the platform. Other flags are to be to the left of the audience.

If displayed flat against the wall on a speaker's platform, the U.S. flag should be placed above and behind the speaker with the union of the flag in the upper left hand corner as the audience faces the flag.

The U.S. flag should form a distinctive feature at the ceremony of unveiling a statue or monument, but should never be used as the covering for the statue or monument.

When the U.S. flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground. The flag, when flown at half staff, should be first hoisted to the peak for a moment and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.

During the ceremony of hoisting or lowering the flag or when the flag is passing in parade all persons should face the flag, stand at attention and salute. A man should remove his hat and hold it with the right hand over the heart. Men without hats, and women salute by placing the right hand over the heart. The salute to the flag in the moving column should be rendered at the moment the flag passes.

IMPORTANT DO'S

It is the universal custom to display the national flag only from sunrise to sunset on buildings and on stationary flagstaves in the open, but it should not be displayed on days when the weather is inclement. The U.S. flag may be displayed at night upon special occasions when it is desired to produce a patriotic effect.

Display the U.S. flag on all days that weather permits but especially on national and state holidays and other days that may be proclaimed by the President of the United States. On Memorial Day, the U.S. flag should be half-staffed until noon.

The U.S. flag should be displayed on or near the main building of every public institution, during school days in or near every schoolhouse, and in or near every polling place on election days.

Always hoist the U.S. flag briskly. Lower it ceremoniously.

IMPORTANT DON'TS

Never in any way should any disrespect be shown the U.S. flag.

The U.S. flag should never be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are dipped as a mark of honor.

The U.S. flag should never be displayed with the union down except as a signal of dire distress.

The U.S. flag should never touch anything beneath it—ground, floor, water or merchandise.

The U.S. flag should never be carried horizontally, but always aloft and free.

Always allow the U.S. flag to fall free—never use the U.S. flag as drapery, festooned, drawn back, or up in folds. For draping platforms and decoration in general, use blue, white and red bunting. Always arrange the bunting with blue above, the white in the middle, and the red below.

The U.S. flag should never be fastened, displayed, used or stored in a manner which will permit it to be easily torn, soiled or damaged in any way.

Never use the U.S. flag as a covering or drape for a ceiling.

Never place anything on the U.S. flag. The U.S. flag should never have placed upon it, or on any part of it, or attached to it, any mark, insignia, letter, word, figure, design, picture or drawing of any nature.

Never use the U.S. flag for receiving, holding, carrying or delivering anything.

The U.S. flag should not be embroidered on such articles as cushions, handkerchiefs, and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard; or used as any portion of a costume or athletic uniform. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

When the U.S. flag is in such condition that it is no longer a fitting emblem for display, it should be destroyed in a dignified way, preferably by burning, privately.

DISPLAY THE FLAG DAILY, ESPECIALLY ON HOLIDAYS

New Year's Day, January 1.

Inauguration Day, January 20.

Lincoln's Birthday, February 12.

Washington's Birthday, February 22.

Easter Sunday (variable).

Mother's Day, second Sunday in May.

Armed Forces Day, third Saturday in May.

Memorial Day, May 30 (half staff until noon).

Father's Day, first Sunday in June.

Flag Day, June 14.

Independence Day, July 4.

Labor Day, first Monday in September.

Citizenship Day, September 17.

Columbus Day, October 12.

Veterans' Day, November 11.

Thanksgiving Day, fourth Thursday in November.

Christmas Day, December 25.

Other days as may be proclaimed by the President of the United States.

Birthdays of States (dates of admission).

All State and local holidays.

All election days.

DISCRIMINATION OF JEWS IN RUSSIA

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. PATTEN. Mr. Speaker, I would like to bring the plight of the Soviet Jews to the attention of the House. This tragic drama of discrimination on the part of the Soviet Government is an appalling situation which must be quickly reme-

died. I believe there can be no delay in letting the Russians know that the free world deprecates this blatant persecution of the Jews in that nation. We must urge the Soviet Government to permit the Jewish people of Russia to fully enjoy the traditions of their faith.

Although under Lenin the Soviet Union had been a center of Jewish culture, present-day Russia has not yet emerged from the Stalinist persecution of the Jews. There are no Yiddish schools for teaching Hebrew and Jewish thought, only a few Jewish theaters—and these are not permanent—and only one Yiddish periodical, printed once a month. The dissemination of Jewish culture must be accomplished through "underground" presses and "underground" books on Jewish life. There are no seminaries to replace the now elderly rabbis and only 62 synagogues exist to service the nearly 3 million Soviet Jews. Attendance of Jewish services is discouraged by employers and school officials.

The masses appear to interpret the Soviets' new campaign against Zionism as an endorsement of anti-Semitism by their government. In the universities, there are higher barriers to entrance for applicants with Jewish names, and the job market also has barriers against advancement by Jews. In all, the present situation is bleak.

In spite of all opposition, however, the young Jews of Russia are becoming more aware of their ethnic background. They are demanding recognition and assistance from the Soviet Government. These people are courageous and need our support. I feel that this body, as a representative body of the American people, has an obligation to speak out against the injustices now suffered by the Jews of Russia. It is the only just action that we can pursue.

WE NEED ESTABLISHMENT

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ZWACH. Mr. Speaker, I read an interesting column, aptly named "To the Point" in the St. Cloud Visitor in our Minnesota Sixth Congressional District, which I would like to share with my colleagues by inserting it in the CONGRESSIONAL RECORD.

The column caught my attention because in these days of damning the Establishment, the young Catholic priest columnist, Father James Hahn, explains that the Establishment is a vital and necessary part of our way of life.

Mr. Speaker, I insert Father Hahn's column in the RECORD:

WE NEED ESTABLISHMENT

Early in basic sociology classes, students learn that some type of organization is needed wherever two or more individuals come together. A definite division of labor is needed if confusion is to be avoided.

Even social insects such as ants and bees demonstrate remarkably clear-cut responsi-

bilities. Other gregarious creatures accept roles in their flocks and herds. People clustered into small tribes and clans curb their individual freedoms for the sake of some security in a large community.

Establishment is a "dirty word" for many. It is envisioned as a monstrous perversion, designed by a few crafty persons seeking positions of power to trample individual rights. They consider powerful organizations—civil or ecclesiastical—as inherently evil.

This view—while it claims a certain simplistic enthusiasm—cannot be true, let alone practical. While there is a constant danger of excessive repression found in all structures, chaos is the alternative. If individuals are to live and work in harmony, some order must be established and maintained. This fact is demonstrated by freedom and liberation movements themselves which are directed by a tightly structured and even autocratic nucleus of leaders.

To the point, we need some forms of structure—even the much-maligned establishment. Recognizing the necessity of organization, our efforts should be directed to evaluation and improvement. If a structure has become so antiquated or oppressive that it cannot be renovated, we had better prepare a notably improved alternative before we destroy what we have.

God created us as social beings. "Going it alone" might be a romantic idea, but it is doomed to failure. We should endeavor to make our systems of cooperative living the best possible—simply because we really do need each other!

DR. CLAUDE FLY—AMERICAN HOSTAGE IN URUGUAY

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MIZE. Mr. Speaker, civilized men everywhere were shocked and saddened when the Tupamaros guerrillas kidnapped three diplomats, and murdered one in Uruguay.

Dr. Claude Fly, an agricultural scientist, remains a captive of this blood-thirsty band of terrorists.

Dr. Fly is a graduate of Colorado State University at Fort Collins. He began his career with the Soil Conservation Service in 1935, soon after that agency had been established to deal with the Dust Bowl emergency in the Great Plains area.

After transfer to the regional office of SCS at Lincoln, Nebr., in 1942, Dr. Fly worked as a soil science specialist making reconnaissance surveys of the Dust Bowl region. In 1948, he was transferred to Manhattan, Kans., and served as the Kansas State Soil Scientist for about 4 years.

In 1952, Dr. Fly took a leave of absence from the USDA to begin a career overseas in Afghanistan. Since that time, he has worked on important agricultural projects in various foreign countries and the United States. He has worked on the Volta River Valley irrigation project in Ghana and in several South American countries.

It is a terrible tragedy when men committed to elimination of hunger and malnutrition throughout the world, such as Dr. Fly, are made the victim of savage

guerrillas. These innocent and completely dedicated men deserve the compassion and support of all people who value the rule of law above violence and justice above repression.

Dr. Fly's many friends in Manhattan, Kans., and Mrs. Mize join me in the prayerful hope that he may be returned safely to his family and to the service of humanity in a hungry world.

GOVERNORS APPROVE USE OF HIGHWAY FUNDS FOR OTHER TRANSPORTATION PURPOSES

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BINGHAM. Mr. Speaker, as a sponsor in the House since 1965 of legislation that would permit the States to use a portion of the money they receive from the Federal highway trust fund for other transportation purposes, I was pleased to read in today's press of the action of the National Governors' Conference in support of a similar provision.

The resolution passed Wednesday by the conference, reversing its earlier action, supports an aviation trust fund and an urban mass transit fund trust in addition to the current highway trust fund, and declares:

The Governor should be permitted to exercise his executive prerogatives in meeting the needs of his State by having the ability to transfer, upon a limited basis, funds among the various Federal transportation trust funds and grant programs to meet his own State's priority transportation needs.

The Governors' resolution calls specifically for amendment of existing Federal legislation "to allow each State executive the flexibility to carry out the State-determined priorities and needs for transportation development."

My legislation—H.R. 135—which is sponsored by Senator TROTT in the Senate, would largely achieve what the Governors have proposed, and I am greatly encouraged by their endorsement of the idea that highway funds should be available for other forms of transportation where needed.

Today's New York Times report of the action of the Governors' Conference on this matter follows:

GOVERNORS SEEK SHIFT IN FUND USE—ASK TO SPEND U.S. HIGHWAY MONEY ON OTHER PROJECTS

(By Warren Weaver, Jr.)

OSAGE BEACH, Mo., August 12.—The nation's Governors closed their 62d annual conference today by urging Congress to let them spend a part of their Federal highway aid for other transportation projects such as urban transit.

Reversing a stand taken two days ago and rejecting pressure from the highway lobby, the National Governors Conference approved for the first time the use of gasoline taxes and similar revenue earmarked for road-building to finance subways and commuter buses.

BACK TO COMMITTEE

When another form of the transportation proposal came up two days ago, the Governors voted 2-to-1 to send it back to committee. A number of its backers blamed lobbying

by representatives of the highway and automobile interests for its demise.

Earlier this week, Secretary of Transportation John A. Volpe urged the conference to back a single transportation trust fund from which allocations would be made for all types of projects. The policy statement adopted today urged separate trust funds for highways, urban transit and airports with some transferring among them.

The highway issue produced one of the few controversies in an unusually quiet meeting, which lasted four days. For the first time in many years, the conference did not attract either the President or the Vice President or include a potential Presidential candidate among its participants.

On the question of the states' sharing in Federal tax revenues, there was some encouraging news from Washington: A report that the House Ways and Means Committee would soon schedule hearings on the Administration's tax-sharing proposal.

Gov. Buford Ellington of Tennessee reported that Representative Wilbur D. Mills of Arkansas, the committee chairman who is a critic of tax-sharing, told him he was ready to call hearings. Gov. Richard B. Ogilvie of Illinois said the White House was organizing to press for its revenue-sharing plan.

With these assurances, the Governors tabled proposals to bypass Congress by amending the Constitution or to force fiscal legislation out of committee. Instead, they passed a mild statement calling on Congress to act.

In other policy statements, the Governors voted in favor of the following:

Transferring the Federal juvenile delinquency program from the Department of Health, Education, and Welfare to the Justice Department, where it would be operated by the Law Enforcement Assistance Administration.

Recognizing the right of peaceful dissent, condemning lawlessness by those who criticize public policies as well as by those who support them, and recognizing the right of "the peace-keepers to use such force as may be necessary for their own protection."

Setting up a national clearinghouse to monitor the atmosphere and the water and prevent the release of chemicals with adverse ecological effects.

Requiring the Federal Water Quality Administration to set minimum standards for the discharge of mercury to avoid health hazards.

Chief Justice Warren E. Burger of the Supreme Court urged the Governors to undertake an active program of prison reform.

Describing the crowded conditions in most prisons, the Chief Justice said in a speech: "We are breeding antisocial people within this kind of a surrounding." If the Governors give prison reform high priority, he said, "changes can be made in a very short time."

Gov. Warren E. Hearnes of Missouri, a Democrat, was elected president of the conference, succeeding Gov. John A. Love, of Colorado, a Republican. The 1971 conference will be held in Puerto Rico.

VIETNAM—TWO VIEWS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ROBISON. Mr. Speaker, there can be no doubt that U.S. involvement in Southeast Asia is the major issue of our time. American homes throughout the Nation have been touched—in the most profound way—by our continuing mili-

tary presence in Indochina. The political dialog within and between our two major national parties has been poisoned by wide diversities of opinion as to our involvement. Student dissent—and the inevitable resentment of that dissent on the part of many other Americans—has resulted in pitting father against son; and the ugliest manifestations of that breach have resulted in violence and even death.

Yet, on this most important of issues, Congress has, as a legislative body, been silent. As I said in a letter to my colleagues:

It is too late to redeem past Congresses from the stigma of standing idly by while the buildup in South Vietnam went on. But, as that process is now evidently being reversed, it is not too late for this Congress to share with the President the burden of framing a proper withdrawal policy.

With that framework in mind, I introduced House Concurrent Resolution 698—reintroduced as House Concurrent Resolution 703 with the cosponsorship of Mr. BUTTON, Mr. MATSUNAGA, and Mr. PREYER of North Carolina—the text of which follows these remarks.

At the same time that I was drafting my legislation, in another part of Washington a private citizen, with rather impressive credentials qualifying him to speak as an expert on Southeast Asia, was drafting his own resolution and statement on withdrawal from Vietnam. That statement and resolution drafted by Mr. David J. Steinberg are so similar to my own that I can only assume that he must have wrestled with the same thoughts, objectives, and priorities as did I in deciding on the final form of that resolution. I include both the statement and the resolution drafted by Mr. Steinberg herein.

Mr. Speaker, the question is not who frames a resolution or who drafts the language of a statement, the question is how do we, representatives of a people tired of war, take the necessary initiative to show the President that we support withdrawal and accept the responsibility for such a policy. That unity has yet to be found, and, if it is not soon found, I fear that the American people will begin to question the wisdom of our representation and the value of the Congress as a legislative institution.

Mr. Speaker, the text of my resolution and the statement and resolution of Mr. Steinberg follow:

CONCURRENT RESOLUTION

(By Representative HOWARD W. ROBISON)

Whereas the United States of America heretofore undertook, wisely or not, to guarantee the right of the people of South Vietnam to "self-determination" in the face of what was considered to be externally-supported aggression; and

Whereas the people of the United States of America accordingly have made an unprecedented effort and sacrifice in support of that ambition including, despite the absence of any formal declaration of war on the part of the Congress of the United States, acceptance of a direct combat role for the armed forces of the United States of America in the aforesaid conflict for a longer period of time now than any other war in which they have ever been engaged; and

Whereas, while the people of South Vietnam have suffered grievous losses as a re-

sult of this protracted conflict, the number of American servicemen wounded in action in South Vietnam and adjoining areas already exceeds those wounded in World War I and the combat deaths of American servicemen in South Vietnam and adjoining areas will, at the present rate, also shortly exceed those sustained in World War I; and

Whereas it would seem that the people of the United States have met, many times over, whatever commitment they may have had to the people of South Vietnam; and

Whereas the Constitution of the United States expressly delegates to the President of the United States the authority to act as "Commander in Chief of the Army and Navy of the United States . . . when called into the actual service of the United States"; and

Whereas the President, acting in his capacity as Commander in Chief of such armed forces, is currently pursuing a policy of gradual withdrawal of the United States armed forces from both a direct combat or combat-supporting role in the aforesaid conflict, which policy is generally referred to as a policy of "Vietnamization" and includes the physical withdrawal of United States troops from South Vietnam and adjoining areas; and

Whereas the President has reported and other observers have confirmed that United States efforts to train and equip the armed forces of South Vietnam, in order to prepare them to assume full responsibility for securing internal order in their nation and the full burden of combat in protecting it against continued, externally-supported aggression, have been proceeding satisfactorily and that progress thereunder, so far, has even been exceeding our original expectations; and

Whereas, in furtherance of such policy and in light of its progress, the President, as Commander in Chief, has already physically withdrawn over 115,000 United States troops from South Vietnam and adjoining areas and has announced plans for a further reduction of 150,000 troops therein on or before May 1, 1971; and

Whereas this policy of a gradual withdrawal of the United States military presence in South Vietnam, leading eventually to a total military withdrawal therefrom, appears to now be our official policy regarding South Vietnam even though the same has not yet been formally recognized or endorsed as such by the Congress of the United States; and

Whereas there is broad support among the American people and within their Congress for such a policy of withdrawal, and a developing consensus to the effect that the United States has now done about all it can, militarily speaking, for the people of South Vietnam and that the time is fast approaching when they should be left to their own devices and determination; and

Whereas there are wide differences of opinion within the Congress regarding both the Constitutional and practical limits of the President's powers and responsibilities as Commander in Chief, especially when considered in conjunction with the broad powers and responsibilities concerning foreign policy separately delegated under the Constitution to the Congress, including specifically its sole power "To declare War . . . (and) To raise and support Armies"; and

Whereas those differences of opinion now largely center around the question of whether or not the Congress can or should, in a situation such as that now pertaining in South Vietnam, mandate upon the President, as Commander in Chief of United States armed forces already committed to combat, a date or deadline by which they should all be removed from such combat; and

Whereas it appears unlikely that these questions can be satisfactorily resolved one way or the other in the 91st Congress, now

meeting in session in Washington, thus leaving open for the time being many questions concerning our Government's official policy regarding South Vietnam to which this Congress should nevertheless address itself in as positive and constructive a fashion as possible; and

Whereas a policy of "Vietnamization", standing by itself and no matter how successful, automatically raises certain questions, among which are: (a) Whether or not it is intended to be irreversible in nature; (b) Its failure to deal with the central, political issues underlying the Vietnam conflict, thus forecasting continued political and military strife in South Vietnam even after all United States troops have been withdrawn therefrom; and (c) Its failure to address itself to the developing and disturbing political and military problems now engaging our attention in such other nations of former Indochina as Laos and Cambodia; and

Whereas the President has repeatedly pledged, as did his predecessor, that "we seek no wider war" in Southeast Asia, and furthermore, has recently reaffirmed as a matter of national policy the fact that, in his words: "A political settlement is the heart of the matter . . . (and that) is what the fighting in Indochina has been about over the past 30 years"; and

Whereas the burden of United States efforts to bring peace to South Vietnam and to Southeast Asia, generally, whether those efforts are to be successful or not, should not fall solely on the President of the United States, but rather should be a responsibility shared both by the President and the Congress of the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby declares that it is the national policy to avoid any further enlargement of the present conflict in South Vietnam and to do everything possible to bring a just peace to South Vietnam and to Southeast Asia, generally, by virtue of a negotiated settlement of the political issues now dividing the people and the nations thereof; and be it further

Resolved, That the Congress hereby declares its support of any and all efforts made or to be made by the President, and encourages further efforts on his part, to achieve such a negotiated settlement, including efforts to arrange a cease-fire in South Vietnam and surrounding countries and including efforts to involve the United Nations in whatever way can best encourage an end to this war; and pending any such form of settlement, be it further

Resolved, That the Congress hereby declares that it is the national policy to continue, on an irreversible basis, United States troop withdrawals from South Vietnam and adjoining areas, and be it further

Resolved, That it is the sense of Congress that all American servicemen in South Vietnam or adjoining areas should be withdrawn from any and all participation in ground combat activities therein on or before May 1, 1971, except insofar as it may be necessary for such troops remaining therein after such date to defend themselves or their positions; and be it further

Resolved, That it is further the sense of Congress that all other American servicemen, including those specifically engaged in combat-support activities, should be withdrawn from South Vietnam or adjoining areas on or before July 1, 1972, and be it further

Resolved, That the Congress hereby reaffirms its constitutional right and responsibility of consultation with the President on all matters mentioned within this resolution, and fully expects to be included in the decision-making process on all matters, now and henceforth, affecting grave national decisions of war and peace.

TIME FOR POLITICAL VIETNAMIZATION OF THE WAR: WE HAVE WON WHAT WAS WINNABLE

(By David J. Steinberg)¹

The U.S. military thrust into Cambodia and renewed bombing of North Viet-Nam should not have shocked so many people, including so many members of Congress, both doves and hawks, Democrats and Republicans. These latest developments are a logical by-product of the Vietnamization policy.

Many who reacted with dismay and criticism against the Administration's latest move always harbored reservations about this policy—what it really meant and how it would be executed—but themselves offered no clear, coherent, constructive and credible policy proposal calculated, not only to wind down our military involvement, but to wind it up (i.e., end it) quickly, responsibly and honorably. Congress is particularly vulnerable to the sharpest criticism on this score.

Others who expressed shock and criticism betrayed their own lack of understanding of what President Nixon's Viet-Nam policy was all about. They mistakenly regarded Vietnamization and the past and programmed withdrawal of troops as proof positive of the President's determination to withdraw the United States militarily from Viet-Nam. They failed to recognize that the Vietnamization policy, completely military in character, bore serious potentials for prolongation of the war in south Viet-Nam and extension of the war to Cambodia and the North. Even if the United States had not moved in these directions, Saigon might well have done so on its own initiative sooner or later, translating its growing military responsibility into growing freedom of decision, including freedom to move against enemy sanctuaries to the west and the north.

The shifting of military responsibility, which is what the Vietnamization program is all about, does not clearly mean "out" as so many have supposed. Possibilities of frustration and humiliation clutter this policy road like the booby traps that have so perilously cluttered the trails of U.S. troops. As these policy perils detonated, Presidential determination to avoid national humiliation and defeat would delay our withdrawal interminably. Considering the military potentials and risks in Viet-Nam, Vietnamization is an endless road, despite occasional flickers of light at the end of the tunnel. Considering North Viet-Nam's present resolve and past disappointment with previous negotiations, the Paris talks are a dead-end street. What we would have to give to ensure agreement by Hanoi could amount to humiliation and defeat at the conference table we are so determined to prevent on the battlefield.

U.S. options are not limited to Vietnamization, agreement with Hanoi (following the forcing of a coalition government, including the Viet Cong, on the South), or humiliating withdrawal. There is a realistic option no U.S. administration has ever attempted to articulate, or that Congress, or any sector of the "peace movement," or any voice from academia, or anyone in the news media has ever proposed.

It calls for a clear and credible declaration that the United States has won whatever was winnable for U.S. involvement in Viet-Nam. That we have gone as far as we ever reasonably could have been expected to go. That we have completed anything definable as a realistic American mission there. That the time has come for Saigon to take the political initiative as well as assume greater military responsibility. That the time has come

for Saigon to seek a cease fire and a political accommodation with South Vietnamese on the other side of the firing line.

To make this message from Washington loud and clear and believable, the time has come for Congress to redeem its many years of inadequate attention to the rationale and scope of our military involvement in Viet-Nam and insist upon a coherent, realistic strategy to end the war and build a sound peace. And the time has come for the "peace movement" and other critics of the war to convert their energies from what is at best a spinning of wheels, and at worst helping North Vietnamese strategy, into constructive support for a U.S. strategy to end the war and honorably terminate our involvement.

Since 1954 we have been helping our Vietnamese allies build a nation—one that we hoped would be broadly based politically and dedicated to the economic and social justice that ranks high in the traditional scale of Vietnamese values. In 1965 we used American combat troops to save that government from the brink of disaster. Through our continuing and costly military involvement, we have kept alive these ideals and strengthened the opportunity of our Vietnamese allies to proceed on their own if only they saw the imperatives of their overall national interest.

We have won for the non-Communist forces the opportunity to form a broadly based coalition representing all major factions of the Republic of Viet-Nam. Such a coalition should be formed without delay. We have won for such a coalition the opportunity to launch a political initiative aimed at South Vietnamese on the other side, looking toward a negotiated termination of hostilities and some kind of political accommodation uniquely Vietnamese in pattern and purpose. At great cost in men, resources and distorted priorities, we have won for the Republic of Viet-Nam the opportunity to build the foundations of a society that can serve the needs of all its people.

These opportunities must not be squandered, as have so many others. The personal, parochial stake of individual Vietnamese leaders in perpetuating themselves in power must be subordinated to the peace and the political, economic and social justice that are the most urgent needs of the Vietnamese people.

Such a South Vietnamese initiative is the most realistic next step for the Saigon administration to take and for the United States to urge. We should urge it now before something happens in Viet-Nam or in the United States that weakens the strength and leverage of the Saigon government. To maintain the American presence in Viet-Nam until political stability by our standards can be achieved and guaranteed is to adopt a mission civilisatrice, American-style, likely to be as unsuccessful and frustrating as the "civilizing mission" that originally motivated the French venture into Indo-China. It is essential that Vietnamese politics (Vietnamese-style, not something cut from American cloth) be allowed to work its unique will.

The success of such a political initiative would require the cooperation of Hanoi and Washington. But the all-South-Vietnamese initiative would sidetrack the Hanoi-Washington impasse, possibly loosening the logjam. It is likely to appeal to the parochial interest of South Vietnamese of all persuasions in holding off the traditionally aggressive and ambitious Vietnamese of the North.

A broadly based administration would first have to be formed in Saigon, one in which the always squabbling political forces on the non-Communist side subordinate their narrow self-interest to the broad national interest in an honorable peace. Full political freedom would have to be accorded all sectors of opinion, and a free press should be allowed to play its crucial role in influencing

the course of events. Constitutional and other obstacles are formidable but not insuperable. Freedom of political expression and maneuver in the Republic of Viet-Nam, coupled with the launching of a political initiative to end the war, would probably attract more southerners and "overseas Vietnamese" to activist support for the Saigon side of the new initiative. A viable and stable Viet-Nam needs their involvement in their country's future.

The United States should emphasize the need for as cohesive a coalition of non-Communist Vietnamese as the country's traditionally fractured politics can possibly produce. Significant political shifts would probably take place. These need not weaken—if properly handled, they could strengthen—the political fabric and vitality of our side in the Viet-Nam struggle.

Encouraging such a peace initiative and declaring its mission in Viet-Nam as having been accomplished, the United States should expeditiously withdraw its military forces—phasing out its military involvement in such a way as not to weaken the new political initiative whose time has come. Whatever we do should at all times be strictly in accordance with the enlightened self-interest of the United States. We should invite the Soviet Union, France and other countries, and the United Nations itself, to promote such a political initiative and help ensure its success.

Shortly before his tragic death six years ago, President Kennedy said of the Viet-Nam problem: "In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them . . . but they have to win it, the people of Viet-Nam." Military Vietnamization is belatedly consistent with this thesis. But the proposition should be expanded into advocacy of political Vietnamization, stating: "A negotiated settlement by the South Vietnamese among themselves is the most urgent necessity. Hanoi and Washington must agree to abide by the result, and mutually withdraw their military involvement in accordance with the wishes of their South Vietnamese allies. We must stimulate this result. Other governments can help. Perhaps the United Nations can help. But in the final analysis it is their negotiation, that of the people of South Viet-Nam on both sides, followed by a negotiation between the South and the North to unify the country. They will have to initiate it, the embattled people and leaders of the Republic of Viet-Nam. The hour is late. The leaders of the Republic of Viet-Nam (those now in government and those outside) must not squander this opportunity, for which the American people and the Vietnamese themselves have paid such a high price."

Emphasis on this kind of political initiative is not now U.S. strategy. Yet such a settlement is the most likely outcome of the war. By anticipating it, we would be preserving what we have already won. The alternative is a war policy that would lead to the loss of what we have won, and an unceremonious withdrawal from Viet-Nam, with dire consequences in domestic politics and in our international position.

In his 1968 campaign for the White House the President said he had a plan to end the war. Late in his first year in office (his December 15 address to the nation), he said our "pursuit for peace" is on two fronts—"a peace settlement through negotiations, or if that fails, ending the war through Vietnamization." Vietnamization has already begun. We have begun the withdrawal of troops. But until Hanoi's withdrawal or the end of the insurgency in the south (the definitions of such contingencies are not clear), our withdrawal will not be a complete phasing-out but only a scaling-down.

We are attempting to negotiate a military agreement with Hanoi. We recognize the need for a political agreement between Saigon and

¹ The author chaired a major research task force on Viet-Nam in 1955 and is the author of published material on Cambodia. He is currently an officer and chief economist of a prestigious committee of American businessmen.

the National Liberation Front. But the Saigon government rejects a political accommodation with its South Vietnamese adversary, and the NLF will not yet talk to the present Saigon regime. The negotiating confrontation with Hanoi is at a standstill. Hanoi will not negotiate its abandonment of the NLF via withdrawal from South Vietnam or in any other way. The prolonged Paris talks themselves could be a way for Hanoi (relieved from U.S. bombing) to move more supplies and troops into the south, foment political unrest there, as well as strengthen the Viet Cong militarily—thus hoping to weaken the Saigon regime and increase the chances of a VC victory by force of arms. The Paris talks are not only unproductive; they may be counterproductive. An alternative is urgently needed.

Vietnamization of the war, notwithstanding the stalemate in negotiation with Hanoi, is the Administration's alternative, its "risk for peace." It is adaptable to Saigon's military capabilities and inclinations, and Hanoi's activity on the battlefield and pliability at the negotiating table. Saigon's military progress could prove as frustrating as Hanoi's negotiating recalcitrance.

If a weakening of Saigon's military position slows the withdrawal, or even leads to our escalation of the war, mounting political pressure at home could force a rapid withdrawal which, in these changed circumstances, could well pull the rug from the Saigon regime. The result would be an unceremonious U.S. withdrawal, an obvious defeat for the United States. In contrast to the current opportunity to stimulate a political solution and withdraw (credibly claiming the success of our mission), we would have instead snatched defeat from the jaws of victory. The political consequences in our own country are cause for pensive pause.

What the Administration now calls a "risk for peace" thus involves a huge risk at home and abroad—a more dangerous risk than the risk of the political Vietnamization I am proposing (and have been proposing publicly for the past three years). How much more credible and acceptable to the American people can the current "risk for peace" be, considering all that has been invested in the Paris talks, now deadlocked, and the justifications our government has given for being militarily involved in Viet-Nam? Hanoi will not negotiate, but we are withdrawing troops anyway. How well and how long can this kind of reasoning be accepted by a people that has sacrificed as much as the American people have sacrificed in this war? A more credible, less confusing policy rationale is needed.

A few years ago, before "tracks" came into fashion in the diagramming of our Vietnamese policy, I suggested in a Washington television discussion of Viet-Nam a "track" delineation of new peace initiatives, but one that indicated a pattern of priorities. The tracks were drawn in concentric circles. The innermost circle—hence the highest priority—was a peace initiative by a broadly based Saigon administration vis-a-vis the South Vietnamese on the other side of the firing line. The next circle or track involved agreements by the major external benefactors of these respective camps—Washington and Hanoi—to cease hostilities, and withdraw their military forces in agreement with their respective South Vietnamese allies. A third track (the outermost circle) would represent any efforts of the United Nations, or other national or multinational sources, to help find an honorable solution to the conflict and help in the reconstruction to follow.

U.S. policy is not emphasizing the right track. We are consequently on the wrong one. Risks abound in whatever we do. The best risk for an honorable peace in Viet-Nam, as well as for healing our serious divisions at home and strengthening our policy posture

abroad, is through the coherent U.S. policy and constructive political initiative which the following resolution is designed to stimulate.

If this resolution is passed by Congress, the Secretary of State and the Secretary of Defense should be asked to report each month to appropriate Congressional committees (in closed session, if necessary) on the progress being made toward carrying out this long overdue "sense of Congress". Lack of a coherent Congressional position on Viet-Nam, and of systematized surveillance of Administration implementation, has been one of the most injurious shortcomings of our Viet-Nam policy. This neglect should be stopped with something more positive and constructive than repeal of the Gulf of Tonkin resolution, and more conducive to the need for Presidential flexibility than setting a deadline for withdrawal. Within the parameters of constitutional niceties and the exigencies of effective administration of U.S. policy, there is much the Congress can and should do to achieve an honorable conclusion of our Viet-Nam involvement. The following draft resolution is designed to fit this standard and meet this need.

There is no certainty as to how the proposed initiative would work out, in the short run or the long. And the results may not measure up to American ideals, or satisfy the visceral urge to crush conclusively the well-documented barbarism of the Viet Cong. But there can be no certainty as to the outcome of any initiative attempted or settlement reached in Viet-Nam. What seems clear is that the Vietnamese crisis, and U.S. military involvement in it, cannot be allowed to continue indefinitely. A reasonable, respectable, realistic, and responsible start must be made to bring that crisis and that involvement to an end—in the enlightened self-interest of the Vietnamese people, the American people and all mankind.

DRAFT OF A CONGRESSIONAL RESOLUTION ON VIETNAM

(By David J. Steinberg)¹

Whereas the declared objective of the military involvement of the United States in Viet-Nam has been to help the people of the Republic of Viet-Nam establish the conditions under which they may freely decide their own future, free from external coercion; and

Whereas the only practical route to a reasonable resolution of the current conflict engulfing the Republic of Viet-Nam is through a negotiated settlement; and

Whereas the most basic negotiation and settlement must be between the Republic of Viet-Nam and the South Vietnamese forces against which it is now engaged militarily—such a settlement to be supplemented by the complete withdrawal of all external forces now militarily involved south of the 17th parallel; and

Whereas the ability of the people and factions of the Republic of Viet-Nam to achieve their declared goal of political freedom—a goal to which the American people have committed and sacrificed so much—rests fundamentally on their ability to cooperate freely and effectively with one another, not only to accelerate and maximize progress toward political stability and economic and social justice for the people of that area, but also to hold their own in whatever arrangement may be negotiated with the forces (both south and north of the 17th parallel) with whom they are now engaged in military combat; and

Whereas the immediate formation of a

¹ Currently an officer and chief economist of a prestigious committee of American businessmen, the author of this resolution chaired a major research task force on Viet-Nam in 1955 and is the author of several pieces on Cambodia.

meaningful coalition of all major non-Communist factions is a basic prerequisite for effective negotiation with South Vietnamese on the other side of the current military struggle, and for the durability of the non-Communist side in whatever political arrangement is negotiated; and

Whereas the initiative by a coalition of all major non-Communist factions to reach a settlement with South Vietnamese on the other side of the current military struggle can be a major step toward ensuring the withdrawal of all external forces; and

Whereas the United States has at great cost won for the people and political factions of the Republic of Viet-Nam the opportunity to build the foundations of a society that can serve the needs and achieve the aspirations of the people of that area; and

Whereas the United States has gone as far as it could reasonably be expected to go to help establish the political and administrative conditions under which a broadly based coalition of the major political factions of the Republic of Viet-Nam can be formed and under which a political initiative can be undertaken by such a government aimed at a cease-fire and a negotiated end of hostilities; and

Whereas the earliest feasible withdrawal of all U.S. forces in Viet-Nam is essential to the enlightened self-interest of the United States, and restoration of Viet-Nam to the Vietnamese is vital to the evolution of a neutral, independent Republic of Viet-Nam (and eventually a neutral, independent Viet-Nam embracing both zones) in the community of nations;

Therefore, it is the sense of the Congress, that

(1) it is the overwhelming opinion of the American people that the military involvement of the United States in Viet-Nam should be terminated with all deliberate speed, and it is their hope that the huge sacrifices they have made have not been in vain;

(2) since the opportunity to form a genuine, broadly based coalition of the major non-Communist factions has been achieved, as has the opportunity of such a government of the Republic of Viet-Nam confidently to seek an honorable settlement with its South Vietnamese adversaries, the United States military mission in Viet-Nam may realistically be regarded as having been accomplished;

(3) a meaningful, effective, broadly based coalition of all significant non-Communist political factions in the Republic of Viet-Nam should be formed as quickly as possible and should proceed without delay to arrange a cease-fire with its military adversaries, to be followed by whatever political accommodation such a coalition regards as serving the needs of the Vietnamese people south of the 17th parallel;

(4) in this connection, the government of the Republic of Viet-Nam should now release from imprisonment all political prisoners incarcerated for advocating negotiations to end the war, and these individuals should be free to participate in the proposed coalition;

(5) having won for the Republic of Viet-Nam the opportunity to form a broadly representative government and to undertake the political initiative urged in this resolution—thus having gone as far as it could reasonably be expected to go through its military involvement in Viet-Nam—the United States should proceed with an orderly withdrawal of U.S. forces from Viet-Nam, with all deliberate speed, concentrating first on land forces and phasing out the rest of its military presence in such a way as not to weaken the new political initiative urged in this resolution and, above all, always in accordance with the enlightened self-interest of the United States;

(6) this phasing-out of U.S. military involvement in Viet-Nam should include (a) the immediate limitation of the combat involvement of U.S. forces to the exigencies of their own defense, and (b) the orderly and deliberate transfer of all other military operations to the armed forces of the Republic of Viet-Nam;

(7) the United States should be ready, and urge the same on Hanoi, to accept whatever cease-fire and other accommodations are negotiated by the proposed South Vietnamese coalition and its South Vietnamese adversary;

(8) with the expectation that such a settlement will and should call for the exit of North Vietnamese and all other external forces from Viet-Nam south of the 17th parallel, the United States should call on world opinion to urge such removal of all external forces;

(9) the United States should call upon the United Nations or other international or multilateral institutions to be ready to render assistance in arranging a settlement and in achieving postwar economic reconstruction and neutrality for all of Viet-Nam; and

(10) the President of the United States should as quickly as possible take every appropriate step to facilitate and achieve the goals set forth in this resolution.

REPORT TO CONSTITUENTS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. WOLFF. Mr. Speaker, I respectfully include in the RECORD at this point the most recent of my regular newsletters to my constituents:

AUGUST 1970.

DEAR FRIEND AND CONSTITUENT: In this regular issue of my Washington Report I am pleased to be able to report to you on my activities in a number of different areas, as well as indicating what action has been taken on a number of legislative matters.

This Second Session of the 91st Congress has been a busy one with a number of major bills already passed by the House of Representatives and others still awaiting consideration. Since so much is happening in Washington and back home in the Third Congressional District I shall endeavor to report to you again in the near future on still other subjects that should be of interest to you.

Once again, let me repeat my sincere hope that you will contact me at any time you feel I can be of service to you. Best wishes.

Sincerely yours,

LESTER L. WOLFF,
Member of Congress.

CONTROLLING JET NOISE

In the six years I have been in Congress I have constantly fought for an end to the unhealthy, annoying and distracting jet noise that plagues this nation. My activities have been directed in all feasible directions with the immediate goal of relief from intolerable noise levels and the long-range goal of eliminating this problem by developing a quiet jet engine.

We have had some success. But one merely has to listen to the roar of jet aircraft in our area to know that the Federal Aviation Administration has let us down and failed to carry through on the mandate of the 1968 Aircraft Noise Abatement Act which I sponsored and worked very hard to pass.

I am committed to doing everything in my power to stop this unbearable noise. But I am interested, as I am sure you are, in accomplishments and not in empty, easy and cheap demagoguery and publicity gestures.

For example I remember that back in 1966, when I was on the Science Committee, how I was instrumental in securing an increase in the appropriation for quiet jet engine research. The increased appropriation provided government scientists with all the money they felt they could responsibly spend at that time, considering the available manpower and status of the research.

Yet when the legislation came to the Floor an effort was made to appropriate an unrealistic and totally unusable sum of money to this program without the regulatory authority that was essential to control noise. This attempt was made, in full view of the press gallery, despite the fact that a NASA representative testified in answer to a question I had raised that the money could not and would not be used. And, as the Subcommittee Chairman then indicated, it would be "chasing a will-o'-the-wisp." The attempt to designate this money and thus waste it while raising false hopes was rightfully defeated by the House.

But there are substantive, meaningful actions that can and should be taken to solve the problems of jet noise. As part of my continuing effort in this direction I have recently taken the following steps:

(1) Demanded that the Department of Transportation and Federal Aviation Administration aggressively enforce the 1968 Aircraft Noise Abatement Act whereby Congress gave the FAA authority to control jet noise.

(2) Requested that Kennedy and LaGuardia Airports be closed to all non-essential jet aircraft, as is done at Washington's National Airport, between 11 p.m. and 7 a.m.

(3) Authored legislation to create a loan and matching grant program to finance the immediate installation of noise suppression devices on jet aircraft.

(4) Chaired a special hearing on jet noise in Mineola at which time three other Congressmen and I insisted that the FAA control jet noise or fire the Administrator.

Clearly, we must change existing air traffic procedures and control flight scheduling to ease the problem of jet noise for the present and develop effective noise control devices and quiet engines for a permanent end of this unbearable noise. I will continue my efforts until we bring lasting relief to those who are bombarded by some of the most offensive noise ever created by man.

RELIEF FOR COMMUTERS

Help is on the way for those of you who use the Long Island Rail Road and know about doors that do not close, lights that do not light, heaters that do not work and overcrowding that never ends. The Congress has passed the Railroad Safety Act incorporating legislative amendments I recommended last year (H.R. 13852) to expand federal jurisdiction over the LIRR. The basic point of this legislation is to give the Department of Transportation new authority to establish and enforce standards to improve the safety and comfort of railroad users, which the MTA has failed to do, and perhaps finally make the LIRR "the best commuter railroad in the country."

SUPPORTS EQUAL RIGHTS FOR WOMEN AND PUBLIC VOTING IN HOUSE

I recently supported and voted for two major legislative proposals which were passed by the House. The first reform would end secrecy in Members' voting. The second is a Constitutional amendment to guarantee Equal Rights for Women.

CRIME: ITS CONTROL, ELIMINATION, AND ECONOMIC IMPACT

There continues to be a serious crime problem in this country; a problem that must be solved so all Americans can once again enjoy the basic right of living without fear.

Thus I was pleased that the House of Representatives passed legislation, which I supported and voted for, to extend and expand the Safe Streets Act. The main thrust of this legislation is federal assistance to localities for crime prevention, detection and prosecution. We included an open-ended funding authorization for this fight against crime since we are prepared to spend whatever is necessary to solve this problem. For as we allocate our limited federal funds, an end to crime must have a very high priority.

We must also recognize that the only long-range permanent solution to crime will be the elimination of the root causes of this problem. Substandard housing, narcotics addiction, unequal opportunity, inadequate schools and educational opportunities and unemployment—these are some of the basic breeders of crime. And no amount of police work can cope with the increasing crime rate unless we stop this problem at its source by correcting the social inequities listed above and give all Americans a stake in preserving social order.

There is one crime problem that sometimes receives too little attention but which costs you dearly in the form of inflation. I refer to the billions of dollars lost every year in pilfered and stolen cargo shipments, especially at our nation's airports. I have taken a leading role in the fight against this problem and am working closely with Sen. Alan Bible who is the Senate leader in the battle against cargo theft. Thus far we have taken the following steps:

Secured Customs Bureau cooperation in speeding the movement of international cargo to cut down on losses.

Arranged for more effective self-policing by the airlines and improved tracking of cargo at John F. Kennedy Airport where losses are the greatest.

Sponsored legislation (H.R. 18243) to create a Commission on Safety and Security of Cargo and additional legislation (H.J. Res. 1306) to enable New York and New Jersey to enter into a new compact to control theft and pilferage.

We have made progress, although we do have more to do, in controlling cargo losses. And Senator Bible and I feel confident that one long-range consequence of our efforts will be lower prices for you—the consumer—since businessmen will not have to pass multibillion theft losses along as a cost of their products.

VETERANS NEED IMPROVED MEDICAL CARE

An American serviceman rightfully receives the finest in medical care while on the battlefield or at his base. However once discharged that same man is confronted with very different circumstances. As a veteran, judging by treatment received at Veterans Administration hospitals, he is relegated to second class citizenship.

It is a regrettable that inadequate funding of VA hospitals has resulted in poor facilities, inadequate diets, understaffing, makeshift equipment and deteriorating buildings. To correct this unacceptable situation, I have undertaken a campaign, since commended by the Veterans of Foreign Wars, to secure necessary funding so that veterans are given the best possible medical care. This is the very least we can do for those men who have done so much for their country.

I have first-hand knowledge of the situation in our VA hospitals after visits to several hospitals in the New York metropolitan area. Also I joined the House Hospitals Subcommittee on a visit to the Kingsbridge VA Hospital in the Bronx. What I witnessed was heartbreaking.

In one part of the hospital there were ninety paraplegics—men unable to move—in three wards on three different floors. Yet there was only ONE night nurse for all these men! The staff-patient ratio is also distressing. While most hospitals strive to main-

tain two staff positions for every patient, VA hospitals consider themselves fortunate to have 1/3 less attendants for every patient.

Or consider the question of feeding these men. At Kingsbridge funds are so short that only \$1.20 per day is budgeted to feed each patient. It is impossible to provide an adequate diet for an ill person on such limited funds. And, of course, this restriction makes it impossible to fully provide special diets for patients needing them.

The entire situation at Kingsbridge and other VA hospitals is a national disgrace. Conditions must be improved immediately.

This is why I have called time and again on the Floor of Congress for additional funding for VA hospitals. Thus far the appropriation has been increased by \$100 million. But still more is needed and I shall continue my efforts until veterans are receiving the best possible medical care at fully-equipped adequately staffed hospitals.

PROGRESS MADE ON WOLFF L.I. SOUND BILL

The U.S. Senate Executive Reorganization Subcommittee recently held a hearing at the Merchant Marine Academy at Kings Point on the legislation Sen. Abraham Ribicoff and I authorized to create an Intergovernmental Commission to save Long Island Sound. New York Sen. Jacob Javits, a member of the Subcommittee, joined Senator Ribicoff and me at the hearing.

We agreed on the need to push ahead with a comprehensive master plan for the Sound under the aegis of the Commission proposed in the legislation or through another agency with proper authority.

Moreover we are proceeding on the next essential step in saving the Sound—creating a regulatory body with authority to establish and enforce standards to cut pollution so that you can safely use the Sound for swimming, boating and fishing. This will ensure that this great natural resource will not be destroyed.

Further action will be taken in the next several weeks and Senator Ribicoff and I will determine the next step we must take to provide necessary protection for all who live near and use the Sound.

INCREASED PENALTIES FOR THE ILLEGAL USE OR POSSESSION OF EXPLOSIVES

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BURKE of Florida. Mr. Speaker, I want to bring to your attention and to the attention of my colleagues in the Congress, legislation which I have introduced which would substantially increase the penalties for the illegal use or possession of explosives.

In the first half of this year alone, bombings have maimed, injured and killed hundreds of persons and destroyed property in the millions of dollars, and I would like to cite some of the individual tragedies.

Last February, a time bomb saturated with staples blasted the police station in the Haight-Asbury section of San Francisco. It was the second such bombing in 4 days in that student-riot torn city. Police Sgt. Brian V. McDonnell, 45, suffered a total loss of his right eye, blinding injury to his left eye, and a

severed jugular vein. Had he lived, he would have suffered permanent brain damage from fragments which lodged in his brain. Mercifully, however, Sergeant McDonnell did not live. Seven police officers were also injured and three cars on the police parking lot demolished also by the bomb. The San Francisco Police Department has offered a reward of \$35,000 for the arrest and conviction of the bombers.

Three days after the San Francisco incident, across the bay in Oakland, 24 sticks of dynamite were found leaning against the wall of a paint plant. In Berkeley, this same day, incendiary bombs exploded one night in a department store.

Also this year, in Cleveland, Ohio, an explosion attributed to a bomb, demolished the Shaker Heights police station, injuring 15 persons including a judge, several clerks of the court, and a number of police officers. Two detectives were seriously injured when they were blown through the window.

In New York, Justice John M. Murtagh and his wife and four children were awakened at 4:30 a.m. by an explosion that ripped through their home in the Inwood section of Manhattan. Only a miracle prevented their deaths. Scrawled outside were the slogans "Free the Panther 21" and "The Vietcong Have Won."

In Denver, 10 schoolbuses were destroyed by bombs as they sat in their parking lot.

In New York, total bombings and bombing threats amounted to an astonishing 2,587 for the first 3 months of this year.

The most highly publicized of the bombings was the destruction of a \$250,000 townhouse in Greenwich Village, which belonged to the father of one of the survivors, Cathlyn Wilkerson. Three persons were killed in the explosion including Theodore "Ted" Gold, 23, leader of the campus rebellion at Columbia University and a militant radical. Evidence indicates the house was being used as a bomb factory by radical leftists. Sixty sticks of dynamite, various homemade bombs, and literature from the Weathermen, a splinter group which has been sometimes associated with the Students for a Democratic Society—SDS—were found in the wreckage.

Prior to this, explosions rocked the Manhattan offices of the Mobil Oil Co., International Business Machines Corp.—IBM—and the General Telephone & Electronics Corp. An anonymous note sent to New York City police headquarters credits the Weathermen with these bombings.

The violence in New York reached such a crescendo that the Militant, a weekly publication of a group calling themselves the "Trotskyite Socialist Workers Party," whether meaning it or not, took to citing Lenin and Trotsky as opponents of such acts of terror and warned its readers that the concept of individual terror was counterproductive, hampering the winning over of the masses to a socialistic program.

Mr. Speaker, one can only ask: What type of person or people play with highly volatile explosives as causally as a 10-

year-old youngster builds a model airplane? Obviously, they are amateurs in the art of explosives, many of which have destroyed the makers, are certainly not the work of professional explosives handlers but by students whose ability will someday be professional.

During the old gangland days of the 1920's and 1930's, we were told of the men called the "peterman." He was the gang's explosives handler, charged with the job of blowing up bank safes. He was an expert and he was as methodical and skilled in the handling of bombs as is a jeweler. He worked with precision and was fully knowledgeable of the potency of his explosive.

A careful appraisal of the list of those who have been arrested in connection with bombings, or those who have maimed or blown themselves to bits by their own ineptness, reveals that they are in the main Left Wing extremists. Many come from wealthy families, as in the case of two of the survivors of the demolished townhouse in New York, both of whom were young women graduates of highly rated colleges, Swarthmore and Bryn Mawr. I might add that it is interesting to note Bryn Mawr College last fall appointed to the post of professor of black studies, Herbert Aptheker, noted "theoretician" of the Communist Party in the United States.

Records indicate that most of those involved in these bombings traveled to Cuba, or rioted in Chicago, Berkeley, or elsewhere, and most belong to either the Weathermen or some other ultraviolent segment of the Students for a Democratic Society.

These facts are often denied by some of the press and they seem to startle the public, but they are no surprise to those who have become aware of the growing radical New Left and the aims of their radical tutors.

Mr. Speaker, bombings by anarchists are not new. In 1866, during the Chicago Haymarket riots, a bomb exploded among a crowd of demonstrators for an 8-hour workday. During the 1919 anarchist scares someone mailed bombs to 36 prominent Americans, but fortunately only one exploded. As a result nearly 10,000 persons were arrested and some were deported. The 1950's and 1960's saw bombings of churches and automobiles against civil rights activities. The anarchists in the United States have so far not followed the central European pattern of the 19th century anarchists who sought their way into power to enforce their version of the ideal society by the use of fear, force, coercion, and bombs.

We here today owe it to our fellow Americans to make certain that today's anarchists find their activities subject to severe punishment and this is the purpose of the legislation H.R. 16818, which I have sponsored.

Since 1968, 8,300 pounds of explosives—enough to blow up the Golden Gate Bridge—have been stolen in the State of California. Seven thousand highly volatile explosive detonators were stolen in Maryland shortly after the death by explosion of two associates of H. Rap Brown.

Although all 50 States have laws relat-

ing to explosives, most pertain to safety regulations and the use of explosives by known criminals. Unfortunately, most laws can be enforced only after explosives are converted into a device plainly intended to harm persons or property.

Because TNT, nitroglycerin, and other explosives have legitimate and necessary functions, particularly among builders and farmers, the sale of small amounts are routine and subject to little or no control. Similarly, formulas for the manufacture of homemade bombs are unfortunately readily available and can be learned from hobby magazines, scientific journals, and even encyclopedias. Even the Federal Government has technical manuals which explain how to make explosives of varying kinds and qualities.

Don Sisco, a member of the National Socialist White People's Party, formerly the American Nazi Party, who sold through the mails manuals on manufacturing homemade bombs, lost his left hand and sustained severe eye injury in testing one of his own devices. He continues to offer his manual for sale.

Mr. Speaker, the situation is now critical. We cannot afford to delay any longer the imposition of stringent penalties upon those who illegally possess, make, or use bombs. Action must be taken as a protective measure to guard our citizens and their property against the actions of emotionally unstable radicals.

I strongly urge the U.S. Congress to act swiftly and pass this much-needed deterrent against any further such crimes against the American people.

PRIORITIES OF SPENDING

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BIAGGI. Mr. Speaker, in all the flurry of election year rhetoric, the question of priorities of spending and the need to control spending to curb inflation have come up over and over again. Yet essential projects still remain unfunded and inflation continues unabated, despite all the promises that we hear.

This body had an opportunity to take a step toward reordering priorities and at the same time cut Federal spending by rejecting H.R. 18546, the Agriculture Act of 1970. Yet, in the form this bill was reported out of committee, it will continue to line the pockets of fat-cat farmers at the taxpayers' expense while running the housewife's grocery bill up even higher.

When President Nixon took office last year he promised extensive reform of the agriculture price support programs, putting emphasis on raising farmers' incomes while lowering the prices for the goods on the grocery shelves. The present legislation falls far below these expectations.

This over \$3 billion a year subsidy to millionaire and corporation farmers will do more to feed inflation and rising food prices than any health or education bill which this body has passed and the executive branch has vetoed or criticized.

Higher food prices directly affect the inflation rate and this measure will keep those prices on the upswing. Moreover, eliminating the estimated \$5 billion expenditure this bill authorized would have gone a long way toward guaranteeing a balanced budget for fiscal year 1971.

The talk about reordering priorities sounds great; but when it comes down to the nitty-gritty, it is a matter of how this Nation is going to spend its tax revenues. While we must cut Federal expenditures, it cannot come at the expense of the health and well-being of the people of this Nation.

For this reason I, for one, will continue to vote funds to provide health benefits to those who are sick, housing for those who have none, tools for our law-enforcement officers in their fight against crime, social security for those who have worked hard and feel the bite of continued inflation, and retirement benefits to those veterans of the Armed Forces to whom the debt this country owes can never be repaid.

But at the same time I assure you, Mr. Speaker, I will never vote to put money in the hands of those who refuse to work, or to feed the bank accounts of farmers whose activity can more accurately be described as nonfarming, or to subsidize the stockholders of giant aircraft corporations whose boondoggle supersonic transports will spell the end to what little peace and tranquility this country still retains or build palaces for petty foreign dictators whose support varies with the wind.

For these reasons I found it necessary to vote against final passage of the Agriculture Act. It would be impossible for me to vote "yes" knowing that the small homeowner and the average taxpayer must bear the resultant eroding of the dollar because of excessive spending that feeds inflation. The American taxpayer bears many things to be part of the greatest Nation in the world, but he should not have to tolerate the waste and inefficiency which this bill supports.

I would like to just spotlight some of the more flagrant abuses under the present program that this bill continues. In the State of California which soaks up over \$64 million in subsidy money, two counties in particular get an overly good-sized chunk of the taxpayer's dollars.

In Fresno County one farm, Giffen, Inc., drew \$3,333,385 in farm program payments from the U.S. Treasury. The year before the owners banked \$2,772,187. The Federal Government would have been better off buying the farm lock, stock, and bank vault. By the way, the county as a whole managed to absorb over \$17 million in payments including \$147,462 for the owners of the appropriately named Comfort Farm, Inc.

Also in California, 63 Kings County farmers received \$13,114,322 to subsidize their income. That county has less than 900,000 acres in total area with a population of less than 70,000. Had the Federal Government so desired, it could have paid \$15 an acre and bought the county, vacant fields and all, instead of paying out what amounted to nearly \$200 for every man, woman, and child who lives there.

But no, the Federal Government saw fit to send \$4,370,657 of the American taxpayers' money to Kings County's J. G. Boswell Co. to make sure the poor boy's farm would not go under this year because of low farm prices. That little sum no doubt was stashed away with the \$3,010,042 Uncle Sam paid the same farmer last year—I guess, so he could stay in business to collect this year's check.

Figures like these convinced me to support the efforts to limit farm payments to \$20,000 annually. Although the \$55,000 limit which was finally passed is a step in the right direction, it is just not far enough for me.

The intent of Congress over the years has been to guarantee an adequate income for the small American farmer, while also making sure that sufficient foodstuffs are available for the city dwellers and the export markets.

This farm bill clearly does not carry out that original intent of Congress. Food prices are skyrocketing. Farm stocks are overflowing in the graineries and warehouses of the country. And the really poor farmer is getting even poorer.

Why, I ask, would the State of Montana collect over \$640,000 in farm subsidies? Or why else would the British-owned corporation called Delta & Pine Land Co. go into Mississippi other than to collect lucrative farm subsidies totaling over \$700,000 as they did last year? And did Standard Oil in California find its fiscal situation in such serious straits—despite large oil depletion allowances—that it was forced to venture into farming to pick up over \$120,000 in farm subsidies?

A housewife in the Bronx or Yonkers does not have to be a mathematical genius to know that the farm program is not working. All she has to do is go into her neighborhood foodstore once a week and watch the price of meat and milk and eggs and vegetables go up and up and up.

The only thing that is going up faster is the dollar figure on those big checks to the farming interests whose only relation to farming is in the way they milk the U.S. taxpayer dry.

Mr. Speaker, I also sponsored an amendment, along with the gentleman from Illinois (Mr. MIKVA), which would have guaranteed that farmworkers would be covered by the minimum of health and safety standards required by law. But, unfortunately, while some of the subsidized farmers ride to their banks in a finely appointed Cadillac, their workers in all too many cases eat little more than the dust of the passing car and live in buildings unfit to even serve as a garage.

Well, Mr. Speaker, despite all these inequities and despite the injustices not only to the farmworkers but to all Americans, a majority of this body saw fit to approve this measure.

There has been a running battle between the executive and legislative branches over who will be responsible for the deficit that this country is headed toward in the next fiscal year. The President blames Congress, saying he wants to stop spending dollars that build hospitals and help hold down health costs.

And Congress blames the President, saying it wants to stop spending dollars for Government boondoggles. Yet, when the biggest giveaway program came up before this body, both the President and a majority of the Members here teamed up together to help the fat cats keep their Cadillacs well greased and their bank accounts bulging.

Let us hope that this temporary mood of fiscal insanity is ended and the remainder of the session will result in responsible spending programs that will meet the needs of the Nation as a whole. Let us hope that our final legislative scorecard will make winners of every American rather than the select few.

LAW ENFORCEMENT TECHNOLOGY

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. SYMINGTON. Mr. Speaker, the Federal Communication Commission recently awarded the St. Louis Police Department a license to operate a television station on the instructional television fixed service channel.

Because Federal grants were not available for this project, the St. Louis business community pledged the needed \$200,000 to build and equip the station.

The operation of this television station will connect nine separate district police stations and 130 law enforcement agencies in the 4,119-square-mile St. Louis metropolitan area containing 2 million people.

The relatively new concept of television in law enforcement will, it is hoped, afford not only communication within the department and local police agencies, but also better training and educational opportunities through the coordination of both the University of Missouri at St. Louis and the St. Louis Junior College district.

Of course, the most advantageous effect is instant inter- and intra-departmental communication of stolen and recovered auto information, photos or drawings of subjects wanted for major crimes, missing persons, stolen property, runaways, strikes in progress, and possible tense school situations.

Having been instrumental in obtaining the required FCC license, I am greatly encouraged and proud of the St. Louis Police Department's efforts and commend this initiative to my colleagues, as the law enforcement problems in the St. Louis area are common to all our urban centers. The project is discussed in the July 1970 Missouri Municipal Review which follows:

LAW ENFORCEMENT GOES "ON THE AIR" IN ST. LOUIS

While all law enforcement agencies today are faced with the problem of rising crime and increasing demands for police services, only a few have been able to enlarge their reservoir of available manpower enough to meet the challenge of their greatly-increased workload.

During the past 20 years in St. Louis, crimes have increased nearly 350 percent, and calls for police service have almost doubled, from 272,975 in 1949 to 633,911 in 1969, while the number of police officers available to handle them has remained about 2,000.

Also, the shortening of the police work week to industry's standard 40 hours, and the granting of holidays and more vacation time to police officers has resulted in a 17 percent decrease in the number of actual man-hours worked by the force during this period.

Thus, it has become apparent that the only practical way of minimizing the problem is to make more efficient and effective use of the man-power and other resources presently available. This realization has led to the birth and maturity of law enforcement technology during the past 20 years.

Two short decades ago, modern scientific methods and equipment were virtually unknown to police departments, most of which were operating in substantially the same manner as they had been a hundred years before.

The technological revolution which followed the Second World War did not bypass law enforcement agencies, however, and since then the application of scientific tools and methods to solving police problems has become an accepted, everyday part of law enforcement.

The St. Louis Police Department has always been a leader in applying modern scientific methods to the problems of law enforcement. At a time when the great majority of police departments were keeping an ever-growing number of records by hand, the Department in 1948 installed an automated data processing system to provide faster, more accurate information storage and retrieval.

In 1964, the first exclusively police-oriented real-time computer system in the nation was installed by the Department, and since then the system has been constantly updated to provide improved services.

Better communication has always been a key to improved law enforcement. Such developments as radio communication, point-to-point teletype and, recently, computer-to-computer hookups, have all greatly expanded police capabilities.

The City of St. Louis is divided into nine districts, each of which is policed from a separate command housed in its own district police station. In addition, there are approximately 130 other law enforcement agencies serving the St. Louis Metropolitan area, a 4,119 square mile tract containing over 2 million people in Missouri and Illinois.

One of the most urgent priorities for the Seventies is the establishment of better communication and coordination among these agencies.

The idea of utilizing tele-communication within the St. Louis Police Department was first conceived in 1948, when commercial television was still in its infancy. At that time, however, the cost of equipment for producing and transmitting television broadcasts was prohibitive, so the idea remained dormant, although not forgotten, for many years.

By 1967, the state of television science had changed drastically. The manufacture of relatively low-cost videotape recorders and cameras had made television an important internal communication tool of many business firms and governmental agencies.

During that year, a committee which had been formed to study the feasibility of installing and operating a television station within the Department recommended going ahead with the project. An application was submitted to the Federal Communications Commission for a license to construct and operate such a station.

As 1969 approached, it became evident that the Department had everything necessary for

the successful use of television in police work—a need for instant communication, the technical knowledge necessary to operate a station, and sufficient funds for operation and upkeep. The only element missing was the \$200,000 needed to build and equip the station.

St. Louis is not unique in the fact that local public dollars are in short supply.

Sources of funding from grants were not available for this project as they had been for other Department undertakings, so it was decided to seek help from the St. Louis business community.

A committee of five officers of local companies was formed, headed by W. R. Persons, Chairman of the Board of Emerson Electric Corp. These men contacted 80 St. Louis companies by mail and telephone, soliciting contributions for the system. Only five declined to participate, and within four months, the \$200,000 needed had been pledged.

The system was submitted for bids through normal Department channels, and the AMPEX Corporation was awarded a contract to install the television equipment.

Meanwhile the license application had been renewed, and on November 25, 1969, the Federal Communications Commission awarded the St. Louis Police Department a license to operate a television station on an Instructional Television Fixed Service channel.

Construction began on the necessary building alterations and air-conditioning and electrical systems on December 8 and the system officially began broadcasting at a dedication ceremony on March 14, 1970.

The application of television communication to law enforcement problems is a relatively new and untried concept. However, it is believed that it will result in faster, more complete communication within the department and among local police agencies and in the general upgrading of law enforcement in the St. Louis area through better training and increased educational opportunities.

The St. Louis Police Department is the first law enforcement agency in the nation licensed to operate on an educational television channel, and educational applications form an important part of the programming.

Immediate plans call for the televising of law enforcement courses over the station by the St. Louis Junior College District, beginning with the 1970-71 school year.

About 200 St. Louis police officers are currently enrolled at the Junior College, but often find attending classes incompatible with the three-watch rotation schedule.

Under the proposed plan, certain college-credit courses will be broadcast at hours immediately preceding or following a normal tour of duty, and taped for re-broadcasting before or after later watches.

The University of Missouri at St. Louis, which is deeply involved in using television as an educational medium itself, also plans to offer courses over the television station through its Administration of Justice Program.

These courses will be available not only to St. Louis Police officers, but to all officers in the metropolitan area whose departments are hooked into the system.

Long-range plans call for the Department's television station to have access to television tape libraries kept by local colleges and universities for educational purposes.

Station WBF80 is not closed-circuit television. It broadcasts through the air, on such a high microwave frequency that it cannot be picked up on regular home television sets.

The broadcast studio is located in the Police Academy, next door to Police Headquarters in downtown St. Louis. From there, the signal is carried to receivers within the Headquarters complex by cable, and broad-

cast by microwave transmitters to outlying districts and other local law enforcement agencies.

Studio equipment includes two cameras for live transmissions or videotaping, a multiplex system for showing films and slides and two videotape recording systems.

One of these units is capable of recording or showing two-inch videotape, making it compatible with commercial television stations and educational institutions which use this size tape.

The five field videotape sub-systems, each consisting of a camera, recorder and monitor, use one-inch tape, and are compatible with the other studio videotape machines.

These units operate on conventional electrical power and can record using available light. Through the use of an inverter, they can be operated outdoors, powered by an automobile battery. None of the field units can telecast live.

No extensive or highly technical training is required to operate any of this equipment. Any police officer can learn to use a camera or videotape unit with about 20 minutes' instruction. Cameras in the Police Academy broadcast studio are operated by specially-trained Police Cadets.

A complete miniature broadcast studio is located in a mobile television van, which is equipped with cameras, videotape recorder, its own audio system and power supply and portable cables, lights and related equipment.

Monitors who are located at various points throughout the Police Academy and Headquarters and in each of the district police stations. Line-of-sight towers, required to pick up the microwave signal, are located at each outlying reception point.

Any law enforcement agency within the 20-mile radius of the transmitter can hook into the system by installing the necessary tower and receivers, at a cost of about \$3500.

Station WBF80 is staffed by a full-time civilian director and three full-time police officers, in addition to the police cadets, who have other duties.

James J. Pentz, a native St. Louisan with extensive commercial radio and television experience, was named director of the station on January 16, 1970. He is responsible for both the programming and technical functions of the station. Technicians from the Department's Communications Support Division keep the equipment in good operating condition.

Today's information explosion, new technological developments in the field of law enforcement, and landmark court decisions all present an awesome challenge to keep officers informed and up-to-date on their profession.

The versatility of television makes it ideal for meeting this challenge through regular brief in-service classes for all officers, specialized courses for detectives, juvenile officers and other specialists and management training for supervisory and command personnel.

Heretofore, it has been virtually impossible to involve all Department members in short training sessions at relatively close intervals, because of the extensive travel required and resulting interrupted tours of duty. Another advantage to such televised training is that it is available to other area law enforcement agencies, many of which previously had no specialized training programs available.

An important advantage of television over other methods of training is that since only one taping session is necessary, which can take place at the instructor's convenience, the best teachers and top experts on a particular subject can instruct every officer in the Department on that subject.

During more informal, live broadcasts, a talk-back device located in each district station allows officers to ask questions and

make comments to the instructor during the class.

Probably the biggest single advantage of the television system is in the area of inter- and intra-Departmental communication.

For the first time in history, instant communication is possible between police departments on all matters concerning law enforcement. Through use of the talk-back device, Chiefs or other commanders can hold meetings to discuss problems of mutual concern without leaving their own police stations.

Announcements from the Board of Police Commissions and Chief of Police can be taped at their convenience, and then broadcast at three successive roll-calls, reaching every member of the Department within a 16-hour period.

The transformation of roll-call briefings has also been accomplished through the use of television. Previously, each watch commander or desk sergeant read important teletype messages which had been received since that watch last went on duty to the assembled officers before they left the station.

Now such briefings are handled in a uniform manner by one person, and each officer receives the same information. In addition, up-to-the-minute stolen and recovered auto information is provided, as well as information about subjects wanted for major crimes, missing persons, stolen property to watch for, runaways, strikes in progress, possible tense school situation, etc.

Use of the mobile equipment allows officers to photograph crime scenes for instant as well as delayed study and evaluation, to get a picture, drawing or description of a suspect wanted for a major crime distributed throughout the metropolitan area within minutes of the incident, and to photograph drunk drivers in the act for later trial evidence.

Just as the automated data processing system which was introduced into the Department in 1948 was the forerunner of our ultramodern computer system, which is now linked on a computer-to-computer basis with data banks of law enforcement agencies all over the nation, probably the true value of Station WBF80 will not be known for several years.

The uses to which the system can be put are literally limitless, and quite possibly an application which has not yet been thought of or is currently considered minor may prove in the test of years to be a tremendously important advance in police science. For all of its immediate usefulness, we are only beginning to explore the potential of television as applied to law enforcement.

MISSISSIPPI HAS LOWEST CRIME RATE IN NATION

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. GRIFFIN. Mr. Speaker, it is my pleasure, and a nearly annual pleasure I might add, to call to the attention of my distinguished colleagues a few plain and simple facts about Mississippi and her citizens.

According to the latest uniform crime reports published today by the FBI, Mississippi has the lowest rate, 740 serious crimes per 100,000 population, in the Nation.

The credit for Mississippi's accomplishment obviously goes to her citizens

and her hard-working and dependable law-enforcement officials.

The New York Times and the Washington Evening Star recently carried editorials highly critical of law enforcement in Mississippi.

Statistics prove that Mississippians are America's most peaceable and law abiding citizens and those two newspapers are, I feel, morally bound to apologize for their intemperate remarks.

Furthermore, the editors of those two newspapers would far better serve the interests of their readers by focusing their attention on the astounding crime problems of their respective cities rather than Mississippi.

With crime at rate of only 740 per hundred thousand, Mississippians are six times more peaceful than New Yorkers—FBI index, 4,731.5—and five times as law abiding as the citizens of Washington, D.C.—FBI, index, 4,018.8.

I am proud of Mississippians for contributing a social system which respects the law, the Constitution, and the rights and property of others.

We would live in a better nation, with less fear, if the residents of other States would follow Mississippi's example.

AFTER 18 MONTHS OF EFFORT, POSTAL REFORM IS NOW LAW

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. DULSKI. Mr. Speaker, on January 3, 1969, the opening day of the 91st Congress, I introduced H.R. 4, pioneering legislation to reform the Nation's postal system.

On Wednesday, August 12, 1970, President Nixon went to Post Office Department headquarters here in the Nation's Capital and signed into law a postal reform bill, H.R. 17070, which I introduced last April 16.

The Committee on Post Office and Civil Service, of which I am chairman, has been working on postal reform legislation for more than 18 months. No subject has been given more thorough discussion and consideration. This is a tribute to the dedication of the members and the staff of my committee, both Democrats and Republicans.

I am proud to be the father of postal reform. The law which the President signed on Wednesday represents the combined effort of many people. The proof of the pudding, of course, is not in the law itself, but rather in the way it is administered.

This means the way in which management and labor cooperate in installing the modern and efficient fully financed mail system which now becomes possible.

Postal reform is now law and we will watch carefully the steps toward implementation.

Mr. Speaker, I was honored to be present at the bill signing ceremony. As a part of my remarks, I include the verbatim transcript of the remarks of President Nixon, also the prepared text of the Postmaster General:

VERBATIM REMARKS OF PRESIDENT UPON SIGNING POSTAL REFORM BILL

Mr. Vice President, Members of the Cabinet, Members of the Congress, former Postmasters General, Mr. Postmaster General, all of our distinguished guests on this occasion:

As the Postmaster General has very eloquently pointed out, this is an historic occasion, because this particular Department is one that goes back earlier than the Constitution itself.

As I was reading some of the history of Postmasters General I have found there have been 63, 63 including the three who held this office before the Constitution. I also found that there have been some rather vivid struggles by Postmasters General to stay in President's Cabinets. Perhaps the most dramatic was Montgomery Blair, Lincoln's Postmaster General, who for three years was under attack and finally was removed from Lincoln's Cabinet.

I think what distinguishes the Postmaster General is that he is probably the first who holds this office, who instead of fighting to stay in the President's Cabinet has fought to get out. And now he is getting out of the President's Cabinet.

THERE WERE DOUBTS

I know that you are aware of the fact that when he assumed this office that the chances of this postal reform being approved, and now being signed today, were considered to be very, very small. I told him that, because he said, "I will not take the office unless the Kappel Commission's report can eventually be in whole or in part approved by the Congress and enacted into law."

But he continued to work. And when the odds seemed most difficult, he became stronger and stronger. And finally, this day has come, a day that many thought could not come when he assumed this office over 18 months ago.

I think perhaps the best way to describe the present Postmaster General, Mr. Blount, "Red" Blount as he is called, is to go back into our history to one of America's famous humorists, Josh Billings. He was referring to the postage stamp. He said, "Observe the postage stamp. Its usefulness depends on its ability to stick to something until it gets there."

Postmaster General Blount has shown that ability, the ability of the postage stamp, to stick to something until it gets there.

MANY GAVE SUPPORT

But I know that he would be the first to say that he could not have done this without a great deal of support.

First, the support of the Kappel Commission, the Kappel Commission appointed by President Johnson, supported by him, a bipartisan Commission. I am glad that so many members of that Commission are here today for this occasion.

And second, the support of the Congress of the United States, and I use the word Congress in terms that are not partisan. We could not have this measure, had it not been for the bipartisan support, Democrats and Republicans, working together for this reform legislation. And I am very happy that so many members of both the Post Office and Civil Service Committees of the House and Senate and of the House and Senate leadership are here today, because both parties and both Houses deserve credit for what has happened here today.

And third, the support of management in the Post Office Department, a fine team that the Postmaster General has assembled, who worked for the accomplishment of this reform.

And fourth, the support of the postal unions, the postal unions who represent hundreds of thousands of postal workers. Without their support and also the personal

support of Mr. George Meany, and his organization, this reform could not have been accomplished. We are glad that they are all represented here today.

RESULT OF 18 MONTHS EFFORT

As a result of all of these groups working together, Republicans and Democrats, management and labor, public citizens and private citizens, we have accomplished something that very few thought could be accomplished even 18 months ago. This is the American system at its best. This is the American system working in a way that we all like to see it work, where we put the country above the party and where we put service to the people above any other interest.

And I perhaps could say on this occasion that as we stand here we recognize that as a result of what is being done today three things generally are going to be accomplished:

First, there is going to be better operation of this department, something that every Postmaster General, the many represented here and all of those in our history have always wanted, more efficiency.

Second, there is going to be better service to those that receive the mail. I wrote the Postmaster General three days ago telling him some of the things that I have said here today. I don't think he has received the letter yet.

But we also are going to see as a result of this better working conditions and better pay over the years for the hundreds of thousands of people who work very proudly for the Post Office Department here in Washington and across the country.

AN HISTORIC OCCASION

All of this has been accomplished because men and women worked together for a common purpose that we agree was in the interest of the whole nation.

And so I say on this occasion that it is historic, historic because the Postmaster General leaves the President's Cabinet and this new organization is set up.

I think it would only be proper on this occasion if we were to introduce those who are present who are former Postmasters General, because some of the great men in America's political history are here and two men who served for eight years as Postmasters General. I think there were only four in our history who served eight years or longer.

Mr. Jim Farley, would you please stand up?

Mr. Arthur Summerfield, who served under President Eisenhower;

Mr. Edward Day from Los Angeles, who served under President Kennedy;

Mr. Gronouski, who served not only in this position but as our Ambassador to Poland;

Mr. Larry O'Brien. I understand, incidentally, that among the many things that Mr. Larry O'Brien, and Mr. Rogers Morton discuss, there are very few that they agree upon, but there is one thing that they do agree upon: There is no Republican way or Democratic way to deliver the mail. There is only the right way and that is what this occasion is all about.

And Mr. Marvin Watson.

POST OFFICE DEPARTMENT HAS A PROUD RECORD

And now, finally, ladies and gentlemen, as we move from one era to another let me, in indicating the promise of the future, pay proper respect to the past. The Post Office Department has been a political department and as each Administration changes the offices have changed.

That does not mean, however, that within the postal service for over 195 years there have not been some of the most dedicated Americans.

I am very proud, as all of us are very

proud, of the record of this department. We are proud of the men and women who have served in it, some of them I am sure under working conditions and for pay that was less than they perhaps could have received in other positions.

And as we look to that past, a very proud past, I think what we all feel today is that hundreds of thousands of people in the Post Office Department can look to a better future, a better future for them, and as the future is better for them it means better service for all of the American people.

Thank you very much.

PREPARED TEXT OF POSTMASTER GENERAL AT BILL SIGNING

Mr. President, Mr. Vice President, Members of the Cabinet, Members of the Congress, former Postmasters General, distinguished guests, I take great pleasure in welcoming all of you here today on this very historic occasion.

You know the United States Post Office Department started more or less when the British crown closed the doors of the New York Post Office on Christmas Day, 1775. It wasn't included in the Constitution of course until 1789, because we didn't have a Constitution until then.

The Congress actually first authorized it in 1782. It wasn't until President Andrew Jackson's time that the Post Office Department was officially included in the President's Cabinet.

And with the signing of this historic legislation today, within a year it will be taken out of the Cabinet again.

This is the end of a colorful period. It is not often in the history of government that there is a clear demarcation between the end of one era and the beginning of another, but this is such an occasion. This period began when the mails were used to tie a young nation together, and before it ended, that same nation had sent a letter to the moon and back.

But the great tradition of faithful service that characterized the United States mails will not end today. It will continue to serve as a tie that binds all that has gone in the past to all that is yet to come. That tradition served us well as we met the challenge of seeking postal reform. It will serve us well as we rise to the challenge of implementing reform.

It is my high honor today to present the President of the United States.

SAFEGUARD FOES INCONSISTENT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BOB WILSON. Mr. Speaker, in an editorial entitled "Safeguard Foes Inconsistent," the San Diego Union states that some foes say the system is effective and would upset the nuclear balance while others say it is ineffective and a financial drain from domestic spending priorities.

The editorial points out the fallacy of both these arguments with the resulting conclusion that the United States should maintain its strategic deterrent forces in order to deal from a position of strength at the SALT talks.

I believe my colleagues will find this editorial of particular interest during the Safeguard debates and therefore I insert it in the RECORD:

NEED FOR MISSILES IS TWOFOLD: SAFEGUARD POSES INCONSISTENT

Senate critics of the \$1.3 billion Phase II Safeguard anti-ballistic missile expansion base their opposition on contradictory beliefs.

Some say proceeding with two new ABM sites will harm the Strategic Arms Limitations Talks in Vienna, although last year's decision to begin Safeguard Phase I is credited with getting SALT under way. These critics assume that the Safeguard system would be effective enough to protect our strategic missiles from a Soviet attack. This, they say, would upset the tenuous nuclear balance of power between the United States of America and the Soviet Union and risk a rupture in disarmament negotiations.

Other opponents, despite assurances to the contrary from top military experts of the world's foremost technological nation, claim that Safeguard is ineffectual, and merely siphons off in an expensively hopeless venture funds needed for domestic projects.

One school of senatorial thought or the other is wrong. Indeed, facts argue that both are wrong, and consequently both invalid.

Safeguard is designed to protect the Minuteman ICBM system, the United States land-based nuclear missiles whose deterrent power protects all the free world. Expansion of Safeguard is critically essential both to that deterrent force and to any hope of meaningful results from SALT.

The Soviet Union, for its part, does not hesitate to put muscle behind its bargaining posture in Vienna. Last week it tested two SS11 advanced ICBMs in the northern Pacific, and resumed testing its Fractional Orbiting Bombardment System satellite missile. With an estimated 300 25-megaton SS9s and well over 1,000 lesser SS11s and SS13s already deployed throughout the U.S.S.R., and with Moscow already protected by an ABM screen of its own, the Kremlin is eroding any nuclear edge the United States may now possess. Concurrently, Communist China is preparing an intercontinental delivery system for its growing nuclear capabilities.

It is obvious that the Kremlin is not limiting deployment of strategic arms while waiting to see what the SALT conferees decide.

The conclusion has to be that unless the United States maintains its strategic deterrent forces at a credible level, we will be dealing from weakness at Vienna.

BILL TO BAN SEA DISPOSAL OF CHEMICAL AND BIOLOGICAL WARFARE WEAPONS

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BROTZMAN. Mr. Speaker, I am today introducing legislation to make illegal the dumping of the agents, byproducts, and wastes of chemical, biological, and radiological warfare into the oceans and other bodies of water.

My bill would provide stiff penalties for any individual who violates its prohibitions. Fines of up to \$10,000 and prison terms of up to 10 years could be assessed. The effective date would be the first of the year.

If this law had existed 2 years ago, the Army would never have considered sealing rockets in concrete in such a way

that pollution dumping became the lesser of several evils. It is my understanding that this is the reason why containers are now moving across the country for sea disposal.

Mr. Speaker, the people of the Second District of Colorado, who I have the privilege of representing in Congress, are intimately familiar with the difficulties involved in the disposal of surplus chemical and biological warfare weapons. They, and I, strongly opposed the efforts to move toxic materials from the Rocky Mountain Arsenal for ocean burial off the coast of New Jersey last year. As a result, facilities at the arsenal are now being developed to detoxify and destroy the weapons on location in a safe manner.

There are a myriad of problems associated with the disposal of chemical and biological weapons. Indeed they are presently the subject of the arms limitations negotiations in Geneva which I attended earlier this year. The bill I am introducing covers only part of the spectrum in terms of bringing about a new national policy for handling these dangerous materials, but obviously, the current shipment demonstrates that emergency action is needed.

CONGRESSMAN SHRIVER ISSUES PERIODICAL NEWSLETTER

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. SHRIVER. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following periodical newsletter which is being sent to constituents of mine in the Kansas Fourth Congressional District. I should especially like to call attention of my colleagues to the results of my annual opinion poll which are included in the newsletter.

CONGRESSMAN SHRIVER'S NEWSLETTER,
SUMMER, 1970

DEAR FRIENDS: In this issue of the newsletter I am pleased to submit for your information the final tabulations of my 1970 Kansas 4th District Opinion Poll taken this spring. The results are published on page 4. More than 21,000 questionnaires were returned to me by citizens throughout the District this year. This is the largest response in the 10-year history of the poll. It is indicative of the deep interest and concern of many citizens over the complex problems which confront us at home and abroad. I want to thank all of you who took the time to respond to the poll. Many took the opportunity to include additional comments and these have been read by me. Once again, I want to emphasize how helpful it is to me in making difficult decisions to have you share your opinions with me.

OPINION POLL HIGHLIGHTS

It is evident that three main issues are uppermost on the minds of Kansas 4th District citizens. These are: the state of the economy; the war in Southeast Asia; and problems relating to law and order. Many expressed concern, too, over campus unrest and violence and a need for national unity.

As you know, the questionnaire was mailed shortly after the President's decision to conduct military operations against North Vietnamese sanctuaries in Cambodia. Sixty-nine percent of those responding to the poll expressed support for the President's action, and 75% indicated support for President Nixon's policy of Vietnamization of the war and U.S. troop withdrawals. The key domestic issue on the minds of most citizens continues to be inflation and the troubled economy. Sixty percent of those responding said they favor wage and price controls as an anti-inflation weapon.

Concern for our environment was evidenced by 47% backing for higher taxes, if necessary, to finance an all-out Federal attack on pollution. Strong support also was given by the 4th District resident to establishment of an all-volunteer army with 60% responding in favor of recommendations of the Gates Commission. Only 33% favored lowering the voting age but 76% favor electing the President by direct popular vote. I want to express my appreciation to the many volunteers throughout the 4th District who helped address the envelopes for the questionnaire. Their assistance helps make this yearly poll possible.

BUSINESS OPPORTUNITY/FEDERAL PROCUREMENT CONFERENCE PLANNED AUGUST 31

In an effort to assist small businessmen, industries, and stimulate job opportunities, I have requested Federal civilian and military agencies to conduct a Business Opportunity/Federal Procurement Conference in Wichita's Century II Center on Monday, August 31, under sponsorship of The Wichita Chamber of Commerce and in cooperation with the City of Wichita, Wichita Manufacturers' Club, Kansas Economic Development Commission, Kansas State Chamber of Commerce and Small Business Administration. Plans for the conference were discussed with Mr. William Busch, president of the Wichita Chamber last April in Washington. Fourteen civilian agencies, and all military departments, will send top-level procurement officers to the Conference to counsel those from the Kansas 4th District interested in doing business with the federal government. In addition, at least 10 major prime contractors will be represented at the Conference to discuss subcontracting opportunities. The Defense Department has informed me its procurement officers will bring procurement packages of more than \$30 million in bidding opportunities to Wichita. Further information on the Conference is available from The Wichita Chamber of Commerce, Miller Building, Wichita.

ON THE HOUSE FLOOR

Social Security Amendments

The automatic cost of living adjustment for Social Security recipients has finally been adopted by the House of Representatives. I introduced my first bill to provide cost of living benefits in the 89th Congress nearly 4 years ago. The bill provides that benefits are increased automatically according to the rise in the cost of living. Other changes in the House-passed bill include a 5% increase in benefits effective Jan. 1, 1971, equalization of widows benefits, increased permitted earnings to \$2,000, and includes provisions to reduce the costs of services for Medicare and Medicaid.

Postal Reform

As the newsletter went to press, it appeared that reorganization of the Post Office Department was about to become a reality. Final congressional action was being taken on a bill which establishes an 11-member Commission to operate the postal system, and removes the mail system from politics. The final version of the postal reform measure includes a House-passed amendment providing that postal employees have free-

dom of choice regarding membership in a postal union, the so-called "right to work" amendment. I supported this provision which is in keeping with our Kansas Constitution.

Railroad Retirement

The House has approved final passage of a bill to provide a 15% increase in railroad retirement benefits to bring them up proportionately with Social Security. The increase is retroactive to January 1, 1970. The bill also calls for a study on how to handle the subsequent financing of the railroad retirement system to make it actuarially sound. I supported this legislation.

Lowering the voting age

The House of Representatives approved a Senate-passed amendment to the Voting Rights Act which lowers by statute the voting age to 18 for local, state and federal elections. I have previously supported voting rights legislation. However, I felt strongly that only states have the authority to determine voting qualifications and that the only constitutional manner in which the

Federal government can take this responsibility is through an amendment to the Constitution. I believe that my constituents want an opportunity to express their opinion on lowering the voting age, and I did not propose to deprive you of that right by voting for the bill. Although the bill now has been signed by the President, it will be submitted for an early court opinion as to its constitutionality.

Unemployment insurance

On July 23 the House passed, and I supported, the final version of the unemployment compensation bill. The bill extends unemployment compensation to more than 4 million workers nationally. But of equal significance is the fact that the bill provides for an extended benefit period of at least 13 additional weeks for those who already have exhausted their benefits. The measure is now on its way to the President for signing.

SHRIVER BILLS PASSED

In recent weeks the House of Representatives has passed the following bills which I have introduced: A bill creating a *Joint*

Congressional Committee on the Environment; and the *Clean Air Act Amendments* providing for national standards of air quality and expediting enforcement of air pollution control standards. Restoration of the *Golden Eagle Passport Program* which provides a use permit for federal recreation areas. Extension of the *Great Plains Conservation Program* to assist farmers and ranchers in applying conservation programs in 10 states including Kansas. A bill making it a felony to mail or transport in interstate commerce any advertisements or solicitation intended to appeal to a wanton interest in sex.

SHRIVER VOTING RECORD

The Clerk of the House of Representatives has provided each Congressman with a preliminary tabulation of voting in the House covering the period from January 19, 1970, through July 15, 1970. Your Congressman has maintained a better than 97 percent voting attendance record on the 123 roll call votes during that period. A final tabulation will be available following adjournment of the Congress later this year.

CONGRESSMAN SHRIVER'S 1970 OPINION POLL, KANSAS 4TH DISTRICT

(In percent)

	Yes	No	No opinion		Yes	No	No opinion
1. Do you favor establishment of an all-volunteer Army as recommended by the President's Commission?	60	32	8	8. Do you favor wage and price controls as an anti-inflation weapon?	60	31	9
2. Should college deferments be eliminated from the selective service law?	54	41	5	9. Do you favor busing schoolchildren to achieve a better racial balance?	8	88	4
3. Do you favor lowering the voting age?	33	64	3	10. Should we elect the President by direct popular vote?	76	18	6
4. The Safeguard antiballistic missile system (ABM) is currently planned to protect 2 of our missile sites. Should we expand the system to other sites in order to safeguard our nuclear deterrent?	50	30	20	11. Should penalties for the use or possession of marijuana be reduced, and penalties for selling it be increased?	73	17	10
5. What should we do about Vietnam:				12. Do you feel economic equality for Kansas farmer can best be established by:			
(a) Carry on limited military action and pursue peace talks in Paris?	25	35	40	(a) Maintaining present price support policies?	20	20	60
(b) Follow the Nixon policy of gradually phasing out U.S. troops and replacing them with South Vietnamese?	75	12	13	(b) Returning to free market operations?	46	9	45
(c) Withdraw immediately?	22	49	29	(c) Providing increased bargaining power?	29	10	61
(d) Do you support the President's decision to conduct a military operation in Cambodia against North Vietnamese and Vietcong sanctuaries?	69	23	8	(d) Long-term retirement of crop acres?	12	21	67
6. Would you be willing to pay higher taxes, if necessary, to finance an all-out Federal attack on pollution of our environment?	47	44	9	13. Do you favor legislation which would limit daylight savings time to the 3 summer months only?	53	32	15
7. Do you favor Federal subsidies for railroad passenger service?	32	54	14	14. In your opinion, what is the Nation's No. 1 need today? Most frequent responses concerned:			
				(1) Law and order.			
				(2) Economy.			
				(3) Vietnam.			

OVERRIDING THE PRESIDENT'S VETO

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. POWELL. Mr. Speaker, I am proud to have passed my vote today to override the President's veto. This bill was born under my chairmanship. It is a bill which transcends regionalism, racism, and partisanship.

Attached to my remarks are a few of the messages I have received from various people from various organizations:

WASHINGTON, D.C., August 13, 1970.

HON. ADAM C. POWELL,
Washington, D.C.

Chamber of Commerce of United States urges you support President's veto of education and independent offices appropriation bill. Budget deficits in recent years especially 1968 major cause of painful inflation still not yet overcome. Continuing deficits are disservice to American citizens. Control of budget calls for highest degree of statesmanship if Congress fails sustain veto. Will reflect calous disregard for taxpayers who are getting fed up with high cost of Government.

HILTON DAVIS,

General Manager, Legislative Action Department.

NEW YORK, N.Y., August 13, 1970.

HON. ADAM C. POWELL, Jr.,
House of Representatives,
Washington, D.C.:

United Federation of Teachers urges you to be present on Thursday, August 13th, and vote to override Mr. Nixon's irrational veto of Education Bill H.R. 16916. The way to fight inflation is to provide education to increase the productivity of our people who are our greatest resource.

Delay in financing public education dangerously postpones development of skills desperately needed for basic human dignity and an adequately functioning urban society. Public education must be strengthened to eradicate the burden of ignorance and incompetence now menacing the very existence of New York and other cities.

Full funding of authorizations is essential for initiation of innovations, and orderly planning requires prompt determination of appropriations.

ALBERT SHANKER,

President, United Federation of Teachers,
AFL-CIO.

WASHINGTON, D.C., August 13, 1970.

HON. ADAM C. POWELL,
Washington, D.C.

We urge that you vote to override vetoes of vitally needed housing and education appropriations.

JAMES T. HOUSEWRIGHT,

International President, Retail Clerks
International Association.

NEW YORK, N.Y., August 13, 1970.

HON. ADAM CLAYTON POWELL,
House Office Building,
Washington, D.C.:

Strongly urge that you vote to override Presidential veto of Education Bill. Any other action would be against the best interests of every parent and school child in your district.

MANUEL SIWEK,

President, Grosset & Dunlap.

ALBANY, N.Y., August 13, 1970.

HON. ADAM C. POWELL,
House Office Building,
Washington, D.C.:

Federal financial support of the Nations public schools is critically needed therefore the NYS School Boards Association urges you to vote to override the presidential veto of HR 16916.

JOHN E. GINTER,

President.

WASHINGTON, D.C., August 13, 1970.

HON. ADAM C. POWELL,
Rayburn Building,
Washington, D.C.:

The urgent needs of the citizens of the City of New York in education and urban renewal require that the appropriations bills on education and independent offices be passed by the Congress although current economic pressures must be recognized. There exist numerous other areas in which appropriate reductions can be made that do not relate to the highest priorities of this

city and this Nation. Accordingly I urge you to do whatever you can to override the vetoes on these urgent measures.

JOHN V. LINDSAY,
Mayor, the City of New York.

WASHINGTON, D.C., August 13, 1970.

HON. ADAM C. POWELL,
Washington, D.C.:

The American Institute of Architects is deeply concerned and disappointed over the President's veto of the fiscal 1971 HUD appropriations bill. In 1949, the Congress enacted the national housing goal of a "decent home and a suitable living environment for every American." Practically each year thereafter this goal has been reaffirmed. Despite these good intentions sufficient funds have not been appropriated to fulfill this national commitment. The AIA believes that adequate funding of housing programs is one of the highest ranking national priorities. Accordingly, we strongly urge that you vote to override the President's veto.

REX WHITAKER ALLEN,
FAIA President.

NEW YORK, N.Y., August 13, 1970.

HON. ADAM C. POWELL,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN POWELL: Your continued support for housing and urban development programs will be crucial in overriding the President's disastrous veto of the Independent Offices Appropriation Bill which includes allocations for the Department of Housing and Urban Development. The \$1.35 billion Conference Appropriation for Urban Renewal, while \$350 million more than the presidential request, is still nowhere near the 3 billion to fund urban renewal applications presently pending at H.U.D. The funds appropriated in this bill are absolutely essential for the continued production of low and moderate income housing and the revitalization of our urban centers and metropolitan areas. Your vote and other efforts to secure these funds will be greatly appreciated.

ALBERT A. WALSH,
Administrator, New York City Housing
and Development Administration.

NEW YORK, N.Y., August 13, 1970.

ADAM C. POWELL,
U.S. Capitol,
Washington, D.C.:

Respectfully request your vote for education appropriations bill. Maximum Federal support vital to Fordham University.

MICHAEL P. WALSH, S.J.,
President.

NEW YORK, N.Y., August 13, 1970.

Representative ADAM C. POWELL,
House of Representatives,
Washington, D.C.:

We urgently request your help in overriding the President's veto of the Office of Education appropriation bill. This is neither an appropriate nor effective place to fight inflation, and sustaining the veto would seriously delay the availability of important funds at all levels—colleges, schools and libraries.

JOHN T. SARGENT,
President, Doubleday and Company Inc.

WASHINGTON, D.C., August 13, 1970.

HON. ADAM C. POWELL,
Washington, D.C.:

Full appropriations 235-236, sewer water essential to housing. Urge yes vote veto override Thursday.

LOUIS R. BARBA,
National Association of Home Builders.

WASHINGTON, D.C., August 13, 1970.

HON. ADAM C. POWELL,
Washington, D.C.:

Urge your wholehearted support and vote for H.R. 17809 without amendments. Floor

action scheduled Thursday. Passage vital to all Federal Wage Board employees. Thanks.
JOHN F. GRINER,
National President.

ALBANY, N.Y., August 13, 1970.

HON. ADAM POWELL,
House Office Building,
Washington, D.C.:

On behalf of the New York State Personnel and Guidance Association, some 3,000 counselors and college personnel workers, I urge you to once again vote to over-ride the latest veto of education appropriation bill. We appreciate your January vote to over-ride. Loss of NDEA and higher education funds could jeopardize very seriously the educational programs urgently needed to avoid further alienation of many young people.

JOSEPH L. NORTON,
President, NYSPGA.

BROOKLYN, N.Y., August 13, 1970.

Congressman ADAM C. POWELL,
U.S. House of Representatives,
Washington D.C.:

It is imperative that you be present and join your colleagues to override the veto of the education aid bill by the President. It will be a disaster for the Nation and particularly for the children of New York City if the action of the President is not reversed.

MURRY BERGTRAM,
President, New York City Board of Education.

BROOKLYN, N.Y., August 13, 1970.

HON. ADAM C. POWELL,
House of Representatives,
Washington, D.C.:

On behalf of the New York Library Association, I strongly urge you to attend the floor debate on August 13 concerning the Appropriation Act of the U.S. Office of Education and to argue and vote for its passage over the President's veto.

JOHN C. FRANTZ,
Legislative Chairman, New York Library Association.

PROCEEDINGS BEFORE THE AD HOC INVESTIGATING COMMITTEE OF BLACK ILLINOIS STATE LEGIS- LATORS—II

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MIKVA. Mr. Speaker, as I announced yesterday I am herewith including in the RECORD the second part of the transcript of hearings recently held before an ad hoc investigating committee of the Illinois State Legislature.

The document referred to follows:

Chairman NEWHOUSE. For the purpose of the press, I will read the names of the witnesses for today.

The next witness will be Patrolman Palmer, who is the Executive Director of the American Patrolmen's Association. Following him will be Reverend George Clements, from Holy Angels Church, who has done extensive work, and has extensive association with the Patrolmen's League. And Mr. Donald Duster, who is the Executive Chairman of the Chicago Forum.

That is our lineup. Would Patrolman Palmer come forward.

(Witness sworn.)

Edward L. Palmer, having been first duly sworn, was examined and testified as follows:

Chairman NEWHOUSE. Would you begin, please, by identifying yourself and telling us your position with the Association?

Mr. PALMER. My name is Edward L. Palmer. I am the Executive Director of the Afro-American Patrolmen's League.

I am a patrolman on leave of absence. I've been on leave of absence since last September.

Chairman NEWHOUSE. Can you tell us briefly, were you a founder of the Afro-American Patrolmen's Association?

Mr. PALMER. Yes, I was a founder.

Chairman NEWHOUSE. Can you tell us what it is all about?

Mr. PALMER. The reason why the league was formed, was for a number of reasons. One of the most cognizant was the picture which appeared in a national magazine of a little black kid, 12 years old, who was lying in a pool of blood. This was in Newark, New Jersey, in 1967.

What had happened was, two white police officers, with shotguns, came on the scene of a looting. In the process of their shooting, they shot at a looter coming out of a store with a six-pack of beer. They shot and killed this looter.

In the meantime, a half a block down the street there was this 12 year old child who had no particular reason for being there, but he ended up in a pool of blood.

The pictures indicated a complete callousness toward this particular kid's life. One of the inside pictures showed this white policeman with a shotgun, with a cigar in his mouth, arrogantly striding by this child lying in a pool of blood.

Chairman NEWHOUSE. Would you say that is bad police work?

Mr. PALMER. Yes. Because the shotgun is too indiscriminate a weapon. A shotgun has been outlawed by the Geneva Convention. It cannot be controlled. It fires nine to twelve projectiles. As soon as they leave the barrel, they begin scattering. It is a very dangerous weapon. It is a barbaric weapon.

It is a weapon that shouldn't be used at all in a highly populated area. And the majority of the cases that came up with the use of a shotgun in the Chicago area, have been on black citizens.

Chairman NEWHOUSE. Tell us the purpose of the League?

Mr. PALMER. The purpose of the League is to try to build a new meaning and role for the black policemen. Historically, black policemen only work in one community, and that is the black community.

This image and role that they portrayed, was the role of an "Uncle Tom;" a mercenary, an occupation army. In fact, there has been a number of allegations that the black police have been more brutal on their own people than other policemen have.

This has primarily been caused because they do believe they have no particular alliance to the community. What we are trying to do is to change that image, and the meaning and the name on the sign on the side of the squad car that we protect—that we protect anybody in the community, whether it be from the criminal element or the policemen that are not oriented towards self-service.

Chairman NEWHOUSE. Do you see that as being a conflict with the goal, or announced goals of the Chicago Police Department?

Mr. PALMER. There are many other reasons. There is covert and overt—

Chairman NEWHOUSE. Let's talk about the announced goals.

Mr. PALMER. Their announced goals is they do serve and protect the community.

Chairman NEWHOUSE. You are saying that what the Patrolmen's Association is all about was not inconsistent with the Police Department; as a matter of fact, with a view of making the Police Department a better Police Department, is that correct?

Mr. PALMER. It was making the Police Department live up to its promise. It was to make it a true toward the total community.

Chairman NEWHOUSE. Now, how long were you on the Police Department?

Mr. PALMER. Four and a half years.

Chairman NEWHOUSE. And when was the Patrolmen's Association formed?

Mr. PALMER. Last year, in June. June the 13th, 1968.

Chairman NEWHOUSE. June 13th, 1968.

At that time, at the time that it was formed, what had been your record with the Police Department?

What kind of a cop were you?

Mr. PALMER. Well, I received—I have served in almost all of the specialized units from the Intelligence Division to the Youth Division, and in the Patrol Division. I never had a day off for disciplinary action.

I never had a day off for brutality. I have a number of accommodations for alleged bravery.

Chairman NEWHOUSE. What has been your record with the Department since the formation of the Afro-American Patrolmen's Association?

Mr. PALMER. When we were in the process of forming the League I was in the 4th Area Youth Division. I was—I had served there for a year.

My efficiency rating was 86. Within a couple of months it went down to 84 and they decided they would have to remove me from the Youth Division because there was something about "Black Power."

From there I was reassigned to almost a nearly all white district, which is the 9th District, one of the highest white districts.

At that time, there was a complement of 250 to 300 men, of which eight were black. Interestingly enough, in this particular district, the black policemen were always assigned to the black community.

Chairman NEWHOUSE. What is your—was your performance, in your opinion, any difference after you formed the association than before?

Mr. PALMER. Yes, I would say it was quite different. Before there was quite a bit of corruption on the Police Department, and at that particular time I felt I could justify this particular type of corruption.

Chairman NEWHOUSE. Let me make my question clear.

You were a patrolman at one point with an efficiency rating of 86, is that correct?

Mr. PALMER. Yes.

Chairman NEWHOUSE. Was there anything in the way you conducted yourself as a patrolman, after the Association was formed?

Were you a worse policeman after it was formed, or were you the same policeman, or were you better?

Mr. PALMER. I think I was a better policeman, because I no longer insisted on having new laws put in a hydraulic juicer and squeezing out the last nuances.

I believe I became more compassionate. That doesn't mean that I condone breaking the law. If a person breaks the law, he would have to be arrested.

There are, by the same token, a number of laws on the books dating back to the 18th Century.

One of the laws, if you drove an automobile, you'd have to have a man walking in front of it with a red lantern.

We have some laws on the books that are almost antiquated, or as antiquated as this particular law.

Chairman NEWHOUSE. You are among the officials of the Association, is that correct?

Mr. PALMER. That is correct.

Chairman NEWHOUSE. How many other officials of the Association are there, offhand? Can you tell us?

Mr. PALMER. There is between seven and eight hundred members.

Chairman NEWHOUSE. Tell us what happened with the hierarchy of the Association, the other officers, since it was formed?

What has happened to the—to their careers within the department?

Mr. PALMER. Most of our Board of Directors,

the six of them—well let me start down the line.

One of our original founders, Frank Lee, was removed from the 10th District Vice. He was one of the leaders of that particular unit up until the time of the formation of the League.

He was removed from the Vice Unit and assigned to a Patrol Division.

Chairman NEWHOUSE. Is that a better or worse assignment?

Mr. PALMER. Worse. And there is Jack Dubonette. Jack Dubonette, after the formation of the League, was accused of being off post. He received a couple of complaints on his hair.

Chairman NEWHOUSE. I beg your pardon?

Mr. PALMER. He was supposedly, or allegedly wearing his hair in a natural style.

At any rate, he eventually ended up being suspended for thirty days for allegedly being off his post.

Chairman NEWHOUSE. What had been his record prior to that?

Mr. PALMER. Again, exemplary policeman. After that he was then assigned to the Youth Division.

This man has a degree. He's been active with kids. He has a number of citations from community organizations, South Shore Commission, on how well he was handling kids in the South Shore area.

At that time, the Police Department contended that they only then found out he was suspended from the Police Department for thirty days, and they used this for justification for his removal from the Youth Division.

Directly after that, he was assigned to the Traffic Division in the middle of the winter, and put on one of the coldest corners in the Loop.

Chairman NEWHOUSE. Is that an advancement or demotion?

Mr. PALMER. Demotion again.

Chairman NEWHOUSE. Where was he placed?

Mr. PALMER. I believe it was at the corner of Wacker and State. I would have to check with him on the exact location. I can get that.

There is the matter of Curtis Carlson, our Vice President.

Curtis Carlson was on leave of absence. He was attending Roosevelt University at the time of the formation of the League. Up to that time, he was an evidence tech.

After the formation of the League he was removed from the Evidence Tech Division and put on the CTA Task Force Detail, which it is rumored, is the burial detail. This is a detail that has a particular onus to it.

Chairman NEWHOUSE. This was after, I take it, the League was formed?

Mr. PALMER. Yes.

Chairman NEWHOUSE. May I interrupt? I would like to acknowledge the presence of Senator Chew, that just came in.

Mr. PALMER. The next person is our secretary, Nate Silas.

He was working as an evidence tech. He was also attending Roosevelt University. Up until the time of the formation of the League, he could always work out with his Sergeant a schedule that would allow him to attend college.

At that time, they decided that he—he could not get a schedule that would allow him to continue college and remain an evidence tech. So he asked for a transfer, and in the transfer he was reassigned to the CTA Task Force.

Chairman NEWHOUSE. What happens to you when you go to the CTA Task Force?

Mr. PALMER. Well, when you go to the CTA Task Force, you are assigned to a post in one of the subways, where it is usually rather damp in the wintertime; rather cold.

It is a complete different experience. You are confined to a particular area. While in

the Patrol Division, you are mobilized. You have a heater.

Chairman NEWHOUSE. It is one of the more undesirable tasks?

Mr. PALMER. Yes.

Chairman NEWHOUSE. The request that Silas made, was it a request that is normally granted?

Mr. PALMER. Up until the time of the formation of the League, he never experienced any difficulty in getting a particular assignment; working his hours so he could continue with his schooling.

Chairman NEWHOUSE. Please continue.

Mr. PALMER. Then there is a matter of one of our Board members that was formerly in the Gang Intelligence Unit.

At that time, he decided that his nature was not compatible with this particular unit and he asked for reassignment.

Chairman NEWHOUSE. Would you give us his name?

Mr. PALMER. Saffold.

Representative WASHINGTON. What was it?

Mr. PALMER. Harold Saffold. He was reassigned to the CTA Task Force.

Then there is myself, after the formation of the League. I was working in the 9th District. And after the formation of the League I was assigned to the CTA Task Force.

And then there is Renault Robinson, the President of our association. Prior to the formation of the League, he was again an exemplary policeman. He worked in the 10th District. He led the District in Vice arrests.

He had a number of condemnations. Directly after the formation of the League, he was transferred out of the Vice Unit and assigned to the 3rd District.

Chairman NEWHOUSE. Would you say that of the men you have named, who belong to the Patrolmen's Association, that these were men that were the best of the better type of policeman that you had?

Mr. PALMER. Yes. There were your younger police officers.

Chairman NEWHOUSE. I just wanted to go to the quality of their work.

Mr. PALMER. Yes. Either to get assignment to either the—as an evidence tech, the Vice Division, the Youth Division, all these are specialized fields, and they demand the best men.

All these men have worked in specialized units. According to the Police Department's own standards, they were above the average cut of policemen.

Representative WASHINGTON. In other words, these promotions, they were not lightly given?

Mr. PALMER. No. They were not lightly given.

Representative WASHINGTON. And presumably not lightly taken away?

Mr. PALMER. Yes. As a matter of fact, Patrolman Robinson was one of the younger vice detectives in the City. He also served as Vice Coordinator for the 10th District when Sgt. Barrett, the 10th District Coordinator was on vacation. They thought highly of him.

Chairman NEWHOUSE. Sen. Chew.

Senator CHEW. Mr. Palmer, as you know, I just got here. I called Sen. Newhouse and told him I would be late.

Am I to understand that after the formation of this League, that most of the members have been harassed by the hierarchy in the Police Department?

Mr. PALMER. Yes.

Senator CHEW. Do you have a future though that the hierarchy of the Police Department has in itself intention to actually get rid of the main body of your League and its members, in the sense of finding things to possibly fire them for?

Mr. PALMER. The only way that I could answer that, is that Patrolman Robinson is now under suspension. Our Sergeant-at-

Arms, Jack Dubonette, has been suspended for thirty days in the past.

Up to this time, there seemed to be some type of attempt to at least circumvent the League. Interestingly enough, when there was a breakdown in law and order at the U.S. Customs House, when they had Rev. C. T. Vivian trapped in a squad car for four hours, and the police were unable to do anything about it, and one of the State Senators tried to get into the building, and the police were not able to provide him that particular protection, yet when Rev. Jackson called upon the League and asked for protection in order to get him into a Federal Hearing, we supplied that protection, and C. R. numbers—complaints were registered against the members.

The only attempt they make, is not of a vigilante committee, but rather an organization which serves as a protection to people, and this is well within their scope. C. R. numbers are pending on these particular men.

Senator CHEW. That C. R. numbers are complaint numbers that are registered by the Police Department against the individuals who participated in the protection of Rev. Jackson?

Mr. PALMER. Yes.

Senator CHEW. Are you aware that there are some union officials that have round-the-clock protection from the Police Department, 365 days a year, on and off duty?

Mr. PALMER. As I understand it, some Aldermen have that protection, too.

Senator CHEW. Are you differentiating between you protecting Rev. Jackson and other members of the Department protecting citizens?

Mr. PALMER. Yes, I would say it was discriminatory. I would also say that if there is a vacuum that exists in the protection of human life, we have already saw what has happened to Dr. King. We have seen what happened to the Kennedy's, and we have seen what happened to Malcolm X.

All these people were killed by assassins bullets.

What the League is contending, the Department would not extend itself to overt protection of people. And someone has to fill that void.

Senator CHEW. Is there a police role where a policeman cannot wear his uniform unless he is pursuing his duty?

Mr. PALMER. According to the Director of the I.D., he did some research, and he contends he can find no rule—

Senator CHEW. In other words, the complaints against the men who were protecting Rev. Jackson were filed because they were on—in official uniform?

Is that about the size of it?

Mr. PALMER. Well I, believe the Police Department backed away from that. They contend that they just want to set up a procedure to determine the propriety of the act itself. They have moved away from the idea of in uniform or out of uniform.

Senator CHEW. Do you feel if you disassociated yourself from the League you would be placed back in one of the positions you previously held?

Mr. PALMER. That is pure supposition. First of all, I doubt—if the police—of anybody getting a favorable assignment or getting some type of favor, in the light of the protection of people, then this is one of the things that I cannot bargain with.

Senator CHEW. I recall when Frank Terry was on active duty, he held the position of President of the Chicago Patrolmen's Association, and at that time Frank Terry did nothing but run the office, and he was paid by the taxpayers of the City of Chicago.

And that is an organization that has many members outside of the department. I believe subsequent to Superintendent Wilson it was desired that Frank Terry could no

longer be a policeman and carry on this kind of activity, which he carried on with the Chicago Patrolmen's Association.

Do you feel you should have some leeway, as a policeman, to operate this organization within the Department as other organizations are being operated?

Mr. PALMER. Yes. We feel that one of the things that are particularly irritating to us, that where our posters are put on the bulletin board, they are ripped off.

As a matter of fact, there was one sign which we asked for approval by the Director of Public Information for the Police Department, and he contended that the word "Brother" was—would not be in the best interest of the Department.

It said, "Brothers, Unite." That would not be in the best interest of the Department. We wanted to use just the word "unite". Then he definitely said that the word "unite" was not within the best interest of the Department.

Senator CHEW. Is there another organization that is operating like the Black Patrolmen's League?

Mr. PALMER. I believe the organization that you are referring to is the Afro-American Negro Police Association.

Senator CHEW. Are they being harassed similar to your organizational members?

Mr. PALMER. I really couldn't tell you. You see different organizations pull different things.

We are not an association—a social club or social organization. What we are seriously engaged in is the protection of the community.

Senator CHEW. And they don't have that function at this time?

Mr. PALMER. No.

Senator CHEW. Thank you.

Chairman NEWHOUSE. Has there been any attempt to elicit the aid of the white policemen's organizations?

Mr. PALMER. A number of white policemen are becoming increasingly aware of the disparage of justice.

Chairman NEWHOUSE. I am concerned about the attitude of these organizations. Can you tell me what the attitude of the organizations has been?

Mr. PALMER. Yes. One of the organizations allegedly made the allegation that we are a Black Panther Organization.

When pressed on this issue, as to whether we were, the President of this particular organization, was pressed as to where he got this particular type of information, and he contended that he got it from informants.

Which brings out the idea in a Police Department who watches the police; the informants watch the police.

Chairman NEWHOUSE. Have you run into any problems with your fellow officers?

Mr. PALMER. Would you be more specific?

Chairman NEWHOUSE. With your colleagues; white, black.

Mr. PALMER. Yes. Well, yes. As this insistence for impartial justice increases, the casual brutality that goes on in the district stations, attempts to be cured.

I believe in one of the South Side districts, what happened was there was a black youth that was being beaten out in the parking lot of this particular station. A black policeman came on the scene and told them they would have to stop beating this kid or face the consequences.

The consequences we hope, were what has been happening in the Marine Corps, and what is happening in the United States Army.

Chairman NEWHOUSE. You then are aware of difficulties between fellow officers?

Mr. PALMER. Yes. There have been fist-cuffs between black and white policemen. This is a dangerous element, for the simple reason that these men are armed.

Chairman NEWHOUSE. Is there a quota system for tickets and arrests within the Police Department?

Mr. PALMER. Yes. I believe the Chief of Patrol, eventually acknowledged there was a quota system on tickets.

And in the Task Force units, in order to work plainclothes, there is a point system. The number of arrests, what type of arrests, especially felony arrests, would give you the leeway to move out of the ranks of the uniformed and for a month, at least, work in plainclothes.

Chairman NEWHOUSE. Does this quota system encourage normally good cops to go out and harass the community in order to fulfill their quota?

Mr. PALMER. Yes. What happens at your rollcalls, the Watch Commander will come down and ask to see everyone's book; traffic book, ticket book, citation book. And he'll go through it and find out when's the last time you issued a citation.

If you haven't issued a citation in quite a while, you'll be assigned to an unfavorable detail. For example, parades—if you are working special equipment, you might be removed from special equipment.

Chairman NEWHOUSE. So there is things done subtly.

Does anyone ever say you have to get "X" number of tickets?

Mr. PALMER. When the Watch is first coming on, at roll call, this would be mentioned openly, that "I want you to get so many movers."

The term for a traffic violation, is "mover."

"I want everybody to get me a mover to-night," of course, this is never written down on a paper, for obvious reasons.

What happens, is the issuance of tickets has become a big business, and I would say that the take for traffic tickets reaches up in the millions.

Chairman NEWHOUSE. What affect does this have on community relations?

Mr. PALMER. Let me give you one particular unit. The Task Force has been involved for the purpose of going into a community, and experiencing a number of high—a higher index of crimes; burglaries, robberies, rapes, et cetera.

When they move into this particular area, they also move into it—with the area, the way they are going to have to curve this is traffic stops. They are going to stop "X" number of cars and search these cars.

First what becomes a laudable attempt to serve the community, it becomes where the citizens are jerked out of their cars and in the process they may be served a ticket.

You have more policemen in an area to give out tickets and they give out tickets.

The Task Force would work primarily in black communities. It has no control factor as the district has, where a resident can go in and see the District Commander and make a complaint.

What he does, if a Task Force is working in that community, there is no control by the community, because the Task Force only works in that community for four or five days.

In addition to that, over the District Commander you have a Deputy Chief that is stationed in this area. In this particular case, the Task Force does not have a Deputy Chief to report to.

Representative WASHINGTON. You have cited seven individual instances, which you call harassment of officers of the Afro-American Policemen's League; plus you cite, I guess you would call it, an harassment of the Afro-American Policemen's League that was escorting Rev. Jackson to the hearings two weeks ago.

Do you have any other incidents of harassment of members of the League, to the fact that they are affiliated with the Afro-American Patrolmen's Association?

Mr. PALMER. No. What you will find, that the members of the League are questioned by their white colleagues, "What side are you on?"

Their answer, they're on the side of justice. You'll find their boxes stuffed with garbage and words scrawled on the washroom walls.

Representative WASHINGTON. What about posted notices?

Do you get any cooperation?

Mr. PALMER. No cooperation in posting of our posters.

Representative WASHINGTON. Do other organizations, such as cited by Senator Chew?

Mr. PALMER. Yes. For some reason their posters seem to stay up.

There is a board right by the Sergeant's desk. And he is there to see. The COP FOP stickers are able to stay up there for some reason or other, where ours are torn down.

Representative WASHINGTON. Your organization is a legal organization, duly constituted?

Mr. PALMER. Yes.

Representative WASHINGTON. I had planned to ask you spell that out in a little more detail, the purpose of your organization.

You have here a statement of purpose here. Would you care to read it into the record?

Mr. PALMER. Yes.

"Whereas, the entire black population has a serious interest in improving the quality of life in the black community and

"Whereas, the historical role between black police officers and the black community has not been a constructive one, and

"Whereas, the time of social and economic crisis in which we live requires that the black community marshal all of its forces in a positive way and

"Whereas, the black police officers of the Afro-American Patrolmen's League have undertaken the task of improving their performance as police officers to the end that they may exercise their authority with compassion and understanding in order to be of positive benefit to the black community and

"Whereas, the black community is appreciative of this new orientation on the part of black police officers and

"Whereas, black policemen and the black community need to be supportive of each other in order to achieve the desired improvement in the quality of life in black neighborhoods,

"Be it resolved:

"1. That the Afro-American Patrolmen's League pledge itself to the support of all community efforts devoted to establishing respect for black manhood, black womanhood and black pride within the law;

"2. That the black community will accept and support the efforts of the Afro-American Patrolmen's League to reverse the distrust and hostility toward black police officers;

"3. That the black community and the Afro-American Patrolmen's League dedicate themselves to the proposition that law enforcement may be practiced by black police officers with compassion, understanding and efficiency;

"4. That the goal of law enforcement officers will become the employment of courtesy and compassion rather than the mere absence of brutality;

"5. That the black community and the black police officers will respect the sanctity of human life whether clothed in a police uniform; a prison uniform or civilian dress;

"6. That the black community and the black police officers will be mutually supportive of efforts to bring about a new community where unity of purpose and recognition of ability of the black heritage will be a deterrent to crime;"

Where moral authority imposed from within will govern human relationships rather than technical legalism;

And where those of us who are black will be able to live lives of beautiful fulfillment.

Representative WASHINGTON. Let me ask you one or two other questions.

One is, that it is banded about in certain circles that your organization is racist.

Mr. PALMER. Yes. First of all, that is an area—we are not a racist organization. What we are talking about, since the only place the black police officers can serve is the black community, it is our first concern down in that area.

What we'd like to do, is to create impartial justice, fairness, the cessation of this brutality throughout the community.

On that one point I would like to make this particular statement:

That while we are an alleged racist organization, simply—simple reality demands we state for the record, we contend that the Chicago Police Department, as it is presently constituted, is both a segregationist in its structure and racist in the formation of its policy.

Representative WASHINGTON. In other words, you admit that the black police officer has a bad image in the black community, and you want to do something about it?

Mr. PALMER. Yes.

Representative WASHINGTON. What is the image of the black police officer in the white community?

Mr. PALMER. Obviously over the last four or five years almost all of the civil disturbances, riots, whatever you want to call it have been started by a particular police incident. We feel there are some white police officers that are oriented toward improvement and compassion for the particular community.

But the simple reality is, they are distrusted by the community. And if they are distrusted by the community, this makes their efforts largely ineffective.

Representative WASHINGTON. And this incident of white policemen and black people, simply gives credence to the image the white police officer has?

Mr. PALMER. Yes. And the white officer is not familiar with the life style and background of black people, just as I am not familiar with the life style of the people of Polish or Italian heritage.

Representative WASHINGTON. You are familiar with the discipline of police officers for alleged minor infractions?

Mr. PALMER. Yes.

Representative WASHINGTON. You previously detailed that for us.

Mr. PALMER. Yes. What would normally happen, the complaint would largely be registered either by a citizen or a supervisor.

This complaint would then be forwarded to the IID, Internal Investigation Division, where an investigation of the allegation or allegations would be made.

If an allegation was serious enough in nature, it would then be forwarded to the Police Board. At the Police Board, the patrolman in question would have the opportunity to explain his version of what happened.

However, he would not be afforded the possibility of legal service or legal counsel. At that time, if they so decided—see, there are two Boards—one is the Internal Police Board. That is composed of lieutenants and captains; that they make a recommendation.

Then it would go to another police board, which is composed of citizens. And if the allegation was serious enough, there could be grounds for dismissal.

But this is all done basically without due process, because the man is not given the opportunity to face his accuser or the privilege of counsel.

Representative WASHINGTON. In other words, it is possible under this system for an individual to be harassed by his superiors, and possible—possibility that he could be disciplined, suspended up to 30 days, without

any recourse other than the internal investigating bodies?

Mr. PALMER. Right.

Representative WASHINGTON. And this is an area of dissension among police officers black and white?

Mr. PALMER. Black and white.

Representative WASHINGTON. Does it contribute to lowering the morale?

Mr. PALMER. Yes. Obviously it does involve the lowering of morale, for the simple fact that policemen are agencies of the law, and they enforce the law.

They are more cognizant perhaps of the manifestations of particular ordinances, et cetera. But by the same token, being aware of these particular manifestations of the law, they are then not given the same privilege that a criminal or a citizen, or anyone else in this society would normally be afforded.

Representative WASHINGTON. In other words, the so-called non-serious allegations, there are none of the procedural safeguards; counsel, right to cross examine, written notice, and appeal, and all of that sort of thing.

Mr. PALMER. Right.

Representative WASHINGTON. I take it then that your organization would welcome perhaps legislation in this field?

Mr. PALMER. Yes, we would definitely recommend legislation in this field.

Chairman NEWHOUSE. Rep. Washington I believe said non-serious allegations.

Representative WASHINGTON. I was using his language.

Weren't some of the allegations, such as not wearing a hat, which is not serious?

Mr. PALMER. Yes.

Chairman NEWHOUSE. We'll take a five minute recess.

(Short recess taken.)

Chairman NEWHOUSE. I wonder, would Mr. Palmer resume his seat, please.

Senator Chew, I believe you were about to address some questions to Mr. Palmer.

Senator CHEW. Mr. Palmer, for the record, I want this known that this fact-finding committee is not here to attack the police department as such, nor are we here to make any kind of indication that a police department is not necessary.

And I further want to state that I believe that within the police department we have some excellent, qualified officers, both black and white. And I further feel that the police department can also be improved. What we are trying to ascertain here, is a way to help the police department grow into a unit that can be recognized as ministering fairness throughout the department. Now, I am going to ask you some pretty strong questions.

Representative WASHINGTON. Senator Chew, won't you let Mr. Palmer comment on your remarks first.

Senator CHEW. Yes. I'd like to have a comment.

Mr. PALMER. Obviously we are interested in the improvement of the department, because the way it is presently constituted, you have a number, as you stated, of very good police officers. And these are black and white police officers, that are doing a good job.

However, there are elements that almost negate the control of a man in a control position. When we say the Department is both segregated and racist in the implementation of its policy, if we can document it, the Police Department is segregated. This would be a strong and large segment.

It would have to be racist. We are talking about a police department.

Chairman NEWHOUSE. We are covering some ground that we have covered previously, and we do have other witnesses.

Senator.

Senator CHEW. Have you found any indication of harassment of members, black police officers that are not members of your League?

Mr. PALMER. Yes.

Senator CHEW. Would you care to elaborate on that?

Mr. PALMER. Yes. There was an incident, this particular man was not a member of our organization, who was Patrolman Jennings.

Patrolman Jennings made an arrest of a white alderman's nephew. The normal processing of a complaint of brutality is handled by the Excessive Brutality Unit of IID.

In his case, it was not handled by the Excessive Brutality Unit, but rather a District Commander.

Chairman NEWHOUSE. I believe that is in the record. I wonder if we could excuse this witness, and ask him if he will come back at some future date to be determined, to go into some aspects of the police department's allegations.

Thank you, very much, Mr. Palmer.

(Witness excused.)

Chairman NEWHOUSE. We have three more witnesses. I'd like at this time to call Father George Clements to the stand.

Representative WASHINGTON. Father, will you forgive my presumption and raise your right hand.

(Witness sworn.)

Father George Clements, having been first duly sworn, was examined and testified as follows:

Chairman NEWHOUSE. Father, would you identify yourself for the record.

Reverend CLEMENTS. I am Father George Clements. I am the pastor of Holy Angels Catholic Church and I am also the Chaplain of the Afro-American Patrolmen's League.

Chairman NEWHOUSE. Father, you have had extensive association with the Patrolmen's League, and I believe you have some prepared remarks?

Reverend CLEMENTS. I have had extensive contact with the League. I don't have a prepared statement. I do have some remarks I would like to make prior to the questions that you ask.

Chairman NEWHOUSE. Please go ahead, Father.

Reverend CLEMENTS. I would like to state, with all due respect to this body here, I feel that a much more important investigation should take place subsequent to this one. And that would be the investigation of the Chicago Police Department, and the fact that a stranglehold on the Police Department has been traditionally exercised and is exercised up to this moment by Irish Catholics.

I believe an investigation into the fact that a group of people, who comprise only 13 percent of the population of the City of Chicago, and who yet control 83 percent of the Command positions in the Police Department, I believe that that should be investigated and investigated thoroughly.

I do not think it is any accident that the men who command our Police Department, from the Superintendent on down to the lowest supervisor, that those men are predominantly Irish Catholic.

And I feel this is a measure that should definitely be taken, because I believe it has strong implications for all the people in the City of Chicago.

I mentioned to you that I am the Chaplain of the Patrolmen's League.

Chairman NEWHOUSE. Father, may I clarify, you are a Catholic priest?

Reverend CLEMENTS. I am a Catholic priest. And I mentioned to you that I was the Chaplain of the Afro-American Patrolmen's League.

I think it would be rather interesting to the citizens of Chicago, if I were given a limousine to go around throughout the city. However, it is a fact that the Catholic Chaplain of the Chicago Police Department has a limousine furnished to him by the Department for his activities.

A Jewish Rabbi does not, nor does a Protestant Minister.

It should also be noted that the Chaplain for the Fire Department has a limousine furnished by the Fire Department, while there was none for the Protestant or the Rabbi Chaplain.

Senator CHEW. Does the Chaplain of the St. Jude League have a car?

Reverend CLEMENTS. Not at this time. It was taken away from him, from the St. Jude League, by the former Commander—Wilson.

Chairman NEWHOUSE. O. W. Wilson.

Reverend CLEMENTS. O. W. Wilson.

Chairman NEWHOUSE. Go ahead, Father.

Reverend CLEMENTS. I believe until we get to the point where we can talk about things openly in the public, things that everyone knows that are true, then I don't think we are going to solve these things.

And I think it is no secret that the hierarchy, the political hierarchy, is synonymous with the religious hierarchy in the City of Chicago.

It is no secret that the mayor of our City and prior mayor were both Irish Catholics. And in this City, the Catholic Church has such a strong control over the major political departments of this City, and especially the Police Department. And I believe that if we get to the point that we can determine whether it is so structured, then and only then will we be able to do something about what I consider an abuse.

Chairman NEWHOUSE. That is your preliminary statement?

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Father, you had some specific instances of contact with the Afro-American Patrolmen's Association, some of which have at least cast a suspicion that there is some differential treatment between the League's members and the other members of the Police Department.

Would you relate your experience?

Reverend CLEMENTS. Yes. First of all, it is no suspicion of anything in my mind. It is a conviction, since the League was formed last year.

I have made it a practice to stop black policemen and ask them if they are members of the Afro-American Patrolmen's League. And when we began the League there was some enthusiasm, particularly from the younger policemen.

As the months went by, and the harassment and pressure was backed up, then the younger ones when I would stop them, would say, "Father, I would like to get in but I have a family to feed," or, "Father, if I did get in, I would be shifted from the detail I am on," or, "Father, I am more than happy to donate money to the League or give my services, but I don't really want to be identified as a member of the League."

The implications being, Senator Newhouse, if this were—if they were so identified then they would be definitely put under the same kind of pressure that the members of the League are under today.

Chairman NEWHOUSE. Could you be very specific in some instances, Father?

For example, I understand there were threats on the life of Patrolman Robinson's children, and some of the threats were made directly to you.

Is that correct?

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Would you recount for this Committee what happened?

For the record, Father, we are about to talk about Patrolman Renault Robinson, who was President of the Afro-American Patrolmen's League.

Reverend CLEMENTS. Patrolman Renault Robinson has, or had, rather, two children in Holy Angels Grammar School; one in the 3rd grade and one in the kindergarten.

Patrolman Robinson had a story written about him in the Chicago Sun-Times. I am not certain of this date, but I think it was September 28th.

The following Tuesday, a call came into the

rectory, in which the caller used very obscene and abusive language, said that he was a policeman and stated that he was going to see to it that the heads of these two youngsters were blown off.

I have received—

Chairman NEWHOUSE. Was that call to you, Father?

Reverend CLEMENTS. It was to me. It wasn't to me directly. I was in the rectory and I took the call.

He did not ask for me. I happened to pick it up, because it was early in the morning.

I then went over to the school about an hour or so later, perhaps around 9:30, and I had gone into the school building and was talking to the principal about this call, when the school secretary came running out into the corridor screaming there was someone on the phone who was threatening to come over that day to kill these children.

The principal then went into his office and made a call to the Watch Commander, Commander Harness.

Commander Harness was not available at that time, and so he spoke to his subordinate, whose name I don't know—I don't recall. Yes, it was Fahey.

This gentleman stated that we had a policeman assigned to our school and for us to let this policeman take care of the matter. We tried—

Chairman NEWHOUSE. This is Policeman Fahey's response to the threat?

Reverend CLEMENTS. Yes. We tried to make it very clear to him that there was a lot of publicity about this case, about Patrolman Robinson, and there could very easily be something to these threats.

And they stated that they were too busy and have our own policeman handle it at the school.

Chairman NEWHOUSE. Do you know what rank Fahey is?

Reverend CLEMENTS. I believe he is a Lieutenant.

Chairman NEWHOUSE. And it was clear to you that your complaint stopped at Lt. Fahey, it wasn't going any further?

Reverend CLEMENTS. He made that very clear to me. We then tried to contact the policeman assigned to our school, and he was, as usual, unavailable.

Senator CHEW. Father, would you hold your point right there.

Am I to understand that you have a policeman assigned to the school, and you attempted to contact this policeman and he was unavailable?

Reverend CLEMENTS. Yes. He had told the principal that he had to go to the station to fill out a written report.

The principal called the station and they said as far as they knew he was at the school. And he didn't show up until about an hour later.

Senator CHEW. Let me understand this clear, so we can have this for the record.

Having a police officer assigned a given station, which we'll say for this instance would be your school, does he work the normal hours, say from 8:00 until 4:00?

Reverend CLEMENTS. He does.

Senator CHEW. Well, isn't he supposed to be on the grounds, other than his lunch period, at all times?

Reverend CLEMENTS. If he is on the grounds, then he is supposed to let the principal know where he is.

And in this case, he told the principal he was at the station. When the principal called the station, they said he was at the school.

Senator CHEW. What is this policeman's name?

Reverend CLEMENTS. Keene, K-e-e-n-e. Another good Irish Catholic.

Chairman NEWHOUSE. You don't know his first name?

Reverend CLEMENTS. No.

Chairman NEWHOUSE. You know his badge number?

Reverend CLEMENTS. No, I don't. But he is the only policeman that we have.

Chairman NEWHOUSE. He is out of the Wash Avenue District?

Reverend CLEMENTS. Right.

Chairman NEWHOUSE. I assume he is white?

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Go ahead, Father.

Reverend CLEMENTS. We then decided, since we hadn't gotten any kind of consideration from the station, that we would take it higher and we called downtown to the Central Police Headquarters.

We were told there, that there was nothing that they could do, because this was a local matter.

Chairman NEWHOUSE. Do you know who you talked to Father?

Reverend CLEMENTS. I don't recall the man's name, sorry. I didn't get his name.

I then asked to speak to Superintendent Conlisk, and I was told that that was impossible and I said, "Well, go down the line until we can speak to somebody."

Chairman NEWHOUSE. Did they say why you couldn't speak to the Superintendent?

Reverend CLEMENTS. You had to have an appointment.

Chairman NEWHOUSE. Did you talk to him by telephone?

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Now, Father, let me understand this:

We have had some difficulty recently with the Superintendent. I don't want to be at all unfair, but are you saying that someone told you that you had to have an appointment to speak by telephone with the Superintendent?

Reverend CLEMENTS. He said we would first have to get an appointment.

Chairman NEWHOUSE. Do you know who told you that?

Reverend CLEMENTS. No, I don't. I'm sorry. We then did get into contact with the Deputy Superintendent, whose name is Riordan. I believe his first name is James.

And this, by the way, is about 45 minutes after the call.

Chairman NEWHOUSE. And there is no—still no policeman on the grounds?

Reverend CLEMENTS. Still no policeman on the grounds. He then realized the importance of the situation, and he said he would send some policemen over immediately, which he did.

During the interim period, we decided to call Patrolman Robinson's District, to let him know about the threats to his children.

We called the District and we were told they would send a policeman over to investigate. I said, "That is fine, but please tell Patrolman Robinson."

Then they said, "We are not going to tell him until after a patrolman had come over."

And I asked them why this had to take place and the policeman, whose name is Barrett said as far as he knew this could be any crackpot calling him up, and this would have to be verified.

I said, "I'll hang up, and you call the school, and I will verify I am the one that is talking to you, Father Clements."

He still stated that the departmental procedure was to send a policeman over and then and only then would they get into contact with Patrolman Robinson if they deemed it necessary.

We waited for this policeman to come, and he did in about 45 minutes. Still, Patrolman Robinson does not know as yet that his children's lives have been threatened.

We asked this policeman what he could do about it—his name, and the spelling, I don't know, was Bedeski. Something along those lines; Bedeski.

He stated that all he was supposed to do was simply take down the report and take it back to the station.

Chairman NEWHOUSE. And take it back?

Reverend CLEMENTS. And take it back to the station. When we finished, we called the District station again, and again asked the Watch Commander to get in touch with Patrolman Robinson. He said that he didn't know where Patrolman Robinson was at that point, but he would try to locate him.

Chairman NEWHOUSE. Who was the Watch Commander, Father?

Senator CHEW. This is the 3rd District?

Reverend CLEMENTS. This is the 3rd District.

Senator CHEW. For the record, that is Commander Griffin.

Reverend CLEMENTS. Yes. Griffin. However, we did not speak with him.

Chairman NEWHOUSE. No, the Watch Commander. If you think of it.

Go ahead, Father.

Reverend CLEMENTS. Patrolman Robinson finally did call, oh, around a quarter to 12:00 and told us that he had been notified.

However, he also told us that all that morning he had been down to the offices of the Internal Investigation Division, and that he had been sent down there by his District Commander, so they knew exactly where he was during that entire morning, yet they deliberately chose not to inform him about the threats that had been made against his children.

Chairman NEWHOUSE. He had been sent down there by the same Watch Commander that had talked to you?

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Go ahead, Father.

Senator CHEW. Just a moment, Mr. Chairman, if I may.

I think we have just one conflicting element here. You said he had been sent down there by his Watch Commander, or by the station Commander?

Reverend CLEMENTS. He had been sent down there by the Watch Commander.

I think I used the words "District Commander" and I should not have used those words. It is Watch Commander.

Senator CHEW. Watch Commander.

Reverend CLEMENTS. Patrolman Robinson has visited the rectory a number of times, at Holy Angels. Since the publicity that has been attached to his case, when he would arrive at our rectory, shortly thereafter, a police car would arrive and it would remain out there until he left.

Also, it is a known fact that people park their cars in front of churches, and that these churches—and policemen have been told by their District Commanders that the space is reserved for people coming to church and not to give tickets.

After this case, a black policeman in the 3rd District—and I am not going to give his name—told me that a policeman by the name of Laughran, and other people, were out to get me because of the affiliation we had with the Afro-American Patrolmen's League.

After threats, my car was parked in front of the Church of the Holy Angels, and I was given a ticket by this same officer, Laughran.

Chairman NEWHOUSE. How do you spell that, Father?

Reverend CLEMENTS. L-a-u-g-h-r-a-n.

Senator CHEW. Was that the first time you were ever given a ticket for parking in that vicinity?

Reverend CLEMENTS. That is the first time, to my knowledge, that anybody has been given a ticket for parking in front of a church.

On any given Sunday, if you go to 73rd and Stony Island, in front of St. Constantine's, a Greek Orthodox Church, you will find people parked on the sidewalks and every place else.

Senator CHEW. You think this is a violation?

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Father, what we are

talking about now is really hearsay information and secondary. I prefer to have you relate those experiences that you have had.

Reverend CLEMENTS. Right.

Chairman NEWHOUSE. I don't want to summarize you off. I know you have another experience that you want to relate, that concerns the Rev. Jesse Jackson I believe.

Reverend CLEMENTS. Yes.

Chairman NEWHOUSE. Would you move on to that?

Reverend CLEMENTS. Yes. On that day that Rev. Jackson was scheduled to testify at the Customs House, the Afro-American Patrolmen's League had eight members who were asked by Rev. Jackson to guard him, because he felt that his life would be in danger in attempting to get into the Customs House.

These men went down to the building, drove down to the building with Rev. Jackson, got out of the car and surrounded him as he was entering into the building. He had to go through a mob that was yelling and screaming and debris was being thrown at Rev. Jackson.

When he got inside, I was with them, when we got inside the building, a policeman who I later learned was Deputy Rockefeller, ran up to the elevator and told the black policeman that they had to come out of the elevator immediately and they were all subject to his command at this point.

I don't remember the exact words he used. These men then left, left Rev. Jackson, and we went up in the elevator. I subsequently learned they were reprimanded for having taken part in guarding him, of getting him into this building.

Chairman NEWHOUSE. I want to thank you for your testimony. I wonder if you would be willing to come back at some future time, if we deem it necessary, in the interest of your inquiry?

Reverend CLEMENTS. Yes.

Representative WASHINGTON. Two questions.

You stated that certain black patrolmen in your experience would not join the Afro-American League, even though they had sympathies with its purpose, because they feared some reprisals against them.

Do you know of any officers that have quit the League because of any such experience?

Reverend CLEMENTS. I know of a black officer who was told by Commander Martin O'Connell, that he must get out of the Afro-American Patrolmen's League.

I know of an officer, and he was assigned on the southwest side, and he had been detailed to watch the—watch LeClaire Court, which is the only section of that southwest side that black men are permitted to control. He was told by this commander that he'd have to get out of the League.

Representative WASHINGTON. Was he told a reason?

Reverend CLEMENTS. He was told because it was a racist organization.

I know of another police officer, Sullivan I believe in the—head of Communications.

Representative WASHINGTON. We are running into hearsay. I want to know—

Reverend CLEMENTS. This is not hearsay. I heard him myself.

Sullivan said that the Afro-American Patrolmen's League was a racist organization, racist garbage.

Representative WASHINGTON. Is that all he said?

What motivated this discussion?

Reverend CLEMENTS. The fact that the Patrolmen's League was holding a press conference down in the Police Department headquarters. He was irritated about that fact.

Representative WASHINGTON. We have been privy to some of your literature, your charter, something like that.

Reverend CLEMENTS. Yes.

Representative WASHINGTON. You were on

the scene the day that Rev. Jesse Jackson was escorted to the Labor Department Hearing at the Custom House?

Reverend CLEMENTS. Yes.

Representative WASHINGTON. He had bodyguards assigned to him, is that correct?

Reverend CLEMENTS. That is correct, by the Federal Government.

Representative WASHINGTON. How many?

Reverend CLEMENTS. Two. Two that I know of.

Representative WASHINGTON. In light of your experiences there that day, and this is obvious public knowledge of what happened on the prior day, do you consider that sufficient bodyguards to get Rev. Jackson into the hearing?

Reverend CLEMENTS. Absolutely not.

Chairman NEWHOUSE. Thank you, Father. (Witness excused.)

A CASE FOR CONTINUITY IN THE WEAPONS WAR

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BOB WILSON. Mr. Speaker, in the July 25, 1970, issue of the Armed Forces Journal, there is an article by Mr. Frank Gard Jameson, president of Teledyne Ryan Aeronautical of San Diego, Calif. In this article, Mr. Jameson hits hard the fact that the United States is losing its technological edge in defense systems as compared to the U.S.S.R. Another important aspect of the commentary is Mr. Jameson's proposal for the restructuring of our weapons procurement practices. I believe these observations will benefit my colleagues and I insert the article in the RECORD:

A CASE FOR CONTINUITY IN THE WEAPONS WAR (By Frank Gard Jameson)

President Richard M. Nixon: "If present trends continue, the United States, a very few years hence, will find itself clearly in second position—with the Soviet Union undisputedly the greatest military power on earth." America is losing the weapons war to Russia.

Why? Why are the Russians surpassing us in weapons technology? What is paralyzing the American military industry complex while the Soviets continue to build their military might?

We are losing the weapons war with Russia because of our methods of procurement of military hardware. Time, money, talent and technological advance are wasted because of the spasmodic, inefficient, feast-or-famine way we do business in the buying and selling of military goods.

Immediate remedial action is required. U.S. defense procurement practices must be restructured to more adequately respond to this direct Communist threat to our national security.

Some will term my solution radical. But I believe it is a direct and simple idea that merits serious consideration. I have discussed the basic outline of my proposal with our nation's leading thinkers in defense systems in the active military, in the Congress, in the Department of Defense, and in the aerospace industry. They agree in principle.

The labor of weapons manufacture should be organized something like this:

The Air Force, for example, wanted a new bomber aircraft. From among several bidders, three companies were selected and eventually the contract was awarded to North Amer-

ican Rockwell. I propose that a short competition should be held within the next year in which another company—one which is fully qualified to design and build a new bomber—should be awarded a new contract to design a follow-on, a second prototype Air Force bomber. This new bomber should be looking ahead at least four years in design, in technology, in threat analysis, and so forth. It should anticipate and incorporate technological advances that will be achieved in the next four years.

Likewise, another aircraft manufacturer should be selected now to build a follow-on to the Grumman/Navy F-14 fighter, while still another company should begin now to design a successor to the McDonnell-Douglas Air Force F-15 fighter.

In other words, Company A, which won the first production contract, would be going operational with its system about the time that the follow-on designs would be ready for a prototype competition. Meanwhile, Company A would be building improvements into its system. Thus, a follow-on design would always be ready to go into production while current production models would receive incremental improvements as long as they were cost effective.

In every case, the lion's share of the market would go to the best designer. And most importantly, we would have continuity of production. We would not be faced with a long period when our aircraft became obsolescent without suitable replacements available. And, if by chance, a production model turned out to be a lemon, we wouldn't have to continue production because there was nothing else on the horizon.

What we need, I believe, is a new program of military procurement that has continuity built into it. Technological advances should not be allowed to become a "horse race" with competing firms experiencing the costly inefficiencies of beginning from a dead start. Instead, technological advances should be allowed to come in the manner of a "leap frog," with each company competing to overtake the other with a better weapons system.

Individual firms would settle into a price-output position fairly satisfactory to all from the viewpoint of profit or "new capital." DoD would administer and adjudicate to ensure that the best national interest continued to be served. Production would continue as long as demand continues to exist, which in the nuclear age means as long as the United States and its allies are faced with the threat of Communist aggression.

Each firm would make improvements in each model as weapons systems technologies advance. We would not wait until our inventory aircraft were completely outdated to start mission requirements. Operational forces would be serviced continuously with updated, reliable weapons systems.

Similar long-term manufacturing programs could be established for military VTOL and V/STOL aircraft; Army vehicles and tanks; missiles, rockets and bombs of all types; even major ship systems. I believe this approach can find application to any major military supplier, to any prime military contractor.

WHAT WOULD BE GAINED?

Achieved through this approach will be the following benefits:

(1) America's national security will be better defended and protected.

(2) Weapons technology will be continuously updated and improved.

(3) The defense industry will become stabilized, with steadier production flows and levels of employment. Continuity of production and employment is one of the principal goals of my proposal.

(4) The value of independent research and development—the "lifeline" of growth and productivity—will be recognized and re-

warded. R&D can be pursued with the knowledge that goals are firmly established and future markets fairly well assured.

(5) Although not "pure competition" in a sense, this system retains a strong element of free competition among companies for new business and follow-on business.

(6) Most importantly, the balance of weapons strength among the world's nuclear powers will be more likely to shift to America's favor once again. The Russians and the Red Chinese will be less likely to take that final step that risks world annihilation.

How does this procurement system differ from outright nationalization of the defense industry? Nationalization means the surrender of ownership of industrial firms to the national government. It also can mean the investment of control of industry in the national government.

In regard to the latter definition, we already have a form of nationalization of the defense industry. The national government already tells the defense contractor what he can build, how much he can build, what cost accounting formula he can use, how much profit he will be allowed, and so forth. In effect, the national government already controls the defense industry. The government controls both the demand for the product, as sole customer, and the supply of the product, as creator of the requirement. In fact, it is precisely because of the depth of this control that so many defense firms are being pushed toward diversification, toward the formation of conglomerates, and even toward stepping out of the defense business altogether.

My proposal offers a means to codify the limits of existing governmental control, and place this control within a manageable, mutually responsible, mutually beneficial relationship between government and industry. In no way does my proposal indicate nationalization of the ownership of industry. Ownership of industry would remain in the hands of company stockholders.

Under my proposal, the defense industry would have to be restructured. I see the new structure along lines similar to the automobile industry. Production should be established on a continuing assembly line basis, on-going, year after year. Right now the defense industry should be manufacturing the 1970 models of defense equipment and hardware. In the back shop we should be tooling up the scheduling for the 1971 and 1972 models. We should be ready so that on Friday when the 1970 production run is completed, we can start the 1971 model production on Monday, without missing a day and without experiencing a costly layoff.

At the same time, we should have designs in work of the 1975 models. We should be talking to our customers about improvements of the 1973 models. And in our "think tanks," our advanced systems specialists should be using their computers and creative talents to dream up the weapons systems of 1980 and 1990. At the least, we ought to be working and planning five years ahead. Many auto manufacturers are drawing designs and building mockups of automobiles that will roll off the Detroit production lines ten years from now, in 1980.

CONTRACTORS, NOT MANUFACTURERS

People think of the U.S. defense business as a manufacturing business. And it was for a brief time during World War II. Several contractors built the same weapons systems to the same design during that time of national mobilization. But during peacetime, the development and procurement of weapons systems bear no similarity whatsoever to the manufacturing business.

In truth, we are not in the "manufacturing business." We do not manufacture products in the sense of an organized systematic program of planning, designing, tooling, producing and marketing a specific

weapons system for a long-term business cycle.

Instead, we are in the "contracting business." We are in a business full of costly, wasteful stops and starts, a business based more on short-term expediency than on long-term productivity. Dependent on annual budget renewals, we face a yearly battle for continued survival.

Being in the contracting business, the defense industry is really more similar to the housing industry than it is to the automobile industry.

The housing contractor hires his architect and before the first board is cut, unless he has another development down the road, the contractor has to let the architect go. The same thing follows with the carpenters, electricians, plumbers and roofers.

In the aerospace contracting business, a hard drive is made for a defense program. Some preliminary design is accomplished, some computer modeling, some independent R&D. Usually a large engineering team is amassed to demonstrate to the military buyers that the company has the capability "in being" to do the job. If contract award is delayed, as is too often the case, this high-cost team stands virtually idle for months. Costs to the company and to the government are astronomical.

The winner negotiates his schedule and costs, tools up and starts prototype assembly and production. Payments may be made incrementally, however, and rate of return on investment risk capital may be slow. Because of this, as milestones are passed, contractors cannot afford to maintain their engineering talent pools. The old program hangs fire while the new programs keep getting pushed further out of reach. Even the "winners" can lose because valuable skill strengths often must be sacrificed.

As for the losers, unless they have the resources to pursue another program, they suffer heavy layoffs. Thousands of men go home to tell their wives, "Darling, I just lost my job. We've got two weeks to relocate." Who wants to be in this kind of industry? At least in the military services, if a man pulls a less-than-desirable duty assignment, he knows he will move on in two years to another assignment that is likely to be better. Aerospace engineers shuttle around the country every few years, victims of short-sighted procurement policies. Time and dollars are wasted in retraining, travel reimbursement, dislocation allowances, recruitment and other costs associated with the hire and layoff of this so-called contract labor.

Actually, it is my estimation that with implementation of my proposal defense contractors will find they are able to conduct the same production jobs with thirty percent fewer people than they employ now. Again, continuity of production and employment is the key.

In recent years, the element of risk in military programs has increased tremendously. Traditionally, the net profit of the aerospace industry has averaged 3½ to 4 percent on sales before taxes. This was adequate when prime interest rates were low. In the past fifteen years, however, the prime rate has spiraled from 3 percent to 8½ percent. That doesn't leave the contractor much to grow on. The risks are becoming too great. Take the case of C-5A. Lockheed Aircraft, with a total net worth of about \$350-million, was asked to assume an effective risk exposure of around \$800-million, according to Lockheed Senior Vice President Dudley E. Browne.

Aerospace firms are being forced to seek financial backing from banks and large financial institutions. This backing is needed even to make a bid on a new program. Even the largest companies among DoD contractors are forced by this system to hold tight during periods of drought, and then risk the entire corporation on winning a single new program. Many a giant has been backed to the wall; some have fallen.

TWO-HEADED PARAGON

With restriction on the Defense dollar, we see the four services compete for funding. The two-headed paragon of cost and effectiveness is applied to each weapons system desired by a service branch; contractors, in turn, are forced to offer the most optimistic estimates to propose a "responsive" bid. Coupled with the virtual elimination of prototype hardware, this approach has resulted in program stretchouts, skyrocketing costs and overruns averaging more than 200 percent in the past fifteen years. The practice of annual contract renegotiation also mitigates against the contractor, leveling off profit peaks, but ignoring profit downcycles.

Much has also been said about the need to distinguish between development contracts and production contracts—the so-called "known unknowns" and the "unknown unknowns." Assistant Secretary of the Navy for Research and Development Dr. Robert Frosch has acknowledged that at best we can only estimate the costs of what we know and never the costs of what we do not know. Our present procurement system, however, demands that contractors put a dollar figure on development program unknowns in advance. This kind of procurement system must be changed.

My proposal will serve to rectify these imbalances. Risk will be more commensurate with return on sales. Development programs will be clearly identified. Prototype hardware will be tested and proven in an orderly fashion before production hardware is introduced into operational use. Engineering talent will be retained. Employment will be better stabilized. Continuity in production will be realized.

In conclusion, Americans are suddenly faced with the hard fact that this nation's technological edge in weapons superiority has been lost.

Corrective action is required urgently. Our recent thrust into Cambodia notwithstanding, the present trend toward unilateral disarmament by the United States is compounding the problem. The Soviet Union and Red China are continuing to increase their military capabilities. The Russians and the Red Chinese may be name-calling and bickering over national boundaries, but they are united in the goal of eventually destroying capitalism and the free democratic system. Make no mistake about it. They differ only in the method to cut us to pieces.

Representative L. Mendel Rivers, Chairman of the House Armed Services Committee, recently made a statement in which I am in complete agreement. "If we are weak and have inferior weapons, we will have war," Mr. Rivers said. "If we are strong, there will be no war." "I am for peace" he added, "and strength."

Our military strength must be maintained. Our weapons procurement practices must be restructured, or we shall surely fall into second position behind the military might of the Soviet Union.

FRANCHISING INDUSTRY

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. STUCKEY. Mr. Speaker, I am today introducing a bill to provide for the disclosure of certain information by franchisors to prospective franchisees. I feel that it is vital for those desiring to purchase a franchise to know the facts about the business they are entering—in advance—so that intelligent decisions can be made regarding the many types of franchises being offered for sale.

The growth of the franchising industry in recent years has indeed been meteoric. Estimates are that franchising now accounts for approximately \$100 billion in annual sales, that there are some 1,000 franchisors with better than 500,000 franchisees in the United States today.

Franchising itself takes many forms—it encompasses everything from beauty salons to income taxes, from fish and chips to steak houses, from child care centers to personnel agencies, from automobile sales to automobile rentals to travel agencies, from transmission systems to business service systems, from variety stores to motels and many, many more.

Franchising can best be described as a system of marketing goods and services. Simply put, the franchisor agrees to let someone else—the franchisee—sell the goods or services manufactured by or supplied by the franchisor. The franchisee, in turn, agrees to sell the goods or service of the franchisor and pays the franchisor a fee or royalty for the use of the trademark or name of the franchisor or the right to sell the goods or services of the franchisor.

In viewing the testimony of the hearings held on a similar bill pending in the Senate, I found that both franchisors and franchisees and business and consumer witnesses alike stressed the need for a disclosure type bill to require that prospective franchisees receive—prior to the purchase of the franchise—complete information.

Under my bill, before a franchise can be sold, the franchisor must file with the Securities and Exchange Commission a registration statement containing information on the franchises to be sold. This information shall be made public and shall also be given to the prospective franchisee. The SEC will have the authority to approve or disapprove of the registration statement, and if it approves, the franchisor may only then offer his franchises for sale. The franchisor must furnish a prospectus to the franchisee at least 48 hours in advance of the signing of the contract or agreement for sale by the franchisee.

In addition, should the franchisee find that the facts as represented in the registration statement are incorrect or misrepresented, the franchisee could recover damages from the franchisor.

I have carefully limited the powers of the SEC in my bill so that there will be no question as to the interpretation of the act. In a sense the SEC will become the storehouse for information on franchises and the watchdog for prospective franchisees to see to it that they get enough information to properly make wise and prudent business decisions.

EQUAL RIGHTS FOR WOMEN

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. PRICE of Texas. Mr. Speaker, in an age when the greatest Nation on earth is landing Americans on the moon

genious production techniques, are our education and is harnessing the atom for purposes of peace rather than war, it seems incredible to me that the very same Nation could order and operate its legal system on a philosophy more appropriate to the dark ages than to the 20th century.

What I am referring to, of course, is the fact that despite all protests to the contrary, women have not been accorded the same legal rights that men have long been accustomed to. Historically, there may have been good reasons for the differences in which the law treated men and women, but as is obvious to all but the insensitive, times have changed and the role of women in society has changed.

I think it is most regrettable that the Equal Rights Amendment has languished in the House of Representatives for four decades. To rectify this deplorable condition was why resort was made to the extraordinary power of the discharge petition, a device by which the jurisdiction of a House committee is superseded by the wishes of the general membership. To rectify this deplorable condition was why the protests of the distinguished chairman of the House Judiciary Committee, Mr. CELLER, were not controlling on the question of whether public hearings should be held before the measure is voted on.

Mr. Speaker, my name is numbered among those who voted for both the discharge petition and the equal rights amendment. While I still have lingering doubts about the legal ramifications of the amendment, I strongly believe Congress has the clear duty to act upon the issue.

As the equal rights of women is being formally recognized by Congress through constitutional amendment rather than by mere statute, the congressional action will have to be ratified by two-thirds of the States. This I feel is the proper way to obtain the greatest analysis and interpretation of possible effects of the Equal Rights Amendment on existing State laws. Ratification also provides a mechanism whereby the clearest expression of popular support for or against the proposal can be registered by the people of the United States.

Mr. Speaker, the House has fulfilled its responsibilities in this historic matter. I urge my colleagues in the other body to swiftly add their approval to the amendment. The cause of equal rights between the sexes is a just cause. It cannot be ignored by the institutions of Government any longer.

GRIM ANNIVERSARY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. FINDLEY. Mr. Speaker, August 21 is the second anniversary of the Soviet occupation of Czechoslovakia—one of the grimmest events of recent history.

For many people the intervening months have dimmed the memory of this

action. Here in the United States, it is largely forgotten. But for those directly involved, the people of that unhappy land, August 21 will be marked with somber thoughts.

The occupation stripped away all prospect that the Soviet Union will permit the nations of Eastern Europe to return to basic freedoms for their peoples and independence for their nations. It showed that the Kremlin views such as a risk to its own position.

The action was justified by the Brezhnev doctrine, under which Moscow asserts its right and duty to prevent deviation from true Communist policy within its circle of "socialist" states. This doctrine raises questions of geography. Does this mean Moscow will extend this doctrine to "socialist" states like Cuba and Yugoslavia?

When will the highly intelligent, resourceful, skilled people of Eastern Europe be able to regain the human dignity and individual opportunities they once enjoyed?

These are questions for free people everywhere to ponder on August 21.

COMMENTS ON THE TRADE ACT OF 1970

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. DEVINE. Mr. Speaker, it is my understanding the Ways and Means Committee legislation involving the Trade Act of 1970 may shortly reach the floor for debate, consideration, and vote.

Before we get into the actual consideration of the bill, I am very happy to be able to provide our colleagues with the expertise of Charles Y. Lazarus, a highly competent and respected business leader in Columbus, Ohio, as well as chairman of the board of Lazarus Department Store which is in the Federated chain.

Mr. Lazarus wrote to me on August 10, and I would invite the attention of all Members to his remarks which follow:

LAZARUS,

Columbus, Ohio, August 10, 1970.

HON. SAMUEL L. DEVINE,
Rayburn House Office Building,
Washington, D.C.

DEAR SAM: I am grateful to you for taking time the other day to discuss with me our current foreign trade posture and problems and their long range implication to America's economic well being. Because I feel so strongly that Congress is in the midst of considering steps that will do irreparable damage to the American economy, I thought it might be helpful if I would follow up our visit with a very brief summary of my beliefs.

The U.S. House of Representatives will have before it for debate and vote, very shortly, the Trade Act of 1970, which as you know, would impose mandatory quotas on certain types of apparel, textile and shoe imports, as well as other possible product areas. In taking this quota approach to world trade, to certain sectional problems and to our balance of payment situation, I believe that we are ignoring those traditional areas of greatest strength in America that have kept this country economically ahead of the rest of the world. These strengths, which have given rise both to a sophisticated labor force and in-

national processes, our research facilities and the technological advances that result therefrom. The application of these natural strengths to continuing the improvement of industrial manufacturing and distribution, as well as to consumer usage and the standard of living, both in America and abroad, have been and should continue to be the guiding thrust, not only of our foreign trade policy, but of our national economic philosophy.

Our primary national goal in trade matters should be to enhance these natural advantages as they are applicable both to imports and exports. In principle, the fewer restrictions which are placed in the way of the free flow of foreign trade, the greater will be the opportunities to take advantage of our natural strength for the good of all society.

We should, therefore, develop a foreign trade policy which assists those domestic industries that need a temporary readjustment in our national economy when injury is proven because of imports. To those segments, employers and employees alike, adequate assistance of various types should and must be temporarily available, both in terms of labor and capital.

Instead of this affirmative approach to world trade, the Congress seems to be seriously considering the adoption of a negative posture, which is what quotas are. By so doing, the Congress, at best, would be seeking to protect the past and to maintain the status quo. At worst, import quotas would seem to have as a national objective a repetition of our disastrous trade policies of forty years ago. The reaction of the world and our trading partners to this regressive policy position can only be one of erecting similar trade barriers. Those barriers, primarily, will fall against those products which are the result of our basic strengths in education, research and technology and products in which our natural advantages, thus, give us a commanding position in world trade.

Another important point, often overlooked, is that quotas administered abroad would subject buyers in this country to the decisions, powers and pressures of the sellers abroad. This would result in cartelization of the world textile and apparel markets, with resultant increased prices for the American consuming public and would, in all probability, hit hardest at the low-end American consumer.

Application of quotas in the United States would cause confusion, delay and uncertainty as to both placement and delivery of the goods. Buyers from America would not know what quotas were available for import purposes, and exporters from other countries would be similarly handicapped. Quotas, inevitably, would penalize the small and independent merchant to the economic advantage of both the larger operations and foreign suppliers. This would result, again, in greatly increased prices to the consuming public.

If the Congress does determine, therefore, that it is in the national interest to provide relief for injury to employees and industries which have been adversely affected by temporary and sectional dislocations, import quotas are not the answer. The better solution is one which affirmatively advances our strengths, minimizes our weaknesses, protects the interests of the consuming public and gives us time to redirect the thrust of affected capital and labor. Such redirection should then fairly adjust proven inequities which have resulted from our importing and exporting trade posture.

Together with adequate adjustment assistance and escape clause relief, the Congress might wish to consider a border tax of the value added type which would apply to both exports and imports. The experience of Common Market countries and the increasing usage of this type of tax abroad should not be overlooked.

The Congress should look into the possibility that a tax of this type not only may provide a basis for market equality between foreign and domestic products, but may have a salutary effect in reducing indirect trade barriers which impede the flow of U.S. goods abroad.

This, I believe, is an approach to our international trade problems in the seventies which will insure flexibility, fair treatment for all and has a long range beneficial effect on our balance of payments and on America's economic future.

My kindest regards,

Sincerely,

CHARLES Y. LAZARUS.

EXECUTIVE DEVELOPMENT FOR POLICE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. SPRINGER. Mr. Speaker, Director J. Edgar Hoover of the Federal Bureau of Investigation has called my attention to an excellent article appearing in the August issue of the FBI Enforcement Bulletin.

The article, entitled "Executive Development for Police," was written by Mr. Charles R. Taylor, director of the police training institute at the University of Illinois in Champaign-Urbana. I include the article at this point in my remarks:

EXECUTIVE DEVELOPMENT FOR POLICE

As a task, law enforcement has always been difficult; however, in recent years the magnitude of the total police task has been brought into sharp contrast with the traditionally popular conceptions of the police duties of crime prevention, protection, apprehension, and prosecution in accordance with prescribed rules of law. These differences have been caused by the increasingly wide range of functions, complex in nature and often involving difficult social, behavioral, and political ramifications and problems, which the police are expected to perform.

While public support of police and widespread understanding of their complex and difficult total tasks are necessary, police must respond to this task with intelligently planned and implemented policies and practices commensurate with changing conditions.

"The Task Force Report: The Police," published in 1967 by the President's Commission on Law Enforcement and Administration of Justice, noted that the absence of carefully developed policies to guide officers in handling the wide variety of situations confronting them is in sharp contrast with the efforts taken to provide detailed guidance for other aspects of police operations. This same report also noted an attitude among some police administrators that criminal justice policy decisions are not their concern although such responsibility is shared with the legislature, the courts, the prosecutor, and other agencies.

One may reasonably presume that the police administrator, confident in his executive ability as manifested in intelligent, effective, and successful internal-management operations, would be amenable to more involvement in policy decisions affecting general public interest. He may desire to broaden the scope of his department's participation in the affairs of the community.

To better equip police administrators to meet this challenge, the Police Training Institute, University of Illinois, conducted a pilot training program. "Executive Development for Police," in two sessions during the spring and fall of 1967. This program was sponsored by the Illinois Association of Chiefs of Police, which provided full scholarship funds for a select class of 25 administrative and management personnel from municipal police departments throughout the State. The challenge was brought about, of course, by new developments, expanded research, improved methods and techniques, and legislated changes in the law that have necessitated periodic refresher courses for executives who administer the law enforcement agencies.

Prior to initiation of this program, the Police Training Institute had conducted, on a semiannual basis, 2-week, 80-hour police management and police supervision courses, with instruction directed almost entirely to organization and internal operations. These latter courses are continued in the Institute's overall inservice training program.

Currently, there is an increased emphasis on training of police officers generally. In the past, much attention has been devoted to instructing the police "recruit," to the exclusion of the more experienced officer who has not had the benefit of formal classroom and practical training. This is not to say, however, that the police "recruit" should be neglected in any training endeavor. It is no longer possible for any individual to undertake the complex duties and responsibilities of the law enforcement officer without the benefit of formal training, proper supervision, and challenging leadership.

This premise is equally true for the police executive. Experience has shown that often the police administrator is not properly prepared for the challenging demands of management. Police administration has many similarities to administration in other occupations and professions. Police planning, fiscal administration, public speaking, executive decisionmaking, and electrical data processing might well be areas in which a new police chief or sheriff is not fully conversant.

Provided with specialized management instruction by an experienced and qualified faculty, the police executive will not only be exposed to new concepts and developments in administrative procedures and principles but also to the rapid transitions within the day-to-day activities associated with law enforcement. The course transcends management and police techniques and incorporates both into a curriculum that will be advantageous to the new executive, the potential executive, or the chief who has had the burdens of management for some time.

CURRICULUM

The curriculum for the "Executive Development for Police" course was prepared with the counsel, guidance, and assistance of the curriculum committee of the Institute and the training committee of the Illinois Association of Chiefs of Police. The subjects were selected to provide a foundation not only in the effective management of internal police operations but also in the significant external aspects of police responsibilities. Comprehensive study and discussion in three specific areas were designed to lead to:

1. A better understanding of the functional areas of police administration.
2. Understanding and appreciation of the external environment in which law enforcement operates.
3. A more comprehensive appreciation of the goals, purposes, and social responsibilities of a police department in our present society.

Courses of study include police administration, fiscal matters, planning, new legislation and recent court decisions, municipal problems, electrical data processing, executive decision-making, press and community relations, social systems and institutions, case preparation and presentation, and others.

In addition to members of Police Training Institute, the faculty is made up of recognized authorities in various fields and professions. We have representatives from the University of Illinois, the FBI, the news media, municipal governments, and police agencies.

After the completion of the fall session of November 17, 1967, the program was evaluated, and the decision was made to place the course in the regular schedule of training offered by the Institute. Experience has shown that it is best to schedule this course in two separate sessions of 5 days each. This plan provides the executive with a total of 80 hours of instruction and still permits him to work this classroom time into a busy schedule at his home department.

With the many changes which occur in law enforcement and the community, attention to police policies will not and should not cease. It is the obligation of progressive law enforcement leadership to meet the challenge and to make available, in quantity and quality, the best police service possible. Along with the right of the citizen to expect efficient police service is, however, the commensurate responsibility to obey the law and support law enforcement.

The high-level training of officers, supervisors, and police management, officials is one of the best means of preparing law enforcement to fulfill its growing responsibilities in our complex society.

FRIDGE L. JESTER RETIRES

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. DUNCAN. Mr. Speaker, there is a familiar smile and a warm greeting missing in the Capitol these days. Fridge L. Jester has retired and no longer patiently tends the many Congressmen, Senators, aides, and visitors to the Prayer Room.

Mr. Jester befriended all who came his way, and made a point of helping each visitor with information about the beautiful Prayer Room and about the many fascinating areas of the Capitol. Certainly he knew Capitol Hill well, having served for 23 years in various jobs.

In the 1940's Mr. Jester was a lieutenant on the Capitol Police Force, and throughout the years he held a variety of other assignments in the folding room, police force, furniture shop, and architect's office. He was a doorman for the House of Representatives 1955-57, worked in the folding room 1961-64, and from January 1, 1965, until his retirement at the end of July he served as attendant to the Prayer Room.

My congratulations and best wishes to our friend Mr. Jester. We wish him many happy years of retirement.

SPEECH BY DR. FRANK SULLIVAN

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BELL of California. Mr. Speaker, as the dropout rate increases in high schools across our country, and as drugs steal the minds and ambitions of so many of our young people, the resulting pessimism can darken even the brightest of days. Too many of our children have become bored. Learning is considered irrelevant by many of our most gifted students.

It is with a deepening concern for the isolation and alienation of our youth that I share with you the efforts of one fine man in the academic community. The following remarks are the work of Mr. Frank Sullivan, professor of English at Loyola University, located within my congressional district. In a recent speech to the National Council of Teachers of Math in San Diego, Calif., Mr. Sullivan talked of his work with students. He tells of his attempts to recapture the vital energy and potential excitement of the student generation, by making today's routines less routine, making our existing institutions and academics more meaningful. It is a privilege to commend his excellent remarks to the attention of my colleagues.

The speech follows:

SPEECH BY DR. FRANK SULLIVAN

According to Shakespeare's Theseus, poets, lovers, and lunatics are compounded from the same stuff. Karl Weierstrass has written that "No mathematician can be a complete mathematician unless he is also something of a poet."

As I drive the rush-hour Los Angeles freeways, I listen to the radio traffic reports, and never yet have I found myself in a bumper-to-bumper stall but that five minutes later I am told by the wonders of modern science that there is congestion in the very spot where I then sit congesting, and I am "advised to take an alternate route."

And as I read or look or listen to any thoughtful comment on our times, I am similarly told that everything is thoroughly messed-up, that to our dying day, if we live that long, we're going to regret the state of affairs that is as bad as it could possibly be and it's getting worse all the time and we can't go on and "that's life—and we're advised to take some alternate route."

We are informed that our youth is so hooked by the drug culture that if you try to discuss the square on the hypotenuse they think you are referring to a square who has got high on the use of pot.

The atmosphere is so polluted that we are advised to stop breathing. It doesn't make any difference what you eat or drink or smoke, there is a national organization headquartered in Washington that is totally, and completely, and absolutely committed to proving that it will kill you if it hasn't already. And down the block again in Washington there's another organization whose one dedicated frantic function is to warn you that millions of your fellow men are at this moment dying from the lack of the very same stuff in their diet that is supposed to be killing you.

That I find this infinite series of geometrically-expanded gloom-dooms inconsistent with my personal experience is of doubtful significance, and I shall not expand upon that inconsistency. However, I do not suffer

from a terminal case of chronic euphoria. Nor am I opposed, on principle, to stop lights, red flags, skull-and-cross-bones-labels, baker pennants, sirens of all sorts, or fog horns.

All I wish to say is that I see no value in telling people that there is a scarcity of water on the desert, when they are there, deserted and dying of thirst. I feel that the purpose of voices crying in the wilderness is to shout directions to wells of sweet water. And such is my shout.

If there is one overwhelming disease of young people today it is boredom. Boredom has been with us, and with our fathers before us, but it has not usually been associated with the freely chosen intellectual life. The college student who is not excited by learning is like a fish who is afraid of the water or a hungry tiger on a diet.

When a philosophy major tells me that he is disinterested in abstract thought I am amazed. But when a major in mathematics tells me that he doesn't find problem-solving meaningful or an English major dismisses poetry as irrelevant then I feel that it is time to suggest "alternate routes." And such a route leads through shaded byways of beauty, excitement, pure pleasure, and play.

I am sure that in chasing a stick a dog prepares himself for the serious business of his dog's life: chasing cats, biting burglars, and perhaps herding sheep. But the dog doesn't chase so that he'll be hired by Chase First National, and I suspect that that is part of the reason why he'll run till he drops. I toss poetry to my students not because poetry is good for them, but because—if they once see the wonder of its curve and cast and bounce—they will pursue it (as a lover courts his lady) with gladness forever. Give me my robe, put on my crown. I have Immortal longings in me.

or

Nay then, farewell

I have touched the highest point of my greatness,

And from that full meridian of my glory, I haste now to my setting. I shall fall
Like a bright exhalation in the evening,
And no man see me more.

Here is magic. And it seems to me that there is the same magic in—let us say—the binomial theorem if it is thrown with a fine swinging elegance into the springtime sky of marvel and amazement and gladness-at-glimpses-of-the-infinite.

Some scholars, some teachers, seem to be ashamed to admit that they find their discipline fun, or to truly affirm, in a reasonably loud voice, that they are interested in what they are doing—totally, mentally, morally, vitally, viscerally, lovingly, laughingly interested.

I know the scorn that is heaped on "mathematical mysticism" and I have heard some graduate students of mathematics speak with pride of seminars in which no participant understood any paper except his own. But Weierstrass, famed among mathematicians for his precision, for rigorous logic, and a zeal to clarify—it is Weierstrass who spoke of "the poet" in the mathematician. And Leibnitz wrote in his *Nova Methodus* that a "Great light suddenly appeared" while he was engaged in studies connected with a spherical surface, and that "wonderfully delighted" he discovered that what had been puzzling before now became "child's play and a jest."

And that it may not seem that Leibnitz is simply with becoming modestly dismissing his accomplishments, I would quote him again, this time from "Meditationes de Cognitione" (published November, 1684, in *Acta Euroditorum*) to clarify his use of play to describe mathematics. He begins to write in Latin: "Quoniam hodie inter Viros egregios . . ." Because today among men who stand apart from the crowd . . . there is great controversy concerning ideas: whether they are clear or obscure, whether the clear

ones are confused or distinct, whether the distinct ones are adequate or inadequate—whether all ideas are, either but symbols of something else, or whether they are within us intuitively—and finally whether the perfect idea is that of adequate intuition." Then, in the thirty-sixth chapter of this most serious work, having shifted his language to French, he writes: "Car la felicité est aux personnes ce que la perfection est aux estres."

I find this difficult to translate completely, which is why I have given it in the original. In the context of Leibnitz, full exposition of his *Meditationes* I suggest this great mathematician, who suddenly discovered that his calculus was "play," is saying "Joy, happiness, gladness is what defines and specifies a human being."

And mathematicians reserve a special honor for definitions. The first edition of the *Encyclopedia Britannica*, published 1773, gives "Mathematics" a half of a page of attention. It singles out for special praise the precision of mathematical definitions and states: "Pure mathematics have one peculiar advantage, that they occasion no disputes among wrangling disputants, as in other branches of knowledge."

However this precision is difficult when one strays outside the boundaries of mathematics itself. John Sergeant, seeking to present, in 1696, *The Method to Science*, admitted that mathematicians had advantages not permitted to other mortals. But Sergeant, who was sure that he had discovered the one and only possible road to wisdom, felt that success was available to all these who agreed with him and were willing to strain every fiber of their being "to have recourse to our notions, and to strive to make them Clear by Definitions."

I believe Sergeant would have permitted me to digress, in the interest of straining every fiber for clarification, to show that sometimes only by means of illustrative anecdote can a word be defined. For example the Yiddish word *chutzpa* can really only be understood by the classic instance of its quality as that possessed by the man who, having murdered his father and mother, asked a special mercy of his trial judge on the grounds that he was an orphan. That's *chutzpa*!

Chutzpa is the quality that encourages me, an English professor, to come to you and urge excitement in the teaching of mathematics. The two pieces of poetry which I quoted to you earlier, are not in English teaching circles treated with Leibnitzian child's play; in fact, in some circles it is forbidden to teach them as poetry.

"Give me my robe, put on my crown. I have Immortal longings in me" says Cleopatra, and I echo her desire with much the same longing to implant the burning bush of my delight. And I sow the seed, under-irrigated by the threat of the thundering silence of colleagues or the lightning flash of boredom on the faces of my students.

But this is dangerous. The safest course of action is to use the speech as a spring board for leaping into the bottomless bog of source study and analogue. "Let us compare Shakespeare to North, and North to Plutarch, but hold ourselves impersonal and aloof," is more professional than, "I like it."

And the speech of Wolsey, whose indiscreet letters have been delivered to the King:

"I shall fall like a bright exhalation in the evening, and no man see me more,"

is a safe and sure beginning of a learned discussion on history, law, politics, or the continuing need for postal reform. But to pursue its poetry is perilous.

In much the same way I came to the binomial theorem. It was good. It was useful. It saved a lot of multiplication. I learned it in terms of specific powers, and, as I recall, only far enough to cube things.

Late in life, in my professional researches as a historian of that most deadly of his-

tories, religious controversy, I tripped over Isaac Barrow—whose writings sent me back in my great good luck to read in the original some of the writings of his most distinguished pupil, Isaac Newton. The pleasure I had in playing with the binomial coefficients as I had stumbled over them in some sixteenth century table continues to delight me, and I cannot explain why it is not diminished, but it is not, by Newton's erasing all my jugglings. ("The last number in each set is one, and the one before that grows by simple addition of units, and the one before that grows by triangles, and the number before that by the number in the set above plus the number to the left." And by now I have driven you into a sufficient state of boredom to make you realize that this learning of mine, despite the jokes, is no laughing matter.)

We are not equipped to receive mathematics by ear, yet I have an urge to attempt to recite the drum beat of the rhythmic development of "X plus Y to the power of N, which is X to power of N... Plus N... times X..." and the rhythms of the formula ride in elegance across a landscape of number bounded only by the limits of my needs, however extravagant. I think there is a special beauty that even invests the calligraphy of writing it.

And the eye, looking at symbols on a page, leaps beyond its outer power to see, beyond its inner power to imagine. When Descartes talked about "chilligons" (one-thousand sided polygons) the eye and the imagination were limited by physical difficulty, but when Weierstrass formulates a continuous curve having NO tangent at ANY of its points the mathematician steps into an area of perception for which there is no parallel in experience—except possibly in poetry.

Weierstrass says a mathematician is something of a poet, and Shakespeare, beginning with the twelfth line of the fifth act of *Midsummer Night's Dream* says things about a poet. By the simple mathematical operation of substituting equals for each other, I am able, without too much distortion, to make the passage read *mathematician for poet* so that statement becomes:

The mathematician's eye
Doth glance from heaven to earth, from
earth to heaven,
And as imagination bodles forth
The forms of things unknown, mathematics'
art
Turns them to shapes, and gives to airy
nothing
A local habitation and a name.

This I take it is a fair description of mathematics. Now, just as *Hamlet* isn't about a fat boy who, after a lot of shilly-shallying about, finally stabs his stepfather, neither is the binomial theorem about a lot of "x" and "y" and "n." I don't think that mathematics is numbers-games any more than I think poetry is word-games.

Behind all the learning and beneath all the wisdom that has ever been used to discuss and evaluate poetry there is a mystery that continues to elude criticism and to fascinate critics. And the same holds true for mathematics—a branch of learning that can cause rude shouts of argument over whether it is an art or a science. In the debate of its first principles it aroused such murderous disagreement as to bring about the assassination of Professor Moritz Schlick in Vienna in 1936. No one word will do for poetry or mathematics, but in some ways "magic" must be made to serve.

Poets by their talents, by their training, by their industry, by accident often enough, and by the grace of God, sometimes manage to make their words fall in such a way that underneath the surface music of the poem there throbs the symphony of life and death itself, and the doors of ultimate reality, are, just for a fleeting, slashing, sudden moment

opened barely wide enough for us to glimpse the almost unbearable beauty beyond.

And that moment is what I think Weierstrass means when he speaks of the poetry of mathematics. The binomial theorem suddenly opens one corner of the order of the universe. There before us is the sudden, surging, sweeping, shattering beauty of... (I need a word: *existence* has been deflated and its juices drained; *being* has lost its power to stand alone and apart from other verbs; I need a word and must make up one...) the beauty of the *that-which-really-truly-is-forever-ness*. Shakespeare says the poet sees "more than cool reason ever comprehends." And I say, "So does the mathematician."

Reason can understand numbers of cows and bulls, but I don't think that reason alone can understand that Archimedes' problem of Cattle of the Sun has nothing whatsoever to do with pasturage or grazing rights in Sicily. The problem is a famous one (given in the Loeb edition of *Greek Mathematicians*, "Indeterminate Analysis," 11. 202) which presents black, white, yellow, and spotted cattle in mind-numbing combinations of multiple fractional functions of color, and sex, and square and triangular number. A German scholar named Wurm (whose solution to the problem was published in volume 25 of *Zeitschrift für Mathematik und Physik*) reported that the answer if actually printed in ordinary numbers would cover 660 pages.

If you are still with me, the answer to the size of the herd is a number beginning with 7,666... and followed by another 206,541 other digits (more or less of your own choice).

This is fairly staggering, but the real knock-out blow is delivered by Archimedes himself. Having laid out the problem in about 500 complicated words, he steps back and says: "Stranger, if you can immediately give me the exact total of the cattle belonging to the Sun God, no one could really call you unskilled, or ignorant of number—but you wouldn't (just for that accomplishment) be counted among the wise."

I'm sure you take pleasure in the sudden surprise of Archimedes' comment. But, although it makes me laugh—and I think that is a sufficient good—it still has something further to add to my pleasure. Even though the immensity of the number fascinates me, the fact that there IS such a number delights me further, and that there is a man with patience and skill enough to fix it exactly edifies me, even though I may not be inspired to imitation. But there is still more to the problem of the cattle. I ask you to bear with me while I seem once again to digress.

We are quite properly proud of our fellow countrymen who have walked on the distant surface of the moon. But the moon, however distant it may seem in terms of miles, is in terms of light, only one-and-a-quarter seconds away. The sun by the same measure is eight minutes, and the planet Pluto is five hours. Pluto could have blown to bits before you got up this morning and no one would know about it yet.

But Pluto is practically next door compared to the nearest star, which is four years away. And what they are just now studying at the farthest limits of the telescope at Palomar is—hang on, this is hard to handle—is out of date, to quote A. C. B. Lovell by "a few thousand million years," and the information received by Jodrell Bank is probably from even more distant reaches of space.

The earth spins at 1,000 miles per hour while circling the sun at 72,000 miles per hour and sun and earth and planets are all rush-off together towards a distant star cluster at 43,000 miles per hour. But this isn't all. There is another movement superimposed on our system, plus the ten thousand million systems of the Milky Way, and perhaps an-

other two dozen similar super-galactic groups.

Now I simply am not able to comprehend this extravagant immensity. My reason crumples. My imagination blanks out. But the exploding reality of such vastness somehow relates me, in an inexplicable manner, to the problem of the cattle, to the unspeakably lavish splendor of existence, and the miracle without measure of a mind that can in some way conform to it.

In the time it takes me to say "Archimedes" the constellation Cygnus recedes from us another 10,000 miles, but the poetry of mathematics catches up with it, catches it, and brings it home to me to dandle on my desk. Descartes was of the opinion that the mind of man related more directly to God than to man himself. And I take it that Descartes meant by God, not a bearded figure in a picture by Michaelangelo, but the causeless cause of space and time and distance, and equally of love, and laughter, and joy.

Or let me try again to move with the poetry of mathematics to what the Byzantine Greek Theon called "pleurikoi kai diametrikoi arithmoi." Translated that would be "side and diagonal numbers," and a partial list would be 1-1; 2-3; 5-7; 12-17. The pairs can be produced by adding the two numbers of the last pair to get the first number of the next pair, and by adding this number to the first number of the past pair to get the second number of this pair. The interesting feature of these pairs is that twice the square of the first will always miss equalling the square of the second by just one unit. The largest pair I personally have worked out so far is 80,782-114,243, where the miss of the squares is one in thirteen billion.

My notes on Theon read: "Side plus diagonal gives the next side, And the side plus the next side gives the next diagonal," which may not be poetry, but which fits a nice tension-relieving beat on the maracas. And what Theon says has a cry of gladness when he summarizes: "For what a side is shown to do in two steps is done by a diagonal in one." Theon has looked into the eye of being and is glad, as Father Hopkins was glad when he said:

Brute beauty and valor and act, oh, air,
pride, plume, here
Buckle! and the fire that breaks from thee
then, a billion
Times told lovelier...

Neither Theon nor Hopkins can be paraphrased or translated. Each has revealed his delight at what he has discovered. To understand either requires participation.

Kenneth May of the University of Toronto, in reviewing Rashevsky of M.I.T., protests that mathematics did not progress totally "from playful speculations," and his evidence is clearly convincing. But Rashevsky speaks of progress "made not by the invention of theories designed to explain specific phenomena" but by the study of "even unrealistic situations" "starting in fanciful hypotheses," and this is also clearly true.

Erwin Schrodinger in an essay titled "Science, Art and Play" says, "It is the duty of a teacher of science to impart to his listeners knowledge which will prove useful in their professions; but it still should be his intense desire to do it in a way to cause them pleasure." This has been my theme this afternoon. The banquet of learning must be nourishing, but need not include all the possible medicine a life might require. The banquet of learning must include the solid entree but should leave room for dessert.

I have come this afternoon to speak of the great symphony of all the branches of mathematics. But I am only a listener. The only music of mathematics I am able to play is scored for a small hand bell which I ring with vigor as I sing my joy. But before the trumpet tones of triumph at the solution of

great problems I must sit silent, and silently must I listen to the violin music of the insoluble. I have come hopeful that we might listen here for a moment together.

To hear within the starry silence of the sky
The unheard song of surging marvel-filled
unmeasured empty space.

To surge in scorn of mighty most-times-
multiplied immensity,

Beyond time-meaningful, beyond before or
after,

Into the wonder land of infinite,
Whose fierce frontier turns back
All sensibiles—where bleach

The bones of reasoned understanding
Where learning trembles at the border post
Without a passport, entry card, or visa,

But where the chosen mathematician comes
Up out of purblind bondages lit

Only by some Pharaoh's pharos,
To pitch his tent, and hunt the game, and
plow the fields,

Not as a stranger immigrant, but citizen.
To silently let down a spreading net

Into the deepest waters of that ocean-sea
reality.

To suddenly explode with sudden almost
fearful joy

As through the quickly closing doors of
mystery

You glimpse and recognize that
All-this-is.

And know its yours to seek to know to reach
to touch, and calculate.

Unspeakable the joy of highest human
miracle:

To share in tranquil union the great dis-
covery of the past,

And give, in loving exploration, direction to
the children-of-your-mind to come.

I have come here today not to remind, or
to instruct you. But to elate you. The least
common denominator of Weierstrass and
Shakespeare—of mathematics and poetry—is
hard to define in the slow moving line of
reason. I suspect that it is best seen by
metaphor.

Both mathematics and poetry touch reality
with something like electric probes, differ-
ently grounded. But the shock of recognition
that each produces when contact is made
is equally unmistakable, and the excitement
in many ways, I would suggest, identical.

I have tried to handle that electric current
this afternoon, to connect it to you and wire
you for its use.

The electricity of Shakespeare was poetry
that warms the heart. The electricity of
Weierstrass was mathematics which illumi-
nates the mind.

Bringing that same electricity, I have
come to you, a better mathematician than
Shakespeare, a better poet than Weierstrass,
hoping very much to both warm and il-
luminare, but content if I have done noth-
ing more than turn you on.

CORPUS CHRISTI, TEX., DESIG- NATED AS DISASTER AREA

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. DADDARIO. Mr. Speaker, I rise today to extend my deep sense of sympathy to the people of Cuba, Florida, and Texas who were victims of the recent ravages of hurricane Celia.

I wholeheartedly support President Nixon's designation of Corpus Christi, Tex., the region most crippled by the hurricane, as a disaster area and commend him for his expeditious authorization of Federal funds for relief. These

funds are essential for the welfare of the people of Corpus Christi as Celia left in her wake death and great suffering.

Citizens of Connecticut sympathize with and understand the grief of Celia's victims, recalling all too vividly the ruinous hurricanes of 1955 and 1958 which struck Connecticut.

The hurricanes which ravished Connecticut brought flooding, destruction, and death, and the same deep sense of grief which presently exists in the areas stricken by Celia.

When disaster strikes anywhere in America, it is an event of national concern and should be met by a national commitment of assistance. The damage done by Celia requires such a commitment, and it must continue until the damage is undone.

I strongly urge my colleagues in the Congress, in the wake of the disaster wrought by Celia, to resolve a continuing priority to the victims in disaster areas until their life styles are returned to normal.

THE CRIME BILL: A STUDY OF HOW THE DISTRICT OF COLUMBIA IS GOVERNED

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. HARRINGTON. Mr. Speaker, I have spoken a number of times about the seniority system in the House and its effect on the passage of legislation. On June 23 I spoke of the District of Columbia and the extraordinary control over the District which the District of Columbia Committee exercises. At that time I discussed the means by which the House District Committee drafted and reported to the House a bill to combat crime in the city.

I was then, and am now, shocked at the way this major piece of legislation was created. I voted against the District of Columbia crime bill because of its no-knock, preventive detention, juvenile age levels, wiretapping, and mandatory sentence provisions which I believe are repressive and unconstitutional.

James E. Clayton has discussed the District of Columbia crime bill in relation to the way the District of Columbia is governed in two articles in the Washington Post. His conclusions parallel my own.

Clayton notes that inadequate hearing notice both to witnesses and committee members and lack of balanced testimony of the major issues of the bill demonstrate clearly the power of a committee and its chairman to control hearings. Another weakness of the House was highlighted by Clayton when he discussed floor debate on this legislation. Secret, teller votes on major amendments striking many of the provisions cited above were defeated by very few votes—with more than 200 Members absent each time. The House has subsequently voted to make teller votes public, and for that I am thankful, but it is tragic that this amendment did not

come sooner. If it had, perhaps some of these measures could have been deleted from the legislation and the District would have been provided with a just law.

I believe that Mr. Clayton's articles are timely and important, and I therefore submit them for the RECORD:

[From the Washington Post, Aug. 10, 1970]

THE CRIME BILL: A STUDY OF HOW D.C. IS GOVERNED

(By James E. Clayton)

It all started with four paragraphs in President Nixon's message to Congress on the District of Columbia. Among the many programs he outlined that day—January 31, 1969—the President asked for legislation to reorganize the courts, create a method of pretrial detention, establish a public defender system, and revise the juvenile laws.

On July 29, 1970—18 months later—Mr. Nixon signed the Omnibus Crime Bill that was the result of his request. It contained everything he had asked for and more; during those 18 months, a new branch of local government had been created and a substantial part of the District's criminal law had been rewritten. How this came about is a case study in the way the nation's capitol is governed. It is a study, not of local government, therefore, but of three men—Associate Deputy Attorney General Donald Santarelli, Senator Joseph Tydings (D-Md.) and Representative Thomas Abernethy (D-Miss.)—and the committee the latter two dominated. For, although Congress is the city's legislature and the President its governor, the two District committees and, on this subject, the Department of Justice, run the place.

The story actually began long before President Nixon made his proposals. For years the Senate and the House have battled over District anti-crime legislation with the House arguing for harsher laws as the solution to crime and the Senate taking a less repressive view. In 1966, this difference in philosophy led to a 6-month-long stalemate before a crime bill was passed and that bill was vetoed by President Johnson because he thought it contained too much of the House's view. A year later, the House view of crime control was frustrated again, this time in a conference committee whose Senate members refused to go along with several pet ideas of the House District Committee.

Against this background, Santarelli was put in charge of a Justice Department task force in February 1969 and directed to draw up specific legislative proposals. Five and a half months later, after consulting many local judges and lawyers, his task force produced four bills and Attorney General Mitchell sent them to Congress on July 11, 1969.

Two of these four were fairly simple. One, expanding the Ball Agency, resembled a bill which had already passed the Senate; the other created a public defender system. The other two bills were not so simple. One authorized pretrial detention of certain persons and the other was a massive, 300-page document entitled "District of Columbia Court Reorganization Act of 1969."

The Court reorganization bill alone was a legislative behemoth. It went beyond what anyone had proposed previously, creating, essentially, a local court system, by turning the local jurisdiction of the federal courts over to a new superior court and an expanded D.C. Court of Appeals.

This was the immediate equivalent of the judicial reform legislation that some state legislatures have debated for years, and it contained the material of several major controversies beginning with the basic question of whether it even was a good idea.

Tied to this bill were other matters which had nothing to do with court reorganization. The Justice Department, it seemed, was out to get, along with court reorganization, some of the things recommended by the District

Crime Commission in 1966 as well as some of the changes in the criminal law that prosecutors, like Santarelli, had wanted for years. The bill contained provisions authorizing wiretapping and no-knock searches, reducing the age at which juveniles are to be treated as adults, making possible life sentences for persons convicted of third felonies and overturning a couple of court decisions that prosecutors disliked.

The Justice Department never explained why it put all these things into a court reorganization bill. One theory, perhaps the best, is that it saw a chance to appeal to the Senate with court reorganization and to the House with harsher laws, thus getting in one compromise package things it could not get if they stood alone. As time went by, the administration's tactics bore out this speculation. In the Senate, Deputy Attorney General Kleindienst put a priority on court reorganization. In the House Santarelli gave everything equal priority.

In any event, the administration lost credibility in the Senate by its handling of the combination. Sen. Sam J. Ervin of North Carolina, originally a sponsor of the legislation, became its principal opponent. He charged that at the beginning the Justice Department "personally" assured him that there were only technical changes in the criminal law involved when, in fact, there were major changes.

The Senate District Committee, headed by Senator Tydings, went to work promptly on the proposals and the care it devoted to court reorganization reflected its concern with improving the existing system of justice. After hearing from judges of all the local courts, a blue-ribbon committee of lawyers and representatives of 8 local organizations, as well as from the Department of Justice, the Senate committee split off all the proposed changes in criminal law and substantially modified the court reorganization proposals. Its version of the reorganization bill passed by the Senate on Sept. 18, 1969, 10 weeks after being introduced and about 30 seconds after being called up. Not one senator had anything to say about justice in Washington.

Subsequently, the committee reported a second bill composed of only about half of the changes in criminal law sought by the administration but these did include wiretapping and no-knock searches. This bill, bearing many of the measures that were later to become so controversial in the Senate, passed the full Senate on Dec. 5 with, perhaps, a dozen senators on the floor. Only three of them made any comment; seven months later many senators were to talk at length against wiretapping and no-knock searches.

The other two administration proposals raced through the Senate just as quickly once they came out of its District Committee. The public defender bill passed in mid-November and a new juvenile code proposed by the Justice Department in September, passed just before Christmas. There was no discussion of either on the Senate floor and no record votes; almost no one was present.

Thus, with the exception of pretrial detention the Senate—really its District committee—had completed work on the anti-crime package in five and half months—just the time the administration had found necessary to draft it in the first place. House action, which will be discussed in a second report, was something else again.

[From the Washington Post, Aug. 11, 1970]

THE DISTRICT OF COLUMBIA CRIME BILL

(II)

(By James E. Clayton)

The House District Committee was much more casual than its Senate counterpart

about the D.C. anti-crime proposals that were sent to Congress by Mr. Nixon on July 11, 1969. Ten full weeks after those proposals had reached the Hill and four days after the Senate had already passed its version of one of them (the court reorganization measure), the House District Committee had still done nothing about the President's package. Once House committee hearings did begin, moreover, they proved to be starkly superficial in relation to the hearings that had been held by the Senate District Committee.

On court reorganization, for example, no judges were asked to testify and the only detailed testimony the committee heard was Associate Deputy Attorney General Donald Santarelli's explanation of what the administration wanted and the District Bar Association's reaction to the extensive changes that were involved. In fact, there was almost no discussion of the substantial changes the Senate had already made in the administration's proposals, and no expert advice—except Santarelli's—was sought on a bill completely altering the administration of justice in the District of Columbia.

There were other peculiarities in the House committee's handling of the bill. It heard no testimony about the Commission on Law Revision, set up in 1967 at the urging of the Crime Commission, or on the burden of proof in criminal insanity cases; yet the committee voted to abolish the former and change the latter. The only testimony on mandatory sentences, a highly controversial subject, came from Santarelli and the chief of police; yet the committee voted in favor of mandatory prison terms despite the fact that the Crime Commission had opposed such sentences. One subcommittee did hear 11 days of testimony about conditions at the Lorton Reformatory before the full committee voted to transfer control of that institution to the Federal Bureau of Prisons—but it did so without asking the bureau of prisons about the transfer. One odd proposal—to require anyone who sues a policeman for false arrest to pay the policeman's legal fees—was supported only by the local police association; that proposal found its way into the committee's final bill too despite the expressed opposition of Santarelli, the chief of police and the District government.

Part of the reason for this lies in the way the House committee operates. One subcommittee, for instance, allotted only a single day to nongovernmental witnesses and did not announce until one Friday that the following Monday would be that day. Another subcommittee gave only 36 hours notice of the single hearing at which it would entertain such witnesses. Another part of the reason lies in the way the committee habitually treats witnesses. Many local groups and individuals believe there is nothing to be gained by telling the committee anything because it never seems to listen.

Perhaps the quality of the House committee's work is best illustrated by the pretrial detention section of the new law. The administration's original request had been referred in the House (as in the Senate) to its Judiciary committee because it was to apply nationwide. Both Judiciary committees held hearings on the request in the fall of 1969. On January 29, 1970, however, Santarelli told the House District Committee that the administration wanted pretrial detention in the District Crime bill "because we do not see any action forthcoming from the Judiciary Committee." No hearings were held by the District committee after that date and Santarelli was the only witness to devote more than one paragraph to the subject, although Washington is full of people with all kinds of views, and all kinds of statistical data on the effectiveness of such detention in reducing crime.

When the bill emerged from House com-

mittee, it was more than 500 pages long, and the debate on the floor lasted 10 hours—an extraordinary amount of time for the House to devote to anything. But the votes taken during the debate seemed to be a better indication of the House's real interest. An attempt to keep the age at which juveniles are treated as adults where it had been for years failed by 34 votes—with 333 members absent. An amendment to strike mandatory sentences was beaten by 17 votes—with 284 members absent. An attempt to remove a clause overturning a court decision on the use of prior convictions to impeach a defendant's credibility was beaten by 29 votes—with 344 members absent. At one point, the House had to suspend the debate because only 80 members answered a quorum call.

The differences between the bill that passed the House last March 19th and the four bills passed previously by the Senate were as monumental as the size of the House version (it had grown to more than 500 pages because the District committee had lumped everything, from court reorganization through the new juvenile code, into one package). For four months and through 24 meetings, conferees of the two houses then struggled to bridge the differences in philosophy as well as the differences in detail. Finally, Senator Tydings and Representative Abernethy, who did almost all the negotiating with Santarelli always nearby to provide advice, engineered a compromise. It gave the Senate most of what it wanted in court reorganization (its major concern) and the House a considerable amount of what it wanted in harsher criminal laws (its major concern) although several of the pet proposals of House members were eliminated.

The conference report whipped through the House less than two hours after printed copies of it became available. Not even the statement of managers describing the changes made by the conferees appeared in the Congressional Record until after the bill was passed. Debate in the Senate on that report lasted for a week, but few senators heard much of it. Many members, one senator explained, always seemed to find that the days when District affairs are under consideration are convenient days for politicking back home. Twice during the week the Senate had to suspend because it could not raise a quorum.

The final votes made clear that at least in its controversial aspects the 1970 crime bill embodies a politically popular, small town approach to large scale, big city crime. Fifty-five percent of the representatives from cities as large or larger than Washington opposed the bill; 90 percent of those from smaller places voted for the bill. Similarly, senators from non-Southern states containing urban areas of more than one million population voted against the bill 20 to 16; senators without such urban areas in their states or from the South, voted for the bill 41-16. Senators running for reelection this fall favored the bill 19 to 8; those not running until 1974 opposed it 17 to 16.

Local participation in the writing of this new law was minimal. The District government was heard but generally ignored; Santarelli told the House committee that on questions like these the Justice Department knows far more than the local government. The rest of the community simply was not heard, at least in public, on the House side.

The final bill was really the product of Santarelli and his staff, although the two District committees and their staffs did contribute substantially. The ultimate decision, however, came in the conference committee and there the future of the District's criminal law and its courts was decided by 12 men—2 each from Maryland, Virginia and Texas—and one each from Nevada, New Hampshire, South Carolina, Mississippi, Minnesota and Ohio.

CREATIVE FEDERAL HOUSING RESEARCH IS PAYING OFF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. HOSMER. Mr. Speaker, several years ago, as a member of the Joint Committee on Atomic Energy, I had the opportunity to observe the work of a remarkable young man.

His name is Harold B. Finger, and at the time he was both Director of the Division of Space Nuclear Systems at the Atomic Energy Commission and head of the Space Nuclear Propulsion Office for NASA. He directed for both agencies the nuclear rocket program.

Today, at age 46, Mr. Finger is Assistant Secretary of Housing and Urban Development for Research and Technology. He is applying the same kind of foresight and imagination to the Nation's housing problems that he did to the space nuclear program.

Operation Breakthrough, one of the most important new initiatives in the field of housing research, is Harold Finger's prize project at the moment. Significant gains in housing technology will result from this program.

The August issue of Government Executive magazine has a fine story on Mr. Finger and the Operation Breakthrough program, which appears at this point:

IN THE GHETTO: A NEW BREED OF RESEARCH
(By Leon Shloss)

A unique U.S. Government research program, in being for only one year, has taken several "giant steps forward for mankind."

The program, directed by Harold B. Finger, assistant secretary of Housing and Urban Development for Research and Technology, has as its goals improvement of the total system of housing the population and providing a basis for improved urban operations by local and state governments.

The program, spearheaded by Operation Breakthrough, is unique because, in Finger's words: "It is not conducted in a laboratory atmosphere and the end product is for use by others, as compared to research and development (R&D) done, for instance by the Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA), whose programs are aimed at fulfilling requirements of the agencies themselves."

As Finger put it in an interview with *Government Executive*: "Our laboratory is the ghetto itself and our product is provided to state and local governments and to industry, to implement programs that they cannot afford."

"We can't," Finger continued, "take the problem out of the ghetto. Sometimes the institutions that we work with present a problem, but that is the area in which we must work, because there are so many interests involved."

"Our major goals are to provide housing where it is needed and to provide information that will be helpful in coping with the many bugaboos of urban living—law enforcement, fire, vandalism, installation of utilities at lower cost and reduced pollution potential. We must be the catalyst for state and local programs that otherwise could not be started, for budgetary reasons. We also try to offer assistance in improving the budget process so that more can be accomplished with the money available."

On the day of the interview Finger was troubled. The House had cut his budget request from \$55 million to \$30 million.

"We simply cannot," he declared, "continue to program progress and activities that have been established, under such a fund limitation."

Two days later, the 46-year-old New York native who had a distinguished career with the Atomic Energy Commission, the National Aeronautics and Space Administration and NASA's predecessor—the National Advisory Committee for Aeronautics—dating back to 1944, was to testify before a Senate Appropriations subcommittee in an appeal for reinstatement of the full \$55-million budget.

The House subcommittee which had recommended the \$25-million slash said that the Department of Housing and Urban Development (HUD) was not specific enough in defining the results that have been obtained from its research and had not developed a sufficiently specific budget justification for Operation Breakthrough.

A glint in Finger's eyes suggested that he would be quite specific before the Senate subcommittee—and he was. Here, in his words, is some of his testimony:

Almost three-quarters of our Fiscal Year 1971 budget request is directed at efforts to improve all elements of the housing systems—to encourage new construction and bring modern methods into the production, management, marketing and design of housing; to preserve our existing stock of housing and to encourage a sense of occupant responsibility and satisfaction in housing provided.

Of the \$55 million requested for urban research and technology, \$35 million is for Operation Breakthrough. If this full sum is not available the substantial progress achieved to date and the stimulus provided to the business of housing would be sacrificed. We have been able to get broad participation in industry, local and state government, labor and consumers. This participation would also be seriously jeopardized if the Government's credibility with industry and the public is diminished as a result of a decrease in our budget.

The first discussion meetings on Operation Breakthrough were held only a year ago with labor, industry, mayors, governors and other state and local officials. The actions taken and completed in the year since those meetings are significant:

(1) Ten prototype sites and one subsite have been selected from 218 sites proposed to us.

(2) Eleven prototype site planners were selected from 82 proposers and they have developed preliminary prototype site plans.

(3) After a competition between 236 Housing System Producers, 22 were selected. Final contract negotiations are now underway.

(4) Three hundred and eighty-five Type B proposals (applied research and development of ideas or concepts not yet ready for prototype construction, or which provide individual elements of a total housing system) have also been received, are in process of review and we are nearing announcement of selections.

(5) HUD is in the process of selecting site developers for overall development, management and maintenance work on each of the prototype sites.

(6) HUD has obtained enactment of ordinances or resolutions by the local governing bodies of most of the 10 prototype sites; these ordinances provide flexibility to build without regard to local building codes and zoning ordinances.

Although the program has not yet entered the construction phase, numerous positive effects have already resulted, including:

(1) Many of the consortia formed as a result of the request for proposals for Breakthrough have indicated that they are committed to the industrialized housing business

even though they are not among the finally selected producers.

(2) The aims of Breakthrough are reaching all levels of government. All 50 states and 23 municipalities have designed representatives to coordinate activities that relate to achievement of the objectives.

Once the prototype sites have been developed, they will serve as examples of new overall housing systems and environment approaches that can be viewed by local community groups, housing authorities, private developers, private builders and housing sponsors to permit them to identify the approaches they believe are best suited to their localities. Out of this evaluation, we would encourage orders to be placed. Incentives would be provided by establishing priority consideration for HUD operating program funds to those communities and groups that encourage modernization of the entire process of housing, using the examples set by Breakthrough as a model. It is in this phase of the program that we would expect large volume production and delivery of housing to be achieved.

The proposed Housing and Development Act of 1970 provides extended opportunities for home ownership by low-income families. Research has indicated that increased occupant responsibility and satisfaction will result and that better maintenance of property can also be expected under certain conditions. This research also demonstrates that home buyer opportunities for low-income families must be accompanied by suitable guidance and counseling.

Once housing developments have been built, many of them have been vandalized, have quickly deteriorated and have become unsuitable living areas. Methods that can be incorporated as improved operating programs must be defined to overcome those problems. Several research efforts are underway to define better management approaches.

Organizations have been established to assist low-income families in building their own homes or in rehabilitating existing housing for their use.

It is known that development of an urban area out of farm land has a significant effect on the environment. Air temperatures, cloud formation, rainfall, noise absorption, flood control, etc., are all changed by the process of urbanization. The environment in many of our established urban areas has now gotten to the point where a reversal is required, as much as possible, to create a suitable environment for living.

HUD has taken action in the area of noise control and in efforts to avoid thermal pollution by using the excess or waste heat generated in nuclear reactors of fossil fuel plants. A contract underway, to define the uses for waste heat from electric power plants and the distribution systems that could be established for such waste heat use, indicates that potential uses can be made of such heat that would serve to avoid thermal pollution and at the same time perform necessary urban functions.

Very few of the cities and states throughout the country have had the capability to develop and apply modern management techniques to the operations of their functions. Several efforts are underway to provide assistance in the development of improved management systems for urban areas.

Almost all of the states have areas in which geologic hazards such as earthquakes, flooding, mudflows, landslides or land subsidence, must be considered in urban planning and development much more than they have in the past in order to avoid the high cost resulting from loss of property or life. A joint research effort has been started to examine such problems, with the San Francisco Bay area serving as an example.

This department is planning to encourage the application of modern utilities technology through demonstrations in Break-

through sites. To accomplish this we are relying on the technical capabilities of the Federal agencies with primary responsibility for the technology of such utilities. For example, we have reached agreement with the Department of Health, Education, and Welfare to have the Bureau of Solid Waste Management serve as the technical arm for demonstration of modern solid waste management technology in prototype sites. Other utility systems to be considered for demonstration on prototype sites include total energy systems (e.g., a single system providing for heating, cooling and lighting), central heating and cooling plants and total electric systems. The National Bureau of Standards' Building Research Division will act as the technical group to lead these latter efforts.

Nine research contracts have been awarded to develop new techniques to support Operation Breakthrough. They include development of design, production and distribution of suitable furniture to meet needs of low-income families; design of cost-savings techniques for conventional frame house construction, development of an electric power system for home use employing wire mesh instead of conventional wiring.

Finger summed up:

"These results and their applications are significant particularly when it is recognized that research generally requires a long lead time before its results can be fully analyzed and applied. This has been the case in areas in which the Federal Government contracts for research and development for its own use (e.g., DOD and NASA), but it is particularly true in areas related to urban problems where the Federal Government provides a supporting role, but is not itself usually responsible for carrying out and applying the results of its research.

"We are encouraging the earliest possible application of our research by working closely with state and local government officials, with private industry, with universities, with community groups, with labor. (At press time, the Senate had restored the \$25-million House cut and the bill had gone to a Senate-House Conference.)

HELP FOR MEDICALLY DEPRIVED AREAS

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. BUSH. Mr. Speaker, I am introducing the Community Health Act of 1970, which will offer graduating physicians, dentists, and optometrists, who have borrowed money to get through school, the opportunity to begin practice debt free provided they agree to practice for 3 years in a medically deprived area.

The bill defines a medically deprived area as one in which the appropriate State health authority certifies has a shortage of these essential medical personnel. In addition, the bill could be expanded to other medical personnel should other critical shortages develop at the designation of the Secretary of Health, Education, and Welfare.

The United States is short 48,000 physicians and 17,800 dentists today. The outlook is not optimistic that this situation will improve. To make matters worse there is a serious misallocation of our available medical personnel. Most of them are clustered in urban areas while

the needs of our rural areas go unheeded.

This is the situation in Texas. And, it seems to me that an answer would be to give these young people an incentive to practice in our rural areas. If they develop a practice there, they might decide to make it their home. This would clearly be in the best interests of rural America.

CRISES IN MEDICAL NEEDS FOR AMERICAN VETERANS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. PUCINSKI. Mr. Speaker, earlier today I voted for overriding President Nixon's veto of the independent agencies appropriation bill I did so because as a member of the House Committee on Veterans' Affairs, I have had an opportunity to examine the deplorable state of hospital needs for American veterans.

President Nixon did not have to veto this bill which carried a substantial appropriation for serving these veterans' hospital needs. The President knows full well he could have let the entire appropriation measure become law—and then merely not spend those funds he did not think necessary.

There is nothing in the Constitution which requires the President to spend money appropriated by Congress. But how could any President refuse to spend money on veterans' needs when these hospital needs are so crucial?

I am placing in the RECORD today a report prepared by our colleague, the gentleman from Florida (Mr. HALEY), who is chairman of my Subcommittee on Hospitals in the Veterans' Affairs Committee. I believe Mr. HALEY's report is the best argument for voting against the President's veto.

Mr. HALEY's letter to the chairman of our full Committee on Veterans' Affairs follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 5, 1970.

HON. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington,
D.C.

DEAR MR. CHAIRMAN: Now that the Congress has completed action on the Veterans Administration appropriation for fiscal year 1971, I wanted to convey to you some personal observations relating to the Veterans Administration hospital and medical program which has been under consideration for the past several months.

At your direction, in December 1969, the Hospital Subcommittee initiated an investigation to determine whether the Veterans Administration medical program was being properly funded and whether the hospital staffs were adequate to give prompt and proper care to veterans. On December 8, 1969, a special questionnaire was sent to the director of each hospital and independent outpatient clinic requesting detailed information about the hospitals' funding and staffing levels and information concerning deficiencies in equipment and maintenance and repair projects.

We also held extensive hearings in Washington and several hearings were held in other selected areas. The overall results of the investigation, which has been on-going for over six months, indicated that as of the end

of December 1969, the VA medical program had fallen woefully behind in its ability to promptly and properly care for America's disabled veterans. While workloads in major medical care areas were rising sharply, personnel in the VA medical program were not increased to meet their higher workloads.

This staffing problem had its origin in the Revenue and Expenditures Control Act of 1968. The Veterans Administration was one of the few agencies in the federal government which complied with the personnel ceiling provision imposed by this law and when it was repealed by Congress in July, 1969, it was difficult for VA to make immediate and significant employment gains because of increased hospital operating costs which had to be met before employment could be significantly increased. Our December 1969 survey of the hospitals indicated that about 4000 unfilled hospital positions, which had been authorized, could not be filled because funds were insufficient at the various hospitals to fill them.

Tabulation and review of the December 1969 questionnaires from the hospitals and outpatient clinics disclosed well over \$100 million in funding deficiencies for fiscal year 1970.

Briefly the investigation indicated the following:

1. Private sector general medical and surgical hospitals have an average ratio of 2.72 employees for each patient while the Veterans' Administration has only 1.5 staff for each patient. Some university hospitals operated in connection with medical schools have staffing ratios of over 3 employees for each patient. On the basis of consultations with many hospital directors, deans of medical schools, who are members of the Veterans Administrator's Special Medical Advisory Group, and a review of standards established within the Veterans' Administration for its various hospital services, it appears that the national staffing ratio for most VA general and medical and surgical hospitals should be about two employees for each patient and a one for one ratio should exist in psychiatric hospitals. To achieve this ratio, about 28,000 additional employees were needed as of December 31, 1969, which would cost about \$240 million annually. According to the VA hospital directors, about 85% of these personnel could be recruited if funds were made available for their salaries. I believe that favorable action on H.R. 18252 will sufficiently improve recruitment and retention of career personnel in the Department of Medicine and Surgery so that the 15% reported by the hospital directors as not being recruitable can be recruited. This bill has been favorably reported by the Hospital Subcommittee and I hope will soon receive full Committee action. It should be of great help in providing the necessary personnel to properly operate the VA medical program and truly give veterans "second to none" medical care. Favorable action by the Congress on H.R. 18252 should eliminate the problem we found in a number of hospitals where on night shifts and weekends one nurse plus an attendant was responsible for more than one ward with the result that during emergencies large numbers of patients went unmonitored for long periods of time.

2. In order to pay hospital salaries and buy drugs and medical supplies the December 1969 questionnaire disclosed that millions of dollars were being diverted from equipment purchases and maintenance and repair funds which was impairing the care of hospitalized veterans because new life-saving and life-prolonging equipment could not be purchased by many VA hospitals. Late in fiscal year 1970, Congress appropriated in the Second Supplemental Appropriations Bill about \$7 million in additional funds which was allocated to the various hospitals to eliminate some of their most critical and urgent equipment deficiencies. However, our July 1970

survey indicated that the initial 1971 funding allocation leaves a funding deficiency of about \$63 million in equipment and maintenance and repair items in VA hospitals. Recent action by Congress to increase the 1971 appropriations should have a significant impact on this deficiency.

3. Education and training of medical personnel, serving veterans and the nation, was being seriously curtailed due to budgetary limitations.

4. Due to inadequate funding to provide necessary staffing of about 2700 employees, over \$20 million in specialized medical services, such as coronary care, kidney dialysis, pulmonary emphysema, pulmonary function, and other intensive care units were idle or so inadequately staffed that they could not fully perform the innovative care needed for many sick veterans. The staffing of many of these units has been increased since last December but a great deal of this has been accomplished by transferring ward nursing personnel and other technicians from regular wards to the specialized medical services rather than through significant employment increases. This is borne out by a comparison of full time permanent personnel statistics furnished the Committee by the Veterans Administration as of June 30, 1969 and June 30, 1970. On June 30, 1969, the Veterans Administration reported to the Committee that there were 121,434 full time permanent "Medical Care" employees. As of June 30, 1970 the report showed a total of 121,868—an increase of only 434 throughout the VA system.

5. The 12 year long-range construction and modernization program has fallen woefully behind. This plan was devised in 1960 under a joint agreement with the Bureau of the Budget, the House Veterans Affairs Committee and the Appropriations Committee of Congress. The plan has been stretched out by several Administrations because of inadequate funding and it has now become a 20 year plan. There will be substantial obligation of funds, voted by previous Congresses, during fiscal 1971 for construction and modernization of hospital facilities, and \$59 million in new obligatory authority has been voted in the 1971 appropriation. Recent unfavorable public criticisms of the Bronx and Wadsworth VA hospitals are directly attributable to the inadequacy of construction funds over the past ten years because the physical plants at both of these installations are most inadequate to render proper patient care. This public embarrassment of the VA medical program could have been avoided if the original long range plan for hospital replacement and modernization had been followed. There are still over 40 unairconditioned VA hospitals and/or domiciliarys which qualify for air conditioning, but no design funds have been sought to start the planning. These conditions are shameful and should be corrected without further delay. I do not believe that the VA construction program can endure very long on the hit-or-miss basis which it has experienced over the past 10 years. Many VA hospital plants are deteriorating at alarming rates and this may seriously lower the quality of patient care.

6. An intolerable dental backlog built up in fiscal 1970 involving hundreds of thousands of returning Vietnam veterans who were having to wait from four to eight months to have their teeth fixed because of inadequate funding. On April 2, 1970, the Administration requested from the Congress \$9.8 million which was supposed to substantially clear up this backlog; however, recent information obtained from the hospitals and outpatient clinics indicates that as of June 30, 1970, the end of the 1970 fiscal year, about 75,000 cases were still backlogged and that over \$3.8 million more was needed to clear this up. On July 1, 1970, the directors of

hospitals and outpatient clinics estimated that they were over \$20 million short of fiscal year 1971 funds to meet their estimated dental needs. This situation must be carefully monitored in the future to be sure that the extra funds recently voted by the Congress are allocated to the hospitals on a timely basis to clear up existing backlogs and keep pace with new workloads.

7. The December 1969 questionnaire disclosed that funds were being denied many hospitals to provide community nursing care for eligible veterans who no longer needed expensive care in VA hospitals and could be transferred to community nursing homes at VA expense and be nearer their homes and relatives.

8. Drugs for patients on outpatient status were being curtailed because of lack of funds and needy veterans were being given prescriptions and told to have them filled at their own expense. Mail order prescriptions filled by VA pharmacies were running weeks behind normal schedules because of lack of funds.

9. During fiscal 1970, the medical care program was forced to "absorb" \$26 million in unbudgeted costs, thus reducing patient care services to veterans. These "absorbed" costs included portions of pay hikes for personnel and new laws which the Congress enacted mostly to extend benefits to needy and sick disabled veterans. If Congress passes legislation which increases the cost of operating the VA medical program, the Administration should request and the Congress should appropriate the funds necessary to fully support the increased costs.

10. Old and chronically ill veterans were being denied needed hospitalization because staffing and funding problems at many hospitals made it desirable to attempt to treat the veteran on an outpatient basis at less cost rather than putting them into hospitals where they could receive more attention.

Some of these deficiencies have been corrected either administratively or by Congressional action in appropriating additional funds; however, major problems still exist which I believe we must continue to closely monitor.

The most recent survey conducted earlier this month of the VA hospitals and outpatient clinics indicates that as of July 10, 1970, there existed over \$180 million in funding deficiencies. Congress has recently acted to add \$155 million to the original budget request of the Veterans Administration medical care program for 1971 and the expenditure of these additional funds would correct a major portion of the most pressing deficiencies. Notwithstanding the Administrator's statement before the Appropriations Committee in the other body that the Veterans Administration could not use additional funds over and above those requested in the amended 1971 budget, it is evident from our July 1970 survey of all VA hospitals and outpatient clinics that the additional funding is needed to meet the medical needs of our nation's veterans. I hope that we will not experience a reluctance on the part of the Bureau of the Budget to release these funds. Over the years the Bureau of the Budget has been largely responsible for not permitting the Veterans Administration to seek adequate funds to keep the VA medical program on a par with private sector hospitals.

I am convinced the American people want its veterans to have the finest available medical care, and I believe that the Congress must be sure that it takes the action necessary to make veterans hospitals the nation's showcase of superb medical care.

Sincerely,

JAMES A. HALEY,
Chairman, Subcommittee on Hospitals.

BAY AREA RAPID TRANSIT—A DREAM COMING TRUE

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MILLER of California. Mr. Speaker, we who come from the metropolitan San Francisco Bay area are extremely proud of the progress that has been made by the Bay Area Rapid Transit District.

BART is not the dream that some people have, who are charged with solving the transit problems of metropolitan areas; instead, it is in the process of construction, and within the next 2 years should be in use.

We are proud because ours is the first area in the United States to develop a comprehensive transit system.

The leadership in BART, under the direction of Mr. William R. Stokes, and its excellent engineering staff, are to be congratulated. Also, the people of the three bay area counties who are presently spending close to \$1 billion for this transit system should be an example to other metropolitan areas. They have shown what can be done when the people make up their minds to do it.

For the edification of my colleagues, I am including as a part of these remarks an article by Norbert Yasharoff which appeared in a recent issue of California Living, outlining the uniqueness and great potential of BART:

ASSESSING THE RAPIDS

(By Norbert Yasharoff)

Shaken by an epidemic—strangulation by automobile—big cities around the globe have turned to rapid rail transit for the speedy, comfortable cure.

Stockholm, Oslo, Frankfurt, Cologne, Milan, Rotterdam, Lisbon, Rome. All have opened new rapid transit systems since the end of World War II. Cities with systems under construction or on the drawing board include Helsinki, Amsterdam, Brussels, Munich, Essen, Dortmund, Stuttgart, Hannover, Nuremberg, Dusseldorf and Bremen.

Canada now boasts two new subways—Montreal's with its handsome stations, and Toronto's \$67 million, four and a half mile line that has sparked an unprecedented building boom.

Mexico has reason to be proud of its new Metro, completed in just two years. It now speeds passengers in noiseless comfort some seven miles under the clogged center of the city.

Compared with foreign achievements, the U.S. record is meager. Atlanta, Los Angeles and Seattle have plans but no money. But Washington D.C. is beginning construction of a \$2.5 billion rapid transit system to serve the metropolitan area.

New lines are being installed in existing systems in New York, Chicago, Boston, Philadelphia and Cleveland. The latter now has the nation's first airport access link.

The boom in this country has been helped by establishment of federal and state aid to rapid transit projects.

Significantly, the San Francisco Bay Area Rapid Transit system is considered by both American and foreign experts to be the brightest spot on the U.S. mass transport horizon.

Gunther Gottfeld of the Massachusetts

Bay Transportation Authority calls it "a venture unequalled to anything else in the world."

Another U.S. expert stresses that it is the first completely new metropolitan rail transit system in the nation in 60 years.

Spokesmen for the Bay Area Rapid Transit District point with unconcealed pride to the fact that, unlike any other transit system in the world, BART is being constructed "in one go, and not on an incremental basis."

They also point out BART's superiority in terms of over-all length (75 miles) and intervals between stations (more than 7 miles) over existing and planned systems in the U.S., Canada and Mexico.

But nothing gives them greater pleasure than telling the interested listener about the technological uniqueness of their network.

"To begin with, it is the first in the world to be completely automated," they say, adding:

"It is also the world's first rapid transport system to use computer-supervised transit control, which operates vehicles and regulates train scheduling and routing while automatically preventing collisions."

Even to the blase space-age layman this sounds like science fiction. But a visit to BART's central control complex, adjacent to its administration building near downtown Oakland, quickly dispels doubts.

There, in the spacious control room, the Kafkaesque austerity is matched only by the simple design of equipment. Your mind effortlessly adjusts to accepting the impossible. You find it less difficult to comprehend how two computers—one known as the "on-line unit" and the other as the "stand-by"—monitored by only three persons with the aid of an equal number of display boards, can control the operation of an entire train network without any on-the-spot human intervention.

In the words of one BART official, "our passengers will be completely in the hands of electronic equipment. Each train will have only one attendant located at the front end. While he will keep watch for obstacles in the train's path, or take action if any problem situation occurs within the train, his main job will be to stay in touch with the central control room by radio telephone."

The "electronic treatment" of passengers will extend even to ticket sale and collection. BART patrons will be able to purchase from vending machines at every station single or multi-fare tickets ranging in price from 25 cents to \$20. The magnetically-coded ticket will automatically actuate the entrance gate, and the exit gate will subtract exact fare for miles traveled.

Another unique feature of the BART system will be its cars. One BART report describes them as "the most attractive rapid transit cars available anywhere."

They are 70-foot-long vehicles, seating 72 passengers and having carpeted floors, wide aisles, recessed lighting, automatic air conditioning and large, tinted windows.

BART will have as many as 105 trains in operation during peak hours, running on headways as close as 90 seconds through the Oakland "Y" area (MacArthur to 12th Street). The trains, up to 10 cars long, will be operated at speeds approaching 80 mph. Average speed, including 20-second station stops, will be 50 mph—about twice as fast as any existing urban transit system.

But BART's uniqueness does not end here. Alone among the world's transit systems, it was created by a vote of the people whom it was designed to serve. The successful 1962 referendum approved a \$792 million general obligation bond issue which has provided the backbone of BART's construction funding.

A comparison between BART and the Victoria Line extension of the London Transit System reveals yet another advantage of the Bay Area project. The latter's dependence on voter approval not only for its funds, but for

execution, make BART one of the most democratically run public projects in the world. In Britain the public would find it difficult to force a transit system underground as the voters in Berkeley did.

Londoners would regard it odd if the decision whether a new part of the system should be underground or overground were put to the electorate of Lambeth or Chelsea taxpayers, or if it were necessary at any point in the decision-making process to mount public relations campaigns. Such as those launched by BART over the years.

BART, experts believe, will revolutionize mass transportation thinking across the country.

This "revolutionization" has apparently started if we are to judge by this prognosis for the 1970s, advanced by a top transportation executive:

"All new transport lines will be automated to provide the maximum in safety, efficiency and passenger comfort."

"Specifically, new automated rapid transit systems will be built in: Los Angeles, Seattle, Atlanta, Pittsburgh, Baltimore, Buffalo, St. Louis, Dallas, Houston and Detroit. These cities need electrified rapid transit now to form the backbone arteries of their future transportation systems."

"The first half of the 70s will see high-speed, all-electric, completely automated Metroliner-type trains with every creature control, speeding between more and more of our 100 to 300 mile corridor cities."

"As roadbeds are improved, and grade level crossings eliminated, speeds will gradually be pushed up to 180 to 200 miles per hour."

"This period will see application of high-volume aerial transport systems for special applications, such as airport to downtown."

"During the '70s, development and demonstration projects will be pushed rapidly for wheelless, air cushion trains, capable of 200 to 500 miles per hour," supported on thin films of air.

But what about the disadvantages of rapid transit?

One of them is the danger of overbuilding. High-speed trains spark building booms wherever they roll. Land in the paths of new rapid transit lines turns into prime development sites overnight. Barns and silos give way to apartments and high-rise offices. Many projects are started at once, and all are only minutes apart. This leads to stiff competition and to a temptation to overbuild.

Most serious and least publicized flaw of the rapid transit concept is its potential for aggravating human congestion or—as some call it—its capacity for the "Manhattanization" of big cities. Easier access to downtown areas inevitably will transform them into New York-type human beehives.

This disconcerting aspect of rapid mass transportation is admitted but it is not a hopeless or irremediable one. A "natural" remedy is additional downtown development.

An encouraging facet of rapid transit is its ability to work in opposite directions: moving people from the city into suburbs or outlying areas undergoing intensive development and offering better job opportunities.

And because of this the view shared by most experts is that the advantages of rapid transit outweigh the disadvantages.

What, then, is needed to bolster its progress in this country? Technology? America's technological capabilities are considered more than adequate. Money? Money could be made available from user taxes and from general tax funds, as well as from private sources. Desire? We've proved that we can do what we want to do—go to the moon—if we want to bad enough.

But the majority of us still favor the privacy and mobility of the car, despite the daily anxiety and frustration of bottleneck traffic.

How can we change this attitude?

The San Francisco Planning and Urban Renewal Association (SPUR) has advanced

the concept of "controlled congestion" as a not-so-pleasant means of reducing the number of commuters.

"We must maintain," SPUR leaders say, "a modicum of congestion at various points outside and inside The City—bottlenecks—to encourage the use of systems other than the private automobile."

Critics of this method describe it as a "safety hazard" and a "cruel maintenance of inconvenience."

But is there, you wonder, any other way of shaking American motorists out of their masochistic complacency?

COUNCIL ON ENVIRONMENTAL QUALITY AND PESTICIDES

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. OBEY. Mr. Speaker, yesterday we all received copies of the first annual report of the Council on Environmental Quality along with a transmitted message from the President. While I have not as yet had the opportunity to review that report as well as I would like, and while I am sure—overall—it is a fine document, I did take the time to read what it had to say about pesticides.

I was not favorably impressed.

That report said, for example, that there is still relatively little information on the impact of persistent chlorinated hydrocarbon insecticides, such as DDT, on humans.

With that, Mr. Speaker, I cannot agree.

Just a bibliography of research done all over the world and indicating just the opposite would make very bulky reading. Among the most recent is the report on the hearing examiner for the Wisconsin Department of Natural Resources which concluded, after extensive hearings on DDT, that while ingestion and dosage—of DDT—cannot be controlled, minute amounts of the chemical "have biochemical, pharmacological, and neurophysiological effects of public health significance."

When it came to reporting what choices are available to reduce the dangers of pesticides in the environment, the report was less than sanguine. This, for example, is what it had to say about alternatives to the use of pesticides.

First. Nonchemical controls of pests almost all have disadvantages.

Second. Industry has invested little in this area, so public agencies are left with the leading role in research and development.

Third. Introducing pest-killing animals to new areas is risky.

Fourth. The use of pathogens—viruses, bacteria, and fungi—has had some success. But they may be dangerous to human health.

Fifth. Cultural control, based on selection and diversification of planting time, crop rotation, and water and fertilizer management, has proved effective in specific cases. However this technique or use of chemical sterilants appears to be limited to certain pests and also may be more expensive than the use of pesticides.

I wonder, Mr. Speaker, just who selected the list of materials reviewed by those who drafted this section when they

were looking into the alternatives to hard pesticides—they seem to have overlooked a great deal of information.

For several months I have attempted to bring before the Members of this House new information which becomes available almost daily on breakthroughs in various kinds of nonchemical controls for pests.

Research has found a possible way to control disease-carrying mosquitoes. Arizona and California growers are finding cultural control techniques very useful in the control of cotton and citrus crop pests, while significantly decreasing their use of pesticides. Insect sterilization and the importation of one insect to control others have all proven successful. A host of other techniques have also been used, and for those who may be interested in this area, Senator GAYLORD NELSON and I outlined quite a number of them in greater detail during the debate in our respective Houses on the agriculture appropriation bill several weeks ago.

I am certainly not pleased that industry has invested little in this area. But neither am I surprised. Right now industry—the chemical industry—is making profits selling hard pesticides. Neither the Congress, nor this administration, nor any previous administration has taken steps to significantly reduce the amount of hard pesticides which we allow to enter the environment. Until we do, the investment by private industry in seeking alternatives to hard pesticides is likely to remain little.

And, if public agencies are to be the leaders in research and development in this area, so be it. But let us give these agencies funds which they can effectively use to find those choices which will reduce the danger to our environment from hard pesticides.

Mr. Speaker, the report dwells on a number of significant efforts which have been made during the past year to control pests.

To be sure some advances were made. But in a number of cases hardhitting pronouncements of positive action have turned out to be words in the wind.

The oftquoted announcement of November 20, 1969, in which DDT was cancelled for home, garden, aquatic and other uses has resulted in no DDT ban at all, as the DDT manufacturers involved have started a long and involved appeals process which allows them to continue to sell their products in interstate commerce.

The suspension of alkylmercury fungicide products in February and March 1970 was commendable indeed. But seed processors have appealed the case and are being allowed to continue to use their remaining stocks.

The suspension of 2,4,5-T for use around the home was also a breakthrough. But while its recall from retailer's shelves was requested, 6 million cans remain on shelves today, still being sold, and presumably used.

As the report says, a U.S. court of appeals for the District of Columbia did order the Secretary of Agriculture to suspend the registration of DDT within 30 days—effectively barring it from interstate commerce—or to show cause why he should not have to do so.

As of July 31—

The Report says—

the court has not yet heard arguments on the Secretary's reply.

What the report did not say, Mr. Speaker, is that the Secretary's reply was to refuse to immediately suspend the use of this pesticide and instead attempted to show the court why he should not have to do so.

That report does admit that there is little data available on hard pesticides in the air, largely because of a lack of adequate monitoring. It estimates that at the current growth rate of 15 percent a year, a billion pounds of hard pesticides will be applied annually in the United States. It contains its own list of horrors which hard pesticides have caused—a 1955 loss of 350,000 eggs removed from lake trout with DDT the suspected culprit, 2 million fish killed in a Florida marsh and over 5 million in the lower Mississippi, and a reduction in the ability of salmon to detect temperature changes, caused by DDT, which affects their ability to find their spawning grounds.

What then are the report's proposals for change? There are four.

First. The administration is considering a broad range of legislation and administrative proposals for more effective pesticides regulation.

Second. There is a need to insure that information on the dangers of pesticides is spread worldwide.

Third. Incentives to industry should be explored to induce them to carry out research and development on alternatives to persistent pesticides.

Fourth. The effects of pesticides on man and the environment must be vigorously studied.

Mr. Speaker, with all the knowledge we already have about the harmful effects pesticides have on our environment, we can hardly be pleased when the only proposals for action include further consideration, assurance that information will be made available, incentives—presumably economic—to the chemical industry, and vigorous study through controlled experiments.

We cannot stop studying. We cannot stop doing research. We should not stop the dissemination of information about pesticides. But I think it is about time that we take a little more honest to goodness action in this area too. The President's Science Advisory Council has asked for it. The Mrak Commission on pesticides has called for it. The future generation would certainly appreciate it.

POLITICAL EXPEDIENCY VERSUS HONESTY: THE PRESIDENTIAL VETO OF HEW AND HUD APPROPRIATIONS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. HANNA. Mr. Speaker, this week the President continued his campaign to shift the blame for inflation from his

shoulders to those of the Congress. By the veto of two appropriation bills he implied that he was the lonely warrior battling an inflation fed by a free-spending Democratic-controlled Congress. Mr. Nixon's public relations specialists have striven mightily to paint this picture. They would have all America believe that Nixon—alone—stands at Thermopylae holding off legions of Democratic legislators whose only aim is to bankrupt the Nation.

Obviously, the President would like to hang the albatross of inflation about the neck of Congress. If successful, he would, in a single stroke, transform his administration's greatest liability—the failure to deal with inflation—into an asset, a campaign issue to be used against incumbent Democratic legislators. I am confident that the American public will not be fooled by this sleight of hand. I am sure they will recognize the President's play for what it is, a politically motivated attempt to obscure the fact that the responsibility for failing to deal with inflation adequately rests with the President. If the public considers the facts, they will recognize that the President, not Congress, has failed to come with inflation.

The facts are:

First, that the two bills vetoed by the President would have a nominal effect on current Government spending. The single largest item in the Housing and Urban Development appropriation bill calls for future funding of the urban renewal program. No significant share of the funds appropriated this year will be spent within the next 24 months, therefore, no inflationary impact would result;

Second, that the fiscal 1971 budget recommended by the President has been cut nearly by \$5 billion by the Congress; and

Third, that the single most significant factor in the fiscal 1971 projected Federal deficit of \$15 billion is the decline in Federal tax revenue resulting from the depressed state of the economy.

The President has, in short, attempted to obfuscate the inflation issue. He has endeavored to divert attention from his administration's failure to deal effectively with inflation. This diversionary tactic should fail because it is patently erroneous. I trust that the American people will recognize that the basic answer to inflation is to restore our economy to a firm footing. The sooner the President begins to make the hard choices required to accomplish this, the sooner he abandons glib political answers to difficult problems which require bipartisan efforts, the sooner we will get out of the throes of this morass in which our economy wallows.

A recent editorial in the New York Times aptly articulated this position when it stated:

To attach Congress for spending money on schools and hospitals may be good politics if the President is only concerned with shifting the blame for inflation. But, if he is interested in raising real living standards and in reducing scandalous levels of unemployment, he will join Congress in approving higher social expenditures. If he is interested in reducing inflation he must materially cut military spending. War and stable prices without stringent controls are incompatible.

Not even the most adept economic juggling or facile rhetoric can conceal that fundamental incompatibility.

IMMIGRATION AND NATIONALITY BILL

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MacGREGOR. Mr. Speaker, I was pleased on yesterday, August 12 to join with Congressmen McCULLOCH, MESKILL, DENNIS, and MAYNE in introducing an omnibus immigration and nationality bill drafted by the executive branch. This bill would make a number of amendments to our immigration and nationality laws; some of them technical in nature, but many of substance.

I shall not attempt to restate all of the provisions of this major bill. I believe, that a summary of some of the more important proposals will, however, serve to highlight the practicality that infuses this legislation.

The present system of immigration from the Eastern Hemisphere, with its system of preferences which the Congress enacted in 1965, has worked well since it came into effect. However, there have been certain areas in which the system did not provide adequately for the legitimate demand which arose. In particular, demand for entry into the United States by professionals, needed workers and refugees has been heavier than can be accommodated under the present law. While it is not desirable, or even possible, to reconcile and satisfy all demand for immigration, it does appear that these legitimate demands call for adjustment of the Eastern Hemisphere preference system at this time.

First, the bill reapportions allowable immigration within the several preference classes so that additional visa numbers will be available to the badly oversubscribed third-, sixth-, and seventh-preference classes. Minor changes are also made in the definition of two of the preference classes, one of which will accord second preference classification to the parents of adult permanent residents, and the other which would limit eligibility for fifth preference status in the future to unmarried brothers and sisters of U.S. citizens. A savings clause would, of course, preserve fifth preference status for those married brothers and sisters to whom this classification has already been accorded. In view of the fact that there are still changes emerging in the pattern of immigration, both in a geographic sense and with respect to types of demand, the bill wisely refrains from more drastic revision in the selection system at this time.

Next, the bill proposes to change the Western Hemisphere immigration picture in several ways. In the Western Hemisphere, the demand for immigrant visas has far exceeded the 120,000 limitation imposed by the Congress which took effect on July 1, 1968. This phenomenon has had a number of undesirable effects, including a drastic drop in immigration

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from Canada. The administration bill would make several changes in the present system to alleviate these effects. Canada and Mexico, our closest neighbors and with which we share common borders, would be removed from the general Western Hemisphere system and each would be granted separate numerical immigration ceilings of 35,000 annually.

For the rest of the Western Hemisphere the present annual ceiling of 120,000 would be reduced to compensate for the removal of Canada and Mexico, and a preference system identical to that for the Eastern Hemisphere would be established. The system of selecting immigrants through the use of preferences for certain categories of aliens is based on the concept that, so long as demand for immigration to this country exceeds the amount of immigration to be permitted, there should also be a system of selection and preferential treatment for certain categories of immigrants—skilled workers, close relatives, refugees, and so forth. At the present time this is not possible in the Western Hemisphere since the law does not provide for such a selection. This bill would place an alien born in the Western Hemisphere on the same footing as an alien born in the Eastern Hemisphere in this respect. It appears inconsistent to say that a brother of an American citizen born in France should have preferential treatment, but that another brother of the same citizen who happened to be born in Brazil should receive no preferential treatment whatsoever.

In addition to these major amendments, the bill would make a number of other changes of a useful and equitable nature, such as raising the limitation on immigration from areas of the world which are not independent countries and according the privilege of adjustment of status to permanent resident in the United States to all aliens born in the Western Hemisphere except those born in contiguous territory or islands adjacent to the United States. These two changes, both of which are technical in nature, are typical of a number of provisions which will make the administration of our immigration system fairer and more humane.

Included in this bill, as well, are a number of amendments to the deportation provisions and to the provisions relating to nationality, which are designed to eliminate inconsistencies and inequities in the present law or to bring the law into accord with recent court decisions in these fields. As cosponsors of the bill, we do not intend to indicate we are in complete agreement with every provision and technical change proposed by the administration. However, changes in our immigration law are urgently needed. The suggestions contained in this bill are based upon a careful review of our recent experience with the law and are worthy of most careful consideration. I hope that the bill will receive the prompt attention of the Immigration and Nationality Subcommittee.

ADMINISTRATION OMNIBUS IMMIGRATION BILL—HIGHLIGHTS

First. Applies a uniform preference system to both hemispheres but with sep-

arate numerical ceilings—170,000 Eastern, 80,000 Western—plus 35,000 each and no preference system for Canada and Mexico—20,000 maximum for all other countries.

Second. Permits religious workers—as well as ministers—to enter as special immigrants.

Third. Revises the preference system as follows:

Fourth preference: No change.

First preference: Cut from 20 percent to 10 percent.

Second preference: Adds parents of permanent resident aliens over 21.

Third preference: Increased to 15 percent—from 10 percent—plus falldown.

Fourth preference: No change.

Fifth preference: Cut to 20 percent—from 24 percent—and limited to unmarried brothers and sisters.

Sixth preference: Raised to 15 percent—from 10 percent.

Seventh preference: Refugees increased to 10 percent—from 6 percent—for both hemispheres.

Fourth. A visa waiver provision—H.R. 14596—for 90-day tourists is incorporated.

Fifth. The Attorney General's discretion to waive grounds of inadmissibility for close relatives of U.S. citizens is broadened with other aliens also eligible for waiver if offenses were more than 10 years previous.

Sixth. Western Hemisphere aliens, except natives of Canada and Mexico, are permitted to adjust status in the United States.

Seventh. Employers who knowingly employ aliens ineligible to work or fail to inquire as to eligibility are subject to criminal penalties as are nonimmigrants who take gainful employment without permission.

Eighth. Naturalization procedures are updated and liberalized.

Ninth. The loss-of-nationality provisions of the present law for voting in foreign elections, desertion, and departure to avoid military service are repealed since they have been ruled unconstitutional by the Supreme Court.

Tenth. Cuban refugees who adjust status are excepted from the Western Hemisphere numerical ceiling.

Eleventh. Temporary workers in the Virgin Islands are made eligible for permanent residence.

JUST WATCH THOSE OVERDRAFTS IN THE NATIONAL DATA BANK

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. GALLAGHER. Mr. Speaker, columnist Arthur Hoppe, appearing in today's Washington Star, has revealed a previously ignored ramification of the national data bank. He points out that the bank will be a much desired status symbol for those who are to be included. Further, since we are a society which always preaches and almost always practices equality, it would be undemocratic to exclude anyone.

Since my Special Subcommittee on Invasion of Privacy considered the Bureau of the Budget's proposal for a national data bank in 1966, few issues have caught the imagination of the American public with quite the same emotion. Much of that emotion is of the fearful, "1984" variety and the rest has been to point to the bank as the ultimate savior of a just society.

Mr. Hoppe's novel approach leads me to speculate that the only true status symbol in the data rich, privacy poor society will be a badge authorizing the wearer to pull dossiers from the bank. An open ended account, on which you can draw and everyone else can check, is funny in Mr. Hoppe's context, but deeply disturbing in other less graceful approaches.

Mr. Speaker, Mr. Hoppe's flight of fancy is a provocative addition to the continuing debate over whether the Age of Aquarius will actually be the Age of Aquariums in which we live most of our lives in a fishbowl. While we may be laughing all the way to the bank as described by Mr. Hoppe, I am very much concerned that unless the Congress begins to take positive action to control computer technology, this fine article will be characterized as "gallows humor." I am pleased to insert the column into the RECORD at this point:

EVERYBODY WANTS A DOSSIER

(By Arthur Hoppe)

Millions of Americans will naturally be outraged to learn that the government has, in effect, already established a National Data Bank—a network of computers that now keeps dossiers on several hundred thousand "persons of interest."

What will naturally outrage millions of Americans is the realization they've been left out. Who wants it known that his own government doesn't even consider him a "person of interest"?

Thus far, however, the only outraged American to take action is Mr. Norbert Phrang. Suspecting that he'd been overlooked, Mr. Phrang marched down to the First National Data Bank in Washington's financial district and demanded to open an account.

He was greeted rather coolly by the seventh vice president, Mr. Grasper Grommet, who was seated at a walnut desk behind a placard bearing the bank's motto:

"The bank that cares about you!"

"I'd like to open a special checking account," said Mr. Phrang airily, "so that the FBI, the Acme Credit Bureau and whoever-it-may-concern can run special checks on me."

"Not so fast, Mr. Phrang," said Mr. Grommet, drumming a pencil on his memo pad. "We do have a reputation to uphold. Now, let's see, have you ever been arrested?"

"Well," admitted Mr. Phrang nervously, "I've had three parking tickets and a speeding citation."

"Hmmm. Have you ever undergone bankruptcy, been denied credit or failed to pay your taxes?"

"Never! I've got an A-one credit rating."

"I see. Now then, have you ever engaged in adultery, homosexuality, child molesting or unnatural sex acts?"

"Good heavens, no! And I resent your prying questions."

"Easy does it, Mr. Phrang. We're only doing our job. Lastly, how do you feel about Vice President Agnew?"

"I think he's the third greatest living American—only a cut below President Nixon

and Billy Graham. And when it comes to these long-haired peaceniks..."

"Look here, Phrang," interrupted Mr. Grommet with a scowl. "You're wasting my time. Obviously, you're a loyal, honest, normal member of the Silent Majority. As such, you're a person of no interest whatsoever. Please take your business elsewhere."

Mr. Phrang was so incensed by this rebuff, that he took his cause to the hustings—calling on his fellow millions of forgotten Americans to rise up and demand their rightful place in the National Data Bank.

There was no question his campaign would have caught fire in this nation of status-seekers. But the Justice Department, fearing a run on the bank, declared his activities subversive and a personal account was promptly opened in his name.

Naturally, Mr. Phrang has not spoken to a person of no interest since.

But Mr. Phrang was simply a man ahead of his time. For with the advances in computer technology, our government will soon be able to take a personal interest in all of us—keeping a daily record of the morality, the political thinking and the comings and goings of each and every one of us.

After all, it's the only democratic way to run a bank like this.

CAMPUS UNREST: DON'T BLAME MR. NIXON

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

MR. GERALD R. FORD. Mr. Speaker, as the Campus Commission on Unrest sets out to blame the President, the war, and a heartless society for the violent actions of some of our children, it is heartening to learn that not all of our children think burning buildings and throwing rocks is the answer to society's ills.

Douglas L. Hallett, a Yale University senior and editorial chairman of the Yale Daily News, has written another view for the Wall Street Journal. I commend it to the attention of my colleagues:

CAMPUS UNREST: DON'T BLAME MR. NIXON
(By Douglas L. Hallett)

WASHINGTON.—President Nixon has now had an opportunity to study the initial testimony of his Commission on Campus Unrest headed by William Scranton. He has also received a report from his special adviser on campus problems, Alexander Heard, chancellor of Vanderbilt University. Hopefully he will read both selectively. Although the commission and Mr. Heard have elucidated some of the problems facing universities, their basic thrust is much too one-sided and much too limited by contemporary events to be of any real value.

While the testimony before the Scranton commission and Mr. Heard's report make some reference to the need for reform on university campuses themselves, the dominant tone is somewhat different: The President is at fault. He must listen to the students, respond to their views, end the war, and if that cannot be done tomorrow, at least try to "communicate" with the nation's colleges and universities.

"It may well be that the only line in your report that will have meaning for our colleges and universities is the line that reads: 'This war must end,'" said Sen. Edward M. Kennedy (D., Mass.). From Robben Fleming, president of the University of Michi-

gan: "An end to the use of American troops in Vietnam will not still campus unrest, but it will do more than anything else to help contain it." From Charles Palmer, president of the National Student Association: "As long as there is substantial American military involvement in Indochina, students will continue to oppose it."

And the foundation of criticism of the war is always buttressed with the nation's other alleged failings. "Unless we can begin now (restoring youth's faith by doing their bidding)," testified Yale psychologist Kenneth Keniston, "ours will not only be a divided and sick society, but a society that has lost the best of its youth—a society on its death-bed." Even calm Mr. Heard recommended "that the President increase his exposure to campus representatives, including students, faculty and administrative officers, so that he can better take into account their views, and the intensity of those views, in formulating domestic and foreign policy."

There is, of course, some validity in these views. Certainly the war and the threat of the draft have created consternation on campus. Certainly many able students are shocked by the disparity between their own luxury and the deprivation around them when they leave comfortable suburban high schools for the dirt and tedium of urban university neighborhoods.

IMPORTANT SOCIAL FACTORS

Even more important are other social factors the Scranton Commission and Mr. Heard have yet to discuss. Students discover in college for the first time that they will not inherit the earth, that the increasingly centralized nature of the American economy has foreclosed many of the opportunities for self-expression they thought they would have. Thousands study international relations in college, but the State Department can use only 150 each year. Only a few in any profession can rise to positions where individual initiative and creativity are truly possible.

But no amount of frustration with society justifies or explains the destructive path some student protest has taken recently. President Nixon has withdrawn more than 100,000 troops from Vietnam and instituted draft reform that will lead to a voluntary army. He has proposed an income maintenance plan that would be the most revolutionary domestic program in a generation and he is already the first President since Franklin Roosevelt to spend more on domestic programs than on defense.

It can be argued that these steps are not enough. But can it really be argued that they are so unsatisfactory that burning buildings and disrupting classrooms become justifiable or even understandable?

Can it really be argued that students, a group possessing the luxury of time to use traditional political channels and the most potential for eventually controlling them, deserve the President's special attention?

Can it really be argued that students are doing anything more than indulging their own uncontrolled emotions when their activities polarize the society and undermine the political viability of issues with which they are supposedly concerned?

Mr. Keniston and others who have been counseling the President over the past few weeks may be optimistic about the students and their concerns, but the real radicals in this society fear them. They see many students, as indulging themselves at their expense. The Black Panthers denounced the white students who took to the streets during the May weekend demonstrations as "racist exhibitionists who know black people, and not they themselves, will have to face the repercussions of their madness."

And Steven Kelman, a Socialist and recent Harvard graduate whose book, "Push Comes to Shove," is the best yet on campus unrest, blasted his fellow students before the Scranton

ton Commission for their "snobbish, arrogant and elitist attitude." He said unrest would continue "as long as students continue to regard the American people not as potential allies in solving problems but as an enemy to be confronted."

A FUNDAMENTAL REALIZATION

Neither the Panthers nor Mr. Kelman would appreciate being coupled with Vice President Agnew, but they share with him one fundamental realization: Most so-called student radicals cannot be trusted. Students don't know what they want. They identify for periods of time with anybody from Eugene McCarthy to Bobby Seale, but their commitments are transitory. The outrage that followed the Cambodian incursion has not been followed by sustained political activity among students. As president Kingman Brewster of Yale knew when he undertook his policy of generous tolerance last spring, students get bored easily when it comes to the hard work of political organization and stop when the initial enthusiasm has passed.

Worse, yet students are frighteningly ignorant of the problems the country faces and of the efforts that have been made to solve them. They react strongly to rhetoric because they have nothing else on which to rely. It can be argued that President Nixon's withdrawal from Vietnam is too slow, but those who make this point should be willing to acknowledge that Mr. Nixon is doing exactly what Robert Kennedy proposed in 1968.

Similarly, it is possible to quarrel with the "new urbanology" of Daniel Patrick Moynihan and Edward Banfield, but it should also be clear that their approach is designed partially to eliminate the statism that proved so ineffective in the Johnson Administration's "Great Society" programs. Students, in their false morality, refuse to make these acknowledgements because their historical sense is too weak to breed in them the tolerance that should come with learning.

Responsibility for this situation does not, as the Scranton commission testimony and Mr. Heard's report come close to implying, lie with Mr. Nixon. Rather, as only a few brave academic souls such as former Cornell President James Perkins have partially conceded, it lies with the very same people who have been devoting so much energy to blaming the President: The faculty and administrators of the nation's colleges and universities. During the Fifties, Mr. Perkins argues, universities became so distracted by the McCarthy furor that they failed to keep pace with changing historical currents. Instead of changing teaching content and academic structures, they just marked time.

On a public policy level, Mr. Perkins believes this led to the universities' advocating two premises that were "bankrupt" long before the academic community noticed. One was that the United States could intervene freely throughout the world. The other was that integration, accepted by both black and white, would be the answer to racial tensions.

Mr. Perkins says these faulty ideas have "chopped up" universities. And although he does not continue his argument, presumably he means that this has taken place at least partly because the universities have refused to accept responsibility for their views. Now, in their efforts to escape responsibility, they are blaming Mr. Nixon. In the process, they are breeding in their students the kind of rigidity that comes only with a one-sided historical analysis.

UNCHANGED SINCE THE MIDDLE AGES

The Perkins analysis can also be extended to the internal structure of universities. Universities are the only institutions in American society that have not fundamentally changed since the Middle Ages.

They still maintain highly structured tenure systems that protect incompetence and cheat the student out of the personal tutoring that he is told the best universities offer. But the academic community's own rigidity does not stop it from lashing out at the political system and accusing it of the very same authoritarianism and repression academic institutions so perfectly exemplify. Learning from people who engage in this kind of self-delusion and self-projection, students naturally come away confused about their history and their place in it.

In fairness, it must be noted that the problem lies deeper than the campus. The loss of historical perspective and the diminished and unsure sense of the self that it brings have been encouraged by other institutions as well. Writes historian Daniel J. Boorstin, "In our churches the effort to see man sub specie aeternitatis has been displaced by the 'social gospel'—which is the polemic against the supposed special evils of our time. Our book publishers and literary reviewers no longer seek the timeless and durable, but spend most of their efforts in fruitless search for a la mode 'social commentary'—which they pray won't be out of date when the issue goes to press in two weeks or when the manuscript becomes a book in six months." Nor have the news media, in this day of up-to-the-minute television coverage, done much to develop in their audience a feel for the slow and deliberate character of social change.

But inevitably the universities must take primary responsibility for the confusion among many of our students. More than any other institution, they influence the thoughts and feelings of the brightest of our young. And more than any other institution, they are responsible for preserving our past and passing along the best of it to the next generation. They have failed miserably in that role. And only when they begin to succeed will students turn to move constructive paths for their emotional surges.

This does not mean President Nixon cannot take some steps to ease campus tensions. He can persuade his Vice President to soften his statements that appear to many students to be deliberate incitement to riot. He can make a far better intellectual presentation of his own views than he has so far. He can begin advocating the kinds of public and private decentralization that will create new opportunities for self-expression for students and others. But Mr. Nixon should resist, and resist vigorously, anybody who advises him to institute artificial consultation with students that cannot be followed by policy decisions the students desire. The problem goes far beyond anything symbolic gesturing could solve, and besides, students get too much of that already on their campuses.

PROPOSED ARMS SALE TO SOUTH AFRICA

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. REID of New York. Mr. Speaker, 46 Members of the House and the Senate have signed a letter to Secretary Rogers and issued a statement indicating our deep concern about the proposed sale of arms to South Africa by Great Britain. We are especially concerned that such a step will not encourage the growth of nonracialism or peaceful change to independence and majority rule that are crucial to the future of southern Africa.

I am including in the RECORD at this point a copy of our letter and statement, along with a list of all the signatories:

LETTER TO SECRETARY OF STATE ROGERS ON PROPOSED BRITISH ARMS SALE TO SOUTH AFRICA

AUGUST 11, 1970.

HON. WILLIAM P. ROGERS
Secretary of State.

DEAR MR. SECRETARY: We are writing to express our deep concern about the proposed decision of the new British Government to sell arms to South Africa, in implementation of the Simonstown Agreement of 1955.

In our view, an affirmative decision of this character would have the gravest international repercussions. Not only would the continued existence of the Commonwealth as a multi-racial organization be seriously in doubt, but the sale of arms may well be viewed as an invitation to increased militancy by the black African states.

The sale of arms to South Africa by any nation is in direct violation of a 1963 Security Council embargo. Moreover, any future arms deal with the Vorster government will plainly flout a new and tightened embargo voted unanimously by the Security Council on July 23 of this year. We applaud the U.S. reaffirmation in March of our own embargo on such sales, but surely respect for the rule of law will not be enhanced by disregard of these two forthright United Nations resolutions. While there is no question but that the Soviet Union is attempting to outflank NATO, to strengthen its position in the Near East, and to focus on the Persian Gulf, the response to this should not be further arming of South Africa.

Our chief concern, however, is that while the arms are intended solely for maritime defense, no paper promises will insure that the weapons will not be used to uphold white supremacist regimes at the expense of majority rule that must come to all of southern Africa. The sale of arms to the Vorster regime by Great Britain, or any other nation, regardless of the safeguards attached thereto, will regrettably enhance the diplomatic stature of the South African Government.

Consistent with the strong endorsement you and the President have given the Lusaka Manifesto, we would hope that the United States will take a strong stand on this issue at the United Nations. Further, we are sure that appropriate representations will be made to Her Majesty's Government to indicate the United States' view and to emphasize that the proposed British action could be widely misinterpreted throughout the world. As the very least, any British arms sale to South Africa may well dash the hopes held by many that peaceful change to independence and majority rule can prevail in that continent and throughout the underdeveloped nations of the world.

With best regards.

STATEMENT BY MEMBERS OF CONGRESS ON PROPOSED BRITISH ARMS SALE TO SOUTH AFRICA

As Members of the House and Senate who have long been concerned about Africa, we deplore the announced intention of the new British Government to resume the sale of arms to South Africa, in implementation of the Simonstown Agreement of 1955, providing for British-South African cooperation in the defense of the sea lanes around the Cape of Good Hope. While there is no question but that the Soviet Union is attempting to outflank NATO, strengthen its position in the Near East, and focus on the Persian Gulf, the response to this should not be further arming of South Africa.

The British Government has proposed to supply arms to a racist and repressive regime. While the arms are intended solely for maritime defense, no paper promises will insure that the weapons will not be used to

uphold white supremacist regimes at the expense of majority rule that must come to all of southern Africa. The sale of arms to the Vorster regime by Great Britain or any other nation, regardless of the safeguards attached thereto, will regrettably enhance the diplomatic stature of the South African government.

Tanzania and Uganda have already indicated that they would withdraw from the Commonwealth if this plan were carried through; indeed, the viability, if not the very existence, of the Commonwealth as a multiracial organization is at stake. Moreover, the provision of arms to South Africa by Great Britain may well be an invitation to increased militancy by the black nations of the continent. Surely, a call to arms anywhere in Africa will not encourage the growth of non-racialism or peaceful change to independence and majority rule that are crucial to the future of the continent.

The sale of arms to South Africa by any nation is in direct violation of a 1963 Security Council embargo. Moreover, any future arms deal with the Vorster government will plainly flout a new and tightened embargo voted unanimously by the Security Council on July 23 of this year. This newest resolution calls for the embargo to be carried out "unconditionally and without reservations whatsoever."

As Members of Congress, we urge Members of Parliament, and the British Government to debate this issue fully and forthrightly, and to reverse the Government's intention before a tragic decision is taken.

LIST OF SIGNATORIES CONGRESSMEN

Reid, Ogden (R-NY).
Bingham, Jonathan (D-NY).
Brademas, John (D-Ind.).
Brown, George, Jr. (D-Calif.).
Burton, Phillip (D-Calif.).
Chisholm, Shirley (D-NY).
Conyers, John, Jr. (D-Mich.).
Corman, James C. (D-Calif.).
Culver, John C. (D-Iowa).
Diggs, Charles C., Jr. (D-Mich.).
Edwards, Don (D-Calif.).
Fraser, Donald M. (D-Minn.).
Gude, Gilbert (R-Md.).
Halpern, Seymour (R-NY).
Harrington, Michael (D-Mass.).
Hawkins, Augustus F. (D-Calif.).
Helstoski, Henry (D-NJ).
Jacobs, Andrew, Jr. (D-Ind.).
Kastenmeier, Robert W. (D-Wis.).
Koch, Edward I. (D-NY).
Lowenstein, Allard K. (D-NY).
McCarthy, Richard D. (D-NY).
Mikva, Abner J. (D-Ill.).
Moorhead, William S. (D-Pa.).
Morse, F. Bradford (R-Mass.).
Moss, John E. (D-Calif.).
Nix, Robert N. C. (D-Pa.).
O'Neill, Thomas P., Jr. (D-Mass.).
Ottinger, Richard L. (D-NY).
Reuss, Henry S. (D-Wis.).
Rosenthal, Benjamin S. (D-NY).
Roybal, Edward R. (D-Calif.).
Ryan, William F. (D-NY).
Scheuer, James H. (D-NY).
Stokes, Louis (D-Ohio).
Thompson, Frank, Jr. (D-NJ).
Whalen, Charles W., Jr. (R-Ohio).
Tunney, John V. (D-Calif.).
Wolff, Lester L. (D-NY).

SENATORS

Brooke, Edward W. (R-Mass.).
Cranston, Alan (D-Calif.).
Goodell, Charles (R-NY).
Javits, Jacob K. (R-NY).
Kennedy, Edward M. (D-Mass.).
Moss, Frank E. (D-Utah).
Packwood, Robert (R-Oreg.).

THE 1½ WAR STRATEGY

HON. F. BRADFORD MORSE
OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. MORSE. Mr. Speaker, in the past few years the Congress has become increasingly concerned over the volume and directions of our military growth. From the relatively restricted position of simple "massive retaliation" which was developed in the fifties we have moved to a much more complex position of "flexible response" which, quite apart from the specific issues of Vietnam, ABM, cost overrides, and disarmament, appears to have placed us in the questionable posture of preparing to meet headon any and all contingencies arising in any and all corners of the globe.

I think it is unwise to assume that we should, or indeed that we can be an effective policeman for the world. On the other hand, we would be equally unjustified in thinking that a fortress America, withdrawn from foreign involvements and defending itself with a huge nuclear arsenal, can serve our interest in security and international peace in the years ahead.

Consequently, I have been pleased with the initiatives taken by the Nixon administration to restructure our military position to more perfectly correspond with the real-world situation of today. As these policies take effect, I am confident that we will find it easier to keep military budgets within realistic and manageable limits while at the same time retaining the necessary ability to respond to international crises as the need arises.

The following article, which appeared in yesterday's Washington Post, presents what I believe to be a sound appraisal of the Nixon approach. Mr. Harwood's thoughts merit our considered attention at this critical juncture.

The article follows:

THE "1½ WAR STRATEGY"

(By Richard Harwood)

In the 1950s, the Eisenhower administration developed a military doctrine that came to be known as "massive retaliation." It was based on three assumptions: (a) that the Soviet Union and China were potential enemies; (b) that they could be "contained" or "deterred" with nuclear weapons; (c) that huge conventional armies were therefore unnecessary.

In accordance with that doctrine, the armed forces were cut back from 3 million to 2.5 million men between 1955 and 1960. The military budget leveled off at about \$45 billion a year.

When the Kennedy administration came to power, a new doctrine was born. It was called "flexible response." It was based on the theory that the United States in the 1960s must be prepared to fight all kinds of wars, including guerrilla "wars of national liberation."

Accordingly, a substantial buildup of conventional forces began. The armed forces were enlarged by about 500,000 men between 1960 and 1965; another half-million were added in the last half of the decade.

Today, a new military doctrine based on a "1½ war strategy" is emerging. It strikes a compromise between "massive retaliation" and "flexible response." It involves fewer

men and less money than the doctrine of the 1960s and, presumably, assumes that we will be involved in fewer wars. That seemed to be what the President was telling Congress a few months ago in explaining what he was up to:

"The stated basis of our conventional (military) posture in the 1960s was the so-called '2½ war' principle. According to it, U.S. forces would be maintained for a three-month conventional forward defense of NATO, a defense of Korea or Southeast Asia against a full-scale Chinese attack, and a minor contingency—all simultaneously. These force levels were never reached."

"In the effort to harmonize doctrine and capability, we chose what is best described as the '1½ war' strategy. Under it, we will maintain in peacetime general purpose forces adequate for simultaneously meeting a major Communist threat in either Europe or Asia, assisting allies against non-Chinese threats in Asia, and contending with a contingency elsewhere."

In the past 18 months, the strength of the armed forces has been cut by about 300,000 men. A further cut of 250,000 men by next summer has been promised by Secretary of Defense Melvin R. Laird. Still another reduction of 500,000 men by the summer of 1972 is contemplated in planning papers now circulating in the Pentagon.

If all these troop reductions come to pass, our conventional forces 24 months hence will be back to the levels of the late 1950s.

The social implications of this are substantial. Hundreds of thousands of jobs in defense-related industries already are being eliminated and that process probably will continue in the years just ahead.

The draft would cease to be a major irritant in our national life. An all-volunteer Army would be a practical, if perhaps unwise, option for the Pentagon. The "reordering of national priorities," which both the President and Laird have promised, could be speeded up.

For American liberals, there is great irony in these past 10 years of military history, as Richard Goodwin, one of the elders of the New Left, has noted.

They came to power in the 1960s to work a social revolution. They ended up with a bloated military establishment, a divisive war, and domestic chaos.

"Two of the villains," Goodwin has charged, "... are the Harvard University Department of Economics and the Harvard Business School: One for having introduced the 'new economics,' which persuaded the U.S. government that it was all right to spend enormous amounts of money—money for which the military became the natural outlet; and the other for introducing management techniques into the Pentagon that made the military far more efficient in pursuit of their requests than they ever were before. ... Maybe what I'm suggesting is almost a return to the doctrine of massive retaliation as a military strategy."

That's the difference a decade can make.

A 22-PERCENT DEPLETION ALLOWANCE PROPOSED TO STIMULATE INCREASED PRODUCTION OF LOW-SULFUR COAL IN WAR ON AIR POLLUTION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. PUCINSKI. Mr. Speaker, it is my intention on Friday to introduce legislation which will permit a 22-percent depletion allowance in earnings derived

from the mining of low-sulfur coal or low-sulfur solvent refined coal.

I believe the only way we can meet the enormous problem of air pollution and still produce the energy we need to keep our industry going is through increased production of low-sulfur coal or low-sulfur byproducts from coal.

I am inserting in the RECORD today an excellent study prepared by Edward J. Petkus, research associate of the Chicago department of environmental control on the availability of low-sulfur deposits in Illinois and the rest of the Nation.

I believe this report will contribute toward a better understanding of my bill.

The report follows:

THE AVAILABILITY OF LOW SULFUR COAL IN CHICAGO

(By Edward J. Petkus, research associate, Department of Environmental Control, Chicago, Ill.)

SUMMARY

There is a nationwide shortage of coal and even a more severe shortage of low sulfur coal. Practically all the low sulfur coal now being mined is tied up in long term contracts with steel mills or utilities. Steel mills require low sulfur coal for metallurgical purposes and utilities such as Consolidated Edison of New York require it because New York City has had a 1% sulfur coal ordinance in effect for some time.

Nationwide the reserves of coal with less than 1.5% sulfur are enormous. Based upon the 1969 production rate of 580 million tons, there is sufficient quantities of 1.5% sulfur coal to last over 200 years at a 50% recovery rate. This assumes that there would be a demand for 1.5% sulfur coal for the entire 580 million tons. The only near term solution to the shortage of low sulfur coal is to open new mines in areas with this type of coal. The utilities can exert considerable leverage on coal mining companies to open the required mines because theirs is the only market that is expanding substantially in the usage of coal.

The Chicago area has traditionally received most of its coal from the Illinois-Indiana-West Kentucky coal field and particularly from Illinois because of low cost due to the very large efficient mines in Illinois and because of low transportation costs. Unfortunately coal from Illinois mines averages over 3% in sulfur and most of it is unsuitable to use in Chicago, where a city ordinance will require 2% sulfur coal this summer and ultimate stepwise reductions to 1.5% sulfur. The reserves of low sulfur coal are small in Illinois being only about 1.5% of the total reserves with a sulfur content less than 1.5%. However, there are fifty different coal seams in Illinois and 85 to 90% of the production to date has come from only two of these and the remainder from only four others. Therefore, the coal reserves of Illinois have been exploited in only a minor way and it is possible that large quantities of low sulfur coal may yet be discovered.

Commonwealth Edison Company burns about two-thirds of the coal used in the Chicago area. Recently, Edison announced that they will comply with the pending city ordinance by various expedients. Switching to use of imported fuel oil, natural gas and the use of coal from the west will substantially reduce their sulfur emissions. The largest coal burning stations in the Edison system all lie in one direction from Chicago, which is to the southwest. With a prevailing wind from this direction, all the exhaust SO₂ could be picked up and carried over or into Chicago's air. No further coal plants should be built in this general direction. The necessity of Edison to go to the west

illustrates the lack of availability of low sulfur coal nearer to Chicago from Appalachia or Illinois.

The City of Chicago Purchasing Department has had difficulty in securing sufficient low sulfur coal for its needs. Only one of eight companies that specifically have mines yielding low sulfur coal submitted a bid to the City for 2.3% sulfur coal and this was a small company, which may not be able to deliver the entire yearly demand of 125,000 tons of bituminous coal.

A telephone survey of Chicago coal dealers found that the majority of coal in inventory had a sulfur content of less than 2.5%. None of the dealers foresaw any problems in bringing their inventory of high sulfur coal down to zero by this summer. An on-site verification of their file data may be sufficient to determine their inventory of coal with a sulfur content above 2.5% and also to gauge the high sulfur coal inventory of their customers.

NATIONAL LOW SULFUR COAL SUPPLY

The one over-riding fact is that there is a countrywide shortage of coal. Total coal demand in 1969, as in 1968, outstripped production by a margin of some 20 million tons. As a result, stockpiles were drawn down and are still being drawn down to meet the deficit. This countrywide shortage means that there is demand for any type of coal, either high or low in sulfur. Under these conditions, there is little incentive for producers to reduce their mining of high sulfur coal and increase their production of low sulfur coal. A bargraph breakdown of bituminous coal consumption in the Coal Age magazine issue of February, 1969, shows that steel and industrial consumption of coal has been relatively static during the past 10 years. Most of the expansion of consumption has been in the utility and export market. The retail consumption of coal has steadily decreased over the past decade. Following is the relative consumption of each classification: Utilities, 316 million tons (54.7%); steel, 102 million tons (17.6%); cement and other manufacturing, 94 million tons (16.3%); export, 51 million tons (8.8%); retail deliveries, 15 million tons (2.5%).

Total bituminous coal production was estimated to be 578 million tons in 1969 and 554 million tons in 1968. The all time high for bituminous production was 631 million tons in 1947. Coal Age magazine expects this production record to be surpassed in either 1970 or 1971.

This report deals almost exclusively with bituminous or soft coal. This is the overwhelming type of coal being mined and used in the States. The production of anthracite of hard coal represents only 2% of that of bituminous production and has been in a steady decline for many years. The other types of fossil fuels such as peat, brown coal, lignite and sub-bituminous are not in wide spread use in the United States. There are two main bituminous fields in the United States that supply practically all of the coal for Chicago and the Midwest. These are the Illinois-Indiana-West Kentucky field and the Appalachian field extending from Pennsylvania through West Virginia, East Kentucky and south to Alabama. Because of marketing and transportation patterns, most of the Appalachian coal sold to the Chicago area comes from East Kentucky or West Virginia. There are many smaller coal fields in the country but in general the coal is used locally and is not exported to other states. Bituminous coal is not a specific type of coal but represents a range of fossil fuels. Bituminous coal has a carbon content of 78-92%, hydrogen about 5.3%, and oxygen about 8%.

There are both long term and short term reasons for the countrywide shortage of coal. The long term reasons are the fundamental causes for the present shortage and began

during the post World War II period. The all time record bituminous production was 631 million tons in 1947 and marked the beginning of a large scale switch to oil and gas energy by industrial and residential users. In particular, railroad usage went from a maximum of about 140 million tons to practically nothing now and space heating demands from 120 million tons to about 15 million tons now. In contrast, utility usage has expanded from about 80 million tons to about 320 million tons today. The overall result was a decrease in the total market for coal to about 360 million tons in 1954 from 630 million tons in 1947. This loss of markets caused a loss of profits and very little capital expenditures were made during this period not only by the mining companies, but also by the railroad companies. The railroad companies spent very little on railroad cars and appurtenant equipment during this period and the car shortage is persistent even to this day. In the 1950's, there was much propaganda espoused about the coming of nuclear power and the decrease in markets for coal. This also had a bad effect on capital expenditures by mining companies and railroads. It wasn't until the middle and late 1960's that the coal people finally realized that coal markets were expanding and that they had a definite future for many years in the overall energy picture in the United States, and this began an upsurge in capital expenditures.

In the short term, there is a very definite shortage of railroad cars. Some mines could only operate 2 or 3 days a week because of railroad car shortage during the current winter. The changing marketing pattern, caused by demands for low sulfur coal also is contributing and will contribute to the coal shortage. For example, large amounts of coal will now be shipped from Wyoming and Montana by Edison, which will mean a 1,200 mile shipment instead of perhaps 300 miles. This in effect will require four times as many coal cars to be used for transporting the western coal to Chicago. There is also a shortage of skilled help and supervisory help. Skilled help is now needed instead of ordinary labor because most of the mines are totally mechanized. Complex machinery has to be operated by trained people. On the supervisory level, only 100 mining engineers were graduated from 10 schools in 1969. Fifteen years ago 37 schools turned out 500 mining engineers.

The economic ties between the Utilities and the Coal Companies are very intimate and are the basis for expansion of coal production in the United States. First of all, the utilities used about 55% of the entire coal output in the United States in 1969 and they are the only consumer that is expanding usage of coal. Industrial, mining and export usage has been relatively static during the past few years. One mining company stated that no new mine can be developed unless a long term contract for the purchase of at least 2,000,000 tons per year is obtained and the great majority of these contracts are no doubt obtained from utilities. This long term contract is then submitted to various financial institutions to obtain a loan and cash for mine development. There is no question in my mind that considerable leverage can be exerted on the mining companies by the utilities to open low sulfur coal mines. Public opinion should continue to be applied to utilities to force them in the direction of low sulfur coal usage. Commonwealth Edison Company has only this past week secured the necessary low sulfur coal to comply with the City ordinance.

Bureau of Mines data for the entire United States was presented by the Illinois State Geological Survey with corrected data from Illinois. This data is summarized below:

Sulfur range, percent	Tons $\times 10^6$	Percent	Cumulative percent
0.7 and below.....	104,200	14.3	14.3
0.8 to 1.....	110,900	15.2	29.5
1.1 to 1.5.....	49,100	6.7	36.2
1.6 to 2.....	43,600	5.8	42.0
2.1 to 2.5.....	47,600	6.5	48.5
2.6 to 3.....	51,400	7.0	55.5
3.1 to 3.5.....	90,100	12.4	67.9
3.6 to 4.....	127,400	17.5	85.4
Over 4.....	105,200	14.4	99.8
Total.....	728,500	99.8	

Note: Years of production based upon 1969 output of 578 $\times 10^6$ tons. Equal $(104,200 + 110,900 + 49,100) \times 10^6$ over 578 $\times 10^6 = 457$ years.

This shows that there is a tremendous amount of coal in the ground with a sulfur content of 1.5% or less. If only 50% of the reserves are recoverable, there would still be over 200 years of production possible at the 1969 rate. This assumes that the entire 1969 demand would be for 1.5% sulfur coal. There will probably always be a demand for higher sulfur coal in areas outside of metropolitan areas which do not have air pollution problems.

ILLINOIS LOW SULFUR COAL RESERVES

Illinois coal is of special interest to Chicago because of its proximity and low mining cost. Illinois coal is easy to mine because it is shallow, and occurs in relatively thick seams. Three of the four biggest mines in the country are Illinois mines with the top two being Peabody Coal's, River King mine and Southwestern Coal's, Captain each yielding over 5 million tons a year by stripping mining. Illinois has the largest bituminous coal reserves in the country of about 140 billion tons. In 1969, Illinois mines produced 64.8 million tons of coal and about 60 million tons in 1968. About 43.5 million tons were consumed in the state in 1968 leaving about 16.5 million tons for export from the state. Following are the consumption figures for 1968:

	Million tons	Percent
Electric utilities.....	28.2	64.8
Coke and gas plants.....	3.1	7.1
Retail.....	3.3	7.5
Industrial and other.....	8.9	20.6
Used in Illinois.....	43.5	100.0
Exported.....	16.5	
Total.....	60.0	

At the 1968 production rate of about 65 million tons, Illinois has enough coal to last over 2,000 years or 1,000 years at a 50% yield without regard to the sulfur content.

Recent testimony of Mr. Jack Simon of the Illinois State Geological Survey before the Illinois Commerce Commission stated that only 3% of the reserves of coal in Illinois have a sulfur content below 2.5% and perhaps half of this was coal with a sulfur content less than 1.5%. However, because the coal reserves are so vast and the production to date relatively small, these reserves have been exploited in only a minor way. There are fifty different coal seams in Illinois and 85 to 90% of the production to date has come from two of these, which are Herrin No. 6 seam and the Harrisburg-Springfield No. 5 seam. It is possible that much more testing, development and exploitation could reveal a great deal more low sulfur coal. There is a large disparity in estimates of reserves of low sulfur coal for Illinois as reported by the Bureau of Mines in 1966 and present estimates by the Illinois State Geological Survey (ICGC). As explained by the ICGS, the Bureau estimates are based upon 1935 data obtained from the ICGS. Much of the low sulfur reserves have been mined out since then because of demand for premium coal and there were some large errors in the Bureau report.

For example, one large area was estimated to contain over 8 billion tons of coal with less than 2% sulfur, but recent detailed studies by the ICGS have revealed only 1 billion tons of low sulfur coal for this particular area. It must be emphasized that the ICGS is the ultimate source of current data for the State of Illinois and that Bureau of Mines reports are compiled from ICGS data and data from similar organizations in the other coal producing states. These conclusions are corroborated by the fact that Edison has had to go outside of Illinois to the western states to secure low sulfur coal. The western coal is probably lower in quality and the transportation costs will be much higher.

COMMONWEALTH EDISON CO.

Since Commonwealth Edison Company burns about two-thirds of the high sulfur coal in the Chicago area, some comments regarding their coal consumption program are in order. Table I summarizes the coal usage for each of their power stations in 1967. There have been some recent changes in these figures for the Chicago area plants, but these overall consumption figures can still serve as a guide line. One outstanding fact, that is derived from this table, is that the percentage of Edison's coal burned in Chicago proper is relatively small, being only 20.5%. However, Edison includes the Ridgeland plant in their Chicago planning because of its immediate location to the City and this would bring the coal burned up to 28.4% or 4,333,000 tons per year for the Chicago area. The largest Edison stations are the Will County station with a coal burn of 2,918,000 tons per year and Joliet with 4,243,000 tons per year. An unfortunate conclusion becomes clear upon studying the location of these Edison stations. With a prevailing southwest wind all the exhaust SO_2 is picked up consecutively from the Joliet, Will County and Ridgeland plants and brought directly into or over Chicago. No doubt these plants were placed in this location because of the availability of cooling water along the Illinois waterway. However, no further coal burning plants should be placed along this general direction. Recently Edison announced that the entire Ridgeland plant coal burn will be converted to fuel oil provided that a foreign oil import quota is obtained. Also the Northwest plant which burns a relatively minor 170,000 tons per year will be retired. The small size of the Northwest plant suggests that it is probably old and obsolete anyway. All but one coal burning unit at the Calumet station will be retired. These changes would reduce the coal burn to 2,800,000 tons from a previous 4,333,000 tons for the Chicago area.

Edison burns about one-fourth of the output of Illinois mines or about 16.2 million tons per year. This will create a very large shift away from Illinois mine production during the next few years. For the short term, because of the overall coal shortage, other outlets can probably be found for this coal output. In the longer term, as restrictions on high sulfur coal become more widespread and even State wide, the sulfur must be removed from the coal at the mine and in the boilers to maintain Illinois markets for coal. These sulfur removal research and development programs should be greatly expanded because of the very large economic consequences of shifting fuel markets. Edison stated that its natural gas usage will be increased by 50% in 1970 over the 1969 level. However, when this fuel is burned is of the utmost importance. Natural gas is available on a low cost basis mainly when space heating requirements are low, that is, in the May to October non-heating season. Since Chicago's air pollution alerts are based mainly upon SO_2 concentration, these alerts occur mainly during the heating season. The switching to 1.5% S fuel oil at the Ridgeland plant from a nominal 3.0% S Illinois coal would halve the SO_2 emissions there.

TABLE I.—TOTAL COAL USED BY COMMONWEALTH EDISON CO., IN 1967 (1969 KEYSTONE COAL DIRECTORY)

Plant and address	Tons per year	Percent coal
Fisk, 1111 Cermak Road, Chicago.....	1,175,000	88
Crawford, 3501 S. Pulaski Rd., Chicago.....	1,539,000	85
Northwest, 3400 N. California Avenue, Calumet, 3200 E. 100th Street.....	170,000	100
	241,000	71
Total coal usage Chicago proper.....	3,125,000	
Ridgeland, 4300 S. Ridgeland, Berwyn.....	1,208,000	71
Joliet, Joliet, Ill.....	4,243,000	100
Waukegan No. 1, Waukegan, Ill.....	1,945,000	87
Will County, Lockport Township.....	2,918,000	100
Powerton, Pekin, Ill.....	554,000	100
Dixon, Dixon, Ill.....	169,000	63
Kincaid, Kincaid, Ill.....	1,093,000	100
Total coal used, entire system.....	15,255,000	

Note: Percent coal burned in Chicago proper equals 3,125,000 over 15,255,000 $\times 100 = 20.5$ percent. Percent coal burned including Ridgeland equals 4,333,000 over 15,255,000 $\times 100 = 28.4$ percent.

CHICAGO LOW SULFUR COAL SUPPLY

Data from the City Purchasing Department was obtained from Mr. John O'Connor to determine their problems in obtaining low sulfur coal. Table I summarizes the City's fuel requirements for 1970. Smokeless coal has a low sulfur content and low volatility and is used in five water pumping stations, some library buildings (including the Main Library Building) and at Navy Pier. This coal has been used in these buildings for the past several years because of concern over air pollution, even though the coal is relatively high cost at \$21.00 per ton.

Bituminous coal is the main fuel used in the City and specifically is used for five pumping stations and the Municipal Heating plant at 54 West Hubbard Street. These buildings are in the process of being converted to the usage of natural gas. Peoples Gas has assured the City that an ample supply of gas will be available for all City plants and buildings now being converted. This conversion should be completed within two years. Bituminous coal supplied to the City has for years come from Illinois mines mainly because of low freight rates. The sulfur content has been about 3% because inherently most of the coal mined in Illinois has a sulfur content greater than 2.5%. The Purchasing Department recently contacted five companies in Illinois and three in Eastern Kentucky that specifically have mines that yield coal with a sulfur content less than 2.5% to determine availability of low sulfur coal. All of these companies, except one smaller producer in Eastern Kentucky (Rialto Coal Company) claimed that their entire production of low sulfur coal is committed to steel industries or utilities under long term contracts. This small company may not be able to supply the entire city demand of 125,000 tons, therefore, the Department is asking for bids on smaller batches of 25,000 tons each from other companies. None of the large companies contacted would admit that they have any further low sulfur coal mines under development. Another small Illinois company, Ayrshire Coal Company, stated that they have a mine under development that gives indication of producing low sulfur coal, but it would take two or more years before coal could be delivered. The coal from Eastern Kentucky will be delivered beginning April 1, 1970, but its use is not without problems. Because of its low ash content, upon burning, the grates are not readily covered with ash and come in contact with hot burning coal, which can then cause grate damage. Data for fuel oil, diesel fuel and LPG is also included because it is available. All of these fuels have low sulfur content.

TABLE 2.—CITY OF CHICAGO FUEL USAGE PER ANNUM IN 1970

Type	Amount	Unit	Total	Sulfur	Other
Smokeless coal	7,000 tons	\$21 per ton	\$150,000	Less than 1.5 percent	3-4 percent ash.
Bituminous coal	125,000 tons	\$9 per ton	1,125,000	Normally 3 percent	
Fuel oil No. 1)	About 2,000,000 gallons	(\$0.135 per gallon)	327,000	Very low	
Fuel oil No. 2)		(\$0.1164 per gallon)			
Fuel oil No. 5	1,060,000 gallons	\$0.078 per gallon	84,500	Less than 1½ percent	
Fuel oil No. 6	5,000,000 gallons	\$0.0627 per gallon	313,500	Less than 2 percent	
Propane fuel (L.P.G.)	350,000 gallons	\$0.0558 per gallon	19,500	Very low	No lead.
Diesel fuel No. 1)		(\$0.1325 per gallon)		Less than 1 percent	
Diesel fuel No. 2)	135,000 gallons	(\$0.1225 per gallon)	17,687	do	

A telephone survey of Chicago coal dealers was made to determine their problems in regard to supplying customers with low sulfur coal. A total of seven coal dealers were interviewed from all parts of the city to obtain a representative sample. Each dealer referred to the extremely tight coal situation. They all have coal on order, but are receiving very little from the mines. So far they have been able to meet all requests by depleting their stockpiles. Their stockpiles are usually built up during the summer when the demand for coal decreases. At the present time the majority of coal in inventory is that with a sulfur content below 2.5%. My estimate is that 25% or less of the coal in inventory has a sulfur content greater than 2.5%. They consistently reported that the only coal in inventory with a sulfur content greater than 2.5% was Western Kentucky coal from seam number 11. All of the Illinois, East Kentucky, West Virginia and West Kentucky seam number six coal on hand had less than 2.5% sulfur. None of the dealers foresee any problem in reducing their high sulfur coal inventory to zero by July 5, 1970. Of course this does not mean that all the high sulfur coal will be used up by the consumer by this date. No doubt some consumers will have coal in the bin with a high sulfur content after this date. One dealer reported that he is attempting to get any type of coal because his inventory is so low. This means that he may receive coal with a sulfur content greater than 2.5% even though the ordinance is pending. All of the dealers appeared to have good data on the sulfur content of their coal so that actual analysis of coal in inventory after July 5 may not be necessary. An on-site verification of their file data in regard to amount of inventory and sulfur analyses may suffice. Inspection of records of shipment to their customers would be useful to gauge the inventory of high sulfur coal in the bins.

The Engineering Services Division of the Department of Environmental Control has a record of coal usage for every residential, commercial, industrial and utility user on several thousand cards. These data were last compiled for 1965 and are as listed below with modifications for utility usage, which includes 1970 data:

Type	Coal tons/year	Year
Residential	1,570,000	1965
Commercial	519,000	1965
Industrial	949,000	1965
Utility	2,800,000	1970

There have been no doubt reductions in coal usage since 1965 residential, commercial and industrial users due to conversions and urban renewal. Based upon the above figures coal usage by the utility plants is approximately one-half of the entire amount in the City proper.

IN DEFENSE OF THE F-111

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. PRICE of Texas. Mr. Speaker, on July 4, 1970, the Washington Star car-

ried a story about the F-111 aircraft. The story is so filled with inaccuracies and gross distortions that, after some reflection, I feel compelled to set the record straight.

My interest in the F-111 has several origins. First, as a former jet fighter pilot in the Korean war I have developed an abiding concern about the air arm of this country's national defense system. Second, I am one of the few Members of Congress who has been privileged to actually fly and check out in the F-111. And third, I am a Representative from the great State of Texas, the State in which the F-111 is produced. These factors aside, however, I would have responded to this article in any event, if for no other reason that to serve the interest of truth.

At the outset, I want to make my position on the F-111 clear. On the basis of my aviation experience, particularly with reference to military aircraft, coupled with my personal knowledge of the plane itself, I can unhesitatingly state that the F-111 has remarkable and unique characteristics which make it the most advanced and most capable military aircraft possessed by any nation in the world today.

Mr. Speaker, we in this Chamber are all well aware of the controversy surrounding the F-111. As I said during an earlier floor statement on this issue:

Certain individuals and interests have unfairly and prejudicially attacked the F-111 and with such regularity that on balance I would say that more heat than light has been shed on the subject.

In this regard the Washington Star article entitled "F-111 Performance Far Short, Costs Rising, Air Force Finds," is a perfect example of unfair and prejudicial reporting. The article is filled with misstatements and misrepresentations; consequently, not only does it not have any real news value, it obscures more than it clarifies, and creates altogether new problems of public acceptance for a much maligned aircraft.

I would like my colleagues to read the full text of this article. Then I would like to look at key areas in the article where the author committed particularly grievous reporting errors. It follows:

F-111 PERFORMANCE FAR SHORT, COST RISING, AIR FORCE FINDS

(By William Howard)

A newly updated catalogue of deficiencies in the swing-wing F111 reveals the fighter bomber is falling far short in performance while costs keep on soaring.

In a report to Congress, the Air Force says the plane is so overweight—by nearly 7 tons—that it has to be flown lower and slower and needs more runway to take off than specified in the contract with General Dynamics Corp.

Particularly crucial is the F111's combat ceiling. The specification was for 62,300 ft.;

the demonstrated performance inflight tests shows a ceiling of 57,200, a loss of more than 1 mile. The MIG-23 Foxbat—Russia's hottest fighter—has a reported service ceiling of 80,000 ft.

MAXIMUM SPEED CUT

Several versions of the MIG-21 also have reported ceilings of 60,000 to 65,000 ft.—indicating the F111 would be at a clear disadvantage against the MIG-21.

The maximum speed of the F111 was supposed to be 1,875 m.p.h. This has been cut to 1,650 m.p.h. The Air Force says if it is flown any faster than 1,650 m.p.h. the engines may stall—the result of a troublesome air inlet.

One of the great advantages of undertaking the controversial plane, its backers claimed, was a 5,000 mile "ferry range"—allowing it to be based in the United States and quickly flown any place in the world. The actual ferry distance is turning out to be closer to 3,000 miles, which means it must be refueled to make it across the Atlantic.

The F111's 41-ton heft is partly to blame. But the Air Force says increases in drag and an engine that burns more fuel than expected also are responsible.

EFFECTIVENESS REDUCED

These deficiencies are also reducing the F111's effectiveness as a bomber.

The original specifications called for the plane to be able to dash over enemy territory at top speed of 1,875 m.p.h. for a distance of nearly 250 miles to limit exposure to anti-aircraft fire. The actual dash distance has not been demonstrated yet but the Air Force estimates it will be only about 35 miles, and at the lower top speed of 1,650 m.p.h.

Thus, the bomb-run performance will be on a par with the Phantom F4, which has been America's mainstay for the past decade, but is considered no match for advanced anti-aircraft missiles.

When the program was launched by then Defense Secretary Robert S. McNamara in 1961, Air Force expected to build 2,446 F111's for about \$6 billion.

The total number of planes has since shrunk to 547 and the cost has jumped to \$7.5 billion by today's estimates and may go higher. Put another way, the cost per plane has risen from \$4 million in 1963 to nearly \$14 million.

GROUNDED FOR TESTS

The 300 F111's that have been built are grounded while they undergo tests to determine whether their wings will crack off in flight—tests ordered in the wake of an accident last December.

The first batch of 19 planes has passed the proof test without a failure, but they all still must be tried in the air and it will take until 1972 to get them operational.

What's more, the Air Force says a new wing box must be installed in many models to correct another defect and this will entail further delays.

Mr. Speaker, in the second paragraph, the writer charges that the F-111 "needs more runway to take off than specified in the contract with General Dynamics." Indeed, the performance chart shows the F-111 requires 3,550 feet of runway for takeoff versus 2,780 feet as specified. No other fighter-bomber can take off in

3,500 feet with even half the bomb load and half the range of the F-111.

In the third paragraph, reference is made to combat ceiling, and it is charged that although the F-111 specification was for 62,300 feet, in flight tests the airplane achieved only 57,200 feet—a loss of more than 1 mile. The difference between 62,300 feet and 57,200 feet is 5,100 feet and, as every schoolchild knows, a mile has 5,280 feet. Moreover, according to the Air Force, this measure has no tactical significance.

In paragraphs three and four, the writer departs from Air Force testimony to erroneously compare the combat ceiling of the F-111 with that of the Russian Mig-21 and the Mig-23. First of all the Soviet aircraft and the F-111 have different missions and cannot be compared in the first place. In the second place, wings of either Russian plane would sheer off in pursuit of an F-111 at its top speed at low level where it is built to operate.

In paragraph five, the writer again displays his lack of aeronautical knowledge. He charges that the top speed of the F-111 "was supposed to be 1,875 miles per hour" and says this "has been cut to 1,650 miles per hour." Then he notes that the F-111 may not be flown faster than 1,650 miles per hour lest the engines stall. Air Force charts, however, express the speed requirement of the F-111 in mach numbers, not miles per hour. The top speed required is shown to be mach 2.5, which at altitude is 1,650 miles per hour, not 1,875. In fact, 1,875 miles per hour at altitude is mach 2.83 and there is only one airplane in the U.S. inventory that fast, the SR-71.

In paragraph six, it is alleged that the F-111 failed to meet its specified ferry range of 5,000 miles and thus must be refueled "to make it across the Atlantic." Air Force charts show, however, that the specified ferry range is 4,180 nautical miles, not 5,000 miles. Given the fact that F-111's already have flown across the Atlantic without being refueled or without even carrying extra fuel tanks beneath their wings, one is left with the question, Has the writer erred again or have the continents moved apart since this accomplishment?

In paragraph nine, the writer again shows his inability to express mach numbers in miles per hour and introduces a new requirement for the airplane. There is no specification calling for a top speed of even 1,650 miles per hour over 250 or any other number of miles. The "supersonic dash" specification is for mach 1.2 at sea level, which amounts to 760 miles per hour, and the required number of miles is 210 not 250.

In paragraph 10, the reader is treated to yet another departure from the performance chart by the observation that the F-111's "bomb run performance will be on a par with the Phantom F-4." Any Air Force official would have told the author that the F-4, which has an admittedly distinguished record, cannot bomb at night or in bad weather, cannot bomb as accurately even in daylight, can carry only half as many bombs half as far, cannot fly bombing missions

unescorted by tankers and other support aircraft, and can attain supersonic speed at sea level only for comparatively short periods of time. The F-111 has flown unescorted night missions against North Vietnamese targets, 80 percent of them in weather so foul all other aircraft were grounded, and put its bombs on target with fantastic accuracy.

In paragraphs 11 and 12, the F-111 is saddled with cost growth "from \$4 million in 1965 to nearly \$14 million." It is pointed out that the Air Force at the outset expected to buy 2,446 F-111's and that the number has shrunk to 547. Here the writer committed a sin of omission in not pointing out that this is precisely why the unit cost has risen, that unit price always go up when quantity procured comes down. He also failed to note that for an additional \$1.5 billion in calendar years 1970, 1971, and 1972, the Air Force can procure an additional 300 F-111's because much of what has been spent went for the purchase of development, tooling, and components for future aircraft.

In paragraph 15, the author says:

A new wing box must be installed in many models to correct another defect and this will entail further delays.

Had he been reading the newspapers he writes for, hopefully he would not have written this. The Department of Defense announced on April 20, 1970, that the wing carry-through box of the F-111 had met the Air Force requirement for a 10-year service life and that "the test results verify the structural fatigue life of the wing carry-through boxes installed in all production F-111 aircraft." Had he bothered to ask, he would have been advised that the tests have continued and that the wing carry-through box to date has exceeded the Air Force requirement by 50 percent.

Finally, I would like to point out that had the writer read page 733 of the record of the House appropriations hearing at which the F-111 performance chart was submitted by the Air Force, he would have noted the testimony of Maj. Gen. Otto J. Glasser, Assistant Deputy Chief of Staff, Research and Development, who said:

Let me summarize by saying that operationally the Air Force is completely satisfied with the aircraft with respect to its ability to perform the mission for which it was designed.

Mr. Speaker, the facts speak for themselves. The writer of the article in question, has completely ignored either by choice or by chance the fundamental standards of professional journalism. That his employer, the Newhouse National News Service, and his syndicators, the Chicago Daily News utilize his articles, apparently without question, is shocking. For if the unsuspecting public does not have some reasonable assurance that the news is fairly and objectively reported at least in the news columns of the paper, then the fourth estate is indeed derelict in its public responsibilities.

It is instances like this that make me hope that journalism consider adopting some comprehensive code of conduct

with appropriate procedures for profession redressing grievances, similar perhaps to the codes that exist in the medical and legal professions. I think it would be in the interests of both the general public and the journalism profession if an internal code of professional conduct were developed and enforced.

REMARKS BY REPRESENTATIVE OGDEN R. REID UPON INTRODUCING THE NEWSMEN'S PRIVILEGE ACT OF 1970

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. REID of New York. Mr. Speaker, I am introducing today the Newsmen's Privilege Act of 1970, a bill which will protect all newsmen and other persons directly engaged in the gathering or presentation of news for any newspaper, periodical, wire service, or radio or television station from the forced disclosure of their confidential information and the sources thereof.

While similar legislation in this area has already been introduced this session, it is my view that the bill I am introducing today offers a more complete and justified protection to newsmen. Specifically, my bill provides that in a civil action for damages a newsman will keep his privilege against forced disclosure of his source unless the court makes a finding that substantial injustice will result to the party seeking the information if the source remains anonymous. In other bills in this area, a newsman would automatically be forced to disclose his source in any civil suit for damages.

In my judgment, recent events have pointed out the crucial need for legislation of this type. In February, the Justice Department attempted to subpoena notes, tapes, recordings, news film, and unedited files. As noted by former Attorney General Ramsey Clark, this type of action represented a sharp departure from previous Department policy. Also in February of this year, two CBS reporters were issued subpoenas to testify before a Federal grand jury inquiry into the Black Panthers. In order to cover the vast number of possible instances in which protection for newsmen is needed, my bill extends its jurisdiction over all Federal courts, grand juries, agencies, commissions, the Congress, and all committees thereof.

The legislation realizes, and I believe rightly so, the preferred status accorded to the first amendment freedoms in recent years by the U.S. Supreme Court. Freedom of the press implies the free flow of news and information, within the limitations of libel and obscenity and, in essence, represents the public's right to know. Only the most overriding considerations of public policy or the individual's right to redress of grievances in civil actions through the courts should take precedence over the public's right to be informed on all subjects.

This legislation does not intend to place newsmen above the law, but is designed to defend against possible repression of the news media which could conceivably transform our sources of news into little more than propaganda arms for the Government.

Section 2 of the bill refers to the non-disclosure of confidential information, while section 3 refers to the nondisclosure of sources of information. Section 4 contains several important qualifications to the privileges provided in the previous two sections: first, pertaining to the privilege conferred in section 2 concerning the information itself, the privilege shall not apply to any information which has been previously published or broadcast as to its contents by the person claiming the privilege. This provision is specifically drawn narrowly, so that only in the case where the newsmen had previously allowed the content of the material in question to become public, may he be denied his privilege of nondisclosure.

The second qualification pertains to the privilege of nondisclosure of the source of information in section 3. The most important point here is that which I mentioned at the beginning of my remarks: a newsmen will only be required to name his source when the court finds that substantial injustice would result to the other party if the source remained anonymous. This provision applies only to civil actions for damages.

Yet another qualification limits the privilege concerning the source when it would apply to the details of any grand jury investigation or other proceeding required to be secret under the laws of the United States.

Section 4(c) provides that in any case where a person claims the privilege under section 2 or 3, the person seeking the information may apply to the appropriate Federal district court for an order divesting the privilege. The order shall be granted if, after a hearing, there is substantial evidence that disclosure of the information is required to prevent a threat to human life, espionage, or of foreign aggression. This interposition between prosecutor and newsmen provides a buffer zone against "fishing expeditions" by requiring that the party seeking the information prove the existence of a legitimate and specific threat. It should be noted that this applies to both privileges, and is the rule for all cases except those which are of the nature of a civil suit for damages. In these particular cases, the rule of 4(b)(1) applies for the source of the information only. Otherwise, 4(c) governs.

In conclusion I would add that freedom of the press, like freedom of speech, can easily be emasculated. Sometimes this may occur at such an incremental pace that the erosion is difficult to see until the freedom is irrevocably impaired. In my view, legislation such as this bill will provide a formidable barrier to those who, whether the Government or private parties, seek to use the press to further their own interests—often which are not the interests of the public.

I am therefore hopeful that the House of Representatives will carefully consider this legislation, and pass favorably upon it.

A GROSS MIXTURE OF TRUTH AND ERROR?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ASHBROOK. Mr. Speaker, there has been quite a bit said in recent days in the press concerning the President's Commission on Obscenity and Pornography and especially about alleged findings and recommendations of the Effects Panel of the Commission. As reported in the press, information from the Commission states that there is no evidence to support the belief that exposure to pornography will result in antisocial behavior on the part of adults or young people. In addition, it is reported that the Commission will recommend the repeal of all laws against providing penalties for the showing and selling of pornographic materials to consenting adults and will propose laws against exposing children to pornography only because such exposure is unpopular.

In August of last year I called to the attention of Members of Congress the dissenting opinion of one member of the Commission who had grave reservations at that time concerning the direction in which the Commission was headed. Later, through the CONGRESSIONAL RECORD, I added the comments of two additional Commission members who disagreed with the Commission's work. It comes as no surprise, then, that lately this body has come in for some criticism although the final report is not yet public.

On Tuesday of this week Congressman ROBERT NIX, chairman of the Postal Operations Subcommittee, held a hearing on the Commission's operation after viewing an advance copy of some Commission's findings. He was disturbed by the use of certain tests which had been reported in the CONGRESSIONAL RECORD by Congressman HENRY SCHADEBERG on April 7 of this year.

The leadoff witness at the hearing was Prof. Victor B. Cline of the department of psychology at the University of Utah. He also had received an advance copy of some of the Commission's findings and addressed his testimony to this area. Dr. Cline's background is as follows:

The writer is a Berkeley Ph. D., 1953, member of the American Psychological Association, a professor of psychology at the University of Utah—teaching courses in clinical, child and experimental psychology. He was formerly a research scientist with the human resources research office—George Washington University—is a practicing clinical psychologist engaging in psychotherapy, author of over 40 published research papers, principle investigator of a number of research projects funded by Office of Naval Research, National Institutes of Mental Health, Office of Education, and so forth. He is the program director of the Southern Utah Guidance Clinic—a traveling mental health clinic, consultant to various Government agencies, business firms, and so forth. The January 30, 1970, issue of Life reviewed in a picture-story his research assessing the effects of violence in the media on children.

In a letter of August 5 to the Chairman of the Commission, Dr. Cline stated:

After reading the Effects Panel report I found it so badly flawed in so many respects, frequently drawing conclusions and making inferences unwarranted by the data, neglecting evidence showing contrary views, and ignoring issues which would seem logically to be in the purview of the report, etc., that I prepared a brief though necessarily limited critique (copy enclosed).

He further added:

In my view, while this report presents itself on the surface as a fairly thoughtful rational review of the scientific evidence, it in fact is a gross mixture of truth and error, part science fiction, and certainly a travesty as a scientific document attempting to do a judicious and fair survey of the literature in this area.

Dr. Cline in his letter then recommended that an evaluation of the Commission's findings "of what they have done by those peers having high competence and professional ability." He also offered to make a more lengthy critique of the report, requesting access to the complete studies.

In addition, Dr. Cline stressed the importance which will be attached to this, the first comprehensive study of the issue of pornography:

Since this Commission's report undoubtedly will have a profound effect on legislation before Congress, the judiciary, educators, the media, ministers and even parents, a flawed report being issued under the Commission's imprimatur would represent a major dereliction of responsibility as well as contributing even further to the tensions and conflicts which beset our society. This is especially so now, since in my view this report has limited credibility and is certain to be vigorously attacked by knowledgeable critics, as well as others.

I insert at this point in the RECORD his critique which was sent to the Commission and which was the basis of his testimony before the Postal Operations Subcommittee on Tuesday, August 11:

THE UNIVERSITY OF UTAH,
Salt Lake City, August 3, 1970.

To Commission on Obscenity and Pornography.

From Victor B. Cline, Ph. D., professor.
Re Evaluation of Effects Panel report.

1. This review is limited by the fact that I don't have most of the original studies which are cited and used as evidence in coming to many of their conclusions. It would be extremely helpful to obtain as many of these studies (a good share funded and sponsored by the Commission) giving complete details on methodology, etc. Despite this, enough details are given and I am acquainted with some of the studies sufficiently to comment on them.

2. First I might give a few overview comments:

(a) Time and again conclusions are drawn which are not warranted by the data presented.

(b) Most of the studies investigate "relationships" between things, but not causality. This means that they are not warranted in saying that pornography causes or does not cause specific behaviors. They just don't have the evidence. Example: There may be a relationship between a person's height and performance on a certain math test (because older, maturer children are taller). But from a scientific view, you would be in error to say that height was causally related to math ability. This would be because you hadn't controlled for age.

(c) In their review of the literature there are occasions when negative evidence is

omitted (e.g., evidence which favors conservative views on pornography's influence). Example: In their survey of how professional workers view pornography they omit the 1967 survey by the Christian Communication Apostolate, Archdiocese of New Jersey (which shows views contrary to their own) and which was available to them in my May 4th presentation to the Commission.

(d) They indiscriminately mix good with poor studies (e.g., those having little worth because of crippling methodological weaknesses) making no distinction between the more valid and the virtually useless data. Not carefully evaluating the quality of the research they use in their report is an extremely serious shortcoming of their whole "effects panel report." Example: In my report to the Commission I note in great detail the grave shortcomings in the Lipkin and Carns study of professionals' attitudes toward pornography and how opposite conclusions could be drawn from their data (see page 13, Cline report to Commission). These shortcomings are never mentioned even though specifically pointed out to the Commission. To put it in a less charitable way, I doubt that any decent university psychology department would ever award a Master's thesis on the basis of such an incautious review of the literature as this is, and especially the unwarranted conclusions drawn from the data.

(e) There is neglect of consideration of a whole group of "negative effects" variables such as (i) spectacular increase in VD in the last 5 years; (ii) divorce rate, highest in 25 years (since war); (iii) aggressive rape (great recent increases); (iv) premarital sex pregnancies (spectacular 10-year increases). (These latter two items are discussed, but not adequately.) (v) child molest (not adequately considered by the panel); (vi) extramarital sex (not discussed or considered by panel). Since the Kinsey studies there should be recent data indicating if there has been significant changes in this area which would certainly have a significant implication for the stability of the family. This is not considered by the effects panel.

(f) There is a total neglect of the pornography problem, where pornography and sado-masochistic themes are combined and the influence of this type of material on the viewer. This is especially surprising since a majority of the so-called skin-flies link this material together (example: Russ Meyer's "Harry, Cherry and Raquel") as do also a great number of porno paperbacks (example: *Last Exit Brooklyn*). And there is a great deal of substantive literature (research) dealing with violence in the media. This problem was called to the attention of the Commission, so their neglect of it is obviously arbitrary.

(g) There are surprisingly few qualifications in either their conclusions or presentation of their research findings when such are repeatedly called for because of the flaws in many of their research studies cited. This suggests that those panel members reviewing the effects problem are either not properly trained in scientific methodology in the behavioral sciences, or did not get unbiased consultants to review their interpretations (report) of the research data. Since this report will have major status in the nonscientific world, the media, among the judiciary, and even with many parents, I feel that it is critically important that the major research studies as well as the conclusions drawn about their meaning be subject to an unbiased panel for review. Such a panel might include such people as Kenneth Clark, President of the American Psychological Association, etc. The report in its present form presents a major problem of credibility.

(h) Throughout much of this report there is a very slipshod and changing definition of what is meant by pornography and erotica.

Sometimes it is written material of minor erotic content, or a film showing nudity but not much else, or a still picture showing a woman fellingating a man, or a movie showing lesbian and heterosexual activity. Thus, in discussing "effects" there is a tacit assumption that all of this material is somewhat the same . . . and hence has probably an equivalent effect or non-effect on the viewer. Little recognition is given to these differences in summarizing the various research studies and making broad sweeping generalization about pornography's influence (or lack of it). Also running through most of this report (and the research papers included) too little attention is given to the amount of pornography consumed and over how long a period of time. Frequently a one-time viewing of pornography in a person's life is given the same weight as someone viewing it consistently over many years.

3. There are innumerable problems with conclusions drawn from inadequate data. For example: They conclude (item 6) that "Continued or repeated exposure to erotic stimuli results in satiation of sexual arousal and interest in such material." None of the experimental studies focusing on this problem went longer than several months, so they have no experimental evidence covering a longer period of time to justify such a statement. Their statement also reflects obvious clinical experience where a man may find himself stimulated by the nude body of his wife for 30 years, even though there may exist temporary periods of satiation (as to need for sex, and erotic stimulation). The periodicity of the sex drive suggests continued cycles of interest and satiation continuing throughout life. Their conclusions suggest that if we let people have all the pornography they want, they'll soon get tired of it and not want any more. Their evidence only shows that if you give people a great glut of pornography they will temporarily satiate. But the same may be said of having sexual intercourse, eating, drinking, etc.

4. Another example of an inadequate review of data is Kupperstein and Wilson's review of the statistics on illegitimate pregnancies over several decades (among other things). They conclude in reviewing these data that, "In view of the several-fold increase in erotica the data do not support the assertion that the heightened availability of erotica during the past decade has been accompanied by a parallel rise in the incidence of antisocial sex behavior among minors." A look at the full data (which they do not give) does not warrant such an assertion (see below):

Illegitimate births in America [In thousands]

1940:		
Under 15 years	-----	2.1
15 to 19 years	-----	40.5
1950:		
Under 15 years	-----	3.2
15 to 19 years	-----	56.0
1955:		
Under 15 years	-----	3.9
15 to 19 years	-----	68.9
1960:		
Under 15 years	-----	4.6
15 to 19 years	-----	87.1
1965:		
Under 15 years	-----	6.1
15 to 19 years	-----	123.1
1967:		
Under 15 years	-----	6.9
15 to 19 years	-----	144.4
Source: U.S. Public Health Service.		

In reviewing the statistics on the increase in forcible rape (a 55% increase from 1960 to 1968 in number of juveniles arrested for forcible rape) they concede that this was considerably greater than the increase in the juvenile population but that other juvenile crime increased at a much greater rate still

(100%) and they conclude as above, ". . . the data do not support the assertion that the heightened availability of erotica during the past decade has been accompanied by a parallel rise in the incidence of antisocial and criminal sex behavior among minors."

The Commission report presents these conclusions, which represent an almost Alice in Wonderland type of distortion of the actual evidence, as "truth" without any remarks about their shortcomings and "falsity."

5. Most of the research commissioned and reviewed has another serious shortcoming. It treats pornography as a single unitary variable in its relationship to various potential antisocial behaviors. Actually most antisocial behavior is multi-determined. A good example is juvenile delinquency which may be caused by one set of variables in one person and another set of variables in another. A multi-variate approach almost necessarily must be used in studying the causal correlates of something like rape, sexual maladjustment, child molest, etc. Thus it is conceivable that pornography and addiction to it, or porno violence, may be a contributing factor in only 26% of the rapes that occur. But unless the design of the research is quite sophisticated this will never show up in one's data analysis.

6. Another gross type of error made throughout much of the research reported on here is the uncritical reliance made on questionnaires and verbal report which assumes that people, especially sex criminals, will and can give undistorted truthful reports of activities engaged in many years previously. The fallibility of this kind of data has been demonstrated repeatedly, including the polls conducted in England up to four days before the English people voted out the Labour Party (in complete contradiction to the surveys of public opinion made by a number of professional polling groups).

7. On page 117 several studies are cited where adult bookstore and movie patrons are white, middleaged and middleclass who appear to be respectable members of our society. It is also noted that blacks are under-represented in these bookstores even though they are over-represented in crime statistics. Thus the Commission suggests that it is respectable people who prefer pornography. What they forget to say is that these adult bookstores and movies are located in downtown urban areas near hotels and businesses frequented by middle class whites. None of the researchers went into the Negro ghetto, or working class neighborhoods to assess the type of erotica purchased there. Many corner drug stores sell all types of literary pornography and soft core picture magazines. No mention is made of (or is it studied) mail order pornography. So to conclude that pornography is a special and even almost exclusive concern of middle class whites on the basis of the limited data presented cannot be substantiated by any study reported here.

8. Item 16 of the report states, "Sex offenders, compared to other adults, are generally less experienced and less interested in erotic materials during both adolescence and adulthood." This is not accurate. In the Gebhard study of sex offenders they found that about a third of their male controls said that they had owned or personally possessed pornography while a general prison group reported about half their number possessed it. When all sex offender types are combined they are above the normal controls but somewhat below the prison group in owning and possessing pornography. But when we look at the specific subgroups within the sex offenders we find that homosexuals who have committed sex crimes against adults lead the list with 54% possessing and owning pornography. The Commission completely over-

looks these data and *never reports* on the sex offenders in subgroups. This is an extremely fatal flaw in their report. Psychologically the man who commits incest with a minor is an entirely different sort of person from the aggressive rapist or homosexual, and to combine them in any type of data analysis is scientifically unwarranted. The Gebhardt data confirm this again and again in all sorts of comparisons of these different types of sex deviants. This is particularly glaring as an example of not reporting data which suggest findings different from the conclusions reached in their summary section.

9. One additional problem has to do with the report's omission of any reference to the studies of imitative and social learning of Albert Bandura and his associates. This series of researches suggest that a great deal of learning occurs through watching and imitating the behavior of others. Much of pornography is not just an obscene picture of a couple copulating. It involves literary depictions of sexual assault (as in the homosexual rape in "Myra Breckinridge"). A good share of pornographic (soft core and hard core) films model a variety of anti-social sexual behavior. If Bandura's research has any validity it would suggest that certain types of pornography involving whole sequences of behaviors probably would affect some individuals if they saw it consistently modeled on the screen or in fiction. This certainly has been true with certain types of delinquent behavior which juvenile offenders have in some instances repeated what they saw on the screen.

ADDENDUM

10. No "attitude changed by pornography" study went longer than 30 days (based on information available from the report). To claim as they do that, "Exposure to erotic stimuli does not alter established attitudinal commitment regarding either sexuality or sexual morality" on the basis of such limited data would appear an unwarranted and injudicious claim. About all they can legitimately say is that no changes were found in this brief period of time under the conditions of this particular experiment. Their sweeping generalizations are not warranted by the data.

11. There is no study reported and no mention made of the problem that "addiction to pornography" might have relative to marital adjustment. The pattern of a husband preferring pornography (over his wife) for erotic stimulation and masturbation for sexual outlet does cause grave adjustment problems in some marriages. This information was in the data collected by Rene Nelson (which the Commission possesses) and was again suggested in the May 4, 1970 report to the Commission by this writer. The commission has totally neglected this type of "effect" or any other type of marital effects problem.

12. In their summary section the Commission states, "Professional workers in the area of human conduct generally believe that sexual materials do not have harmful effects." Yet in the Lipkin and Carns study (which they repeatedly quote from, which is severely flawed by sampling problems and other weaknesses) they use only that data which supports their position. They fail to state in actual numbers that 254 psychiatrists and psychologists had seen cases where they found a direct causal linkage between involvement with pornography and a sex crime, while another 324 professionals reported seeing cases where the relationship was suspected. While these 578 therapists represent a small group percentage-wise, it would seem to this reviewer irresponsible to gloss over them as if they didn't exist. In addition, their neglect in citing other studies (also flawed) which show a *majority* of therapists (see 2 c) seeing cases where pornogra-

phy and sex crimes are linked is difficult to comprehend.

13. Their report is lacking in any longitudinal studies (which would be the most revealing) or even any truth in-depth clinical studies of individuals. The vast majority of the studies involve either (a) a survey of some sort (asking questions about attitude, history, etc.) or (b) exposing people to pornography briefly then seeing what they say or do or feel. The problem with the questionnaire is that one never really knows (especially in the sexual area) how accurate or honest the respondents are. The problem with the short term experiment is that the samples (to begin with) are biased by excluding all those people (especially females) who refuse to submit to such an experiment. It's also highly unlikely that anybody will participate in anti-social sex activity when under such close observation, or admit to some criminal behavior (child molest, rape, exhibitionism, etc.) even if he did it as a result of the experiment. Also the brief time span of the experiments never allows one to determine if pornography has a long term effect in changing morals, attitudes, and behavior—which, one might more logically and realistically expect.

14. Probably the most important study funded and cited by the Commission is that by Abelson et al. wherein they survey a nationwide sample of Americans on their attitudes about pornography and associated subjects. But a close examination of their data suggests that their results are suspect and of questionable validity. In Kinsey's studies 77% of his male subjects and 32% of his females reported sexual arousal by erotic materials. In Abelson's survey only 23% of his men and 8% of his females admitted to this. This tremendous difference in findings raises serious questions about whether Abelson was getting honest and valid responses from his sample, especially when most other studies get figures closer to Kinsey's. Additionally most experimental studies show 60%-90% of both sexes being indeed sexually aroused by the erotic. Since Abelson's interviewers were for the most part middle aged housewives with little or no previous experience in this type of interviewing, it is possible that on a good share of the sex questions there would be some reluctance for many people to be completely candid with these "mother type" interviewers. So there exists serious questions about the validity of this keystone study, referred to so frequently throughout the report, and especially in the area of sexual attitudes, etc.

15. The Commission quotes researcher Gebhardt (Kinsey Sex Research Institute) as saying that in his study he found sex criminals as being sexually unresponsive to stories of rape, violence, and torture—inferring that this is the way all sex offenders are. They fail to state that Gebhardt was referring to only one type of sex offender (out of 21 types studied) who comprised only 14% of the total sample, or that this data was based on retrospective verbal self report, uncorroborated by any direct evidence and subject to the usual defenses, distortions, and inaccuracies of this type of data. They give over inflated and incorrect N's (199 actual figure, 1500 their figure) to emphasize their point.

Additionally if one looks at Gebhardt's original data we find that certain types of sex offenders score extremely high on being sexually aroused by pornography (e.g., heterosexual rapists of minors, homosexual offenders against adults). But this is not reported. It is effectively masked by combining all sex offenders together which includes certain types like those individuals committing incest against minors, for whom pornography "turns them off" (for the most part) hence they get very low scores on arousal (and depress mean group scores if combined with other offenders).

So when the Commission concludes that, "Sex offenders are less aroused by erotic stimuli . . . and less interested in the erotic than adults generally" they have manipulated and misreported their data and are not "telling it like it is."

16. In the overview and summary it states, "Studies indicate that exposure to sexual stimuli has no detrimental impact upon moral character, sexual orientation, or attitudes about sexuality among youth." This statement is made despite the fact that not a single longitudinal study, not a single experimental study, not a single definitive research of any kind has been done in this area relative to minors. The only information presented is inconclusive circumstantial evidence of very limited application and relevance. When they state that there is "no evidence", it means (but they don't state it) that there is no evidence both ways. Their conclusion of "no detrimental impact on youth" in the absence of any significant juvenile research reveals a shocking and almost unbelievable naïveté or disregard for truth and the canons of honest scientific inquiry. In this single instance they have revealed a bias so blatant as to instantly throw every other conclusion in this study into serious doubt. In making this statement I do not in any way refer to those researchers in the field who independently carried out studies to the best of their ability.

SECOND ANNIVERSARY OF INVASION OF CZECHOSLOVAKIA

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. DADDARIO. Mr. Speaker, August 21 will mark the second anniversary of the invasion of Czechoslovakia by Soviet troops. In an effort to suppress the growing liberality and individualism of Czech leaders, the Soviet Union resorted to this most blatant violation of Czechoslovakia's national integrity.

This completely unjustifiable military invasion constituted an obvious violation of no less than five provisions of the United Nations Charter. More important, it was a shameful and bloody denial of the basic right of the Czech people to determine their own destiny.

Halted by the Nazi occupation of the early 1940's, Czech progress toward the development of a modern democracy was again cut back by the successful Communist coup of 1948. Since that time, under the coercive influence of the Soviet Union, Czechoslovakia has been economically and politically dominated by the Russians. At this time the Soviet Union owes the Czech government over \$1 billion in testimony to its failure to respect even its own unfair treaty agreements with Czechoslovakia.

In the Spring of 1968, new, creative leaders began to draw their country away from the Soviet influence, granting the Czech people their most basic freedoms, liberalizing censorship, and encouraging the development of free enterprise. Their efforts were ruthlessly crushed by armored Soviet divisions 2 years ago today. But those troops could not crush the spirit and resolve of the Czech people.

Representatives of all free peoples, the

world over, must continue to press for the withdrawal of all Soviet troops from Czechoslovakia, and the restoration of the legitimate rights and national integrity of all the Eastern European people.

**THE ANTI-MONTANA BALLISTICS—
AMB'S—PART V: HOUSING, MEDICAL CARE, AND LAW ENFORCEMENT**

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, August 14, 1970

Mr. METCALF. Mr. President, implementation of the Safeguard system in the Malmstrom deployment area will impose a financial hardship on the 20 communities most likely to be affected. According to figures presented in Safeguard System Command's Community Impact Report: Malmstrom Deployment Area, prepared by the Corps of Engineers, all of the communities involved would experience sharp increases in population, accompanied by the inherent necessity for more housing, more medical facilities and personnel and increased law enforcement expenditures.

Safeguard Command's Report indicates that the town of Brady, with a current estimated population of 200, should be expanded to accommodate a population of 1,000, an increase of 400 percent. Joplin would be expanded to provide for a peak population increase of more than 350 percent. Although the percentage increase in population in most cases would not be as great as in Brady or Joplin, all communities have been projected to accommodate a population increase of at least 50 percent, either on a peak or a temporary basis.

This section will consider the community impact of the Safeguard installation in the areas of housing, medical care, and law enforcement.

HOUSING

The state of the national economy, particularly the tight money situation in the mortgage area, will likely create an acute shortage of adequate housing in the Malmstrom deployment area. For example, Joplin which will probably experience an increase of more than 350 percent in population has no excess housing accommodations. Brady has existing housing for 302 people, yet it is projected to have an expanded population of 1,000.

The Defense Department suggests several sources of aid which are allegedly available to ease the financial burdens of securing the needed housing. Among the sources listed are several Federal Housing Administration programs, however, the programs listed do not appear to be relevant for the Montana deployment situation. For example, Public Law 73-479, Home Mortgage Insurance, is geared primarily to assist permanent residents and will not, in all probability, be used by the employees of this project, who will for the large part be temporary residents.

Public Law 84-574, mortgage insur-

ance for armed services housing—civilian employees; Public Law 86-372, mortgage for defense housing-impacted areas; Public Law 83-560, mortgage insurance for moderate income homes, and Public Law 90-345, mortgage insurance in older, declining neighborhoods, are also not likely to be attractive to either temporary employees or to builders due to the long-term commitments of the loans and the short term of the deployment project.

It should be kept in mind that the tight money situation is likely to have a great deal of influence on the availability of housing and that the private investment of about \$27 million should not be taken for granted since the area involved is not the most desirable in which to make long-term investments.

MEDICAL CARE

Although Safeguard Command's Report alleges that medical facilities are adequate to support the total peak projected population increases except at Pondera County Hospital at Conrad, plate 6 of the appendix indicates a shortage of facilities and personnel in the immediate vicinity of the deployment area. Sites 2 and 3 appear to be particularly remote from adequate facilities, each being 10 to 20 miles from the nearest hospital, physician, or ambulance service. Plate 2 indicates that the transportation network between the sites and the nearest adequate facilities leave a lot to be desired.

The Safeguard report estimates that for an estimated population of 146,194 people in the entire Safeguard deployment area when the project is in full swing there will only be enough physicians to take care of 85,625 people, or a little over half.

In the individual case the situation is even worse. Brady, expected to grow to a population of 1,000 has not a single doctor nor a single dentist. Conrad, the nearest town with any medical facilities—three doctors and two dentists—will be hard pressed to meet the needs of its expected 5,000 people. Of the remaining 18 communities studied, Dutton, Fairfield, Hingham, Inverness, Joplin, Kevin, Power, Rudyard, Sunburst, Valier, and Vaughn also have neither doctors nor dentists. And none of the remaining 30 "unstudied" communities have medical personnel.

The report's conclusion that "the various communities, through the State Department of Health, promptly should begin an active recruitment program to increase the number of physicians in the area, and more significantly, to expand the outpatient treatment capabilities" does not provide either suitable guidelines for the communities or a realistic appraisal of the situation since the recent veto of the Hill-Burton bill demonstrates that the administration does not have the proper concern to ease the financial burden on the local and State health agencies.

LAW ENFORCEMENT AND FIRE PROTECTION

Five of the communities involved in the study area do not have organized law enforcement agencies. The influx of

large numbers of workers into the impact area will necessitate the establishment and/or the enlargement of law enforcement facilities in almost all of the communities involved. It is suggested that the communities make application through the State Law Enforcement Agency to the Law Enforcement Assistance Administration in accordance with Public Law 90-351. While LEAA might offer some assistance to the local communities, it must be kept in mind that here again State and local matching funds of up to 25 percent of Federal grants will be required. The House report on H.R. 17825, to amend the Omnibus Crime Control and Safe Streets Act of 1968, states:

If the block grant approach is to work effectively the States must assume a greater financial responsibility than at present.

The State of Montana simply cannot assume any additional financial burdens at this time.

Eighteen of the 20 communities in the impact area do not have paid firemen. The report assumes that the volunteer status of the fire departments will continue and they need only be expanded to provide for the increases in population. However, the question must be raised as to whether the man who now volunteers his time to the fire departments will continue to do so when the inflation associated with construction projects of this type begins or whether they will seek some of the high-paying jobs that will be available. The report estimates the annual cost of increasing the police and fire departments to the strength necessary to provide protection for the temporary population to be \$179,800. However, the report does not consider all 20 of these communities. When the minimum needs of all the communities are considered and assuming that the majority of the new firemen are volunteers, the annual increase for police and fire protection would be approximately \$460,000. Unless some arrangement can be made to include such increases in costs as a part of the Safeguard appropriation, the local and State governments will be taxed beyond their means.

"COURSES OF ACTION"

Mr. President, the final summation of the Safeguard Command Report has the impressive caption, "Courses of Action," and it presumes to list the Federal assistance programs which are to provide the solution to the massive problems Safeguard will bring to the Montana communities. When one examines these suggestions in light of the facts I have outlined, however, he begins to notice an ironic discrepancy between the "hard data" and the soft solutions. In fact, not a single one of the programs listed can provide significant aid to the impact communities.

A school construction program that has 18 times more requests than funds, a sewage system program for which the Montana communities are ineligible, an admonition for the communities to "begin an active recruitment program to increase the number of physicians in the area"—these are the "solutions" suggested for the Safeguard impact in Mon-

tana. What we really have is a smoke-screen of potential programs, none of which bear out under closer scrutiny.

A minimal estimate of the total cost to the 20 communities for public facilities necessitated by Safeguard is a whopping \$12 million. This includes only schools, water and sewer systems, and police and fire protection. It does not include the costs for medical personnel and facilities, roads, new housing, or recreational facilities. It does not include any estimates for the 30 communities in the impact area not studied in the report. In short, \$12 million is the minimum amount the communities are expected to raise immediately to prepare for the population peak in 1971-72.

Mr. President, I have detailed the drastic effects Safeguard construction, Phase I, will have on Montana communities for two reasons. First, the plight of the people in the Malmstrom impact area demands that real, not imaginary, Federal assistance be available. My colleague from Montana (Mr. MANSFIELD) and I intend to submit an amendment to this effect in the near future.

Second, the experience we are having in Montana may serve as an unhappy example for future such installations in other areas of the country. Once a weapons system has gained its own momentum, it simply crushes everything in its path. Now it seems we are to go on to Phase II in the onslaught of this weapons behemoth. It may be yet another irony of the 20th century that Safeguard becomes not as a noun but a word of warning, as we try to protect our communities from its every-extending reach.

CHAMPIONSHIP SPRINGFIELD HIGH SCHOOL BAND

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, August 14, 1970

Mr. SCHWEIKER. Mr. President, it has been brought to my attention that the Springfield High School Band of Springfield, Delaware County, Pa., recently won two first-prize awards in the World Band Festival in Kerkrade, Holland.

The band, which competed in the first division of the festival, won its initial honor in the show band division, which included marching and formation routines. It then scored a first in the concert division, as well.

The competition consisted of 86 bands, four from the United States, and I am honored that these young Pennsylvanians represented their country, their State, and their high school, so well. I commend them for their efforts and dedication and congratulate them for their fine showing and victory.

Now that the festival is over, the Springfield High School Band will tour Belgium, Germany, Switzerland, and Austria and present concerts in each country they visit. I know that my fellow Senators join me in wishing the band continuing success and a safe return home.

COLLECTIVE BARGAINING TODAY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BOLLING. Mr. Speaker, the speech by Secretary of Labor Hodgson delivered before the meeting of the American Bar Association in St. Louis, Mo., is thoughtful and provocative. While I do not endorse everything he proposes, what he says is well worth reading. The speech follows:

COLLECTIVE BARGAINING TODAY A POTOMAC PERSPECTIVE

What happens to the views of a private sector labor relations practitioner who finds himself thrust into the role of a public policy maker? After performing for 30 years from a snail's eye view in the real world, how do things look from the rarified orbit of the Potomac other world? What old convictions stand up and what new impressions are gained?

Today I thought I might reflect on my 17 months as under secretary and 40 days as Secretary and see what answers might be framed to the foregoing questions as they relate to collective bargaining. Were I E. M. Forster, I might entitle this "A View from the Third Floor," my office situs in the main labor building in Washington.

I think I'll start by reversing the usual order of things—by introducing my summary impressions at the outset:

1. The institution of collective bargaining continues to serve the Nation well. In today's pluralistic America, it is valid in concept, versatile in performance and possesses a flinty durability that is withstanding the challenges of its detractors rather well.

2. The Nation's experience with the institution has exposed some deficiencies. Some desirable changes of a remedial and updating nature are on order.

3. In considering needed changes, we would be well advised to avoid a narrowly conceived passion for 100 percent efficiency in bargaining. But practitioners must also remember that their familiarity with the process often conditions them to a greater accommodation of its vagaries than the general public is willing to accommodate. It is my distinct impression that the public is less satisfied with today's bargaining structure and results than are the bargainers. Complacency would be a mistake.

I'll now try to put a little meat on these rather bare bones declarations. As I do, listeners should be aware of two things. Though I shall cite the need for several improvements, I must emphasize that the impression should not be gained that the institution itself is shaky. Nor will my expressed concern about needed improvements constitute a weakening of public policy endorsement of the efficacy of the institution. Rather, I shall simply be urging that we, as a Nation, be responsive to a few lessons learned from experience and adapt the institution to changing times.

I find the content of my ensuing remarks falls into a neat bracket of "twos."

Two groups of employers that need better coverage under the legal framework of collective bargaining

Two industries where collective bargaining is proving less than satisfactory

Two issues that need more attention by bargainers

Two public attitudes that may affect the future of bargaining.

I recognize that four aces, or four of most anything else, will beat my four twos, but that's my hand, and as my audience of the day, I'm afraid you are stuck with it.

Perhaps the best place to set this discourse in motion would be with respect to the people the institution affects. We must remember that one of the strengths of collective bargaining is that it is a "people centered" institution.

It seems to me that certain events of recent occurrence make it more than ever clear that there exist two groups of American workers who still lie well outside the legal framework of the institution and who need, in one way or another, to be brought further under its umbrella. It will not surprise you that the two I have in mind are public employees and farm workers.

When I was a labor relations practitioner in the private sector, I found it nearly overwhelming at times to realize that in granting a one percent increase to a workforce of 100,000, I was committing more than a million dollars of a corporation's money. Little did I think I would one day be a party to a collective bargaining experience that would find me talking in terms of nearly three billion dollars—dollars that would have to come from the American taxpayer.

Nonetheless, that is the experience I had in the postal union negotiations in which I participated early this year. Not that postal workers themselves received that sum, but their increases plus the related adjustments for other Federal employees amounted to that sum.

I recite this circumstance largely to dramatize the enormity and scope of public employee collective bargaining, particularly at the Federal level. Certainly implicit in this awesome circumstance is the need to give this subject area the level of attention it has hitherto escaped.

One of our first endeavors in the Nixon administration was to update the Presidential Executive order covering Federal labor relations. Nothing had been done in this area since 1962. Representation questions abounded. Several confusing categories of Federal employee representation existed and procedures for clarifying representation questions were largely non-existent. Such standard private sector labor relations ingredients as unfair labor practice procedures and grievance arbitration were equally non-existent.

In our revised order, we incorporated a number of reforms capitalizing on lessons learned from the private sector. And we provided represented Federal employees with at least a bit more of the substance of bargaining.

We've hardly scratched the surface of this subject. However, many major questions remain to be answered. For instance, how shall the Federal labor relations function be organized and managed? What subjects shall be appropriate for Federal bargaining? Shall employee wages and benefits continue to be set by Congress or by the executive branch? If they should be set by the executive branch, how shall wage levels for bargaining be determined? If, as is frequently suggested, the criteria of comparability with the private sector is to be used, how shall that criteria be established?

Then, there are a whole range of questions focusing on bargaining impasses. What kind of impasse procedure shall apply for what type of dispute? Shall closure on such issues as rate levels be concluded under procedures beyond the Federal Government's ultimate control? And what about strikes?

Here, I want to say that I cannot be numbered among those who consider the availability of the strike weapon to represented Federal employees to be a desirable condition. But to be for or against public employee strikes is perhaps less relevant today than doing something about conditions that may tempt employees to try this illegal weapon.

We in the Executive branch are working hard on devising suitable policy answers to these many and intermeshed questions. No

doubt a step-by-step approach, rather than a complete one-time overhaul of existing circumstances, will be needed. But changes will be forthcoming. In devising these changes, we will need the counsel of many knowledgeable groups. I would feel certain that upon occasion we would turn to this group for counsel and assistance.

The labor law section has in times past performed many notable services in the public interest and, no doubt, you will again have an opportunity to contribute further in this complex subject area I've been discussing.

Now let's go back to the farm, specifically to the farm worker. We find here a truly classic example of how force of circumstance can outrun ponderous government machinery. The law continues to view the Nation's agricultural industry as it was half a century ago—largely as a collection of family farms with the typical farm worker being the hired hand. But something has happened out there on the farm. Today much of our agricultural production is centered in corporate-type enterprises. Fifty percent of the Nation's farm workers are now found on two percent of the farms.

As we all know, a great contemporary drama in agricultural labor relations has been playing to a nationwide audience for the past few years in the table grape theater out in California's verdant valleys. That drama is now near curtain time. Organizing in act I, boycotts in act II, bargaining and contracts in act III—all without the benefit of a legislative framework. The absence of such a framework has produced unnecessary tensions and tactics. We must somehow find a key that will unlock the door to effective federal farm labor legislation—the other many sections of the Nation's agricultural complex should not have to witness a replay of the battle of the San Joaquin Valley.

When one sits in a government front office these days and observes the parade of labor disputes that reach a crisis stage, one thing soon becomes clear—a wildly disproportionate number of these disputes springs from bargaining conducted under the Railway Labor Act. To a lesser extent, this is true of all transportation. This, of course, is the circumstance that prompted the recent administration proposal for a new approach to emergency disputes—the emergency public interest protection act. It has two main features—it junks the emergency procedures under the Railway Labor Act and it provides the President with new options for dealing with transportation work stoppages.

Clearly, the Railway Labor Act has lost much of its efficacy. Since the passage of the act 45 years ago, the emergency provisions have been invoked 187 times—an average of four times yearly. Work stoppages following the procedure have occurred at a rate of more than one per year since 1947. Three times the President has had to request special legislation from the Congress to end a railroad dispute, most recently in the shopcraft dispute this spring.

Why does the Railway Labor Act have such a bad record? Simply because the act actually discourages genuine bargaining. Disputants have come to look upon a board recommendation as a basis for their bargaining. They have come to regard it as a routine part of the negotiation process. First a board, and then—maybe—bargaining.

One emergency board after another has examined this process and has concluded that little meaningful bargaining takes place before their involvement. Designed as a last resort, the emergency procedures have become almost a first resort. The fact that an official board recommendation is possible tends to make such a recommendation necessary.

Expecting that a board might split the

difference in positions tomorrow, both parties find it to their advantage to widen that difference today. Thus, the gap between them broadens; the bargaining process deteriorates; Government intervention increases, and work stoppages continue. It's a sad spectacle.

What then has happened to our carefully devised proposal as sent to the Congress by the President last February? Well, as is true of a number of other presidential requests—nothing has happened. It seems reasonable to assume nothing will happen unless a public groundswell occurs or unless we again find ourselves with yet another insoluble transportation crisis on our hands.

Here most of us who sniff the political air in Washington observe another current phenomenon. Little appetite exists in Congress for entertaining changes in basic labor law these days. The climate is simply not conducive to major initiatives. One hears such phrases as "why open Pandora's box" or "why walk into a swamp" when new labor legislation is discussed.

All this leads me to conclude that changes that require labor legislation loom rather dimly if at all on the immediate horizon. It seems likely that either a change in congressional perspective or a major crisis must occur before major new labor legislation such as that we have proposed gets on the books. But one of these days, the Nation is going to need a new approach to transportation disputes. When it does, we believe it will find our proposed bill remarkably well-constructed.

Now I've suggested that the transportation industry leads the parade in triggering contemporary collective bargaining crises. Well, in that parade, another industry is not far behind—construction. Maybe it's even ahead. That's part of the problem. Bargaining in the construction industry is so fragmented—so localized—that it is hard to get a cohesive picture of total impact.

But some things we do know—both strike levels and wage settlements in construction are excessive. When in an industry one out of three negotiations winds up in a strike, collective bargaining in that industry must be considered to be in a sad state of disrepair. When wage settlements in an industry are consistently double national wage movement patterns, the result is bad news—bad news for the economy and bad news for the industry.

Regularly throughout the past several months, deputations have descended on government officials to describe this problem with eloquence, sincerity, and passion. Unfortunately, that is pretty much where the matter stood when the discussion ended—I mean it ended with a description of the problem. Solutions are hard to come by. Wage controls and compulsory arbitration are just not in the cards. Guidelines and jawboning have proven ineffective.

I know of no contemporary problem sphere of bargaining as resistant to ready resolution as that of the construction industry. This problem has now been on my pillow each night for the past fourteen months. It won't disappear in a hurry.

One might reasonably expect an emerging answer. I can't promise one. I do, however, believe there are two areas of activity that do hold long-range promise for the industry. The first is to make sure that additional manpower—newly trained people—are drawn into the industry in great numbers. Unquestionably a limitation on the industry's growth and an aggravation of its bargaining problems flows from an accumulating national shortage of skilled people. Through actions prompted by a presidential directive, by the cabinet committee on construction and by the construction industry collective bargaining commission, the administration is moving to remedy this shortage.

The second promising area for improvement has to do with the structure of bargaining in the industry. The current fragmented area-by-area, craft-by-craft, and branch-by-branch pattern of bargaining has a built-in guarantee of instability. This arrangement may have been suitable for earlier times when the Nation's economy was less interdependent and interrelated than it is today. But now, almost everyone believes some kind of remedial action is in order. Some headway can be made by the parties themselves. It may be, however, that legislation, if carefully devised, could speed the process.

Several objectives in this effort are worthy of attention. A fundamental goal should be the preservation of integrity of the unit in bargaining—something my ubiquitous friend Professor Dunlop labels "the sanctity of the bargaining unit." A second objective would be to expand the geographical scope of bargaining. It may be that pre-established dispute settlement procedures, which now prevail in some branches of the industry, could be broadened and strengthened. Finally, mechanisms might be created to encourage multi-craft bargaining such as occurred in Detroit early this year.

There exists little question that the construction industry is badly in need of greater bargaining stability. In the months to come, we will be working with the parties to help them toward this end. Help is clearly needed.

Now let's shift gears, alter course and turn to a discussion of a couple of issues—issues that are worth more attention than bargainers have been giving them. The two are productivity bargaining and pension assurance.

Three days ago I sat in the cabinet room with President Nixon and his new productivity commission in their first meeting. Top industry, union, and public figures were present. They were present for one reason—it is increasingly apparent that this Nation has a king-sized productivity problem. Basically, it's a problem in two parts—sagging performance at home and a tough competitive condition abroad.

In our meeting, Dr. Paul McCracken called attention to our post-World War II productivity record—a twenty year annual average increase of more than 3% before 1965, then a skid to a 2% average from 1965 to 1969 with really less than a 1% gain last year.

George Shultz, chairman of the commission, pointed to the performance of other western world nations who now consistently outscore us in percentage gain. The results of these trends are discomfiting. We feel the pinch in international trade. And sizable wage increases that may look good in a labor contract look less than good at the supermarket. A healthy upswing of productivity would ease both conditions.

With this in mind, it seems to me the parties to upcoming bargaining would profit both themselves and the nation by turning their attention to productivity bargaining. If we could engender the same interest and achieve the same success bargainers achieved in their constructive resolution of the automation issue several years ago, tremendous gains could be made. All that is needed is an infusion of innovative spirit and a willingness by all parties to risk a few changes. The risk is well worth taking. We know productivity bargaining is not the whole answer to restoring normal productivity growth. But it could be a big part of the answer. I urge bargainers to get with it.

Now let's take a look at issue number two—pensions—particularly at providing some assurance that workers covered by bargained pension plans will one day realize some benefit from those plans.

Although, as you know, I am firmly committed to the principle of collective bargaining—on occasion I am forced to wonder at some of the priorities of its practitioners. Today, we in the Department of Labor are

repeatedly confronted by intense concern from many quarters over the security, sanctity and certainly of employee pension plans, many of which are not arrived at through collective bargaining. One of the reasons such concern exists is that the bargainers themselves haven't given these aspects of the subject top priority. This may be because pension issues are so complex and long range in effect that they do not generate vigorous employee interest or understanding. Accordingly, I'm afraid many have concluded that because of the intricacies involved, these serious issues are too complex for collective bargaining treatment. This leads them to conclude further that they are ripe for legislative solution.

In the department—when we consider legislative proposals to provide such pension regulation changes as fiduciary responsibility, vesting, funding controls, reinsurance and/or portability—we must first wrestle with the question of whether or not these are matters which can best be left to the collective bargaining process. We, of course, believe in minimal interference with the bargaining process. But steps are needed to ensure that pension plans meet legitimate employee expectations.

My advice to bargainers is, therefore, direct. If you want to keep these issues out of the legislative hopper, you had better hop to it and make headway with them at the bargaining table.

I said, in what at this point seems to me to be ages ago, I would conclude these remarks with observations on two emerging public attitudes that may affect collective bargaining. Observers know that major changes in the historic course of collective bargaining came about either in response to public clamor or, at minimum, in a climate of public acquiescence. So, public views must be carefully scrutinized by public officials. These views, in the end, both motivate and limit what we do.

I sense two views emerging in the public domain that deserve our attention, one rather special, and the other general in nature. I will offer no conclusive reactions to either, but I will admit that both will be a matter of continuing study and concern by the Department of Labor.

The first centers on what I might call the area crisis—the fever pitch concern that grips a locality when some key collective bargaining dispute disrupts the services or the economy of an area. I have in mind such events as the Chicago teamster strike, the New York tugboat stoppage, the ruckus in Memphis over garbage and the Kansas City construction shutdown. None of these are in any sense national emergencies—events that can be dealt with by statutory emergency procedures. All involve massive local inconvenience. And their economic affect extends, often harshly, well beyond the disputants. The result is local, but not localized, outrage. Deputations from the respective localities descend on their congressional representatives and Federal officials in high dudgeon. In Washington, they are often labeled “the for-God-sakes” because of their plaintive and almost inevitable plea that we, for “God’s sake,” do something! The tools we have in our kit to treat with such events, of course, are limited. At this point, I’m not even certain these tools should be expanded. Washington is not a good place to settle local disputes as many have, to their peril, discovered.

I do believe the public reaction to these local bargaining standoffs, however, is increasing in crescendo. One must speculate on what may ensue if the disenchantment continues to accelerate. At minimum, bargainers in these key situations should exercise more than normal sensitivity and responsibility, in their own self-interest as well as in the interest of an increasingly indignant public.

Then, there is the second and more general area of public concern. As assessed from where we sit, it appears that the public increasingly reflects a view that has two elements. First, that in a strike—particularly a long one—the public gets mauled as much as or more than the disputants. Secondly, that many contract settlements, particularly those at higher economic levels, are made at the expense of the consumer. In both circumstances, you see, the impression exists that it's the public who pays.

This, of course, is not a wholly new reaction, but to me it appears a growing one. I doubt that it has reached anything approaching conclusive proportions at this point in time. But it does constitute a small black cloud on the horizon that those of us who champion the institution of free collective bargaining must regard with concern. Equally, it constitutes a challenge to us all to search constantly for ways to improve the performance and processes of bargaining.

Today I have ranged and ruminated rather widely over the bargaining landscape. This reminds me that in recent years, the Labor Department has added a wide spectrum of new functions to its more traditional labor relations concerns. I have in mind such activities as manpower programs, equal employment opportunity efforts and workplace standards. As we have expanded our concerns, some may have gained the impression that our interest in labor relations has waned. Not so. Today there is no higher priority on the Department agenda than the maintenance of a favorable climate for free collective bargaining. We are at once its protagonist and its defender. My comments this afternoon, as I repeatedly emphasized at the outset, should be viewed solely as suggestions for avenues and areas for making a good thing better.

When the long arm of Richard Nixon and the beguiling tongue of George Shultz plucked me from my role as a practitioner in the West and installed me as a Potomac public official, I anticipated both hazards and pleasures. Certainly the opportunity to share these views with this prestigious group here today constitutes one of the foremost of those pleasures. Thank you for listening.

ISELIN BAND IS MIAMI BOUND

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. PATTEN. Mr. Speaker, our excellent John F. Kennedy Memorial High School Band of Iselin, N.J. is trying to raise enough money to go to the Orange Bowl in Miami over this coming New Year's Day.

This group is really a great bunch of youngsters. Last year I saw them off as they went to the Peach Bowl in Atlanta and presented a pregame show.

I really am elated to think that this new high school, named after our beloved late President John F. Kennedy, is beginning to excel in many areas. Right now I am thinking of the band, which has won many awards. One dear to my own heart was a trophy for the best high school band in 1970 St. Patrick's Day Parade in New York City.

I hope all of our people will know that it will be a good investment to send this outstanding group of youngsters to the Orange Bowl and make a success of their endeavor.

MEET THE MEMBER

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. ALBERT. Mr. Speaker, Joseph McCaffrey, one of the most highly regarded newsmen in Washington, recently chose as the subject for his radio show “Meet the Member,” the very able and distinguished gentleman from Pennsylvania (Mr. MOORHEAD).

The subject of the McCaffrey commentary concerns BILL MOORHEAD's efforts to educate the Congress and the country with respect to military spending. His service on the Committee on Banking and Currency, the Committee on Government Operations, and the Joint Economic Committee have allowed him to view this subject from several different perspectives.

While one might disagree with some of the conclusions reached by BILL MOORHEAD, all Members must surely agree that his efforts exemplify the dedication with which he served in this House. BILL MOORHEAD is an outstanding Member of the House of Representatives and I am pleased that Joe McCaffrey has recognized his work.

Under the unanimous-consent request, I include Mr. McCaffrey's script at this point in the RECORD:

MEET THE MEMBER

(By Joseph McCaffrey)

Pittsburgh's Bill Moorhead is such a nice guy that at first meeting no one would guess that he is the man who climbed up on a big white horse and did battle, successfully, with the greatest giant of them all: the Defense Department.

The blond, smiling Moorhead, who has been a member of the House of Representatives from the heart of the city of Pittsburgh since 1959, has taken as his text, “The military budget of the United States is not under effective constitutional control, and only the Congress can bring it under control.”

With that theme, Moorhead has been taking on the heretofore sacred military establishment, and the reaction from the press and the public has been enthusiastic. For example, this quote from the Washington Post, “Under probing by Congressman Moorhead, an Air Force Colonel told a House Government Operations Subcommittee that his civilian superiors had approved an effort to cover up huge cost increases in building the C 5 because public disclosure ‘might put the Lockheed position on the stock market in jeopardy.’”

The New York Times said, “Thanks to persistent probing by Congressman William Moorhead, the public now has a fresh insight into the C 5 a scandal and the vast waste on faulty F-111 B fighter bombers.”

In his own home town, the Post-Gazette said, “. . . Moorhead deserves broad public support to say nothing of praise for his courage in his rather lonely campaign to put a check rein on seemingly unrestrained Pentagon spending.”

However, despite the exposure of defense waste which he has uncovered, Moorhead says, “Until Congress begins allocating more resources to modernize and expand its staffs, and until we find a way to inject more objectivity into our military authorization and appropriations committees, the Congress will

continue to face problems in scrutinizing the military budget."

Congressman Moorhead has been playing just about every position on the ball club. He not only has been the leader in the fight against Defense Department waste, but he has been very active as a member of the House Banking-Currency Committee. It was Moorhead who pulled the long oar in getting through a bill which would force many of the growing number of one-bank holding companies to divest themselves of their banks.

Moorhead was one of the craftsmen who put this highly regarded bill together and as one critic said, "The real trouble with the bill is that it is too good. It does too thorough a job. It would be better if it were not drawn so tightly, then there would be enough loopholes in it so we would live with it."

Not only has the Pittsburgh Congressman been deeply concerned over the war, but, unlike many others, he has already started to concern himself with what we should do with the resources freed by the end of that war.

He says, "In part, at least the Congress by the Tax Reform Act of 1969 has decided that the first benefit should go to the hard pressed taxpayer. Those of us who believe that funds must be found for improving education, environment, housing, cities mass transit and other crucial domestic needs believe that we must be sure that the military gets no more than is necessary for national security."

Moorhead has found out, from his long range studies, that more than ten billion dollars can be cut from our current military budget without significantly reducing our military capacity.

But he feels that not until we get out of Vietnam can we truly combat our internal ills. Meanwhile, he keeps working on them, helping chip away at them, piece by piece while, at the same time, saving the taxpayers more of their hard earned tax money.

E. HOFER & SONS—A UTILITY FLACK

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, August 14, 1970

Mr. METCALF. Mr. President, the propaganda machinery of the Nation's investor-owned utilities—IOWs—continue to operate more efficiently and more reliably than their electric generating machinery.

It is little wonder. The policymakers and spokesmen for the IOWs seem more intent on dressing up their own image and suppressing calling into disrepute any criticism or competition than they are on providing a reliable electric supply to their customers. The IOWs, especially along the east coast, face a reliability crisis of unprecedented proportion caused by their own inability to keep up with modern society.

In this context, it becomes particularly irresponsible for many of the Nation's IOWs to invest, as they have for more than half a century, in a prolific propaganda mill which peddles prehistoric political thought. The propaganda activities carried on in behalf of the IOWs and other barons of big industry—that is, railroads, airlines, oil—by E. Hofer & Sons of Hillsboro, Oreg., are

amply documented in the records of the Congress. I will not elaborate here other than to outline briefly the operation of Industrial News Review, best known of the Hofer enterprises.

Each week editors of most of the small daily and weekly newspapers in the Nation receive a packet of 12 to 15 short "editorials," usually between 200 and 300 words, extolling the virtues of Hofer's clients and their industry trade associations.

Mr. President, upon that background I note the appearance of an editorial in the Glasgow, Ky., Daily Times, entitled "Private Business Most Efficient." Although the headline differed, the text of the editorial was identical, word for word, with one prepared and distributed by the Hofer agency under the title "Miniaturized Socialism." Nothing in the Kentucky newspaper would indicate to the reader that the editorial was anything other than a thoughtful analysis by the local editor.

The editorial alleges that, in many cities, taxpayers "are saddled with the burden of running school buses, transit systems, and other utilities including electric power." It went on to cite a "nationally known engineering firm" which had made a study of how much it would cost the city of San Diego, Calif., to take over the facilities of the "local electric company."

The article is a masterpiece of omission. It fails to mention that the engineering firm, Stone & Webster, receives extraordinary fees from numerous IOWs under contracts arranged without benefit of competitive bids. It fails to mention that the customers of the "local electric company," the San Diego Gas & Electric Co., were required to pay for the engineering study which was released by the company.

The editorial fails to point out, as did a leading member of the San Diego City Council, that the study was based on greatly inflated estimates of the value of the company's property.

Quite aside from the illusory credibility of the editorial, the readers in Glasgow, Ky., must have been surprised to read that communities were thought to be "saddled with" ownership and operation of electric utilities. Glasgow is one of the nearly 2,000 communities in the Nation which—far from being "saddled with"—are indeed "favored with" such an operation.

What the people of Glasgow are "saddled with," by owning and operating the city's electric plant, is the privilege of buying electricity at far lower cost than the people of San Diego. The 1969 edition of "Typical Electric Bills" published by the Federal Power Commission shows that the consumer in Glasgow who purchased 1,000 kilowatt hours of electricity in a month paid \$10.93 whereas the consumer in San Diego who bought the same amount paid \$16.07.

This summer, when the motors-run more slowly because power companies operate on low voltage, and utility rates go up again, the captive consumers of private power companies may become annoyed enough to wish they were "saddled with" the type of municipal utility

that provides power at lower cost to the people of Glasgow, Los Angeles, Seattle, and Cleveland, to name but a few.

In fact, this editorial must have raised the hackles of many in Glasgow and would be of similar offense to many in nearly 2,000 other cities in the United States served by efficiently run municipal systems, who have wearied of this propaganda parade. More weary of these canned editorial services should be the captive IOU customers who pay for them.

Mr. President, to help illustrate the type of canned propaganda being financed through the electric rates of many millions of Americans, I ask unanimous consent to have printed in the RECORD the E. Hofer & Sons article entitled "Miniaturized Socialism" and the Glasgow Daily Times editorial entitled "Private Business Most Efficient."

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

MINIATURIZED SOCIALISM

Quite frequently, in an attempt to escape economic reality, people will vote for public ownership of a taxpaying private enterprise. In this way, the taxpayers of local communities are saddled with the burden of running school buses, transit systems and other utilities including electric power.

The pitfalls of this kind of miniaturized socialism were brought to light with dramatic clarity recently when an analysis was made in San Diego, California, of how much it would cost the city to take over the local electric company's power distribution system. A nationally known engineering firm came up with figures that should be an eye-opener to taxpayers of San Diego or any other community contemplating a similar step.

The engineering firm's study showed that in the case of San Diego the residents would be burdened with between \$4.5 million and \$8.3 million a year in higher electric rates and additional taxes as a consequence of city operation of the power system. Some of the costs of such a move were detailed in the study. Not only would a bond issue be required in excess of \$200 million to take over the company but once the city removed company property from the tax rolls, local taxpayers would be forced to assume a number of new burdens. Among these would be the cost of undergrounding powerlines which will run to the tune of more than a million dollars a year. In addition, the power company now pays more than \$2.63 million annually in school taxes to the city. A municipally-operated power system is tax exempt so the taxpayers would have to make up this loss.

There is no magic in the operation of any commercial enterprise by a public agency. The arithmetic of economics remains unchanged, irrespective of who owns and runs the business. The only difference is that usually public ownership is less efficient than taxpaying private ownership.

PRIVATE BUSINESS MOST EFFICIENT

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TIMELY ADVICE

Nineteen hundred and seventy is an important election year. In these critical days of unrest and uncertainty, the one reassuring reality that every U.S. citizen can fall back upon is the all-important right to walk into a polling booth and express his choice, with a simple check mark on a ballot, of those who aspire to serve him in public office. Not only should all eligible persons exercise their right to vote, but they should also exercise it with the same care, wisdom and grasp of high principles that they expect of those they put into office.

A brief item in a national news release reminds us all that spring is here, and summer is just around the corner. "Before taking off, either for business or pleasure, there are many chores to delegate or complete. However, one chore should not be delegated. That is to determine your eligibility to vote. . . . Now is the time to prevent your being a political dropout by making sure that you are properly registered!" This is a timely word of advice for all good citizens.

A TRIBUTE TO VINCE LOMBARDI

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. WHALLEY. Mr. Speaker, one of the outstanding figures in professional football today is Coach Vince Lombardi of the Washington Redskins.

For 10 years he reigned at Green Bay, Wis., and established himself as one of the most successful coaches in the history of professional football.

Under his direction and stern discipline, the Green Bay Packers won the National Football League title on five separate occasions, and earned a prominent spot in the annals of sports history by taking the first two Super Bowls.

Moving to Washington, he brought the Redskins their first winning season in 8 years during his first year at the helm.

He is a man of determination; a leader of men and a symbol of American sports-

manship; an idol to the youth of America. We can all be proud of his accomplishments.

I heartily join the many friends and admirers of Coach Lombardi in paying tribute to this outstanding American.

VIOLATIONS OF INTERIM MANDATORY SAFETY STANDARDS ISSUED BY COAL MINE INSPECTORS

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CLARK. Mr. Speaker, I am submitting a letter which Mr. W. A. Boyle, president of the United Mine Workers of America has sent to Hon. Walter J. Hickel regarding violations of interim mandatory safety standards issued by coal mine inspectors. I believe that the Members of the House will find the contents of Mr. Boyle's letter quite interesting.

The letter follows:

UNITED MINE WORKERS OF AMERICA,
Washington, D.C., August 13, 1970.

Hon. WALTER J. HICKEL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Our information indicates there have been approximately twelve thousand notices of violations of interim mandatory safety standards issued by the Interior Department's coal mine inspectors following inspections of various coal mines throughout the United States pursuant to the Federal Coal Mine Health and Safety Act of 1969. Approximately two thousand of such violations have been appealed and may proceed to hearing. To date, none of the hearings has had any reference to the fine that may have been assessed.

It cannot be overemphasized that a regulatory statute is only as sharp and effective as its penal provisions are strong. Section 109(a)(1) of the Federal Coal Mine Health and Safety Act of 1969 supplies precise penal provisions. It requires that "The operator of a coal mine in which a violation occurs of a mandatory health or safety standard or who violates any other provisions of this Act . . . shall be assessed a civil penalty by the Secretary . . . which penalty shall not be more than \$10,000 for each such violation. . . ." Certain matters pertaining to the individual coal company to be fined must be considered in setting the exact amount of the individual fine.

The administration of this provision of the act has not demonstrated that the department is adhering to its requirements. First, on March 28, 1970 you promulgated a schedule of fines, 35 Fed. Reg. 5257 (1970). On May 7, 1970 the schedule of fines was amended, 35 Fed. Reg. 7182 (1970). Both the schedule and the amendment appear to be contrary to the provisions of the act, although we are aware the department takes the position that the schedule, in part, takes into consideration the provisions of section 109(a)(1) and renders the violator an option to pay the prescribed fine or to pursue his recourse under the statute on an individual basis.

The schedule of fines has been enjoined by a federal court in Virginia. We feel even though the injunction embraces the schedule of fines published by the department, it does not prohibit the assessment of the necessary fines pursuant to section 109 on a

case by case basis, which is essential to orderly compliance with the act.

The United Mine Worker of America deems it imperative that these fines be assessed and, if this is not being done, demands such action commence immediately.

Sincerely yours,

W. A. BOYLE, President,
United Mine Workers of America.

LEGISLATIVE REORGANIZATION ACT OF 1970

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. SCHWENGEL. Mr. Speaker, the following editorial is the one to which I referred in my 1 minute speech earlier today. The editorial is from the Washington Post's August 11 issue:

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 badly 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 to 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 consciences. 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.

QUESTIONNAIRE ON MAJOR NATIONAL ISSUES

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. DELLENBACK. Mr. Speaker, once again I am sending a questionnaire asking the residents of Oregon's Fourth Congressional District for their views on major national issues. The questionnaire is designed so that both husband and wife can express their opinions.

I have selected several issues which will be facing the Congress in the coming months. In addition I have listed 20 areas from which I am asking constituents to number in order the six which they consider the highest priority areas of national concern. I hope that this questionnaire will not only give me the help of the thinking of the district, but will also help citizens realize the tremendous difficulty of setting national priorities.

The questions follow:

1. United States military policy in Vietnam should be (check one; husband and wife):

a. Withdrawal of all U.S. troops by some set time.

b. Phased withdrawal of all U.S. troops based on progress of Vietnamization program.

c. Escalation of military effort.

2. What action should the Federal government take in connection with first-time use of marijuana? (Check one):

a. Eliminate present penalties.

b. Reduce present penalties.

c. Retain present penalties.

d. Increase present penalties.

3. Should the Federal government provide tax incentives for industry to install pollution control devices?

Yes.

No.

4. As an alternative to the present welfare system President Nixon has proposed a work incentive and job training program while calling for a basic level of financial assistance. Do you favor this proposal?

5. What action should the Federal government take to meet the U.S. population problem? (Check as many as are appropriate):

a. Promote distribution of birth control information.

b. Promote distribution of birth control devices.

c. Relax restrictions in present abortion laws.

d. Reduce the number of income tax exemptions for dependents.

6. What action should the Federal government take in connection with student unrest? (Check one)

a. Cut off Federal aid to students participating in violent activities.

b. Cut off Federal aid to students participating in demonstrations.

c. Cut off Federal aid to colleges not controlling violent activities of their students.

d. Leave action to colleges and states involved.

Please number in order the six of the following which you consider the highest priority areas of national concern (Check one; husband and wife):

1. ABM system.

2. Agriculture.

3. Conservation.

4. Crime.

5. Defense Budget.

6. Draft Reform.

7. Education.

8. Electoral reform.

9. Exploring space.

10. Gun control.

11. Housing.

12. Inflation.

13. Pollution.

14. Poverty.

15. Race Relations.

16. Social Security.

17. Student Unrest.

18. Tax Reduction.

19. Tax Reform.

20. Vietnam.

Party preference: Republican, Democrat, Independent; Husband—wife—.

Age: Under 30, 30-35, 46-65, over 65—husband—wife—.

YOUNG AMERICANS FOR FREEDOM ARE NOT THE ONLY PATRIOTS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. WALDIE. Mr. Speaker, a recent solicitation for funds by the Young Americans for Freedom, a conservative political organization, included a letter from Senator BARRY GOLDWATER of Arizona in which it was stated that the Young Americans for Freedom are the "only patriotic youth force that is giving effective battle against the New Mobe Left revolutionaries."

I would quibble with that statement, Mr. Speaker, on a number of points, but I will only dwell on the Senator's inference that the YAF are the solitary patriotic group of young people in the Nation.

A constituent of mine, Mr. Calvin Williams of San Ramon, Calif., wrote the Senator of his own views on this subject. I found his statement to be most articulate and I would at this time take the opportunity to place it in the CONGRESSIONAL RECORD:

The letter follows:

AUGUST 6, 1970.

Senator BARRY GOLDWATER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GOLDWATER: I received your letter last week in which you solicited contributions for the Young Americans for Freedom and in which you urged I sign a petition supporting our fighting men. Since having decided to do neither, I think a word of explanation is certainly in order.

First, I want you to know that I strenuously oppose the extremist New Left. Other than the fact that there has been nothing "new" in political radicalism since the Hellenic Age, the New Leftists appear to be more like the Hitler Youth than the Russian revolutionaries whom so many of them seem to wish to emanate.

Secondly, I am an ex-serviceman. I served in two wars for my country and, given similar circumstances, would do so again. I state that after working in a U.S. Army hospital and seeing—first hand—the endless chain of maimed bodies which the war delivered to us.

That, Senator Goldwater, is just as sickening as watching young extremists desecrate our flag.

Third, I am white, middle-class, residing in a comfortable home in Northern California and enjoying the security of a good income and solid neighbors.

And finally, I am a patriot. What is more, I sincerely believe that I am far more patriotic in terms of constructive reliability than the Young Americans for Freedom whom you describe as the "... only patriotic youth force that is giving effective battle against the New Mobe Left revolutionaries."

I seriously doubt the accuracy of that description. I doubt that burying the New Mobe Left alive would come anywhere close to resolving the problems which cause them to be active. You can stop their mouths, beat them bloody, and imprison them from now on, but for each one so treated, another will replace him whom is more belligerent than his predecessor. Or you can take a more rational approach using reason (if you are lucky enough to get them to listen). If you do, you most certainly will experience the frustration and exasperation of expending much energy for little or no return.

My point is this: we cannot change or even neutralize the effect or action of extremists from either left or right until we ourselves change. We cannot alter attitudes with force except on a temporary, tenuous basis. Nor can we stir them with words ... not when the words are hollow. Young people from all over the United States are telling us that our words are indeed hollow and I believe they have good cause for saying so.

Can either of us convince any American family living on a desolate Indian Reservation in Arizona that our American way of life is the finest on earth? Can we convince any Mexican-American family living in a Texas barrio that our nation is of, by, and for the people? With what sort of enthusiasm will any white family from the massive slum of Appalachia react to being told that this is the land of plenty? You can bet that any Black family from the South Central Los Angeles ghetto, or Hunter's Point in San Francisco, or Chicago's South Side, or New York's Harlem will hurl their own special epithets at our suggestion that the United States offers equal opportunity for all.

And curiously enough, Senator Goldwater, there are a large number of well-to-do families—solid, respectable, dependable Republicans—who only recently learned how unresponsive our government can be. They live in lovely homes overlooking the Santa Barbara coast where the beaches were turned gummy black by off-shore oil drilling.

I believe our way of life really *can* be the finest on earth. I say that for myself and on your behalf and for a few others who agree, but it may be only for the time being. Those of us who make that assertion are rapidly becoming the minority voice in the face of an exploding population combined with depleting resources.

The answer to our dilemma does not lie in blind preservation of our institutions. We must change.

However, if in changing we choose to go to the far left we will succeed only in making all of us equally miserable. That is hardly the sort of equality that any of us want. And should we choose the opposite direction we would arrive at essentially the same condition.

I suggest that we must change in a far more drastic way. I suggest that we become what we tell everyone we are: a free and honest democratic nation. Free from exploitation of our resources (among which we come first). Free from prejudice and favoritism. Free from unequal justice. Free from ignorance and want and hypocrisy.

We could begin by practicing what we preach. Our fighting men would realize far more benefit from that than from our "moral" support. Which brings me to my last point.

I do support our fighting men but I refuse to lend my support in such a way as to insure that they will continue to die for

questionable causes on ennumerable battlefields scattered all over the world. If they are to give their lives, let it be for what is genuinely just not only for a few, or even for the nation, but rather for the peoples of the world. We can't possibly stop the communist (or fascist) tide any other way.

As one of our renowned spokesmen in the most powerful country in the world, Senator Goldwater, your constituency is the human being. Human beings populate more than Arizona and more than our own United States. Their survival and well-being are in your hands, but it may be only for the time being.

Sincerely,

CALVIN WILLIAMS.

SAN RAMON, CALIF.

THE ROLE OF THE PARTNERS OF THE ALLIANCE IN THE HEMISPHERE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. FASCELL. Mr. Speaker, on August 17, 1961, 9 years ago next Monday, delegates from throughout the hemisphere approved the Charter of Punta del Este which set in motion the Alliance for Progress. That document formalized a plan of action by President John F. Kennedy when he "called on all the people of the hemisphere to join in—a vast cooperative effort."

Mr. Speaker, in any review of the Alliance for Progress, it seems clear that many of the goals set out by the charter remain unfulfilled. Yet, as I said during hearings before the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs last year:

Some of them may have continued validity which transcends both the expectations and the performance of the past."

It is also an undeniable fact that times change. The decade of the 1960's is behind us. We have found it necessary, as have other governments in the hemisphere, to change gears, to tailor new ideas and methods to fit changing conditions, and prepare new directions for the 1970's.

It is significant to me that the opening sentence of the charter stated:

It is the purpose of the Alliance for Progress to enlist the full energies of the peoples and governments of the American republics...."

We are all aware of the government-to-government program of the Alliance for Progress in which the nations of the hemisphere have given special attention to infrastructure and the building of development-oriented institutions. But, Mr. Speaker, too few of us are cognizant of the peoples effort in the hemisphere to help attain the goals of the Alliance for Progress.

In the earliest days of the Alliance, there were no means to translate the interest of private citizens and groups, who wanted to help, into active participation and commitment to development. However, in 1963, the organization of the Partners of the Alliance office under the

auspices of the Agency for International Development was conceived, developed and implemented by James H. Boren. It provided the vehicle to utilize voluntary citizen interest and skills as a complement to the government-to-government program. The Partners in the hemisphere seek to provide effective response to self-help efforts of people working on small but important community development projects.

The Partners of the Alliance office in AID served as the catalyst in bringing together Partners committees in the United States and Latin America. By June of this year, when the Partners office was closed, 40 U.S. statewide Partners committees had been joined with 40 areas in 18 Latin American and Caribbean countries in partnership arrangements, bringing to bear voluntary technical skills and resources on numerous meaningful local projects. The key to the program is self-help and the U.S. committees respond to priority activities identified and undertaken by their counterpart committees in Latin America. The dollar value of partnership projects now reaches \$15 million and does not reflect the intangible benefits of thousands of personal ties and people working with people.

Leadership of the Partners of the Alliance program in the United States is now lodged in the National Association of the Partners of the Alliance and in the hemisphere by the Inter-American Confederation of the Partners. Private leadership is continuing to expand citizen-to-citizen activities in the areas of education, public health, agriculture, cultural exchange, and business. The Partners are one of the voluntary groups responding to the Peruvian earthquake disaster. They are coordinating relief donations from nearly all 40 U.S. Partner committees and many types of supplies from counterpart Latin American partners.

On the occasion of the fourth Inter-American conference of the Partners of the Alliance, held in Utah in 1969, President Nixon's message to the delegates noted that—

The Partners of the Alliance exemplify the best of the Hemisphere's joint efforts. Any working Alliance for Progress which has set challenging goals such as ours must be a partnership of people as well as nations... and... the Partners of the Alliance are in the vanguard of voluntarism in the Americas.

Another key element in the Partners program is the two-way street concept. Contributions which Latin Americans make to the United States in culture and language are encouraged. The Partners effort helps give expression to President Kennedy's remarks in announcing plans for the Alliance for Progress when he said:

We invite our friends in Latin America to contribute to the enrichment of life and culture in the United States. We need teachers of your literature and history and tradition, opportunities for our young people to study in your universities, access to your music, your art, and the thought of your great philosophers. For we know we have much to learn.

Mr. Speaker, on this Alliance for Progress anniversary observance, at the be-

ginning of a new decade, as we reflect and take stock of the successes and disappointments of the old, I hope that an ever greater source of strength in the Americas will be the continued efforts of voluntary groups, like the Partners, to work together. May we try, in the days ahead, to understand each others problems and shortcomings and strive through cooperation and unity of purpose to reach new goals of achievement and progress in the hemisphere.

THE FIGHT AGAINST FAMINE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BOB WILSON. Mr. Speaker, a most exciting event has occurred in Washington this week—the Third International Congress of Food Science and Technology, which is also known as SOS/70.

This conference has explored in detail the problems of malnutrition and world hunger and I am hopeful that the international attention focused on this problem by SOS/70 will help to resolve what could become a disastrous future for the world.

Under unanimous consent, I include an editorial from the American Chemical Society Journal in the fight against famine:

THE FIGHT AGAINST FAMINE: HUNGER MAY ULTIMATELY OVERRIDE POLLUTION AS WORLD CRISIS UNLESS FOOD SCIENTISTS AND TECHNOLOGISTS REDOUBLE EFFORTS

Pollution has become a gut issue of our time, but we wonder if famine may not ultimately—perhaps sooner than we think—turn out to be the limiting crisis for all time. In the end, polluters can only continue to pollute while they've got food in their bellies.

This week, some 3000 scientists from 50 countries will come to Washington, D.C., to "create a plan of action." The occasion: 3rd International Congress of Food Science and Technology. Centered on the "science of survival," the congress calls itself SOS/70. The message: Present rates of growth of food production versus population spell eventual disaster. The third horseman, balance in hand, astride his black steed, will have trampled out life.

The thesis is unarguable, if SOS/70 statistics are accepted. By the year 2000, world population will have doubled to about 7 billion, while average daily per capita supply of calories will have dropped to 1350 compared to the required minimum of 2400—at present growth rates. The cure: more food or fewer people. SOS/70 is concentrating on the former.

Just whether this conference will produce anything substantive is problematic. International conferences can tend to be long on talk and short on action. Still, any catalytic effect generated by the meeting should be beneficial. We've allowed ourselves to become smog-ridden before picking up the gauntlet against pollution. Let's hope that we can begin moving now against future food problems.

Food science and technology and their crucial role in man's survival is yet another example of how science can be a benefactor and not the total *bête noire* pictured in some circles. Chemists and chemical en-

gineers, almost needless to say, will man pivotal positions in almost every area of food production and food research—the development of high-yield seed, fertilizers, pesticides, preservatives, systems of food fortification with high-protein sources, and so forth.

Much has already been done. Agricultural productivity in the developed countries has increased so fast since World War II that surplus rather than starvation is the problem in large areas of the globe. Even India, which only four years ago seemingly faced the grim specter of mass famine according to then exaggeratedly gloomy reports, now enjoys surplus. This kind of progress must be continued and amplified. For as Dr. Max Milner, UNICEF senior food technologist, says: "There has been too much euphoria and not enough research."

Interestingly enough, in the U.S. much, perhaps most, of our agricultural research is now done by private industry. Peter Drucker points out in "The Age of Discontinuity" that the Government has pretty much moved out of agricultural research, leaving the field of private enterprises—seed companies, farm implement manufacturers, fertilizer makers, and, we might add, just plain chemical companies. And it has been private companies, through their expanded sales and service organizations, that have by and large moved new technology to the farmer.

They've done a good job. Such a good job. In fact, that we'd like to see them continue to play a similar role internationally in the developing countries. The ideal vehicle would seem to be the multinational company which has demonstrated its ability to straddle borders, bringing in technology, management concepts, jobs, and net benefits to the local people, in ways that governments and international organizations seldom match. It was encouraging to see names like Abbott, General Foods, ICI, Monsanto, Nestle, and Unilever among affiliations at SOS/70.

ADDRESS TO AMERICAN BAR ASSOCIATION CONVENTION SESSION ON CONSUMERISM

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mrs. SULLIVAN. Mr. Speaker, St. Louis this week is the host city for one of the biggest and most important conventions we have entertained in our city for many years, the annual convention of the American Bar Association and of many associated or related organizations. General chairman of the convention committee is Attorney John H. Lashley, and I believe he deserves great praise for the fine manner in which this huge convention has been fitted into the busy life of our community.

Mr. Speaker, it was my privilege to participate in one of the sessions of the convention devoted to the subject of consumerism. It was sponsored by the section of antitrust law of the ABA. In my talk, I discussed the problems we face in the Congress in trying to write effective consumer legislation, and called upon members of the legal profession to volunteer some of their own individual time and effort to help us write better consumer laws. As I pointed out, we get tremendous help from outstanding legal talent in writing our laws whenever the

public interest happens to coincide with the particular legislative interests of an important client, but we could also use more of the disinterested and objective help lawyers can give us when they are just acting on their own behalf, as concerned citizens, when there is no client interest involved one way or the other.

As an example, I mentioned in my remarks some of the discussions and developments in connection with the fair credit reporting bill, H.R. 16340, now before my Subcommittee on Consumer Affairs of the House Committee on Banking and Currency. In view of the widespread interest among both business and consumer groups in the status of this legislation, as indicated by the many calls received by my subcommittee from congressional offices, I submit for inclusion in the RECORD the text of my speech at the American Bar Association convention Tuesday, as follows:

ADDRESS BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF ST. LOUIS, MO., CHAIRMAN, SUBCOMMITTEE ON CONSUMER AFFAIRS, HOUSE COMMITTEE ON BANKING AND CURRENCY, AT AMERICAN BAR ASSOCIATION ANNUAL MEETING, SECTION OF ANTI-TRUST LAW ON CONSUMERISM, COLONY MOTOR HOTEL, CLAYTON, MO., AUGUST 11, 1970

As a Representative of St. Louis in the Congress of the United States, I am delighted to be able to participate in a convention in my own city of the American Bar Association, and to join in welcoming you to the Gateway to the West. But when Mr. Ira Millstein first approached me about appearing on this panel, at a meeting we were both attending as members of the National Commission on Consumer Finance, it was a little difficult for me to see much connection between the work I do in the Congress on consumer issues and the legal interests the members of this audience pursue as members of the anti-trust bar.

I have served in Congress long enough to recognize the validity of the concept that the anti-trust laws help the consumer by preventing extremely low prices—that is, preventing big corporations from selling substantially below cost, even though most of the consumers I talk to or hear from love the idea of a good price war without realizing many of the real reasons or the eventual consequences. Furthermore, as a Member of the Small Business Subcommittee of the House Committee on Banking and Currency, I have had some exposure to the problems created not only for consumers but for the whole economy when below-cost selling is undertaken for the purpose of killing off competition so that prices can then go back up to where they were before and rise from that point to whatever level will eventually attract new competition. But I'm sure you didn't ask me here to discuss my limited knowledge in the field of anti-trust law.

However, it then occurred to me that some of the most effective legislation ever enacted in the consumer's behalf in the Congress of the United States has stemmed from the work of the Subcommittee on Anti-Trust and Monopoly of the Senate Committee on the Judiciary, first under the late Estes Kefauver, who may or may not have been a hero to most of you but was certainly one of the real movers and shakers of the consumer movement in this country; and now under Philip Hart of Michigan who has also used the mechanism of the Anti-Trust Subcommittee with great skill and courage to expose conditions which called for corrective consumer legislation. So the work of anti-trust lawyers—at least some of them—has been of monumental importance to all con-

sumers. And that's reason enough for me to be here because, as a consumer-minded Member of Congress, I believe in getting my legislative allies wherever I can. Organizational names and specialized fields of interest no longer scare me away from seeking potential knowledgeable and influential converts to my legislative causes.

FEDERAL RESERVE BOARD'S PERFORMANCE AS A "CONSUMER AGENCY"

Along those lines, I have been pleasantly surprised—amazed, really—to find that one of the most important consumer agencies of the United States government is now, of all places, the Board of Governors of the Federal Reserve System. The members of that Board hate to hear me say it, because the last thing they want is any more responsibility in the consumer field, but I have been trying to give them some more consumer responsibilities ever since they did such a magnificent job of putting together Regulation Z to carry out the Federal Truth in Lending Act of 1968.

The only reason in the world the Federal Reserve ever got that assignment is that former Senator Paul H. Douglas of Illinois needed a jurisdictional hook on which to hang his innovative piece of legislation back in 1960. If he wrote his bill to give the regulatory authority to the Federal Trade Commission—as everybody urged him to do, and particularly the Federal Reserve and the FTC—the legislation would have gone not to Senator Douglas's Committee on Banking and Currency but to Senator Magnuson's Committee on Commerce. The Senate Commerce Committee is certainly no graveyard for consumer bills, but it was Paul Douglas who not only devised the Truth in Lending Act but, through his marathon hearings over six years, convincingly dramatized the need for a law such as we just have. Out of such seeming irrelevances as Committee jurisdiction sometimes come remarkable legislative and administrative results, so the Federal Reserve has become, in my opinion, one of the top consumer agencies of government, at least in one field where we forced them to take such jurisdiction.

Hence, when the Fair Credit Reporting bill came along—a bill I call the "Good Name" Protection Act—it also placed jurisdiction for drafting and issuing regulations in the Federal Reserve, and you never heard such loud and anguished protests from any agency over the prospects of getting more powers than we have received from the Federal Reserve on that one. I am surprised that no one on our Committee suggested placing in the Federal Reserve the proposed powers to regulate prices, wages, salaries and rents under the House-passed Defense Protection Production Act Extension bill. We have already given the "Fed" authority to regulate consumer credit along with any other form of credit, if the President should decide such controls are needed.

CENTRALIZING CONSUMER FUNCTIONS OF GOVERNMENTS

Actually, there is no clear-cut line of demarcation any more in the Executive branch as to what are and are not consumer functions of government. When Congressman Ben Rosenthal of New York, who served with me on the National Commission on Food Marketing several years ago, began a drive to concentrate all of the major consumer functions of government into one Cabinet-level Department of Consumer Affairs, he reported in somewhat horrified tones that there were in the neighborhood of 33 different agencies having important responsibilities in the consumer area. Instead of being horrified by that, however, I felt this diversification and division of authority in consumer programs on the whole to be a good thing, and I have not supported the idea of a centralized Department of Consumer Affairs. I think it would be the most administratively

crippled and financially starved Department of any we ever had—for all the lobbyists with special interests in limiting or weakening governmental programs to aid the consumer would undoubtedly gang up to undermine the agency and do it in. Coordination of consumer programs in terms of policy and purpose—yes, I'm for that; but lumping diverse operating programs together in one Department where their only relationship to each other is that they serve consumers in different ways—no, it's too easy to cut the ground out from under the poor bureaucrat who would be supposed to run them all.

As a result of similar reservations and doubts expressed by such consumer people as Ralph Nader and Esther Peterson, and others, the Department of Consumer Affairs idea has now been shelved in favor of a proposed statutory office in the White House and an independent agency which would go to bat for the consumer before other agencies, including the regulatory agencies, which are all, now, experiencing the hot fire of consumer impatience and resentments over their previous imperviousness to the consumer aspects of their decisions.

The consumer is on the move, and, happily, he has many avenues for effective action in carrying his banners of reform. This is quite a change in political attitudes. Some of us who have spent years in the lonely wilderness of consumer legislation are now finding, like the traffic jams on what once used to be farm and country roads but are now eight-lane thoroughfares, that like-minded legislators surround us on every side and are clamoring to travel along with missions into consumerland. What better illustration could there be of the new and widespread interest in consumerism than this panel of the American Bar Association's Anti-Trust Section?

DIFFICULTIES IN ENACTING STRONG CONSUMER LAWS

There are literally hundreds of consumer bills pending in both Houses of Congress right now—all intended to make the life of the average person a little or a lot happier or safer, or more rewarding, or less frustrating. Most of those bills will not pass, not because they do not spell out worthwhile objectives but because they either aren't workable or are not necessary. Most of their objectives can be achieved by courageous administration of existing laws. But some neglected consumer bills which are very necessary have been blocked for years because their need is not yet fully recognized. Eventually, they will pass—and I am thinking now of those bills which affect our lives and health and safety. I shudder, however, at what might happen to enough people to dramatize the need for one piece of legislation I have been introducing and pushing since 1954—16 years—to require that cosmetics, now a multi-billion-dollar-a-year industry, be proved safe before they can be offered for sale.

Once disaster has struck by accident or carelessness or avariciousness on the part of a few fly-by-nighters or even big corporations in this field, the industry itself will be camping in the corridors of the House and Senate Office Buildings pleading for immediate passage of a pre-testing law in order to try to save their industry from consumer vengeance. That is what happened in 1938 when the Food, Drug, and Cosmetic Act—stymied for years—suddenly went through; but first many people had to die from elixir of sulfanilamide, many women were blinded by dangerous eyelash dyes, many children were poisoned by adulterated foods.

I mentioned Senator Kefauver's monumental achievements in consumer legislation. His greatest achievement, the 1962 Drug Act—which I am immodest enough to say came largely from the provisions of a bill of mine first introduced in the House on Janu-

ary 31, 1961—sped to enactment only after thousands of unfortunate children were born abroad without limbs because their mothers had been prescribed or given a sleeping pill containing the seemingly harmless drug thalidomide. We were saved only by a hair's breadth and a few administrative technicalities and deliberate bureaucratic delays from having the same fate visited on American children.

These are prices which are too high—far too high—to have to pay for legislation to protect the people of this country from products which kill or maim or destroy. One of your other speakers this afternoon, Mr. Arnold Elkind, chairman of the National Commission on Product Safety, will tell you more about that from the standpoint of bombs, booby-traps, flame-throwers, gullotines, poisoned spears, eye-gougers and body crushers in and around the average home.

LAWYERS "MOONLIGHTING" FOR THEMSELVES AS CONSUMERS

As a legislator who has had to learn by painstaking hard work about consumer problems, and who has tried to be painstakingly careful in devising responsible legislative solutions for them, I find more and more that I need help from professional people like you who probably never get involved in legislation outside of your immediate fields. When you do get involved, it is usually in behalf of a particular client. In addition, I want you to moonlight a little for yourselves—as consumers, and as citizens. So Mr. Millstein didn't have to twist my arm too hard to get me to come here—we have no quid pro quo between us, that we must vote in the National Commission on Consumer Finance to recommend tighter curbs on garnishment than the ones we provided in Title III of the Consumer Credit Protection Act, or for the elimination of the holder in due course doctrine in consumer credit, in return for getting me here. His and your invitation provided me with a forum I feel can be valuable to me, in pursuit of my legislative objectives in behalf of consumers, and that's "pay-off" enough, at the moment, at least.

In moonlighting for yourselves as lawyers expert in the mechanics of the American economy and of the laws affecting commerce, there are many instances, I am sure, where you would encounter no conflict with your client's interests by volunteering some guidance to those of us working for the common interest. Unfortunately, we hear from you—if at all—only when you are pressing upon us some little twist in a bill to help a client corporation get away with something or get away from something. A politician is the last person in the world to appear to criticize someone else's manner of earning a living, but when you earn a big fee for getting a special provision in a law, or defeating the law in the courts, is this quite enough use of your precious legal talents? What about your kids at home? What are you doing generally out in the community and in Washington to help make their environment a bit safer, their education better, their health more secure, their cars less likely to kill them, their future more promising as citizens of a mixed-up world? Sure, those are among my legislative responsibilities, for which I get paid. But how well I can do my job in serving your children's causes depends to a large extent upon how much informed but disinterested information I can get in writing the laws—disinterested in terms of its objectivity, reliability, straightforwardness.

THE FAIR CREDIT REPORTING BILL

Right now I am deeply involved in trying to write a bill which will protect the rights of the individual in the increasingly computerized and all-pervasive field of consumer data. I have been fending off lawyers right and left who have been trying to give me a little language here, a proposed amendment

there, a nudge or a push or a hard shove or a political scare toward the kind of bill which will make the credit reporting industry happy to be regulated by the Federal government, instead of by a variety of differing state laws of varying effectiveness. What started out as a consumer crusade in righteous indignation against invasions of personal privacy and snooping and the spreading of unverified or malicious gossip is now regarded almost universally, by the industry to be regulated as well as by consumers, as a necessary new area of Federal law.

My subcommittee on Consumer Affairs of the Banking and Currency Committee has been struggling with the details of proposed language to safeguard the consumer's rights to accuracy in the kind of information circulated about him by firms which make a business of compiling and selling this data to prospective creditors, insurers and employers. The Senate has passed a bill by Senator Proxmire which attacks this problem, but the industry was so pleased with the major features of the Senate bill—and its assurance of immunity to the credit reporting industry for its own mistakes and negligence in the handling of personal data—that I have introduced a much broader and tougher bill which is now the object of bitter controversy.

We have completed our hearings but not the mark-up of the legislation. We are in a fundamental split over the concept of enforcement, which has not yet been resolved. There is not too much disagreement in the Subcommittee over the need to prohibit unfair credit reporting practices and to provide access by the individual to find out the kind of information which is in his file. The big disagreement is over whether to have a Federal agency, or several agencies, look over the shoulders of the credit bureaus and enforce the consumer safeguards through administrative action and regulations, or try to write a law which is presumably so clear and unequivocal in all of its provisions that everyone knows exactly what it means; then if there are violations, the individual can go to court and sue. To me, this is an incredible way to cast a consumer protection statute. But it is the industry's primary objective on this legislation. When I asked what Federal law providing benefits or rights to an individual depends on individual lawsuits to bring relief from violations, with no regulations issued by any administrative agency, the only laws anyone could cite were the anti-trust laws. Nobody issues any regulations under those laws, I was told.

RELiance UPON INDIVIDUAL LAWSUITS AS ENFORCEMENT METHOD

Well, of course, a lot of private lawsuits are filed under the anti-trust laws but I am wondering how much enforcement there would be if the Department of Justice and FTC weren't also in the picture.

Since you are all anti-trust lawyers, perhaps you can tell me whether the anti-trust approach of individual suits against violations would work as regards the accuracy of your own file in the credit bureau, let alone that of some moderate-income wage earner whose remedy of going to court to protect his good name is a right he might find difficult to exercise. If the erroneous and damaging data relates to his character or reputation or personal affairs, what kind of skeletons might he feel would pour out of his closet in open court in trying to establish that he is really a decent fellow? I'm not a lawyer, and I don't know the pitfalls or consequences of this approach; all I know is that the credit investigation industry is pushing it as the quick and easy solution, and their lawyers are handing in a lot of pieces of paper with amendments in legal terminology written on them for consideration in our executive sessions.

Well, we aren't at the point yet in our

deliberations where any damage has been done by these self-serving amendments but we're approaching the final Subcommittee mark-up and I want to know what I'm getting into. Some lawyers, along with some computer engineers, credit experts, and other knowledgeable people acting as private citizens interested in an effective consumer statute, rather than in a client account on this matter, have been of great help to us. Before we are finished, I hope to enlist more such help, from people who have knowledge of the law or of the technology, and I'm sure a lot of you could write intelligently and persuasively to your own congressmen on the fundamental issue in this controversy on the question of enforcement.

If we had provided for no regulations and no administrative enforcement for the Truth in Lending Act, I am wondering what chaos would have struck the consumer credit and real estate credit fields on July 1, 1969, when that law took effect. The Federal Reserve, which, as I said, did such an outstanding job in writing Regulation Z, issued the regulation in draft form many months before July 1, following more than a year of study and consultation and the aid of an advisory committee, but even so it was immediately called upon to issue numerous specialized interpretations, advisory opinions, and also some basic amendments because the industries affected needed guidance. Many of them also needed reassurance that a conscientious attempt to comply with the new law would not subject them to severe penalties for innocent errors in interpreting the statute.

The only reason I can imagine for the credit reporting industry's reluctance to have such supervision and assistance available in complying with a Fair Credit Reporting bill is that the case-by-case determination of what the law means could take years for adjudication; the average person would shrink from instituting lawsuits; and we would have a law with lots of requirements but no enforcement. Is that an unfair assessment? The lawyers for the industry affected claim my assessment is unfair. How do other lawyers, interested in this as private citizens, feel about it? Ralph Nader, I might add, is at least one lawyer who agrees with me on this point. I hope many of you do too, and will, as I said, give your views on it to your Congressmen, as well as to me.

OBJECTIVE, DISINTERESTED ADVICE NEEDED BY LEGISLATORS

After all, you have a big stake in this, too, as does everyone who uses credit cards, buys a home, applies for insurance, etc., and can be the victim of seemingly incorrectable computer goofs, or somebody's gossip, or an investigator's laziness.

In all of the consumer issues which confront us if we can get experts in every field to do the kind of moonlighting I have asked you to do, and do it in the interest of themselves and of their own families and thus in the public interest, too, all of our lives will be the more secure for it. Not every legislative issue involves your own clients—work for them all you like on whatever cause or issue your services are enlisted professionally, but work for yourselves also, and for the rest of us part of the time, too, on consumer legal issues, particularly when this presents you with no client conflict of interest problem.

I once told the American Chemists Association how a chemist had interested me in doing something about the use of continuous vapor strips as insecticides, which have just been outlawed for use around food. My first result was to require the manufacturers to place a warning on the label that when these products were used around food, the food had to be covered. This was significant, because up to then the vapor strips had been widely promoted for use in commercial kitchens on the claim that food did not have to

be covered in their presence, whereas the sprays could be marketed only with a warning to cover all food first. The theory was that the continuous strips repelled the insects and kept them away. The fact was that, just as in the case of the sprays, the dead insects could easily fall into the food. Since then, the strips have been shown to be potentially dangerous by reason of the poisons they give off. But at the time I got into this, they were considered relatively harmless. The chemist who enlisted my interest happened to manufacture sprays. He gave me facts—true honest facts—but primarily because of a competitive battle in which he was engaged. We are always getting that kind of lead. In telling this incident to the chemical association, I pointed out that what I also wanted was advice on chemical dangers based not on one's own business problems, but on what the public safety required. Similarly, what I'd like to have more of, from more lawyers, is disinterested advice based on what you know as lawyers rather than just what you need to have done to help a client. We can always expect to hear from top legal talent on what to do in the public interest when it happens to coincide with the client's interests. How about the rest of the time?

OUTMODED STATE LAWS WHICH TRAP POOR CONSUMERS

During hearings of the National Commission on Consumer Finance in June on practices used in collecting disputed consumer debts, Mr. Millstein and our Chairman, Professor Robert Braucher of Harvard Law School, took the brunt of numerous protests of mine about how the legal profession as a profession seems to stand aside and permit some of the intolerably cruel practices to operate in this field of debt collection under default judgments obtained by lawyers working for sleazy clients cheating low income families. I wasn't blaming Mr. Millstein and Professor Braucher, although it sounded several times as if I was implying every lawyer is a crook, or the tool of crooks. God forbid any one should ever think that. My husband was a lawyer, and a good one. I admire your profession. He loved it.

But I think all of you—all of you—whether in anti-trust or space law or international law or whatever—should be ashamed as lawyers to have laws in effect in your states which reward lawyers for standing in small claims court or a similar court all morning obtaining default judgments for debts which may never be owed, so that the judgments can be used to hound the poor people who may not owe them but must pay them nevertheless, and whose wages are garnished to the point where they are unemployable. All right—I'm a politician. You might ask how can I tolerate political chicanery without doing something about it. But the difference is that we have laws to catch the political crook and punish him, and if exposed, he can't be elected. But instead of eliminating the laws which use the courts to harass poor people in behalf of crooked creditors, you shrug it off and say that you don't practice that kind of law. Those who do practice it say their oath requires them to serve their clients to the best of their ability under the laws as they exist. Well, then, let's absolve the default-judgment practitioners from the humiliation of invoking bad laws for bad people, by eliminating bad credit laws. Consumer credit is now so all-pervasive in our economy that every good man or woman trained in the law has an obligation, it seems to me, to force a change in those laws. I mentioned that Mr. Millstein and Professor Braucher took the brunt of my anti-lawyer comments at our recent hearing, and that wasn't fair because they both are serving unselfishly in an important assignment directed at doing some-

thing affirmative about these problems. Are you? Or will you? I hope so. Don't leave it up to the brand new lawyers, idealistic as many of them are. You've got the skills they're just starting to learn.

SERVICES MERITING SPECIAL HONOR

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. PERKINS. Mr. Speaker, the word "bureaucrat" frequently is used as an epithet to describe Government officials who are considered insensitive, insincere, or incompetent. I and my fellow Members know there are many thousands of Federal bureaucrats who do not fit this negative stereotype. We know there are many dedicated, intelligent, sensitive men and women who serve the people of this country exceedingly well as able, hardworking, imaginative, honest employees of the Federal Government. One such individual, a native of Utah and a resident of Virginia for many years, retired July 24, 1970, after 37 years of Federal service, the past 20 of it with the U.S. Office of Education. In recognition of the extraordinary dedication and skill which Mr. Benjamin Alden Lillywhite gave to his varied and complex duties with the Office of Education, the Secretary of the Department of Health, Education, and Welfare recently awarded him the Distinguished Service Award, the highest honor bestowed on employees of the Department.

Mr. Speaker, in order that my colleagues in the House can appreciate the services which Mr. Lillywhite rendered to the children and citizens of the Nation, I ask unanimous consent that a statement of the reasons he received the Distinguished Service Award of the Department of Health, Education, and Welfare be printed following my remarks.

The statement follows:

SERVICE MERITING SPECIAL HONOR

Mr. Benjamin Alden Lillywhite was awarded the Distinguished Service Award of the Department of Health, Education, and Welfare primarily in recognition of his nearly 30 years of extraordinary leadership in developing, implementing, and administering Federal programs which have improved elementary and secondary educational services for an aggregate of 50 million public school children, including the formulation of national policies which have made possible the dramatic expansion of Federal financial support for elementary and secondary education during the past decade.

Mr. Lillywhite developed and guided national education programs and policies within the American tradition of local direction, State responsibility, and Federal support without control—and skillfully maintained the sensitive balance among these three levels of government, avoiding interference or disruptive conflict with the legal and customary State and local responsibilities. The complexity of this task is indicated by the fact that the Federal assistance programs for which Mr. Lillywhite had major responsibility are governed by approximately 22,000 public school districts, 50 legislatures and

education agencies, 5 education agencies in national jurisdictions outside the States, and major administrative units in the U.S. Departments of Interior and Defense which offer educational services to Indian children on reservations and to military dependents. Federal relations with these units require recognition of and response to intricate and often subtle legal and political interaction and differing modes of operation.

During and since the years of World War II, Mr. Lillywhite worked to ensure the local availability of educational services for more than 1 million children of American military personnel and 4 million children of other U.S. Government personnel stationed in every part of the Nation and remote territories. He helped determine educational needs and implement solutions to many of the problems created by vast and rapid population shifts during the war and post-war periods, thus insuring educational services which otherwise would have been totally inadequate to the needs of children of defense workers and Government personnel. Largely in recognition of these contributions, Mr. Lillywhite's advice and assistance were sought by Congress in 1950 when legislation became necessary to rationalize, systematize, and equalize the diverse and limited measures of Federal education assistance and administer them uniformly in hundreds of communities throughout the Nation. The result was the 1950 enactment of two new laws: Public Law 81-874 to provide Federal financial assistance for maintenance and operation of local educational programs in communities heavily impacted by Federal activity, and Public Law 81-815, which provided Federal assistance in the construction of school facilities in similar locales. That the basic principles embodied in these two acts have received sustained bipartisan Congressional support throughout the two ensuing decades is evidence of the knowledge, forethought, and careful consideration given to their development by Mr. Lillywhite in his role as advisor and confidante to the Congressional, Executive, and legal authorities involved. Broad principles designed to maintain and increase local support for public education were incorporated into these laws and most of the subsequent Federal programs of assistance to public education.

In late 1950, Mr. Lillywhite was named to administer the impact aid laws, a position he held through fiscal year 1967. Whenever modifications of P.L. 81-815 and P.L. 81-874 have been considered during the 20 years since their enactment, Congressional and Executive officials and agencies have relied upon Mr. Lillywhite's exceptional understanding of the two laws. Recognizing his detailed knowledge coupled with sound judgment and honesty, these policymakers repeatedly have sought his views and opinions. His detailed and continuing analysis of administrative policies and procedures have suggested substantial changes which gradually have reduced both the clerical burden placed on local grantees and the need for additional Federal administrative personnel, despite an increase in participation from 1,172 school districts enrolling 439,000 Federally-connected children in fiscal year 1951 to approximately 4,500 districts enrolling more than 2.5 million Federally-connected children today. Participating districts in fiscal year 1969 enrolled approximately 60 percent of all children attending public schools in the United States.

Within the past three years, changes for which Mr. Lillywhite was largely responsible have cut the local workload for participating districts to approximately half what it formerly was.

While administering Public Laws 81-815 and 81-874, Mr. Lillywhite carried special responsibility for assistance to Dade County, Florida, for the education of Cuban refu-

gees. He recommended the granting of funds for the education of some 19,000 Cuban refugee children in the public schools, for financing necessary vocational and adult education programs for 25,000 adult refugees, and for afterschool and summer recreation program for the Cuban refugee children. While credit for the recognized success of the Cuban Refugee Program belongs principally to the people of Miami and to the refugees themselves, Mr. Lillywhite's vision and guidance were important catalysts. The effect of his activities has extended beyond this particular program, by hastening the progress of resettlement and employment of the refugees throughout the United States.

Mr. Lillywhite also provided outstanding leadership to another significant phase of the school assistance programs by improving educational services to Indian children. For example, new school facilities were provided for some 40,000 Indian pupils in a number of school projects. These special projects and others designed to maintain and expand educational services for Indian pupils involved particularly complex and sensitive administrative skills which Mr. Lillywhite demonstrated in providing assistance under the laws and coordinating their implementation with other Federal agencies.

During the early part of the 1960s, Mr. Lillywhite was largely responsible for implementation of a Departmental policy which established desegregated education facilities for the first time for 7,300 children at eight large military bases, thus becoming deeply involved in one of the highly volatile social problems of the past decade to the time when the momentum of legislation and events involved many of his colleagues within the Office of Education and the Department in similar concerns. His experience during that period has proved to be of exceptional value and assistance during more recent school desegregation efforts.

After the inception of Public Laws 81-874 and 81-815, Mr. Lillywhite fostered local, State, and Federal understanding of the laws and their administration through extensive and successful efforts to become personally acquainted with those Congressional, Federal executive, State, and local officials most intimately concerned with these assistance programs. Largely because Mr. Lillywhite's dedication exceeded what would normally be expected, there have been few serious complaints based on local misunderstanding and only rare and usually minor financial audit exceptions to the use of approximately \$5 billion in Federal funds during the 20-year life of the programs.

Scrupulous loyalty to the principle that policymakers have not only the responsibility but the right to determine policy, and that administrators are responsible for making those policies function efficiently and effectively has enabled Mr. Lillywhite to guide policy formulation without becoming so deeply committed to his own occasionally differing views that effective administration of the program would be impaired. Legislative and administrative policies which Mr. Lillywhite may have opposed in their formative stages have been administered with the same skill and commitment as policies which he initiated and recommended. His cordial relations and personal acquaintance with hundreds of local, State, and Federal officials and his knowledge of their views and the laws and policies governing their actions have been of exceptional value, both in his administrative activities and in the larger interest of Federal-State-local relations. His counsel to top officials of the U.S. Office of Education, the Department of Health, Education, and Welfare, legislative committees, and other government agencies not only facilitated legislative and administrative processes on many occasions, but also helped these officials anticipate and thereby forestall

the kinds of crises which arise when decisions are made in the absence of full knowledge and consideration of all the factors.

Since August of 1967, Mr. Lillywhite has served in the various capacities of Acting Deputy, Deputy, and Acting Associate Commissioner for the Bureau of Elementary and Secondary Education, occupying the latter position just prior to his retirement and during an earlier interregnum between the departure and arrival of Associate Commissioners. Most recently, as Acting Associate Commissioner, he has guided the implementation of an extensive data collection and evaluation system for elementary and secondary education programs and the coordination of the Bureau's involvement and participation in several departmental task force study groups. In his regular capacity as Deputy, he was responsible for the execution of Bureau and Office of Education policy and the coordination of intra-Bureau operations. Division Directors conferred with Mr. Lillywhite on all operational problems and questions which required Bureau assistance, guidance, and interpretation. In his daily administration of approximately 24 assistance programs operated by the 400 Bureau personnel, he demonstrated his ability to meet urgent problems in a timely manner and to operationally and administratively apply the agency's policies both to internal administration and to program management.

His understanding of the social, economic, and educational problems of minority groups, as well as his familiarity with the needs of the children of migrant workers and Mexican Americans has been invaluable to the Bureau in focusing its priorities on the educational needs of the disadvantaged. He is keenly aware and concerned about the intensely personal effects of large-scale bureaucratic actions regarding these children. He never lost sight of children's needs in guiding development of program policies which will affect the educational services they receive.

While contributing to the legislative and administrative development of many of the Bureau's programs, he continued to welcome new ideas and was most creative in translating concepts and generalized ideas into administrative and program policies. A recent example of this occurred when he moved the concept of educational accountability for student learning from an ideal into pilot and demonstration programs. He accomplished this by working with staff members and State officials to prepare regulations, guidelines, and practical and workable policies for introducing the concept into practice through the bilingual education and dropout prevention programs administered by the Bureau but operated by local education agencies.

Throughout his years of government service, Mr. Lillywhite's work was distinguished by the excellence of his performance and his skill in establishing and maintaining good relations with colleagues and an abiding concern for the quality of education which children receive. His personal and intellectual integrity are well known. His judgment is universally respected by educators, legislators and administrators from local school officials to members of Congress. He has unusually extensive contacts throughout the Nation and maintains friendly professional relationships with personnel in field offices, the States, State and local school districts, and educational organizations. He is frequently called upon to participate in educators' conferences, special task force studies on educational and social needs, and studies for special congressional committees. At the same time, he won the loyalty and respect of his co-administrators, the Bureau staff and field representatives. He is widely admired for his sound educational philosophy, his mature balance of judgment, his familiarity and

concern with the problems of public policy, his crusading spirit in confronting them, and his personal and professional integrity.

The citation reads: B. Alden Lillywhite is hereby awarded this certificate of distinguished service for outstanding leadership in the Office of Education toward meeting the challenge of our expanded Federal commitment to the educational needs of the Nation's children and youth.

ON THE INVASION OF CZECHOSLOVAKIA

HON. WILLIAM S. MAILLIARD
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Friday, August 14, 1970

Mr. MAILLIARD. Mr. Speaker, while August 21 may not as yet be remembered by many as a significant date, any follower of world affairs must be aware that this date marks a tragic event in the history of Eastern Europe. On this date, 2 years ago, the Russian army invaded the country of Czechoslovakia in flagrant violation of territorial integrity and the principle of self-determination. While our immediate reaction and that of many other countries throughout the world was one of outrage and condemnation of the Russian action, the incursion implies even graver consequences for peaceful international relations.

Whereas a thaw in the cold war had been perceptible in recent years, the Soviet invasion was a tragic reversal of the progress which had seemed apparent. The efforts to improve relations between the East and West were seemingly coming to fruition. Thus, there could have been no stronger source of disillusionment for those hoping for rapprochement than the Soviet Union's disregard for the sovereign rights of Czechoslovakia. The nations of the world who yearned for peaceful coexistence were compelled to reevaluate their opinion of the Soviet Union and its sincerity in striving for mutually satisfactory agreements with the West. As a result of the Soviet action, Western Governments became more wary in their dealings with Moscow, and justifiably so. Moderation replaced liberalization in our policies toward the Soviet Government.

In the weeks prior to the invasion, the movement led by Alexander Dubcek suggested that the Soviet Union was adopting a more lenient policy toward its satellite countries. This apparent moderation on the part of Moscow gave hope to many that peaceful coexistence could become a reality. But this positive trend was halted by the blatant squelching by the Soviet Union of signs of independence and freedom of thought which were emerging in Czechoslovakia. A glaring discrepancy became visible when the Soviet Union discarded its expressed belief in the cause of national liberation and gave priority to its own narrow self-interests. The earnest desire on the part of the Czechs for reform was not found to be compatible with Soviet goals, and their ruthless crushing of the movement evoked not only contempt for the Russians but a reawakened sense in the rest

of the world of the vulnerability of a nascent democracy.

Today, in 1970, we are again striving for a policy which will lead to a greater understanding with the Soviet Union. We are working toward establishing concurrence on principles involving the rights of countries and their peoples. However, I believe we must be honest in saying that, were the Soviet Union to demonstrate again a lack of respect for the sovereign rights of nations around the world, we would be forced to reconsider our policy. If the Soviet Union were to suggest, in action or word, that it places its national goals above those of peace, then the establishment of world harmony will be impeded, and the chances for a lasting detente between our Nation and the Soviet Union will be seriously diminished.

**THE LATE HONORABLE G. ROBERT
WATKINS**

HON. CHALMERS P. WYLIE
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Thursday, August 13, 1970

Mr. WYLIE. Mr. Speaker, I had intended to participate in the special order paying tribute to BOB WATKINS taken yesterday by the gentleman from Pennsylvania (Mr. GOODLING). As frequently happens in this business, a constituent problem came up and before it could be resolved, the House had adjourned. I would be remiss if I did not take the opportunity of this forum to pay tribute publicly to this fine person. I told him once that he reminded me of my own father, who lost his father at an early age.

BOB WATKINS was a high school "put out," as he used to say of himself. He worked hard, loved life, and died with his boots on. He is, I fear, a vanishing breed of American.

BOB WATKINS is a classic example of the American dream becoming a reality for those with courage, persistence, and willingness to work. Much has been said of his early beginning and his rise to become the head of one of the largest transportation companies in the United States. This would be a success story in and of itself.

His friends persuaded him to enter public life, and his exemplary service can be seen by all accounts as a sheriff, county commissioner, a State senator, and a Member of Congress. In other words, whenever he undertook a venture, he rose to the top.

He also rose to the top as a person. His extraordinary sense of humor interspersed his serious, conscientious nature so that he was a person who was naturally liked by everyone.

It was a great privilege for me to meet, know, and break bread frequently, with this fine man. I feel a profound sense of loss which words cannot adequately express. I extend my deepest sympathy to his family and loved ones. It is some consolation to those near Bob that this country is a better place because he lived here.

**BENTSEN VEERS LEFT IN SEARCH
OF VOTES**

HON. JOHN E. HUNT
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Friday, August 14, 1970

Mr. HUNT. Mr. Speaker, for the benefit of those who may not receive the publication, it is interesting to note an article that appeared in the August 15, 1970, issue of Human Events under the title: "Bentsen Veers Left in Search of Votes." It is indeed bewildering, and will serve as a warning to Texas voters, that Democratic senatorial candidate Lloyd Bentsen should have defeated his opponent in the senatorial primary while campaigning under the conservative banner, but now abandons those principles in a bold attempt to broaden his political base, unmindful of those who were lured into believing him in the first instance.

Changing the spots on the leopard is not unknown to politics, but those who have risked such expediency have come to know that it does not inspire voter trust and confidence. The article follows:

BENTSEN VEERS LEFT IN SEARCH OF VOTES

Former Congressman Lloyd Bentsen, who ran as a staunch conservative in defeating liberal Sen. Ralph Yarborough in Texas' Democratic senatorial primary, has changed his tune. Bentsen, who faces Republican Congressman George Bush this fall, is going all out to woo Texas liberals, specifically the 724,000 Democrats who supported Yarborough in the primary.

The Texas Observer, a liberal Journal which views Bentsen as a cynical opportunist, reports that the former conservative is criss-crossing the state, hitting the same theme over and over: "Can Texas afford the luxury of a disunited party? Can we afford to lose a major Democratic seat in the United States Senate?"

The Observer notes that Bentsen who "raved against Yarborough's alleged position on school busing, riots and prayer," now demonstrates sudden concern for Democratic solidarity, for an end to the Viet Nam war, for huge federal spending for education and welfare—an "about-face on all the things which Bentsen spots called 'un-Texan' just a few weeks ago."

Bentsen's cynicism was first evidenced in the primary, says Observer editor-at-large Bill Hamilton. On the one hand, Bentsen blanketed the state with radio and television commercials that "literally shouted on the evils of 'busing,'" and linked Yarborough to the liberal Northern wing of the Democratic party.

On the other hand, Bentsen distributed in Negro neighborhoods a special newspaper entitled "People's Voice." Designed to look like a normal paper, the "People's Voice" attacked Yarborough for a 1966 statement in which he allegedly opposed "forced integration" and for his coolness toward Hubert Humphrey.

Bentsen is quoted—but only in the Negro ghetto—as saying, "If we would have had the earlier support of Yarborough, we probably would have won the presidency (for Humphrey)."

Most cynical of all was Bentsen's attempt to link himself with black heroes. On the front page of his "People's Voice," under the headline of "People To Be Proud of," were photographs of four men:

Dr. Martin Luther King, slain leader of the Southern Christian Leadership Conference, President John F. Kennedy, the murdered President long identified with the civil rights

cause, President Lyndon Johnson, who secured the passage of two monumental civil rights bills—and Lloyd Bentsen, candidate for the U.S. Senate.

The Bentsen play failed miserably. Yarborough carried black precincts overwhelmingly—probably because Negro voters saw the same hard-line TV commercials that Bentsen was aiming at Texas whites.

Though Bentsen is now playing up to the liberals, he had not yet won an endorsement from Yarborough, whom he clobbered in the primaries. At the recent fund-raising dinner for Yarborough in Houston, former President Johnson, Lt. Gov. Ben Barnes and several lesser politicians were all harmonious and unity-minded in their praise of Yarborough. But when Yarborough took to the podium, he unleashed a harsh attack against Bentsen and his tactics, much to the displeasure of Johnson and the Bentsen forces. So angry is Yarborough with Bentsen, in fact, that he has recently taken to praising Bush on the floor of the Senate.

DISTORTION OF GUN LEGISLATION

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. ULLMAN. Mr. Speaker, recent months have unfortunately brought an increasing tendency toward radicalism at both ends of the political spectrum, a trend that can only serve to undermine the best interests of the Nation.

I am particularly concerned about the techniques of the new radicals, who too often employ distortion and half-truths to construct their issues.

As a recent editorial in the *Herald and News*, of Klamath Falls, Oreg., in my district points out, a developing issue in this area concerns gun control regulations. Many people feel that the Omnibus Crime Control and Safe Streets Act of 1968, which I supported, is basically intended to legislate gun control. This act has been seized upon as an example of gun control legislation, but, in fact, of the 11 titles of the act, only one title that is operative, title VII, limits the sale, possession or transportation of firearms by felons, dishonorably discharged veterans, mental incompetents, aliens illegally in the country, and former citizens who renounced their citizenship.

The provisions of the act are essential to the establishment and maintenance of law and order in the Nation and are obviously not intended to impose restraints on the right of law-abiding citizens to own and bear arms for sports, hobby, and self-defense.

No one is more opposed than I am to any legislation that would abuse the rights of law-abiding citizens to bear arms. I helped lead the successful fight earlier in this Congress to repeal the recordkeeping features of the Gun Control Act of 1968 dealing with several types of sporting gun ammunition. I have also introduced a bill which would exempt .22-caliber cartridges from the registration laws, and the chairman of the Ways and Means Committee has assured me that the committee will move to take up the bill at the earliest date.

In my judgment, the answer to crimes committed with guns is stricter penalties for criminals not undue restrictions on law-abiding citizens. This has been my position since I came to Congress in 1957, and it will continue to be my position while I am in Congress.

I hope that future reference to the bill and its inherent gun control legislation will be based on the facts of the bill rather than some vague suspicions.

The article follows:

IT IS NOT GUN CONTROLS

It seems that there are some people in Klamath County who still think that Title 1, Omnibus Crime Control and Safe Streets Act for 1969 is a road to gun control.

They still refer to the so-called Appendix B, a few pages of typewritten paragraphs, as the foot in the door to gun control.

The *Herald and News* investigated Appendix B. It was confirmed by the highest authorities that Appendix B is not a legal document, but a collection of recommendations by the President's Council on Crime, which were turned down by Congress.

In the course of the investigation we received a letter signed by Richard L. Levine, executive assistant to the U.S. Attorney General, Washington, D.C., U.S.A. It was dated April 1, 1970.

"Title One consists of six parts numbered from Section 101 through 601. Title One has no appendix," was Levine's answer.

We have pointed this out before and will do so again until some people start looking at the facts and not at what they would like to see.

WHAT DOES DR. DUBRIDGE MEAN?

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. SLACK. Mr. Speaker, today the United Mine Workers of America issued a press release which I respectfully bring to the attention of the Members of the House:

UMWA PRESS RELEASE

W. A. (Tony) Boyle, president, United Mine Workers of America, today called for a public explanation by Dr. Lee A. DuBridge, President Nixon's top science advisor, of statements attributed to him by the July 1970 issue of *Government Executive Magazine*.

Boyle added that if the statements appearing in the magazine "mean what they appear to say" DuBridge believes the Federal Coal Mine Health and Safety Act is unfairly and unrealistically enforced, and is quoted as saying that "the sudden enforcement at this critical time has substantially decreased coal production capacity" which could cause a fuel shortage.

"I wonder what enforcement Dr. DuBridge is talking about. There has been loss of production in the mines because of protest against lack of enforcement. Fuel shortages can best be averted by moving without delay to enforce the law, by setting meaningful time limits upon procurement and installation of equipment and by insisting upon maximum possible enforcement now," Boyle said.

The UMW president pointed out that he has charged the Department of the Interior with "footdragging" on enforcement, and added that it now appears that this attitude also prevails among President Nixon's top advisors.

"President Nixon signed the Federal Coal

Mine Health and Safety Act and it is now the law of the land. The law calls for regular full scale inspections which are not being made, and tragedy has already taken place because of their lack. Dr. DuBridge and the entire Administration must be made to recognize that production no longer can be pushed at the expense of mine worker life, health and limb," Boyle said.

TERRI TRIGG CHOSEN MISS BLACK NEW JERSEY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. RODINO. Mr. Speaker, lovely Miss Terri Trigg of Newark was recently selected as Miss Black New Jersey in a statewide pageant.

The beauty queen, a junior at Trenton State College, has also been named Jerseyan of the Week by the Newark Star Ledger. This is a well deserved honor for this beautiful and talented young lady.

The Star-Ledger article follows:

STATE'S BLACK BEAUTY QUEEN: COED IS PART OF THE TIMES . . . AND IN TUNE

(By Curt Davis and Charles Q. Finley)

Dazzling Ida Teresa (Terri) Trigg of Newark, the 19-year-old new Miss Black New Jersey, is the "Typical American Girl" grown up—a thinker tuned in on the stirring 70s.

"I think America would be in good shape if the white race and the minority groups stopped pulling in opposite directions and tried to get together," she said.

With charm, grace and startling insight, she discussed subjects ranging from children in the ghetto to miniskirts.

"Happiness is my main goal in life—success through self determination—and I don't mean financial success," she said. "I call being a good teacher of children being successful."

She plans on getting married "one day" and raising a family "because that's part of happiness."

Terri hadn't expected to win and didn't enter the contest with that as her aim.

"I knew it would be a rewarding experience working with the other girls," she said. "The night I won it was a complete shock, just like the time I was elected student council president at Clinton Place Junior High School when I was 13. This was a bit more fantastic but I suppose that earlier triumph meant just as much to me at a younger age."

She'll enter the contest for the national crown with much the same attitude—"I'm going to do the best I can because I represent the entire state but it won't really matter to me whether I win or lose. What matters is that someone wanted me to be there."

Miss Black New Jersey likes to think for herself. She does not identify totally with any one faction of the black movement but rather takes a little from each one and forms her own opinion.

Her philosophy of life?

"Striving to be better each day, but not just for that one day. If you improve yourself for just one day, and become the old self the next, that benefits no one."

"I believe in co-existence," she said. "We cannot segregate ourselves because a solely black country or a solely white country won't work out. Of all the political or racial figures of the past decade, Martin Luther King stands out for me."

A graduate of Weequahic High School in

Newark, she will begin her junior year majoring in elementary education at Trenton State in the fall. She wants to teach grades six through nine.

Her mother, Dorothy, and her father, Raleigh, foreman of the board of education's painting crew in Newark, were both pleased and shocked at the sudden turn in events.

"We were conditioned for losing gracefully," the beauty queen's mother said. "I can't think of anything that would surprise me now ever."

Terri's sister, Mrs. Iris Coleman, 28, also came in for some of the shock treatment—"I was shocked to see my little baby sister turn out to be the prettiest girl in the State of New Jersey. I've always called her 'kid,' but I guess I'll have to stop that now."

Terri's main interest in life is children. "Children today grow up much faster than years ago and they learn too many of the wrong things at such a young age. This is true particularly in the ghetto areas where much too much responsibility is placed on shoulders that shouldn't have to bear such burdens until much later in life. Many of them go out into the streets because they don't have the love they need at home."

"On Sunday afternoons children can't even go to the movies anymore. I think there should be more family pictures. The young people would like them and it would be good for them."

"And you know, there's quite a bit of violence on television and it's not all after 10 p.m. Many children are exposed to it and I don't think that's good at all. There should be more educational programs on television for other than pre-school children."

How does she feel about long-hairs and hippies?

"I can't see anything wrong with young men wearing long hair. Jesus Christ did and so did the father of our country."

"In the hippie movement, they are just trying to express themselves but I wouldn't take part in it. I'd say they are a bit confused themselves."

Mini-skirts?

"I like mini-skirts. I think they are here to stay because they have satisfied the majority of American women."

Terri likes to model, likes to bowl and considers herself a typical American girl. She "loves animals because they need somebody to help them." She has a Collie-Shepherd named Jacoby which she received on her 12th birthday.

Terri likes rock 'n roll but she doesn't like "hard rock."

"Hard rock—the psychedelic kind, is hard on the ears. I also like the blues."

She became thoughtful when the generation gap was brought up.

"I suppose teenagers are always aware of a generation gap and I'm no exception," she said after a long pause. "Youth's values have changed so much in the past decade I suppose that seems to make it more pronounced."

How about the campus unrest across the nation?

"I go along with the on-campus unrest because the standards today at the colleges and the universities are not attuned to the needs of the students today. Those standards were set many years ago."

"I think the violence is provoked at times so the student can be caught in the wrong. But at other times the student is in the wrong in the first place."

And the riots in the streets of the big cities?

"It's a shame that any race of people has to resort to such means to get their comments heard by the government. The fact that the government has turned a deaf ear for so long seems to me to be one of the main causes of these riots."

At last week's state-wide pageant, Terri was congratulated by her good friend Newark Mayor Kenneth A. Gibson.

"I've known him for years," she said, "since I went to school with his daughter Cheryl. Under his leadership I see a great deal in store for Newark. The city has a chance for great improvement."

BLUE-COLLAR STRATEGY

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. HARRINGTON. Mr. Speaker, the words "silent majority" have become an integral part of our vocabulary—but have never really taken on substance.

Late last June a White House panel reported on the 70 million people in blue-collar families who earn between \$5,000 and \$10,000 per year. The major conclusion of this report is that these people are not much better off than they were 10 or 15 years ago. In fact, they are anxious about their future and frustrated with the lack of interest expressed by the Government in their problems.

Peter Schrag in an editorial entitled "Blue-Collar Strategy" in the July 25, 1970, issue of *Saturday Review* has discussed this report.

Schrag states that the report "describes people in this bracket as trapped by inflation, limited earning capacity, inadequate education, regressive State and local taxes, poor recreational facilities, a lack of child-care facilities, and a general social bias against people who work with their hands."

Mr. Speaker, it is about time we started remembering these forgotten Americans in substance rather than words. It is time we listened to them. Mr. Schrag's editorial makes a start. I, therefore, insert it in the RECORD at this point:

BLUE-COLLAR STRATEGY

The "forgotten man," the "silent majority," and the "lower middle class" have by now become clichés of American political discourse. Supporters of the Vietnam War invoke the name of the silent majority in its defense; radicals of the Left see a potential Fascist under every hardhat; and writers who once described every American workingman as affluent now regard him as a candidate for membership in the legions of repression and reaction. Like all generalizations, each of these descriptions falls short of accuracy and suggests a situation that is far more complex and, conceivably, more explosive.

Late in June, a White House panel submitted what was described as "a confidential study" dealing with one large segment of that silent majority, the approximately seventy million people in blue-collar families who live on incomes of between \$5,000 and \$10,000 a year. What is most significant in the report is not the economic data nor the observation that neglect of working Americans is politically dangerous, but the fact that the administration is interested in the problem. The document describes people in this bracket as trapped by inflation, limited earning capacity, inadequate education, regressive state and local taxes, poor recreational facilities, a lack of child-care facilities,

and a general social bias against people who work with their hands. Most, although not all, are white; many did not complete high school. "To a considerable extent," the report says, "they feel like 'forgotten people'—those for whom the government and the society have limited, if any, direct concern and little visible action."

The panel that prepared the report was headed by George P. Shultz, who was Secretary of Labor until he assumed new duties as the administration's Director of Management and Budget, and included Attorney General John Mitchell, OEO Director Donald Rumsfeld, and Presidential assistants John Ehrlichman and Daniel Patrick Moynihan. It was written by Jerome M. Rosow, Assistant Secretary of Labor for Policy, Evaluation and Research.

Commissioned by the President last summer, the report may be more significant for what it omits than for what it includes. Although it recommends certain general measures to help workers upgrade their jobs and to find better jobs, as well as increased tax relief for child care, publicity to improve "the status of blue-collar work," and other steps, many of them vague, it does not deal with the overall climate of divisiveness and limited hope that now afflicts the country. The administration's appeals to "good Americans" and the silent majority have been directed not to hope but to frustration and anger, to people who resent long hair and protest, who fear students and blacks and who are told, again and again, that expenditures for war are necessities while domestic problems—medical care poverty, and improved education, transportation, and recreation—must be postponed in the cause against inflation. The politics of the so-called Southern strategy is presumably directed to the racial attitudes on which people like George C. Wallace are said to thrive; it is rarely suggested, however, that Wallace's appeal also contains a strong dose of Populism directed to the economic frustrations of the forgotten seventy million. A substantial number of the blue-collar people who voted for Wallace in 1968 had been supporters of Robert F. Kennedy before his death. In some way, both men spoke to their needs and beliefs. Scratch a bigot and you may find a democrat.

The issue raised by the blue-collar report—and it has been raised before—is whether the administration will speak to the causes of blue-collar tension and anxiety, or whether it will try to use that tension and anxiety against dissent and social reform. Will it try to lead all Americans to an understanding that they can make common cause against war, hunger, dead-end jobs, inadequate schools, and improper medical care? Or will it continue to foster the impression that the nation's problems are caused by the dissenters themselves?

The war in Vietnam and the nation's current economic problems—mounting inflation on one hand, and growing unemployment on the other—affect Americans of all classes and of every conceivable background, and the inaccurate notion that there is some sort of natural alliance on Vietnam between the President and the hardhats can lead only to more hopelessness and more violence.

The President commissioned the study of blue-collar workers; its recommendations—which fail to mention the war or the general mood of the nation—are plainly inadequate. But any perceptive reader of that study, or of other expressions of blue-collar discontent, cannot fail to understand that only a redirection of national objectives, and a change of national mood, can begin to resolve the problems of the American worker—and of the rest of the nation, whose problems he shares.

DOES ANYONE CARE?

HON. JOHN KYL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. KYL. Mr. Speaker, there are Americans who are demonstrative, others who are silent, and some who speak softly but with impact. In the latter category is Sp4c. Steven Ohde, whose "letter to the editor" is submitted here:

DOES ANYONE CARE?

TO THE EDITOR:

For some time now I have been wanting to write this letter, but time is at a premium over here and haven't been able to devote enough time to construct my thoughts and put them down on paper.

Ever since I arrived in Vietnam I have subscribed to The Gazette and I find it very informative as to what is going on back in the world. I am especially interested in the general attitude of the public in the Midwest. I was quite surprised to read about the campus disruptions in Iowa. I never thought this kind of incident would reach Iowa, but I know differently now.

I have been in Vietnam for almost five months. I am a supply clerk for this company and therefore I am not out in the brush looking for "Charlie". But during these past five months I have seen much and experienced much to know a little more about the Vietnam war than many of the average campus protesters or congressional experts. I have received many letters from friends and family asking my personal opinion of what is going on over here and if we are doing the right thing. I can not answer this question, because only God knows and history may show if we are right or wrong.

Many of the letters I have received show concern over the expansion of the war into Cambodia. I do not know exactly how much is reported in the papers, but I am sure of one thing, and that is that the penetration into Cambodia was one of the wisest moves yet in this war.

For the short time our troops have been in Cambodia, they have uncovered enough food and weapons caches to put the enemy in a world of hurt for supplies. It is true we lost quite a few men during these operations, but there is no telling how many lives would have been lost if these supplies were used by the enemy.

These same letters ask me if I think it is wise for us to pull out of this war completely. Again this is a hard question to answer. Let us face that fact that there isn't a young man over here who wouldn't rather be home with his family and loved ones than be over here.

But I don't believe that we should pull out now after we have paid such a great price already. I think Abraham Lincoln put it real well in his Gettysburg address when he stated, "that we highly resolve that these dead shall not have died in vain." To pull out now would be like telling a family who lost a son over here that we don't really care.

This brings me to the main point of this letter. One of the hardest things to overcome while serving here is the thought that nobody really cares what we are doing over here. Whether we are doing the right thing here in Vietnam or not has yet to be seen. Wrong or right, the majority of the troops over here feel that the people should back us no matter what the cost.

There are many people who will disagree with me strongly, including veterans of this war. It is very disheartening to keep reading of all this opposition to the war and

very little being said about the people who back the troops over here.

I know this might seem like a very old subject and usually causes quite an uproar whenever Vietnam is discussed. But I just sit and wonder if anybody back in the world really cares what we are doing over here. I know this isn't very well written, but if you could find space I would like you to print this in your paper. If anyone wants to reply to this, should it be printed, I will try and answer all letters, whether they agree with me or not.

In closing I would like to say this. The good Lord willing, I will be home in 236 days and I will be proud to say that I served my country so that our country can still be the land of the free.

RSVP—SOUTH CAROLINIANS SUPPORT AMERICAN FIGHTING MEN

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. WATSON. Mr. Speaker, for the past several years, the citizens of Columbia, S.C., and other South Carolina communities have given of their time and money to provide visible support for American fighting men in Vietnam. Under the dynamic leadership of some of the most prominent citizens of our State, a program entitled RSVP—rally support for Vietnam personnel—is acting as a liaison between the American forces and the folks back home.

Under the RSVP program, members of our Armed Forces have been provided with much needed personal items and in conjunction with the pacification program, items as large as tractors have been given to the South Vietnamese people. If RSVP had a motto, it would have to be "We care about others."

Mr. Speaker, as a part of my remarks I would like to enclose a few letters from the fighting men who are benefiting from RSVP. These letters are addressed to Mr. Reuben Grauer, who is doing a fantastic job as chairman of RSVP. They are as follows:

As newly appointed executive officer of the 227th Assault Battalion I would like to express my sincere gratitude to you and all the wonderful people who have so kindly taken the time and energy to send my battalion these shipments. I would like to extend the thanks of everyone here.

The month of May was a busy one for us. As you have surely read, the First Team is in Cambodia. Most of the planning and the initial lifts into Cambodia were made by your adopted battalion. We have since won a Valorous Unit Award and have been recommended for a Presidential Unit Citation. Since you are an honorary member of the battalion we thought you might like a copy of your orders for valor. The battalion has been flying more hours than ever before. Last month was a record month for our battalion and for the 11th Group of which we are a part. We've been busy.

This month we have received books from Mr. Joseph Russ, Mr. and Mrs. E. J. Warr and Mrs. C. H. Lesesne Jr., candy and snacks from Mr. Jasper Rawl and Mr. Johnson, also soap from Mr. Geiger and assorted goodies from Mr. Ivan Miller. Please thank these people for us for their contributions.

JANUARY 22, 1970.

DEAR SIR: Received your RSVP package today and would like to extend my thanks to you via this letter. It was very much appreciated and it's good to know that there are still many good and dedicated Americans who believe in our efforts here in the Republic of Vietnam.

Well, I must close, but again, thanks for the package. I remain,

Sincerely,

MIKE RAGIN,
First Lieutenant USMC.

Thank you very much for the cigars. They should last until I return home. It's nice to know that some people back in the States care.

Words cannot express the good you and your people are doing for our fighting men. They continually read about the uprisings in the States with regard to war. It is people like you and your organization that keep us going notwithstanding, it is our duty.

A MEMORIAL DAY PRAYER

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CHAPPELL. Mr. Speaker, I received a letter from one of my constituents, Dennis Stewart of Sanford, Fla., announcing his intention of organizing a group of people, children and adults, concerned with the future of America with a specific goal of working to prevent the spread of communism throughout the United States. With the letter, Dennis enclosed a poem by Ella B. Daniel entitled: "A Memorial Day Prayer." The poem portrays in old-fashioned patriotic simplicity a deep love of God and country. The poem follows:

A MEMORIAL DAY PRAYER

(By Ella B. Daniel)

God bless all the soldiers on land or on sea,
Who fight for freedom for you and for me.
Who left home and loved ones, when duty
did call,

To protect flag and country and give of their
all.

To keep our land free from turmoil and
strife,

Where we, without fear, can lead a good life.
The soldiers, the sailors and the men in
the air,

Each have a job and are doing their share.
For they're taking their places in peacetime
or war;

Still we honor the memory of all those gone
before.

So help and protect them until life here is
done;

Bless all in the service; God bless everyone.
God bless the loved ones they have left
behind;

Hearts brave and loyal you will always find.
Mothers and fathers and children who yearn
For one of their loved ones who may never
return.

Give each of them courage and strength as
they pray;

God bless wives and sweethearts and keep
them each day.

Whatever the tasks they find they must do,
Give them faith and trust to see each day
through.

Then God bless our nation let all others
know

The Star Spangled Banner forever will blow,
Over states all united, the great and the small;
So bless our dear country God bless one and all.
Bless our flag, stars increasing, our stripes all unfurled,
God make us be worthy to lead the whole world.
Dear God as we triumph we ask you again,
Bless soldiers and sailors, all our loved ones—
Amen.

Mr. Speaker, we are pleased to make this poem a part of the CONGRESSIONAL RECORD as an expression of faith and support of our great Nation.

LAWNORDER & THE 1899 REFUSE ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD an excellent article entitled "Lawnorder & the 1899 Refuse Act."

It is indeed sad commentary on our society and a law and order Attorney General who will not enforce laws against filling our waters with mercury poisons.

It is even more strange that that same law and order Attorney General refuses to utilize the law against determined, persistent, and continuing polluters of our waters by mercury, while he proposes to exercise the law against occasional or accidental polluters.

The sordid story is set out in detail in the excellent article appearing in the Conservation News, published by the National Wildlife Federation in its August 1, 1970, issue.

The article follows:

LAWNORDER & THE 1899 REFUSE ACT

At the urging of Interior Secretary Walter Hickel, who picked up the ball from some dedicated scientists in the Federal Water Quality Administration, the Justice Department is seeking immediate injunctions against industries dumping highly toxic mercury into public waters.

At this writing, the U.S. Attorney General has moved against ten plants in seven states:

The Diamond Shamrock Corp., Delaware City, Delaware—daily mercury discharge: 11.5 pounds into the Delaware River.

Allied Chemical Co., Solvay, N.Y.—daily discharge: 4.4 pounds into Lake Onondaga. Muscle Shoals, Alabama plant: 6.5 to 8.6 pounds into Pond Creek, a tributary of the Tennessee River.

Georgia Pacific Corporation, Bellingham, Washington—daily discharge: 41.5 pounds into Puget Sound.

International Mining and Chemical Company, Orrington, Maine—daily discharge: 2.6 pounds into the Penobscot River.

Olin Chemical Corporation, Augusta, Georgia—daily discharge: 8.7 to 12.9 pounds into the Savannah River, Niagara Falls, New York plant: 26.6 pounds into the Niagara River.

Oxford Paper Company, Rumford, Maine—daily discharge: 26.2 pounds into the Androscoggin River.

Pennwalt Chemical Company, Calvert City, Kentucky—daily discharge: 1.54 pounds into the Tennessee River.

Weyerhaeuser Company, Longview, Washington—daily discharge: 15.1 pounds into the Columbia River.

Secretary Hickel announced, "... this is just the start. We are developing hard evidence against other companies."

The injunctions were sought under the 1899 Refuse Act which requires polluters to get a Corps of Engineers permit before dumping into navigable waterways, and provides for immediate compliance. The "immediate" provision is the key, because under the contemporary Federal Water Quality Act, polluters have up to six months to clean up, and if they don't there's not a whole lot done about it.

The inability of contemporary pollution control laws to protect the public against immediate water pollution dangers became abundantly clear when the mercury crisis broke out around the country. And when the U.S. Justice Department finally had to resort to the 1899 Refuse Act to protect human lives, it put the finishing touches on another sordid chapter in the Nation's water pollution battle.

Faced with increasing water pollution and frustrated by politicians' emasculation of Federal enforcement powers, conservationists seized on the Refuse Act for swift, effective action against polluters. Hundreds of polluting industries were turned over to U.S. Attorneys in several states. But nothing happened, despite the Act's mandate for "vigorous prosecution."

Wisconsin Congressman Henry Reuss found out why when he complained to Justice that it was dragging its feet in prosecuting water polluters. Assistant U.S. Attorney General Shire Kashiwa told Reuss, "... it would not be in the genuine interest of the Government to bring an action under the Refuse Act. ..."

That attitude quite naturally generated a storm of protest. Justice subsequently modified its stand, announcing it would invoke the Refuse Act only against "accidental and infrequent" polluters, claiming that "consistent" polluters were under the jurisdiction of the FWQA.

The Department modified its stand again when Michigan Senator Philip A. Hart and Congressman John S. Monagan (Conn.), Paul Rogers (Fla) and Richard L. Ottinger (NY) heatedly demanded its use to stem the immediate dangers of mercury poisoning. The mercury injunctions were sought under the Refuse Act, even though the mercury polluters were doing it "consistently."

The Justice Department may have to modify its stand on the Refuse Act again. Congressman Ottinger believes the Department's fluctuating attitude toward the law is not only inconsistent, it's illegal. He's announced filing a law suit to force the Justice Department to prosecute polluters under the Refuse Act.

The irony of a Congressman having to take a law 'n' order U.S. Attorney General to court to make him enforce the law is heady stuff for those on the sidelines. If the implication of "selective," albeit constantly changing, law enforcement weren't so frightening, one could amuse himself pondering how Justice's attitude toward polluters would work if applied say to pickpockets or armed robbers.

Or, as Representative Ottinger noted when he announced plans to sue, "On the one hand Mr. Mitchell calls for maximum enforcement of laws against individuals. On the other, he says he will not enforce the law against corporate polluters. It is this kind of uneven enforcement that breeds disrespect for the law."

—ED CHANEY.

STATEMENT BY THE HONORABLE SEYMOUR HALPERN ON THE HUNGARIAN MINORITY IN CZECHOSLOVAKIA

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. HALPERN. Mr. Speaker, on June 27, 1968, I spoke, together with several of my distinguished colleagues, on the developments in Czechoslovakia emphasizing their effects on the almost 1 million Hungarians of the Czechoslovak Republic.

In my speech, I reported hopeful trends in the relationship between Hungarians and Slovaks—promises of a new beginning in nationality policies and peace among the nationalities. Furthermore, I reported that the injustices inflicted upon the Hungarian minority after World War II were openly discussed and condemned by liberal Czechs, Slovaks, and Hungarians. My information proved that the leaders of the Hungarian minority were in the forefront of the liberalization movement. They were trying to create, along with some Czech and Slovak citizens, what they called a humane socialism instead of repressive Stalinism.

At that time, I expressed the hope that the federalization of Czechoslovakia would enhance the demands for local autonomy of the minority in the cultural sphere. I was hopeful that this would help to reconcile the nationalities of the Czechoslovak Republic. As we all know, this voluntary cooperation was suddenly interrupted by the Soviet Union's invasion. Even Hungary was forced to supply troops for the subjugation of Czechoslovakia. Federalization was only enacted after the Soviet invasion and did not fully encompass the ideals of Dubcek and his associates. However, Husak's commitment to a more independent position of Slovakia insured that some framework of autonomy would be implemented in the federalization statute. At present, the entire country is under Soviet rule and the "hard liners," like Indira and Strougal, often possess more power than the new secretary of the Czechoslovak Communist Party, Husak.

In the Western press there is no news on the Hungarian minority in Czechoslovakia. This speech seeks to add some information on this rarely mentioned subject and to give credit to the strength and commitment to freedom of the Hungarian minority in the face of Soviet occupation. There are both positive and negative elements.

On the positive side, here is now a Hungarian Under Secretary of State for Minority Affairs in the Slovak—not Czechoslovak—cabinet. This means the minority have a chance to have their grievances heard at the regional level.

Unfortunately, the negative elements predominate. No nationality statute was or will be passed; no self-administrative districts were established and they cannot even be mentioned. The 1968 leaders

were either replaced by Communists who will toe the line of Stalin or they were relegated to the background—Lorincz. The school situation did not improve and the relative freedom of the press before the invasion has been completely revoked.

Politically, therefore, the Hungarian minority is sharing the common fate of all Czechoslovak citizens under Soviet-dominated rule. As a nationality, the Hungarians are looked upon with some distrust because Hungary participated in the invasion. This is particularly unfair because Hungary did not press any territorial claims and the Hungarians of Czechoslovakia behaved as completely loyal citizens during the invasion and its aftermath. The Soviet policy of playing one nationality against the other has worked. Culturally, and educationally, the rights of the minority have decreased and are back to the pre-1968 level although still better than in the late 1940's and 1960's.

The struggle for retaining as many of the 1968 freedoms as possible still characterizes the Csemadok leadership and the editors of the *Uj Sze* and *A Het*, but they must work with great care and considerable subterfuge. I salute the citizens of Czechoslovakia, including the Hungarians of Slovakia, for their persistent efforts to retain some of the vestiges of cultural freedom and a humane socialism in the face of Soviet and domestic hard line pressures.

VETERANS DESERVE BETTER

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, it is gratifying to Members of Congress to know that the President has seen fit to sign the measure to increase disability compensation for veterans who have been disabled in the service of their country. It must be encouraging to those veterans to know that Mr. Nixon is willing to approve the additional \$218 million the Congress voted in this bill, over the objections of the administration, in view of the fact that the President has just vetoed an appropriations bill that included \$105 million for medical care for veterans.

Mr. Nixon has announced his plan to cut Federal spending in other areas to pay for the increased spending in the veterans disability measure. It is regrettable that he could not see his way clear to cutting Federal expenditures in areas where many Congressmen suggested in order to finance the appropriations bill that included funds for adequate medical care for wounded veterans returning from Vietnam. Many of these veterans have testified that they receive better medical care in Vietnam than they receive here at home. We owe them more than they are now receiving.

Surely an administration that maintains an Eastern and Western White

House and a vacation resort in Florida can find a way to cut nonessential expenses in order that our veterans can get the kind of medical care they deserve.

STUDENTS' CONSTRUCTIVE ACTION AT LAWRENCEVILLE SCHOOL

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 13, 1970

Mr. WEICKER. Mr. Speaker, as an alumnus of Lawrenceville School in Lawrenceville, N.J., I am particularly proud of the positive contribution which the young people of this school are making in their community. It is inspiring to know that these young people will someday lead our Nation. I feel their positive contribution is a step in the right direction, and we as a Nation have a great deal to be proud of in these young people.

The following is an article which was forwarded to me, as an alumnus of Lawrenceville. I feel it merits the attention of not only myself, but other Members as well. We should all take pride in the accomplishments of our younger generation, and be proud that they will someday lead our country.

The article follows:

STUDENTS FOR CONSTRUCTIVE ACTION

Bare feet, long hair, sideburns! Bell bottoms, granny glasses! Sloppy clothes, dirty faces! A disgrace to Lawrenceville? No. One of the most inspiring sights of the year. . . . Students for Constructive Action.

During the three weeks immediately following Commencement in June, a group of 39 boys from the second through the fifth forms worked enthusiastically eight hours a day on the School's campus, welding paint brushes, scrapers, hammers, garden tools and other implements. They moved and repaired furniture, moved and painted bleachers, and made themselves useful in a variety of jobs that needed doing.

Calling themselves Students for Constructive Action, the boys volunteered their time free to the School during periods from one to three weeks of their summer vacation, as an affirmative gesture. They differed widely in their political views, their philosophies, their backgrounds, and their motives. They were honor students, and boys who had been in academic difficulties; they were model students, and boys who had been subject to discipline for serious misconduct; they were wealthy boys and full scholarship boys. There was next year's School president (recruited on the spot for a week's work when he dropped in to visit one day), a member of the All America Prep School Swimming Team, a boy who wants to make religion more meaningful at Lawrenceville, even a boy who was dismissed from School for academic reasons before the program started, and several who had graduated the morning the program began. A diverse group! And they won praise from President Nixon.

Although diverse, they were, and are, united in a belief that the offer of their tangible physical labor within the framework of the Lawrenceville society could break down the polarization of faculty and students, "we vs. they," that inhibits constructive change. They were, and are, united in their interest in a more viable educational experience, in more responsibility, more freedom, and in a willingness to work with the adult society rather than against it.

The work program ended on June 27, but the group plans to recruit new members in the fall, and continue the project.

The leader and the originator of the program is Richard A. Farland '69, of Washington, D.C., son of the Honorable Joseph S. Farland, former U.S. Ambassador to Panama. The idea occurred to Richard when he was speaking with his father of his concern about campus dissent and negativism. He views the work program as a means of reversing the trend of apathy and unproductive griping that has characterized the majority of youth throughout the country, and as a very positive way of demonstrating to faculty and trustees that students do care, and can work constructively for change. The work, therefore, takes on a spiritual significance that transcends the mere physical, though even on those terms it was impressive.

In conjunction with the work program, the students have set up a scholarship fund effort to endow a scholarship for deserving applicants. They have made a good start, but they need help. "We've given time and labor," says Richard. "It's all we have. We need the support of the adult community to make the fund really amount to something."

Some unexpected benefits came out of the project, too.

During the three-week program, the group lived in Lodge with minimum supervision and regulations. They did their own house-keeping (though perhaps not to their mothers' standards). They demonstrated an ability to handle the obligations of additional freedom beyond that accorded them in the course of the normal school year. They developed a strong sense of community, a real *esprit de corps*, and a dedication to the job which on one occasion led them to forgo a suggested outing at the beach in favor of completing the painting of the bleachers.

The impact of the group on the adult community was impressive, too. Faculty who viewed the program with skepticism at the outset became enthusiastic supporters. And the boys earned the respect of the staff with whom they worked. The Superintendent of Grounds said simply, "Those boys were great. They are men. They really pulled their weight." They made discoveries, too. They found humanity in unexpected places. . . . "Rent-a-Cops are people, too," marveled one after a contact with one of the School's security agents.

At the end of the period, the "gap" seemed a little narrower than it had at the start.

TENTH ANNIVERSARY OF GABONESE INDEPENDENCE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. DIGGS. Mr. Speaker, on August 17 the Gabonese Republic celebrates the 10th anniversary of its independence. Like several other African countries, Gabon this year observes the date as one very special: the 10th anniversary of its independence. Gabon has made significant progress in those 10 years, establishing a sense of nationhood and striving to develop its economy. With its rich mineral deposits and forest resources the country offers even further prospects for increased development. Under its active and forward-looking leader, President Albert Bongo, Gabon follows a pro-Western policy, and extends wide investment opportunities in a climate of stability.

I am pleased to congratulate President Bongo and the Gabonese people on this 10th anniversary of independence, and to offer my best wishes for prosperity and continued progress in pursuit of Gabonese national goals.

PROSPECTS FOR A LASTING PEACE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CULVER. Mr. Speaker, all people interested in world peace must find encouragement in the recent developments which have taken place in the Middle East. Much of the credit for the ceasefire and the institution of talks must go to President Nixon and Secretary of State Rogers, through whose initiatives the major combatants have agreed to explore the possibilities of a negotiated settlement.

While the situation remains dangerous, especially due to the presence of Soviet personnel in the area, and while it would be premature to be overly optimistic about the prospects for a lasting peace, one cannot but be heartened by the progress which diplomatic efforts have made thus far.

The U.S. proposal involved primarily the acceptance by both sides of two principles: the establishment of a ceasefire and the beginning of direct talks. The full text of the proposal is contained in a letter sent by Secretary of State Rogers to the Foreign Minister of the United Arab Republic, which I insert in the RECORD at this time:

DEAR MR. FOREIGN MINISTER: I have read carefully President Nasser's statement of May 1 and your subsequent remarks to Mr. Bergus. Mr. Sisco has also reported fully on his conversations with President Nasser and you, and we have been giving serious thought to what can be done about the situation in the Near East. I agree that the situation is at a critical point and I think it is in our joint interest that the United States retain and strengthen friendly ties with all the peoples and states of the area. We hope this will prove possible and are prepared to do our part. We look to others concerned, and in particular to your government, which has so important a role to play, to move with us to seize this opportunity. If it is lost, we shall all suffer the consequences and we would regret such an outcome very much indeed. In this spirit, I urge that your government give the most careful consideration to the thoughts which I set forth below.

We are strongly interested in a lasting peace, and we would like to help the parties achieve it. We have made serious and practical proposals to that end, and we have counseled all parties on the need for compromise, and on the need to create an atmosphere in which peace is possible. By the latter we mean a reduction of tensions as well as clarifications of positions to give both Arabs and Israelis some confidence that the outcome will preserve their essential interests.

In our view, the most effective way to agree on a settlement would be for the parties to begin to work out under Ambassador Jarring's auspices the detailed steps necessary to carry out SC Resolution 242. For-

eign Minister Eban of Israel has recently said that Israel would be prepared to make important concessions once talks got started. At the same time, Egyptian participation in such talks would go far towards overcoming Israeli doubts that your government does in fact seek to make peace with it. I understand the problems that direct negotiations pose for you, and we have made it clear from the beginning that we were not proposing such an arrangement be put into effect at the outset, although, depending on the progress of discussions, we believe the parties will find it necessary to meet together at some point if peace is to be established between them.

With the above thoughts in mind, the US puts forward the following proposal for consideration of the UAR.

(a) that both Israel and the UAR subscribe to a restoration of the ceasefire for at least a limited period;

(b) that Israel and the UAR (as well as Israel and Jordan) subscribe to the following statement which would be in the form of a report from Ambassador Jarring to the Secretary General U Thant:

The UAR (Jordan) and Israel advise me that they agree:

(a) that having accepted and indicated their willingness to carry out Resolution 242 in all its parts, they will designate representatives to discussions to be held under my auspices, according to such procedure and at such places and times as I may recommend, taking into account as appropriate each side's preference as to method of procedure and previous experience between the parties;

(b) that the purpose of the aforementioned discussions is to reach agreement on the establishment of a just and lasting peace between them based on (1) mutual acknowledgment by the UAR (Jordan) and Israel of each other's sovereignty, territorial integrity and political independence, and (2) Israeli withdrawal from territories occupied in the 1967 conflict, both in accordance with Resolution 242;

(c) that, to facilitate my task of promoting agreement as set forth in Resolution 242, the parties will strictly observe, effective July 1 until at least October 1, the ceasefire resolutions of the Security Council.

We hope the UAR will find this proposal acceptable; we are also seeking Israeli acceptance. In the meantime, I am sure you will share my conviction that everything be done to hold these proposals in confidence so as not to prejudice the prospects for their acceptance.

I am sending a similar message to Foreign Minister Rifai. I look forward to your early reply.

With all best wishes,
Sincerely,

WILLIAM P. ROGERS.

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 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?

"WHAT CAN WE DO"

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. ADAIR. Mr. Speaker, recently a speech was made by Mr. Ralph Frey, vice president and general manager of the C. & P. Telephone Co., of Washington, D.C., before the Annual Pioneer Meeting. This group comprised of people who have been employed by the C. & P. Telephone Co., for 21 or more years, and their spouses, numbered almost 2,000 on the occasion of Mr. Frey's remarks. Because it is so timely, I am including it herewith:

"WHAT CAN WE DO"

Somewhere, ages and ages hence
Two roads diverged in a woods
And I, I took the one less traveled by
And that made all the difference.

We all know that Abraham saw the world as a palace in flames. It's almost as if he were alive today, for we are truly living in troubled times. Our world does seem to be in flames. We are beset by war and by killing, by racial unrest and by bias, by mental illness, by drugs, by anti-religion and by material success.

There are ranges of mountains so vast and so high, the Sierras, the Himalayas, the Andes, that even when we have negotiated the passes and crossed over to the other side, we are not really aware that we have, in fact, crossed over them.

In our times, now and in the years immediately ahead, we may be crossing just such a divide in human history.

Crossing over to a significant change in philosophic, political and human values. Changes that are shaking our very foundations. What then can we, as concerned human beings do, in these times? What are we to do when decent people, looking at the same thing, see vastly different problems and solutions?

Well, I would say that we must not despair, but rather that we should seek a greater understanding of what our own individual purposes in life should be. And I believe that a starting point is to work hard at making ourselves responsible people. For it is personal responsibility that leads one to become exceptional. To become an exceptional person, not to make a lot of money or to achieve high status, but exceptional so that the quality of one's life is extraordinary. Exceptional so that this quality is carried forward into all aspects of life.

It is not enough for us to have good motives, nor is it enough to have ability. Our tested wisdom of the ages has always told us these are not enough.

"Not by my might, nor by my power, but by my spirit saith the Lord." This word spirit is so old fashioned that it has lost much of its meaning. Yet, we must work hard on each one of our own souls if we are to be responsible people in these trying times. For surely the agony of modern man is that he is spiritually stunted. So, I would like to spend a couple of minutes talking about some of the dimensions that are important in building one's own spirit, one's own soul.

Now is this moment in time. It is the present. The Hebrews of old proclaimed, "This is the day which the Lord has made, rejoice and be glad in it." The prevailing thought for a person who is to strengthen his spirit is this. Now is the hour. I have known so many good and able people, who

have been ineffective because they lived in a past which will never return or in a future that never will be, and they achieved nothing. Now is the hour, for better or for worse, it's all we have.

From listening comes wisdom, from speaking comes repentance and this is what openness is all about. An openness that will strengthen the spirit. Listening, not just to hear the words but an attitude. An attitude toward other people and what they are trying to say. An attitude that reflects a genuine interest in others, one that leads to understanding in depth, from whence cometh wisdom. My experience has been that some very bright people make some pretty stupid mistakes because they won't listen. Saint Francis said it well. "Lord grant that I may seek, not so much to be understood, as to understand."

And humor. True humor that springs from the heart, not from the head. A humor that shows itself in still smiles. A true humor that is really a sense of proportion. The relevance of humor to our spirit is that we can have this inward smile about ourselves in moments of introspection. The ability to laugh at one's own self is truly a priceless gift.

And finally determination. The will to stay with it. A type of determination that never lets go. The determination, with courage, to do what is right, to do what must be done. To fight the good fight.

We all know that what we must do as individuals, in these trying times, is complex. And whatever the individual answer may be for each one of us, I am convinced that we must work from the heart, from our soul, from our spirit. For it is only by means of hope that we can attain that which is beyond hope.

What shall it profit a man if he shall gain the whole world, and lose his own soul.

COMMEMORATING THE 40TH ANNIVERSARY OF GARDENA, CALIF.

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. ANDERSON of California. Mr. Speaker, on September 11, the city of Gardena, in the 17th District of California, which I represent, will celebrate its 40th year of incorporation as a general law city. I would like to take this opportunity to review briefly the beginnings of this prosperous community and a few of its accomplishments since achieving cityhood.

The name Gardena derives from earlier reference to the area as a garden spot. Because of a sinuous fresh water slough that ran through the area and into San Pedro Bay, the Gardena Valley would be the only oasis of green in the bleak grey and brown landscape from Los Angeles to the harbor area, between the rainy seasons. There is much disagreement about who first used the name Gardena, but in "A Short History of Gardena Valley," by Olive Hensel Leonard and Emily D. Cost, the authors attributed the honor to a Mr. Harrison in 1887 when he laid out the first settlements in the area. The settlement was near the present intersection of 161st Street and Central Avenue, but that location had serious drawbacks, since tests revealed that the underground water was alkaline and drinking water had to be brought from the artesian wells of Compton to the east.

In April of 1890, a railroad began operation between Redondo Beach and Los Angeles, which led the Gardena residents to relocate their homes to the area around Vermont Avenue and Gardena Boulevard in order to be near the rail line.

There are many colorful aspects in the background of the community, such as the tale of how Don Manuel Dominguez came to give up 1,300 acres of what is now Gardena and neighboring Torrance, in order to settle a gambling debt at 50 cents an acre. The same land could not be purchased today for \$60,000 an acre.

Perhaps this is the heritage which led Gardena, after its incorporation, to take advantage of a local option provision of California law and vote to allow draw poker to be played legally within the city. Men whose ancestors had won their land "by the turn of an ace" could easily recognize poker as a game of skill rather than pure chance.

Throughout the years of prosperity that followed settlement, Gardena—and the small communities of Moneta, Western City, and Strawberry Park—were content to remain unincorporated, but the depression provided the spur of cityhood in the form of a heavy tax burden to support the purchase of park land. A special assessment district had been formed in 1926 to purchase what is now Alondra Park for \$1,114,000. After the stock market crash of 1929, many land owners could not pay their assessments for this district. To keep their citizens' property from being repossessed for taxes, the cities of Hawthorne, Inglewood, Torrance, and Redondo Beach withdrew from the park district and formed their own city park system, thus leaving an even heavier burden on those people who did not live in a city. The voters of the Gardena area decided to give themselves the same opportunity by the incorporation of the city of Gardena in a special election on August 5, 1930. To quote from authors Leonard and Cost, 4 years later:

City officers were elected and a temporary shack erected on North Magnolia for a City Hall. So far, the policy of the city founders seems to be that of watchful waiting and keeping strictly out of debt. It is their slogan that Gardena is the youngest town in the State, and the only one with no indebtedness.

On September 11, 1930, when the election results were certified, Wayne A. Bogart was sworn in as mayor, along with Councilmen Charles A. Hale, Albert A. Bamford, Francis M. Sever, and Earl H. Stewart; Treasurer Bernice M. Bornett and City Clerk Caroline A. Gregory.

Although Gardena is no longer "the youngest town in the State" it still has no indebtedness because the present city council—Robert R. Kane, mayor; Edmund J. Russ, Kiyoto "Ken" Nakaoka, Donald L. Dear, and Vincent A. Bell, councilmen—have followed the wishes and cautious policies of their political forefathers. The city's consistently low tax rate has steadily dropped since 1964 to a present level of only 70 cents per \$100 assessed valuation.

There were less than 3,500 residents of Gardena when the city was formed, but in its 40-year history, the population

has grown to more than 45,000 and with the gradual annexation of surrounding territory, the city has grown to more than 5 square miles.

The "temporary shack" has long since been replaced by a complex of modern brick and glass buildings to house the city hall, police station, fire station, and public library in a spacious green civic center.

Mr. Speaker, great strides have been made in the last 40 years by the fine people of Gardena, and it is with great pride that I rise to pay tribute to that city and the progressive leadership and dedicated citizens who have guided her through the years.

COOLING OFF THE BILL OF RIGHTS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. GALLAGHER. Mr. Speaker, I have long been concerned about the implications of the new technology and the ability it gives to control and dominate thousands of people. Most often, I have pointed to computer technology as a potential destroyer of American traditions, but I have recently learned of a device based on radio technology which certainly destroys one tradition: An American's right to enjoy a hot shower.

Detroit Edison Co. has a radio control device which can automatically shut off hot water in a home. By sending a frequency modulated signal racing across a city, individual hot water heaters or thousands of hot water heaters can be turned off. The justification for this action is the typically short sighted rationale given by people who want to use a new technology: In the interests of preserving electrical power at peak moments of use, the device has been activated.

Perhaps a useful use of technology, but let us consider the ultimate impact of such a device.

First, Mr. Speaker, it has been stated that a massive collection of data on individuals in computerized information systems will have a "chilling effect" on the exercise of first amendment rights. The Detroit technology can have a chilling effect on a man's right to take a shower.

Second, if you miss your April bill, you are threatened with a cold April shower.

Third, that beam in Big Brother's eye can now shred the former iron curtain for privacy, the shower curtain, and as usual it will be the citizen who takes a bath.

Fourth, since refined applications of this technology might very well be used to turn on all water in a city, it allows Detroit Edison to play God by activating all water outlets in a city for 40 days and 40 nights. This shower power is translated into all power to Detroit Edison.

Fifth, to fight "brownouts" for a city, this device gives "blueouts" to the astonished man who finds all his hot water gone. Indeed, instead of giving some-

one who the company does not like a cold shoulder, it can now give him a cold shower.

Sixth, I would like to point out one extremely valuable use of this new technology. During the debate over the "no knock" portion of the District of Columbia crime bill, I proposed an amendment which would have made it a crime to have indoor plumbing. Since people could destroy the evidence by flushing it down the drain, it was felt that police should be given the right to burst into a home. But, if this technology can be developed to the point of turning off all water in a specific home, it could become the operational arm of my "no flush" amendment and actually help preserve the concept of a man's home as his castle.

Finally, I am compelled to alter the old nonsense saying in honor of Detroit Edison's breakthrough:

Rub a dub dub, no water in the tub
Zap, zap, zap, shut off the tap.

Mr. Speaker, this incredible use of technology is all too true, I regret to say, and I insert in the Record at this point an article from the Wall Street Journal of July 22, 1970:

**DETROIT EDISON DEVICE TO CONSERVE POWER
SPARKS SOME DISCORD**

(By Michael J. Connor)

DETROIT—Picture it. You're standing in a nice, hot shower in the privacy of your home trying to forget a hard day at the office. Suddenly, you're standing in cold water.

The reason? An engineer sitting in the offices of your local electric company 10 miles away has pushed a button that sends a frequency modulated radio signal racing across the city. The signal activates an "energy control device" on the back of your basement water heater, which switches off the main supply of hot water.

The conjuring of a science fiction fiend? Not at all. Detroit Edison Co. is using such a radio control device here. And, because of it, they are in hot water with irate consumers. These consumers claim the electronic device not only shuts off hot water at the whim of the electric company, but also drives up their electric bills.

One suburban Detroit home builder, Henry Vartanian, is so angry that he is suing Detroit Edison, seeking \$15,000 of damages, which he says stem from the utility's use of the device. Mr. Vartanian also has filed a formal complaint with the Michigan Public Service Commission, seeking to block Detroit Edison from using the device. He and other consumers will get a chance to voice their complaints today at the commission's public hearing.

Detroit Edison doesn't deny it uses the devices, but neither company officials nor their attorneys will discuss the Vartanian case or other consumers' complaints.

It's believed that Detroit Edison uses the devices to conserve power at peak demand periods. Technical men, familiar with the devices say they are the most efficient method of controlling energy ever put into widespread use.

Motorola Communications & Electronics Inc., a subsidiary of Motorola Inc., makes the devices for Detroit Edison. But it won't say whether it's selling them to other utilities across the country. It's believed that the Detroit-Area installation, which began about two years ago, is the first in the country.

Attorneys for the irate consumers claim other utilities across the country are watching the legal and regulatory commission pro-

ceedings here as a test of the devices. A victory for Detroit Edison would pave the way for their use elsewhere, they contend.

One of the main complaints about the devices is that they are used to cut back on hot water when demand is greatest—in the early evening when many people are taking showers and washing dishes.

"This is big brother," says Mr. Vartanian, who claims the hot water has been stopped too often. "They can't dictate to me when I can take baths and when I wash dishes." Mr. Vartanian asserts that the device, which is only a little larger than an ordinary water meter, enables Detroit Edison to control his water heater for up to four hours at a time.

The water heaters under question are divided into two parts: A lower element, which comprises three-fourths of the unit and should supply hot water for ordinary use, and an upper, or reserve, element, which comprises the remaining one-fourth. Electricity is supplied to the lower element at a flat rate which, in Mr. Vartanian's case, is \$7 a month for a 110-gallon tank.

Some customers contend Detroit Edison has been using its radio device to turn off the power to the lower element. When that happens, they say the hot water supply gets low and the upper element is activated. But they say the upper element doesn't work on a flat rate—it's attached to the regular house meter and adds charges to the electric bill when it's functioning.

Mr. Vartanian says the radio device has doubled his electric bill. He might be able to bear that if the upper element were sufficient to provide him with hot water. But he says it isn't.

Richard Wines, another unhappy consumer, asserts a Detroit Edison salesman told him it would cost only \$4 a month more if he purchased an electric water heater. But after Mr. Wines switched, he says his electric bill jumped to \$45 from \$17 every two months.

"My wife can't complete her washing cycle. I get half way through my shower and run out of water. It's a laugh to see on television." "All the hot water when you need it," says Mr. Wines. He says the salesman who sold him his 50-gallon heater "never did explain about that big brother on the back of my tank."

**WINS FOUR STATE PRESS
AWARDS**

**HON. JAMES H. (JIMMY) QUILLEN
OF TENNESSEE**

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. QUILLEN. Mr. Speaker, the Newport Plain Talk, published in Newport, Tenn., recently received four University of Tennessee-Tennessee Press Association Awards for outstanding achievements in journalism.

The awards were in recognition of the newspaper's editorial and public service, as well as its use of color. By winning four State press awards, the Plain Talk has established quite a record.

Mr. A. L. Petrey, editor of the paper, accepted the awards at the Tennessee Press Association's 101st Anniversary Convention in Memphis.

Mr. Petrey merits special praise for winning first place for the best single editorial in competition with 121 weekly newspapers throughout the State. I believe this is indicative of his skill as an

editor and the high esteem in which he is held by members of his profession.

The entire staff, along with the owners and editor, deserve a pat on the back for making these awards possible, and I extend my congratulations.

The following story of these awards appeared on the front page of the Plain Talk:

**AT 101ST ANNIVERSARY CONVENTION—PLAIN
TALK WINS FOUR STATE PRESS AWARDS**

The Newport Plain Talk is the winner of four University of Tennessee-Tennessee Press Association Awards for achievements in journalism.

The presentation was made to A. L. Petrey, editor, by Dr. Joseph E. Johnson, vice-president of The University of Tennessee Friday at an Awards luncheon held at the Holiday Inn-Rivermont, Memphis, where members of the Tennessee Press Association were assembled for its 101st Anniversary Convention, July 11-13.

The Newport Plain Talk was in competition with 154 Tennessee newspapers who had submitted 590 entries in the contest.

Judges for the contest included journalism professors at Wayne State University, The University of Alabama and Louisiana State University.

FIRST PLACE: BEST SINGLE EDITORIAL

The Newport Plain Talk received a First Place Award for the Best Single Editorial in competition with 121 weekly newspapers throughout the state. The award is a beautifully engraved, walnut plaque citing The Newport Plain Talk's editorial achievement.

The award-winning editorial was printed on page one of the December 29, 1969 issue. The editorial, entitled, "Which Will It Be . . . Clean-Up Or Cover-Up?" cited the newspaper's stand for law and order in the county and in the face of attempted intimidation and threats to the newspaper and staff, printed the news as it occurred.

The prize winning editorial stated the newspaper offered its columns to those who criticized its position to explain their views for public appraisal. The editorial further stated that the newspaper joined the people of Cocke County in the hope that those involved in alleged violations of the law will have their day in court so that Cocke County can clean-up what is wrong and institute changes that will give the people of the county greater protection and pride in the integrity and honesty of law enforcement here.

SECOND PLACE: IN PUBLIC SERVICE

The Newport Plain Talk received Second Place honors certificate for the newspapers efforts in Public Service. The Newport Plain Talk was nosed-out of first place by Sweepstake Winner, Giles Free Press of Pulaski.

The Newport Plain Talk's entry in the Public Service contest was the largest entered by any newspaper. The entry compiled editorials, pictures and articles carried by the newspaper over an eleven month period on local law enforcement and alleged irregularities under investigation by the State, FBI and finally Federal Court which looked into possible Civil Rights violations.

WINS EDWARD J. MEEMAN FOUNDATION AWARDS

The Newport Plain Talk was one of five newspapers in the state to receive the coveted Edward J. Meeman Foundation Award and earned \$100 in cash for the Best Single Editorial for weeklies.

The Edward J. Meeman Foundation has for 19 years given these awards in honor of the late editor of the Memphis Press Scimitar.

The five top winners include: The Newport Plain Talk (Allison Simonton Memorial Award for Best Single Editorial Weeklies); Giles Free Press (editorials); Kingsport

Times (public service); Union City Daily Messenger (best single editorial for dailies); Rogersville Review (editorials).

RECEIVES HONORABLE MENTION FOR BEST USE OF COLOR

The Newport Plain Talk was in the top six weekly newspapers and received a certificate For The Best Use of Color in competition with 121 other weekly newspapers throughout the state.

A. L. Petrey, editor, said, "Of course we are highly pleased that The Newport Plain Talk's efforts have been recognized by The University of Tennessee and The Tennessee Press Association which is a great tribute to the entire staff of the newspaper."

"The Newport Plain Talk is committed to serving the people of Newport and Cocke County. We believe in telling it like it is through responsible reporting. We report the news as it happens fairly, honestly and objectively."

SOMETHING NEW HAS BEEN ADDED

The Newport Plain Talk is proud to add the "Prize Winning Emblem" to its front page. The emblem appears at the top right corner today where it will remain until June 1971.

WILLIAMS ELECTED PRESIDENT OF PTA

W. Bryant Williams, editor and publisher of the Paris Post-Intelligencer was elected president of Tennessee Press Association. Williams succeeds Donald Brookhart of the Crossville Chronicle.

"DELTA QUEEN"

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. SNYDER. Mr. Speaker, as you know, the day of decision for the *Delta Queen*, the last riverboat in America, is fast approaching. The fate of the 44-year-old *Queen* still hangs in the balance and the thought that she may be removed from the American scene weighs heavily on all of us who revere and cherish her.

Kentuckians are fighting hard to save her. Following is a resolution from Gov. Louie B. Nunn:

RESOLUTION

Whereas The *Delta Queen* is being forced out of overnight passenger service in November, 1970, because she is primarily of wood construction and therefore does not comply with the federal Safety At Sea Law of 1966 and

Whereas The *Delta Queen* meets all other safety and navigation regulations of the federal government as enforced by the United States Coast Guard and is inspected annually by the United States Coast Guard and

Whereas Greene Line Steamers, owner of the *Delta Queen*, has operated 28 steamboats on the nation's rivers for more than 80 years without a single passenger fatality and

Whereas the condition, maintenance and inspection system of the *Delta Queen* and the safety record of Greene Line Steamers in comparison with airline, automobile and other records, indicates steamboat travel is one of the safest forms of transportation in existence today and

Whereas the public is not trapped by circumstances into traveling aboard the *Delta Queen*, can appraise the risk, if any, of traveling on a boat mostly of wood construction and can decline to do so without being denied public transportation and

Whereas the *Delta Queen* calls at the Kentucky ports of Maysville, Covington, Newport, Warsaw, Carrollton, Louisville, Owensboro, Henderson, Hickman, Paducah and Gilbertsville and thus brings tourism to the Commonwealth of Kentucky and

Whereas the *Delta Queen* is considered one of America's unique tourist attractions and

Whereas the American steamboat is close to the hearts and lives of millions of Americans who live along the nation's great rivers in the 16 states served by the *Delta Queen* and stimulates joy and love of country wherever she sails and

Whereas America's steamboats and the experience they provide are often imitated across the world, but the *Delta Queen* is the last remaining American steamboat in operation and the last place in the world where this experience may be had in its original form and

Whereas the public and especially the citizens of Kentucky, through their petitions, have well expressed their desire to have the *Delta Queen* continue in overnight passenger service,

Now therefore be it resolved this 3rd day of August, 1970, that Kentucky supports the petitions of its citizens and of Greene Line Steamers, Inc., and requests the President and Congress of the United States of America, The Secretary of Transportation and the Chairman of the Merchant Marine and Fisheries Committee of the U.S. House of Representatives to grant a permanent exemption to the *Delta Queen* from the provisions of the federal Safety At Sea Law of 1966 to the extent that she be allowed to continue overnight passenger service among American river cities.

LOUIE B. NUNN,
Governor of Kentucky.

FRASER JOINS SPONSORS OF OLDER AMERICAN COMMUNITY SERVICE ACT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. FRASER. Mr. Speaker, I am happy to announce that I am joining 14 other Members of the House in sponsorship of the Older American Community Service Employment Act.

The Secretary of Labor would be authorized by this bill to provide part-time job opportunities for persons 55 and over who are on inadequate pensions and unable to find work. Those jobs would be with public and nonprofit agencies in service of the community. The authorization will be \$35 million in fiscal year 1971, \$60 million in fiscal year 1972, and \$100 million in fiscal year 1973.

Demonstration programs are now being funded in 21 cities under the senior aids program. One of these demonstrations is in Minneapolis, my home district. The project there has been a big success, and similar successes in other cities have prompted the National Council of Senior Citizens to enthusiastically endorse the program's expansion.

This concept deserves to move on from the demonstration stage. Over 1.4 million Americans between the ages of 55 and 64 have dropped out of the labor force. This is up 78 percent since 1950. The great majority of these citizens have

been honest, hard workers, and many still desire employment. I consider it a great tragedy that this considerable talent is going to waste—especially when the other side of the coin is often boredom, loneliness and despair for many who have done so much for this Nation.

I hope that the Committee on Education and Labor is able to give this prompt attention when the House reconvenes on September 9.

50TH ANNIVERSARY OF THE POLISH VICTORY AT VISTULA

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. MESKILL. Mr. Speaker, tomorrow, August 15, is the 50th anniversary of the Battle of Vistula, a date traditionally known as Polish Army Day. I am honored to join with loyal Americans of Polish descent and with all Poles in the free world in their commemoration of the day when the Polish nation secured peace for herself and all Europe for nearly 20 years.

Poland has suffered a long and stormy history. Time and again her people have had their freedom smothered by the oppressive hands of neighboring countries. But out of the First World War Polish dreams of national rebirth materialized and in 1918 that great soldier and patriot, Joseph Pilsudski, proclaimed the Polish republic.

Shortly thereafter, however, Poland's cherished independence was threatened. In 1920 the Russian Bolsheviks, having successfully achieved their revolution at home, began their march on Central Europe. Receiving little else besides the sympathy of her allies, the Polish nation had to face the danger alone.

Despite overwhelming odds the Poles, bolstered by the leadership of Marshal Pilsudski and love of their homeland, made their stand on the banks of the Vistula and routed the Bolshevik invaders.

The news of the Polish victory on the Vistula was greeted with immense relief by all those who feared the consequences which would inevitably have followed if the Soviet troops had advanced deep into Central Europe, joining hands with the subversive Communist elements waiting to overthrow the "capitalist" governments.

By their victory at the Vistula the Polish people, in effect, saved Europe from devastation and oppression for nearly 20 years.

But fate was not to be so kind. Despite the courage of these freedom-loving peoples, in World War II the tiny Republic of Poland was crushed by the occupation forces of Nazi Germany and the Soviet Union. In the wake of the war the Polish nation returned not to independence but to the oppressive domination of the Soviet Union.

The persecution which the Soviet Union has inflicted upon these courage-

ous people is intolerable. To deny the Poles their fundamental rights of freedom and self-determination is a violation of the essence of human dignity.

In recent years the world has witnessed fissures in the "monolithic" Soviet control. The differences which have developed between the Soviet Union and her "satellites" demonstrate the instability of a totalitarian system, the fragility of the Communist structure.

The repeated evidences that the spirit of Freedom and desire for liberty on the part of captive peoples are not dead but very much alive indeed strongly underscore the belief that freedom can never be suppressed and that captivity must never be accepted as inevitable. Truly the Communists have a tenuous hold over the hearts and minds of their captive peoples.

Mr. Speaker, 50 years after the Battle of Vistula, I would like to remind my colleagues and all freedom-loving peoples that the Poles, although still under the yoke of Soviet domination, maintain their strong desire for freedom. Their struggle continues.

The world cannot live at peace unless and until the territorial integrity and freedom of bonded people are restored, so that once again they may enjoy the precious rights of self-determination and self-government.

Throughout her history Poland has stood as a monument to courage, constantly aspiring to self-determination and national independence. She has, moreover, aided other countries in their struggle for survival. Casimir Pulaski gave his life for our independence. We, in turn, cannot allow Poland, her liberties and her glory, to succumb. Poland is not to perish but to live.

STOP THE DRUNK DRIVER

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. KEITH. Mr. Speaker, one of my constituents, W. T. Ohman, Sr., of Harwich, Mass., recently wrote to me after he had returned from a vacation in Norway. In Mr. Ohman's own words:

I visited several cousins whom I had not seen for 57 years. During the course of celebrations . . . it became very noticeable to us that the person driving that evening was not imbibing. Upon further investigation I found that to drive a car in conjunction with the use of alcohol in Norway, is absolutely forbidden. First offense is one year in jail; second offense, 5 years and license revoked forever. Needless to say, there are no accidents caused by drunken driving.

Mr. Ohman also enclosed an editorial from the Christian Science Monitor, describing how serious the situation is in the United States. As the Monitor points out, during the course of the Vietnam war, 43,000 Americans have been killed in combat while during the same period, 240,000 have died as a result of drunken driving.

In contrast with Norway, these statistics are shocking. I believe that our States, which have primary responsibility for punishing traffic violations, should

seriously review their penalties for drunken driving and consider stiffening sentences as a deterrent. I would also hope that our National Highway Safety Bureau will devote more resources and energy in the future to assisting the States in eliminating the scourge of drunk driving.

Finally, Mr. Speaker, I include the Monitor editorial at this point in the RECORD:

[From the Christian Science Monitor, July 15, 1970]

STOP THE DRUNK DRIVER

The people of the United States are deeply, and rightly, concerned over the some 43,000 American troops who have lost their lives in the last nine and one-half years in Vietnam. There is, also, a growing national grief over the still far fewer yet far too many young people whose deaths are traceable to drugs.

It is all the more amazing therefore that the American conscience still on the whole appears unmoved at the presence of a far, far greater killer. We are referring to the drunken driver who, during the period when 43,000 were killed in Vietnam, slew some 240,000 persons on the nation's highways.

At the present time this newspaper is running a 10-article series on this stupendous national problem. And from these articles there emerge three main conclusions. One is the astronomical cost in grief, suffering, death, injury, and financial loss caused by drunken drivers. The second is the incomprehensible apathy shown by the general public towards this scourge. The third is the fact that there is ample proof that this toll in lives could be drastically reduced by the application of already known and tested methods of control and prevention.

The healthy harvest to be reaped from controlling the drunken driver is immense, even leaving aside the most important benefit of all, the saving of lives and the preventing of injury. Automobile insurance rates would immediately drop dramatically. The cost of highway patrolling would fall. The pleasure of driving on the part of the sober driver would increase. Welfare costs would be favorably affected. So would the cost of maintaining hospital emergency wards. And the police, now forced to spend untold hours daily dealing with drunken driving, could spend more time protecting the community against crime.

Nor should steps such as alcohol breath tests, the lifting of driver licenses and penalties that hurt be looked upon as persecution of such drivers. Instead they should be viewed as doing him the greatest of possible favors—helping prevent him from killing or injuring himself or others.

There is, it is a true, a gradual awakening in the public mind of a desire to do something about this terrible national problem. But that desire is still not remotely strong enough in the country as a whole. Furthermore, far too many citizens continue to take a light-hearted view of what the mixture of alcohol and gasoline can do. Yet here is one, easily identifiable area in which a great step towards public safety can be taken. It is imperative that public officials have the courage and the general public have the wisdom to take this step.

STUDY ON DOGS AND SMOKING

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CARTER. Mr. Speaker, recently, Drs. Auerbach and Hammond reported results of a smoking dog study in an ef-

fort to show the relationship between smoking and health.

The scientific methods used in this study have been questioned. The American Medical Association and the new England Journal of Medicine rejected the research papers outright.

I enclose copy of a letter to Dr. Jesse L. Steinfeld for your perusal:

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 11, 1970.

Dr. JESSE L. STEINFELD,
The Surgeon General, U.S. Public Health Service, Department of Health, Education, and Welfare, Washington, D.C.

DEAR JESSE: I have received your July 10th reply to my letter to you of May 19 concerning the Auerbach-Hammond smoking dog study. As you can imagine, I was shocked and disappointed to learn that in your letter of June 12 to the American Cancer Society you gave an unqualified endorsement to the validity of the study, based on nothing more tangible than hearsay reports of the findings and your own strong feelings about smoking and health. This seems to have been an irresponsible act on your part and not in keeping with the scientific objectivity which should accompany your high office. As you must have anticipated, the news bureau of the American Cancer Society promptly released your letter to the press in an attempt to bolster their position with the prestige of your office.

As I told you in my letter of May 19, serious questions about the validity of this study had been raised by a distinguished pathologist whose letter I forwarded to you. You may by now have seen the enclosed article from the *Wall Street Journal* of July 8. The article reports that the *Journal of the American Medical Association* has decided not to publish the Auerbach-Hammond papers on the basis of reviews by twelve independent authorities. The article pointed out that the number of reviewers assigned to the Auerbach-Hammond data was much greater than usual because of the controversial nature of the experiment.

When I attended the meeting of the American Medical Association in Chicago on June 22, I learned that the President of the AMA, Dr. Gerald Dorman, had determined from a conversation with the Editor of the *Journal of the American Medical Association* that the independent reviewers had unanimously recommended rejection of the article. I believe that Dr. Dorman would confirm that information if you were to inquire.

Among the things that particularly disturb me, as a physician, about your letter to the American Cancer Society is your insistence that no formal review is necessary to establish the validity of this study in view of (a) its eminent sponsorship, (b) the reputation of the investigators and (c) the fact that two scientists in government service had the opportunity to review the data and apparently agreed with the reported findings.

As to the past point, it seems you have had some bad advice. At the time you wrote your letter, one of the pathologists whose opinion you relied on, Dr. Raymond Yesner of the Veterans Administration, had already become the center of controversy in connection with another research study relating to cigarette smoking. It seems that at a medical meeting Dr. Yesner took the liberty of interpreting certain data from an unpublished study originated by Dr. Alvan Feinstein of Yale. As you will see from the enclosed letter to the Editor of the *Journal of the American Medical Association*, Dr. Feinstein has publicly contradicted Dr. Yesner's interpretation of that data. You might also have taken account of the fact that Dr. Yesner is employed by the Veterans Administration which was a co-sponsor of the Auerbach-Hammond study. In view of these facts, I think you will agree that your reliance on Dr. Yesner was probably ill-advised.

I think you might also agree that such considerations as the "eminent sponsorship" of the study and the "reputations" of the investigators are not proper criteria for judging validity. The American Cancer Society, as you probably know, has sponsored antismoking commercials featuring a movie star who was recently convicted of illegal possession of marijuana.

Moreover, the two investigators last February released their findings to the popular press before presenting them to their scientific colleagues, a procedure which is considered highly improper among scientific researchers. In fact, their action caused the authoritative *New England Journal of Medicine* to reject the research papers outright. I think you might have considered these facts in assessing the "reputations" of the organization and people involved.

In view of the judgment you have pronounced, the integrity of your office requires you to make every effort to determine what criticisms the *Journal of the American Medical Association* reviewers made of the study and to amend the comments which you made to the American Cancer Society in your letter of June 12 and to correct the erroneous impression your letter has left with the American public.

As you pointed out in your letter, your Department has the statutory responsibility of reporting to the Congress periodically on the state of scientific research concerning cigarette smoking and health. I fear that your uncritical acceptance of this research, which is to this date unpublished in any scientific journal, is a clear reflection of the superficial and biased manner in which the information which goes into those reports is evaluated. I also believe that your action in this matter casts serious doubts upon the integrity and authority of information issuing from the Public Health Service in regard to the health consequences of smoking, and that my colleagues and the American people should be so advised.

The Congress is increasingly called upon to make public policy in the face of the proliferation health controversies which are confronting the American people. We must have objective scientists to guide our actions. The American people stand to lose much more than the right to smoke cigarettes if scientific judgments are made on such a capricious basis.

I would be most pleased to have your comments on the observations I have made in this letter.

Sincerely yours,

TIM LEE CARTER.

[From the Wall Street Journal, July 8, 1970]

AMA JOURNAL DECIDES TO WITHHOLD REPORTS ON DOGS AND SMOKING—CONTROVERSIAL TESTS SUPPOSEDLY CAUSED CANCER; THE MAGAZINE SAYS ARTICLES NEED REVISION

CHICAGO.—The Journal of the American Medical Association has decided not to publish two previously announced reports on a controversial experiment with dogs that is supposed to link cigaret smoking with lung cancer.

But the magazine, which is probably the most widely read medical journal in the U.S., insists that the articles haven't been rejected outright but simply returned for revision.

The reports have been causing controversy since early May, when the Tobacco Institute, the industry's trade association, announced it was mounting a major attack against the validity of the researchers' findings.

The articles describe the results of a 2½-year experiment on 94 pedigree beagle dogs that was carried out by two eminent scientists. The American Cancer Society has claimed that the experiment was significant in at least two ways: It produced lung cancer as a result of cigaret smoking in a significantly large experimental animal, and it

marked the first time that cancer had been induced in laboratory animals by causing them to inhale tobacco smoke.

REJECTION IS DENIED

Dr. Hugh H. Hussey, editor of the medical publication, denied in an interview that the articles had been rejected for publication. "They are not acceptable for publication in their present form," he said. The articles have been returned to their authors, he said, for "extensive revision."

The two scientists who carried out the experiment are Dr. E. Cuyler Hammond, a vice president of the American Cancer Society, and Dr. Oscar Auerbach, senior medical investigator for the Veterans Administration Hospital, East Orange, N.J.

In telephone interviews yesterday, both Dr. Hammond and Dr. Auerbach declined to criticize the medical journal for returning their articles. "We sent the articles to them in good faith, and we believe the American Medical Association also acts in good faith," said Dr. Auerbach.

Neither Dr. Hussey nor the two researchers would disclose details of the suggested changes. But Dr. Hammond said some of the objections centered on photographs accompanying the text. "There were complaints that the pictures were out of focus. But that's to be expected since the slides originally were in color but had to be printed in black and white (because) the magazine considers color pictures too expensive," he said.

REVIEWERS CALLED FAIR

Commented Dr. Auerbach: "The reviewers were as fair as they thought they could be. I may not agree with them, but it's all part of the give and take."

When the articles will appear in print is undecided. Dr. Hussey said the journal will reconsider the articles if they are resubmitted with the revisions. Or, he said, the authors may decide to submit them to another publication.

The two researchers said they haven't decided which course they will take.

Dr. Hussey rejected any suggestion of pressure on the magazine either from the tobacco industry or the American Medical Association not to publish the reports. "There was no pressure whatsoever," he said.

EXPERTS CONSULTED

The decision not to publish the articles, Dr. Hussey said, was made on the basis of reviews by about 12 independent authorities. These included an expert on veterinary medicine pathology, an expert in pulmonary disease and several pathologists. The number of reviewers, he said, was much greater than is usual for an article submitted for publication in the magazine "because of the great amount of publicity involved."

The experiment already has won the approval of the U.S. Surgeon General, who recently said it wasn't necessary to carry out a formal review of the experiment "to establish validity."

The surgeon general said in a letter to Dr. Auerbach that "if the question at issue is whether human-type lung cancer has been discovered in the lungs of dogs exposed to cigaret smoke, then the answer is yes." This finding he said, was the view of both Dr. John W. Berg a pathologist with the National Cancer Institute, and Dr. Raymond Yesner, associate professor of pathology at Yale University School of Medicine.

Dr. Auerbach said that the medical journal reviewers didn't dispute the claim that the tumors found in the dogs were of human type.

IMPACT WAS FORECAST

When the results of the experiment were first reported at a meeting of the American Cancer Society last February, a society spokesman said the experiment "should have a significant impact on the smoking of ciga-

rets in this country and will probably lead to a reassessment of advertising claims and policies of the cigaret industry."

A few weeks later the Tobacco Institute replied by challenging the Cancer Society to release the unpublished data on lung cancer in dogs for further scrutiny by "men of outstanding competence and integrity."

An institute spokesman said the "Tobacco Institute does not, and the public should not, accept at a face value the findings of this study."

[From JAMA, July 6, 1970]

SMOKING AND CANCER MORPHOLOGY

To the Editor: Having initiated the study of cigarette smoking and histologic morphology in patients with lung cancer that was "reported" in *THE JOURNAL* (211:2081, 1970), I regret its premature publication in your MEDICAL NEWS section.

Your report was based on material presented at the recent meeting of the American Association of Pathologists and Bacteriologists by Dr. Raymond Yesner who collaborated in this project and recorded many of the histologic findings. The results presented at that meeting were based on a preliminary analysis of the data, and they contain only Dr. Yesner's interpretations of those data.

The final report may show differences in the percentages because new statistical tabulations have been necessitated by a recent change in the criteria used for consolidation of histologic categories. Even if the percentages remain unchanged, however, I disagree with the interpretation that heavier smoking "caused" greater degrees of malignancy in lung cancer. The "base population" in this study consisted not of a general group of smokers and nonsmokers, but of people who already had lung cancer. Consequently, no causal inferences can be drawn about the role of smoking and creating either lung cancer or different cell types of cancer in a general population of smokers and nonsmokers. Furthermore, although increased rates of smoking were associated with increased rates of undifferentiated small cell cancers, such cancers were not found to be the most clinically "malignant" tumors in the patients we studied.

My own interpretation of the preliminary data is that they contradict a long-standing belief the pathogenesis of lung cancer. Although epidermoid carcinoma is generally regarded as exclusively a "cigarette smoker's cancer," four of the 42 people currently classified in our survey as having this type of cancer had not smoked cigarettes, and the rate of epidermoid carcinoma did not show an increase in association with increased amounts of smoking in the 449 patients we studied.

I apologize to any readers who assumed I had approved the contents of your report because they saw my name there, and I urge them to await formal publication of the complete results before drawing any conclusions.

ALVAN R. FEINSTEIN, M.D.
NEW HAVEN, CONN.

GUNS OR BUTTER—FREE OR SLAVE?

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the Westlake-Conejo Valley Times of July 29, 1970:

GUNS OR BUTTER—FREE OR SLAVE?

(By George Todt)

"The Soviets are capable of starting tomorrow one of the biggest wars there has ever been, and I am frankly not confident the outcome would be in our favor." (Admiral Hyman Rickover, USN—Testimony, U.S. House-Senate Committee on Atomic Energy, March, 1970.)

Last Sunday the Commander of the Soviet Navy flexed his chauvinist muscles in Moscow and vented his spleen on the Americans, as usual. Which is par for the course, ho hum.

His brand new fleet, which emphasizes missile-carrying ships—both above and below the water—has by this time "bound the hands of the imperialists" and now stands ready to deal a "crushing rebuff to any aggressor". Admiral Sergei Gorshkov proclaimed.

The Red's Arctic, Baltic, Black Sea, Mediterranean and Pacific Fleets presently number in excess of 350 first-class submarines, 75 of them nuclear-powered like ours. They need only a dozen more of the latter to catch up with the United States. Should pass us by the end of the year.

By contrast, Adolf Hitler had only some 60 submarines to commence World War II. Also, Ivan has 25 modern cruisers, mostly guided-missile types, and 100 destroyers constructed since the end of World War II. Plus another 1500 smaller vessels of all kinds and two brand new helicopter carriers.

In contrast to the 90 per cent modern construction of the Soviet Navy, ours is almost all World War II vintage—armed mostly with guns instead of more deadly missiles in the case of the cruisers.

Without friendly air cover overhead, a gun-cruiser is probably a sitting duck for a missile cruiser in the event of hostilities.

This is only part of the deteriorating picture of national defense as observed from the viewpoint of the Republic of the United States.

The Soviets also are racing overtime, at superheated capacity, to build for themselves the greatest commercial maritime fleet afloat.

Let Soviet Defense Minister Andrei Grechko speak words of peace and friendship as he uttered them with typical restraint from Moscow last Sunday:

"The Soviet Union's peace-loving Leninist foreign policy," he shouted in a sabre-rattling, belligerent diatribe "is threatened by a complicated, present-day international situation in which the ruling circles of the United States and other Western powers are strengthening aggressive blocs, intensifying the arms race and staging dangerous military ventures."

"The United States' criminal war in Vietnam and Cambodia the Israeli aggression in the Middle East, the intrigues of revenge-seeking forces in West Germany—all this is the doing of world imperialism with the United States monopolies at the head."

It seems to this writer that the Soviet Union is girding itself for war, not peace. And with us the eventual target, of course. Our anti-war and peace-at-any-price people may hide their heads in the sand as long as they desire, but the armed forces of the USSR continue consistently to expand.

As the armed might of the Communist international warlords mushrooms, we will become increasing targets for nuclear blackmail. As seen on a graphic scale, their fantastically expanding military power is going up—ours is coming down.

How much more belligerent will the Reds become toward us and our treaty allies if their massive armed strength rises 50 per cent above ours? Or 100 per cent? Even two hundred per cent? How merciful are the hard-boiled Communist leaders?

Will they listen to the tender pleas for love and understanding from the American "peace generation"—our hippies, yuppies,

slackers, deserters, rioters, revolutionaries, drug-oriented types, et al—if they become powerful enough to issue us an ultimatum?

Let the students remember their counterparts in Hungary 14 years ago, more recently the ill-fated Communist nation of Czechoslovakia. The Politburo in the Kremlin is not tenderly merciful even to their own kind behind the Iron Curtain. Why be foolhardy here?

More than a year ago I heard a down-to-earth and enlightening address by Gen. Thomas S. Power, USAF, former Commanding General of the Strategic Air Command. He came through the courtesy of Patrick J. Frawley, Jr., a noted patriot of high distinction, and spoke to several hundred leaders of the American Legion in the Ambassador Hotel in Los Angeles.

The brilliant Power put it on the line and said the United States would be superseded in strength by the Soviets by 1970 or 1971 at the rate we were going on the graph.

"When that time comes," he stated simply, "look out for nuclear blackmail."

General Power had no illusions then about the greedy designs of the most rabid imperialists of our time—the Soviet Union—and neither does President Richard Nixon in the White House today.

The difficulty for the President, however, is that he is besieged literally by droves of anti-war peaceniks in positions of influence who desire the budget cut at the expense of guns over butter.

Let us remind them that if the United States is ever defeated on the world stage, there will be no further "war on poverty," "urban re-development," "operation head-start," "peace corps," or what have you?

All we will have left is the American version of the Siberian Salt Mines. Or, off to the newest in concentration camps, Tovarich!

ACHIEVEMENT ANALYSIS OF THE PILOT TRAINING CYCLE OF THE PITTSBURGH-ANTIOCH INDUSTRIAL MANPOWER CENTER

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. WALDIE. Mr. Speaker, I would like to call the attention of the House to a very successful manpower development program in my district. The name of the program is the Pittsburgh-Antioch Industrial Manpower Center operated by the U.S. R. & D. Corp., in the northern California area east of San Francisco. In addition to the primary purpose of training in basic education, the industrial manpower center has had an enormous impact on the general community.

The following remarks serve to give an overall picture of the program and serve to enlighten the reader on the very successful practical results since its initiation:

ACHIEVEMENT ANALYSIS OF THE PILOT TRAINING CYCLE

INTRODUCTION

In May, 1968, private industry and government began a unique experiment in Antioch, California. The question the demonstration sought to answer was this:

Could private industry use its management and educational techniques to transform so-called hard core "Uneducables and unemployables" into employees who were attractive to industry and who had acquired the base to develop within a company:

On the other side of the coin was the ques-

tion of whether industry, hostile and suspicious of government activities, could accept and adopt this concept. Could the project develop enough community support to change ingrained methods and procedures, not only within industry, but at the source of drop-outs, the school system.

On each of these questions industry and the community has answered with a resounding: "yes" and the answer was not only in words but in changed actions, changed attitudes and changed systems and procedures. The project, financed as a demonstration grant by the U.S. Department of Labor was managed by the United States Research & Development Corp., a subsidiary of Monogram Industries. The initial contract extended for one year and was renewed in May of 1969 extending through December 1970.

As of this evaluation 453 trainees have graduated from the program. Most were classified as hard core unemployables.

344 graduates or 71% of the trainees are now placed or employed including 27 placed in college. 118 of the 156 graduates or 75% of cycles, 1, 2 & 3 have been on the job for 6 months or longer. Of the total number working 48% have been employed for 6 months or more.

Out of the 4th, 5th, & 6th training cycles, 27 graduates entered college, a significant accomplishment considering most had failed to successfully handle high school curriculum. During the 10 week training cycle their attitude towards life and educational attainment improved considerably and upon graduation they were confident in their decisions to further their education. This was an unanticipated byproduct of the program. When they enter the job market, it will be at the management or white collar level, with open horizons for advancement.

Four graduates are now employed at the Center.

THE TRAINEE

The typical applicant is young, between 19 and 25, with no high school diploma and a low-level of academic achievement. He reports that he survives as a "part time hustler" and an occasional worker. He's sophisticated about street life and jaded about government programs. He is knowledgeable about drugs and, if not an addict, a frequent user. He's been promised a lot during his short life, but no one has delivered successfully, so he is cynical, frustrated, bitter, angry and frightened about life.

His driving license is suspended for possession and he has served time in local jails. He hates the police and distrusts anyone in the establishment, particularly public defenders, social workers and other agency officials who are charged with assisting him. He will often have employment aspirations beyond his educational and personal achievement. He needs money and wants to work, if not in a permanent position, at least for a few months. Upon entering training, he is belligerent and continues his life in the street.

He has an average reading level of 6.7 and his communication skills are poor. He lacks the desire to relate effectively with peer group members, Center staff or potential employers. His personal appearance is shabby and he cannot see any reason for improving his dress or personal hygiene.

The statistics on the following pages are indicative of the results of the basic thrust of the program: employment preparation, through a 10 week intensive training program of Basic Education and Human Resource Development; the former comprised of mathematical concepts, reading, vocabulary and writing skills and the latter stressing, but not limited to, those skills necessary to seek, gain and maintain a job, and function effectively within society.

The median education level of graduates was 9.3, a 2.6 grade increase. In addition, there was significant, but unmeasurable

growth in the life skills necessary to become productive and useful citizens to seek and maintain a job, and provide a stable home for the next generation. They had broken the cycle of poverty.

SUMMARY

The Pittsburg-Antioch Industrial Manpower Center is located approximately 40 miles northeast of San Francisco, California in the city of Antioch (pop. 29,000).

Stated succinctly, the program is designed to take individuals who are unemployable or unemployed through an intensive 10 week training program of Basic Education and Human Resource Development (people to people communication through group discussion and group dynamics), and make them job ready and job placeable in entry level positions in the surrounding Industrial, Commercial, public and private sectors. For those individuals already employed, but lacking the necessary education or motivation for upgrading, the center offers an evening program geared toward the development of the necessary education and motivation for upward mobility.

In addition, the Center is now offering a basic remedial work preparation program for those individuals who are non-readers or have less than 4th grade achievement levels.

In keeping with the basic precepts of its 2nd year objectives, the Center is broadening its community outreach and expanding its programs into inplant industrial classrooms (Fibreboard Ind., Antioch, Shell Oil, Martinez); operating classrooms in the Pittsburg Unified School District Continuation School where significant and productive gains were made in the educational system by modifying the IMC program and curriculum to augment Delta High Schools material and teaching techniques. This program was designed to catch the potential drop-out before he completely abandoned the system.

In the first eight weeks of the high school operation 8 of 15 students were employed in part time jobs. And by the 10th week, 13 of 15 were working. Approximately 80% of the students in IMC's classes attend school everyday. This compares to 60% daily attendance in other classes at Delta High.

Further, the Center is conducting Management Training Seminars with supervisory personnel from education, city government, social services, industry and law enforcement, which are designed to make them more effective with and sensitive to, the employment problems of the multidisadvantaged employee.

Some individuals who had previously failed entrance tests for admission to college, have at the end of 10 weeks, passed the admission tests and are currently enrolled in college. Several trainees who felt that higher education is desirable for vocational and professional growth, have entered Diablo Valley College in Concord; Cal State at Hayward; and Chabot College at Hayward. One graduate was awarded a scholarship to Oregon State University, Oregon.

The Industrial Manpower Center Alumni has initiated a scholarship drive to augment this program for further college transfers. Industrial concerns, banks, private businesses and citizens from the surrounding communities have contributed substantially to this fund.¹

While trainee transition to college is not the Center's main thrust, the program has afforded the educational and motivational tools for those individuals who feel strongly about furthering their education.

¹ United States Steel, Pittsburg, California; Bank of America, Antioch, California; John Burton Machine Corp., Concord, California; Antioch Recreation Center, Antioch, California; Tito's Men's Store, Antioch, California; Monogram Industries, Los Angeles, California and many others.

THE PROGRAM

The two main components of the program, Basic Education and Human Resource Development, are conducted on a daily basis. The Basic Education program uses the United States Research and Development Corp. system of conceptual learning. This system consists of use of individualized and classroom instruction using tapes, recorders, pre-recorded tapes and proprietary textbooks in a variety of subjects.

While a Basic Education trainer is always present in the group, the B.E. Trainer is not a traditionally certified teacher. Trainees often work individually utilizing normal group processes, teaching themselves and each other. Each moves at his own pace which quickly gains momentum as the group develops.

In Human Resources Development small group discussions are conducted by an HRD Trainer with a curriculum designed to equip trainees with those skills necessary to seek, gain and maintain a job. Topics include communication skills, employer-employee relations, consumer education, medical self-help, money management, motivation, behavior and attitude development.

In all aspects of the program, trainees are encouraged to examine their own ideas, feelings and attitudes, thereby learning skills which they can use in the future to resolve problems more effectively.

THE GRADUATES

The 453 Trainees graduated from the Industrial Manpower Center are classified by race, sex, age and status as follows:

(Composition of Class)

	Percent
Number of trainees enrolled.....	580
Number of graduates.....	453
Number of female.....	140
Number of male.....	313
Number of white female.....	36
Number of black female.....	82
Number of Mexican-American.....	22
Number of white male.....	99
Number of black male.....	144
Number of Mexican-American male.....	67
Number of Oriental female.....	0
Number of Oriental male.....	3
Percentage female.....	31
Percentage male.....	69

(Age Breakdown—Total)

Under 21.....	105
21-35.....	260
Over 35.....	88
Total.....	453

(Marital status)

Number married.....	184
Number single.....	165
Number divorced.....	52
Number separated.....	49
Number widows.....	3
Total.....	453

EDUCATIONAL ACCOMPLISHMENT

The Industrial Manpower Center's educational program is designed to impart those skills necessary for entry levels and upgraded positions within the business sector. In addition, the Center encourages those trainees who have not graduated from high school to further their education. Of 24 trainees who have taken the General Equivalency Diploma Test (equivalent of high school diploma), 23 have passed and received their GED'S.

The Stanford Achievement and Gates Reading test are administered to the trainees prior to their first day of training. In the final week of training, the test is given to measure their advancement. While the median grade increase of graduates was 2.6, there were several individuals who raised their educational skills 5 to 8 grade levels.

Based on the tests, the trainees made the following academic gains:

As procedures and techniques were improved to meet the unique characteristics of the student body, the achievement rate noticeably increased. The grade increases are now consistently +3.0 for the 10 week program.

UPGRADING

Upgrading results for the 6 cycles were: Graduates employed at beginning of training—78.

1. Changed to better jobs—26.
2. Received pay raise or promotion—9.
3. Quit or laid off from job—5.
4. No change in job or upgrading as yet—38.

THE UNEMPLOYED

Graduates unemployed at the beginning of training—375.

1. Now employed—266.
2. Unemployed to date—68.
3. Unemployed due to health—19.
4. Domestic & Seasonal—9.
5. Moved from area 13.

	Grade level before training	Grade level after training courses completed	Advance of training
Cycle I.....	6.6	8.2	1.6
Cycle II.....	6.6	8.7	2.1
Cycle III.....	6.6	8.9	2.3
Cycle IV.....	6.4	9.7	3.3
Cycle V.....	6.6	9.8	3.2
Cycle VI.....	7.0	10.0	3.0

RESULTS OF TRAINING

The training emphasizes "self-responsibility" so that the trainee will begin to assume IMC is not a crutch, or a hand-out, but a stepping stone.

While the immediate goal of the program is employment preparation and upgrading, the Center is dedicated to producing an individual who not only feels responsible for himself, but also possesses those attitudes indicative of a mature and responsible citizen.

GENERAL CONCLUSION

With the support and cooperation of the various Industrial concerns, County organizations, small businesses and private citizens that make up the community in which the Center serves, the goal of the program, moving people off of the Welfare Rolls or from Unemployment, is being realized.

Unquestionably, the results of the 6 training cycles are unparalleled in this area of California, and by any standard are extraordinary, bordering on the unbelievable. To move a person destined for a life of poverty and misery to a college career in ten weeks, is an achievement without comparison. And to continue on the basic mission of providing a formerly skeptical industrial community with productive workers, while cooperating with the school system to reduce drop-outs, is a demonstration that private industry can successfully apply its techniques to the problems of society. That the results are replicable, is perhaps the most significant aspect of the program.

To date, the cost of the project is \$724,223. The graduates of the U.S. R&D-IMC have an approximate annual increase in income of \$842,565 and will pay the State and Federal governments an additional \$168,597 per year in taxes, an approximate 21% return on investment. And, the yearly savings to the State in Welfare payments is \$190,436.

Tax Consumers were given the opportunity to become viable, productive and employed citizens of their communities, through their experiences at the Industrial Manpower Center.

The Result: Tax Liabilities became Tax Payers.

ASIANIZATION—NOT VIETNAMIZATION OF THE VIETNAM WAR

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. ADAIR. Mr. Speaker, among the more significant results of the destruction of the Communist sanctuaries in Cambodia has been the increasing cooperation among the free Asian nations in their efforts to escape Communist bondage. Thailand, South Vietnam, and Cambodia are all working actively together to form a united front against the Vietcong and North Vietnam. Other Asian nations such as Indonesia and Japan are furnishing economic aid to beleaguered Cambodia. Prof. Lev Dobriansky of Georgetown University actually foresaw some of this with a very perceptive article, which appeared in *Insight* for February 15, 1970. I commend his thoughts to the attention of my colleagues:

ASIANIZATION—NOT VIETNAMIZATION OF THE VIETNAM WAR

(By Dr. Lev Dobriansky)

To achieve "victory" in Vietnam, our policy has developed into a Vietnamization of the war there. This means a gradually staged withdrawal of American ground troops and their substitution by South Vietnamese personnel to undertake the burdens of the battle. American logistical and air and naval support will be continued as the capability of the South Vietnamese is enhanced. With augmented responsibility on the battlefield, it is expected that the Thieu government will also broaden the popular base in South Vietnam. The ideal objective in this application of the principle of implemented self-reliance are: (1) South Vietnamese self-determination in all spheres, including the military; (2) elimination of grounds for North Vietnamese charges of "U.S. Imperialism"; (3) a fading out of the war as the South Vietnamese extend their control to more than 90% of the territory; and (4) with security maintained, a rapid economic development of South Vietnam along the lines of the Republic of China and Korea.

Prayerfully, every right-thinking American hopes that the Vietnamization policy will bring these results, for the good of America as well as that of Vietnam. In the spirit of constructive criticism, however, it is necessary to point out certain contradictions, ifs, and assumptions involved in this policy, as well as to outline an alternative policy should the current one fail. First, it must be stressed that the war in Southeast Asia is not confined to the territory of South Vietnam but, actually and in varying degrees of political and guerrilla warfare, extends in arc-like shape from the Mekong Delta to Laos, north-eastern Thailand, north Burma, over to Calcutta in India. South Vietnam is not the only target of Red aggression, though it be the most prominent one at the moment. The Red sanctuaries in Laos and Cambodia can insure a protracted and even a more intensified war against the South Vietnamese, thus impeding the Vietnamization process and aggravating the American position both in Paris and at home. Added Red pressures in Thailand and Burma would aggravate the situation further.

Second, by Vietnamizing the war, we shall inadvertently be giving credence to the myth that the war is a "civil" one. Basically supported by the Russian totalitarians, the war

is international. Thirdly, this move also places in doubt the action to be taken by our allies in Vietnam. The Philippines has already begun its pull-out of 3000 men, and the question is what will be the fate of about 50,000 Koreans, 10,000 Thais, 7500 Australians and 500 New Zealanders now fighting in Vietnam? And lastly, with over 10,000 North Vietnamese having invaded the Mekong Delta in the past six months, it is becoming increasingly evident that Hanoi seeks to put the policy to a test in the near future.

The alternative policy is Asianization of the war, which emphatically it has been as shown by the embryonic presence of other Asian allies and logically is an Asian battle in the global conflict between freedom and basically Soviet Russian imperio-colonialism. This more realistic policy would augment the present Asian forces in Vietnam (e.g. an additional Korean division for a withdrawn American one sent for security duty in Korea) allow Chinese nationalist forces to cover the DMZ in Vietnam and extend into Laos, encourage Japanese road-building in the Delta and Laos, and also increase the capability of the South Vietnamese. The advantages of this more realistic policy are far greater than the current one and, paradoxically enough, the risks of protracted and even escalated warfare are less. These are:

- (1) An accelerated cessation of the war itself in Vietnam, given U.S. logistical support throughout;
- (2) Greater emphasis on the all-Asian nature of the war and its significance for the world struggle;
- (3) An expanded framework for the sound policy of Asia for the Asians.
- (4) Undermining of the general Red front from Calcutta to the Mekong;
- (5) A catalyst for the formation of an Asian "NATO" against future Red aggressions.

The risks of Red Chinese or Russian armed intervention are negated by these factors: (1) Asianization only magnifies what essentially has been present in Vietnam; (2) Red China is in such chaos today that it wouldn't risk a repetition of Korea, which in itself was an unforgettable, sour experience for her; and (3) the USSR, which follows the necessary policy of not committing its unreliable forces in overt warfare, is so over-committed now in other Cold War ventures and is patently in an economic mess within its own empire-state that it would not entertain the risk. In short, the opportunity for Asianization now, with all realizable advantages, is golden, indeed.

AMERICANS OF THE JEWISH FAITH

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. HALPERN. Mr. Speaker, I would like to call the attention of my colleagues to a resolution which I have introduced in the House and which has been introduced in the other body by the able and distinguished Senator from Indiana, the Honorable VANCE HARTKE, conveying the sense of gratitude and pride of the House of Representatives and of the American people in the accomplishments and achievements of Americans of Jewish faith. These Americans have served in the Armed Forces of the United States in the defense of this Nation. The Jewish War Veterans of our country have served

us well and it is only fitting that we salute them on this their 75th diamond jubilee anniversary. The resolution follows:

JEWISH WAR VETERANS

Whereas service in the military has special significance for Americans of the Jewish faith, since during the Middle Ages, their ancestors were denied the right to bear arms and the opportunities for citizenship which were granted to the citizen-soldier, and

Whereas, from the days in 1664, when Asser Levy successfully petitioned the military governor of New Amsterdam (now New York) to stand watch and subsequently gained rights of citizenship, Jews have participated in every war in our nations' defense, and

Whereas, cognizant of their obligations as citizens, Jewish veterans who fought in the Civil War in 1896 organized into an association to advance the principles of democracy for which they and their comrades in arms risked their lives in battle, and

Whereas, the Jewish War Veterans is now the oldest, active veterans organization in this country, and for the past seventy-five years since their founding, have been in the forefront to advance the rights of all minority groups who have sought freedom on these shores, have pursued diverse community service projects not only to provide aid and comfort to the less fortunate veteran and his dependents, but to extend their assistance to all in need in our society, and have staunchly backed the aspirations of Israel for freedom and independence,

Therefore be it resolved, That the United States House of Representatives express its sense of gratitude for the accomplishments and achievements of Americans of the Jewish faith who have served in the defense of this nation in the Armed Forces of the United States in all our Nation's wars and

That the U.S. House of Representatives offer its congratulations to the Jewish War Veterans of United States of America on their seventy-fifth, "Diamond Jubilee Anniversary."

REGISTER TO VOTE

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. REES. Mr. Speaker, there is no privilege so important in our democracy as the right to vote, and yet millions of Americans are deprived of that privilege because of their failure to register to vote. To facilitate the registration of voters in my district regardless of political party, I am sending postcards to prospective voters notifying them of the deadline for registration for the coming election and offering the services of my office to help in the registration effort. I am inserting in the *RECORD* the text of this postcard for the benefit of other Members who may be interested:

House of Representatives, U.S.
Washington, D.C. 20818
Official Business

Thomas M. Rees
M.C.

ARE YOU REGISTERED TO VOTE?

DEAR FRIENDS: I am offering the services of my office to ensure that all eligible voters—regardless of political party—are registered

to vote in the Statewide election November 3.

The law requires that you must re-register if you did not vote in the 1968 Presidential election, or if you are not registered at your present address.

And you must be registered by September 10 to vote in November.

If you are not now registered, please fill in the attached form and mail it back to me. I will give it to a Deputy Registrar and every effort will be made to register you to vote.

Please call the County Registrar of Voters at 628-9211, or my office at 652-4000, if you have any questions.

Sincerely,

THOMAS M. REES,
U.S. Congressman.

IF YOU ARE NOT NOW REGISTERED TO VOTE
FILL IN AND RETURN

(Note: This card does not register you to vote, but every effort will be made to have a Deputy Registrar contact you).

(Please print)

Names _____

Address _____

City _____ Zip _____

Phone _____

Party preference:*

☐ Democratic

☐ Republican

☐ Other

(*Not required, but will help volunteer workers).

☐ Check here if registered at old address.

REGISTRATION CLOSING AT SEPTEMBER 10

[Place 5c stamp here]

Congressman Thomas M. Rees
816 South Robertson Boulevard
Los Angeles, California 90035

WHAT OUR SCHOOLS NEED

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mrs. SULLIVAN. Mr. Speaker, St. Louis, as many other cities in this country, is presently faced with the task of securing a new superintendent of schools to replace Dr. William A. Kottmeyer who has resigned after 35 years of dedicated service.

In the CONGRESSIONAL RECORD of August 7, I inserted two articles presenting Dr. Kottmeyer's views of the changes that have occurred in our educational system and what may be expected in the future.

KMOX—CBS radio—in St. Louis broadcast an editorial recently which deserves the thoughtful attention of everyone interested in the future of our children. I commend it to all of my colleagues:

[KMOX radio, St. Louis, Aug. 5, 1970]

WHAT OUR SCHOOLS NEED

The public schools need more money. The public schools need better teachers. The public schools need modern buildings, improved textbooks and study materials.

But even if they got all these things the public schools still would have massive problems. For what our schools really need cannot be bought with bond issue money or

higher tax levies. They need what money can't buy: more influence from the church and more stable family life.

That's the opinion of a man who should know. He's one of the nation's leading experts on public education, William A. Kottmeyer. He recently resigned as Superintendent of the St. Louis Public Schools after 15 years.

According to Dr. Kottmeyer, both religion and family used to be as important as the schools in educating and training a child for good citizenship. Church, home and school all taught the same message: work hard, study hard, obey the Commandments, respect your parents, teachers and clergyman, and you would be successful in life.

Now, Dr. Kottmeyer says, only the schools are expected to carry this message. The influence of the church has waned. Our homes are torn by divorce, separation, preoccupation of the father with earning a living.

The schools can't do the job alone, and they are bending, even breaking under the strain.

The solution goes back to a theme that KMOX Radio editorials have stressed so many times . . . a theme we believe cannot be stressed often enough. Individual responsibility. Individual moral and religious training in each of our homes. For without such training, our schools have no foundation on which to build. And they face increased problems of disobedience, vandalism and just plain indifference.

Blaming the educators is only passing the buck, KMOX Radio agrees with Dr. Kottmeyer that each mother and father in America must assume more responsibility for training children for good citizenship. Only then will the problems of public education be solved.

SCHOOL CATERER TO USE FISH FLOUR IN LUNCHES

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BOB WILSON. Mr. Speaker, one of the most exciting prospects for solving malnutrition and world hunger is the use of fish protein concentrate sometimes known as fish flour.

Although much progress has been made in the United States under various experimental processes, it is disturbing to me that a Swedish company appears to be making better progress than we are. I would hope the Food and Drug Administration would recognize the international importance of our leadership in this field and renew unnecessary restraints on the production of FPC here.

I recently had the privilege of attending the third International Congress of Food Science and Technology as a guest of Mrs. Edythe Robertson, one of the most distinguished nutritionists in this country. Mrs. Robertson is a pioneer in the use of fish protein concentrate and various types of food products. She recognized the tremendous potential of this new source of protein from the sea yet I am sure she, too, is frustrated by the bureaucratic limitations and restrictions placed on this product.

Under unanimous consent I include a recent newspaper article quoting Mrs. Robertson about the potential of FPC in school lunches:

[From the Washington Star, Aug. 13, 1970]

SCHOOL CATERER TO USE FISH FLOUR IN LUNCHES

(By William Hines)

The world's largest caterer of school lunches is prepared to start fortifying its pre-packaged meals with a nourishing "fish flour" just as soon as a reliable supply is established, according to a nutritionist for the Philadelphia-based company.

ARA Services Inc. is negotiating with Nabisco-Astra, a consortium of the National Biscuit Co. and the Swedish Astra Industrial group, for a steady supply of EFP-90, a protein concentrate made from eviscerated herring. Mrs. Edythe Robertson said yesterday. The protein-rich substance will be added to such popular goods as pizza and other baked goods, she said.

Mrs. Robertson and officials of the U.S.-Swedish combine discussed the plans here at the third International Congress on Food Science and Technology.

STRONGLY REGULATED

Development of a large-scale fish protein industry in the United States has been held back by Food and Drug Administration regulations, which have virtually barred the material from domestic commerce. A product known as whole fish protein concentrate can be sold here only in one-pound packages labeled "for household use only."

This has made it impossible for manufacturers of the whole fish concentrate to put the powder in the hands of bakers and other food processors for use to reinforce the nutritional value of their products.

EFP-90, which contains more than 90 percent by weight of animal protein, can be used in commerce because it is made of fish from which the viscera have been removed. Non-eviscerated fish are a common item of interstate commerce under FDA regulations in the form of canned sardines.

USE NOW ALLOWED

Mrs. Robertson said that this year for the first time the Department of Agriculture has announced that fortified foods can be used in the "Type A" lunch that may be fed to children under the school lunch program. This lunch provides one-third of the minimum daily requirement of protein—the equivalent of two ounces of meat. Any additive not specifically forbidden may be used, and EFP-90 is not forbidden, she said.

"In a few years there will be 55 million children getting school lunches at a cost of \$7 billion at 1936 price levels," Mrs. Robertson said. "Animal protein is now 60 percent of the cost of the meal, and we've simply got to hold costs down."

Fish protein as an additive will solve this problem, Mrs. Robertson said.

Mrs. Robertson said her company is "the largest contract feeder in the world," catering about 5,000,000 pre-packaged school lunches a day.

Per Hoel, Swedish president of Nabisco-Astra, said EFP-90, which his company makes from eviscerated herring, costs 48.5 cents a pound FOB Swedish ports.

MRS. STACEY YASKELL CELEBRATES 100 YEARS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. RODINO. Mr. Speaker, I wish to extend my warmest congratulations to my constituent, Mrs. Stacey Yaskell of 18 Roseville Place in Newark, on her

100th birthday. Her life has been marked by great service and good will. This is indeed a memorable occasion and she has my every good wish for the continued enjoyment of life's many blessings.

THE MINING INDUSTRY AND THE PUBLIC LAND LAW REVIEW COMMISSION REPORT

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr BURTON of Utah. Mr. Speaker, I would like to submit to the attention of my colleagues an article in the July 27 issue of Pay Dirt concerning the mining industry and the Public Land Law Review Commission report on which I served. The article titled, "PLLRRC Report Recognizes Value of Mining Industry; Asks Many Land Law Changes," follows:

PLLRRC REPORT RECOGNIZES VALUE OF MINING INDUSTRY; ASKS MANY LAND LAW CHANGES

The long-anticipated report of the Public Land Law Review Commission, nearly six years in the making, was submitted to the President and to Congress on June 23rd—and was immediately the subject of intense examination and study by all concerned with the public lands.

The report, compiled from a study that cost in excess of \$7 million, is the only recent definitive study of a complex subject that involves a host of interrelated interests and groups concerned with utilization of the public lands, some of them diametrically opposed to each other.

The research material compiled by the PLLRRC, much of it on a contractual basis, and the report will have far-reaching effects on public land matters. They will be the prime reference work upon which future laws and administrative policies will be based.

The report is some 342 pages in length. It contains 18 statements that the commission lists as "basic concepts and recommendations for long-range goals," 137 specific recommendations that are numbered and more than 200 unnumbered, supplemental recommendations that appear in italics.

Two points of great interest to all groups interested in the public lands are the commission recommendations that the policy of large-scale disposal of public lands be revised and that in the future disposals be made only to achieve maximum benefit for the general public, and, that the United States should receive full value for the use of the public lands.

In its recommendations regarding mineral resources, the commission states that federal policy "should encourage exploration, development and production of minerals from the public lands . . . Mineral exploration and development should have a preference over some or all other uses on much of our public lands."

In regards to that subject, the report states, in part, the following:

"Our industrial dependency on the production of fuel and non-fuel minerals is more significant than the substantial monetary values they contribute. Many of the factors we take for granted in our standard of living would be impossible without reliable and economic supplies of minerals."

"Likewise, our survival as a leading nation depends on our mineral supplies. The close relation between minerals and our national security is too apparent to require detailed explanation.

"As our demands for minerals have grown, we have become more dependent on foreign sources of supply. Over one-third of our mineral supplies are imported. This reliance on foreign sources may well increase according to current indications. Experience in Peru, the Middle East and elsewhere demonstrates that total reliance on foreign sources would be a hazardous economic and political policy. We strongly favor, therefore, an overriding national policy that encourages and supports the discovery and development of domestic sources of supply."

In regards to public land use, however, the report states Congress should continue to exclude some classes of public lands, such as national parks, from future mineral development, but federal agencies should make mineral examinations which will provide reliable information on lands recommended for exclusion as well as those where mineral activity is already excluded.

MINING LAW CHANGES

The commission recommends that the Mining Law of 1872 be modified to establish a system which incorporates the desirable features of this Act as well as the leasing laws. "Unless a public land area is closed to all mineral activity, we believe that all public lands should be open without charge for nonexclusive exploration . . . However, different conditions should prevail if the prospector desires an exclusive right," or if significant surface damage may result.

In this regard, the commission recommends the following:

"Whether a prospector has done preliminary exploration work or not, he should, by giving written notice to the appropriate federal land management agency, obtain an exclusive right to explore a claim of sufficient size to permit the use of advanced methods of exploration. As a means of assuring exploration, reasonable rentals should be charged for such claims, but actual expenditures for exploration and development work should be credited against the rentals."

"Upon receipt of the notice of location, a permit should be issued to the claimholder, including measures specifically authorized by statute necessary to maintain the quality of the environment, together with the type of rehabilitation that is required."

"When the claimholder is satisfied that he has discovered a commercially minable deposit, he should obtain firm development and production rights by entering into a contract with the United States to satisfy specified work or investment requirements over a reasonable period of time."

"When a claimholder begins to produce and market minerals, he should have the right to obtain a patent only to the mineral deposit, along with the right to utilize surface for production. He should have the option of acquiring title or lease to surface upon payment of market value."

"Patent fees should be increased and equitable royalties should be paid to the United States on all minerals produced and marketed whether before or after patent."

MORE RECOMMENDATIONS

Additional and clarifying commission recommendations included:

In regard to legal requirements for the discovery of valuable minerals: "Federal land agencies are poorly equipped to judge what is a prudent mining investment, and this issue should be closed when the mineral explorer is prepared to commit himself by contract to expend substantial effort and funds in the development of a mineral property."

State claims: "Congress should establish a fair notice procedure to clear the public lands of long-dormant mining claims."

Uniform federal requirements: Discovery work required by state law often serves no useful purpose. "Federal Statutes should fully prescribe uniform methods."

Common varieties: "Congress should define or list those minerals to which the

location-claim and leasing system apply and provide that all other minerals be subject to sale under an act similar to the Materials Act."

A major chapter of the report is devoted to "Public Land Policy and the Environment." The report states that "those who use the public lands and resources should be required by statute to conduct their activities in a manner that avoids or minimizes adverse environmental impacts, and should be responsible for restoring areas to an acceptable standard."

As to withdrawals, the commission recommends that "large scale limited or single-use withdrawals of a permanent or indefinite term should be accomplished only by act of Congress. All other withdrawal authority should be expressly delegated with statutory guidelines to insure proper justification for proposed withdrawals, provide for public participation in their consideration, and establish criteria for executive action."

The commission recommends that the Forest Service be merged with the Department of the Interior into a new Department of Natural Resources.

DISCUSSES LEASING SYSTEM

In regard to the mineral leasing system, the commission recommends that:

Competitive sale of exploration permits or leases should be held whenever competitive interests can reasonably be expected.

Prospecting permits and leases should apply to all leaseable minerals unless expressly excluded by the administrator in accordance with legislative guidelines.

All rights and obligations, including those related to maintenance of the environment, of mineral explorers and developers be clearly defined at the outset of their undertakings.

Provisions of existing law prohibiting the apportionment of royalties and imposing minimum production requirements on each lease should be modified to permit unitization of public land coal leases.

Restrictions upon leasing of public land coal deposits to railroad companies should be removed.

Commission Chairman Wayne N. Aspinall (D-Colo.), who also is chairman of the House Interior Committee, has indicated that his commission intends to hold hearings in 1971 on proposed legislation designed to implement the commission's report.

"FREE TRADE" AS IT IS USED IN JAPAN

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. PREYER of North Carolina. Mr. Speaker, I recently had called to my attention a very interesting letter written by a Japanese reader to the editor of a Tokyo newspaper. The letter to the Asahi Evening News is a revealing commentary on the burden which our country has been asked to carry in our trade with Japan as well as how much that country has profited from our defense expenditures in Southeast Asia. It reads:

DEAR SIR: I would appreciate very much if someone can explain to me the term "Free Trade" as it is used in Japan.

In your paper of June 25 you carry a story on the current talks going on in Washington regarding the textile negotiations.

You quote Japanese International Trade Minister, Kiichi Miyazawa, as saying:

"GATT is based on the principle that where injury is proved or the threat of injury is proved a trading nation can seek com-

pensation from the country causing the damage."

But the U.S. appears to be establishing other trading principles in which imports must be restricted to a certain percentage of national consumption. A rapidly growing country like Japan which embraces free trade principles cannot agree to this concept."

"Free Trade" for whom might I ask? Although a Japanese auto can be purchased in the U.S. for less than it costs in Japan, a Ford Mustang in this country costs about U.S. \$14,000.00. It even costs more to park a foreign car, in spite of the fact it only takes up the same amount of space allowed to a Japanese car.

A package of 19-cent pipe tobacco costs 80 cents.

I just paid \$5.00 duty for some shirts sent to me, as my size is not sold in Japan.

A trip through any department store or the American Pharmacy which sells foreign goods, will show you that items such as shaving lotion and toothpaste cost four times the price as in the country of origin. A pleasure boat of 25 feet which would cost \$5,000.00 in the U.S. is \$25,000.00 in Japan.

A water ski which is \$60.00 in the U.S. is more than \$225.00 in Japan.

The only way Japanese goods can compete in the U.S. is because they sell for a cheaper price than those manufactured in the U.S. The only way they can sell cheaper is to have the Japanese "Subsidize the Export", in other words, we must pay more in Japan for a Japanese car so that those going abroad can sell at a competitive price.

I had to pay \$1,400.00 duty on a 1965 Volkswagen I brought to Japan in January 1970. And, I had to get a license from MITI to import it. Of course the duty was decided after arrival of the car. I would never have brought it in the first place had I known I would be charged more than the car is worth.

As far as I can determine, Japan imposes fantastic duties and restrictions on imports to Japan, while aggressively burying the rest of the world in Japanese products, made attractive price-wise at the expense of the domestic Japanese consumer.

A Japanese company can freely establish a Japanese subsidiary in the U.S., "Subaru of America," "Datsun of America," "American Honda," "JTB of America," "Takashimaya of America," "Seibu of America," etc. etc. etc. Yet we are subject to every kind of discrimination yet dreamed up, to keep us out of the Japanese market. Japan has the advantage of every unfair trade agreement yet thought up. These were of course made to help Japan after the war and when Japan was a "Poor Country," which is no longer the case. There is not one so called liberalized industry in Japan without strings. Hotels have been liberalized because the government here is fully aware that no foreign hotel company can pay the current market price of land and make a profit.

Japan spends less than 1% of her national budget on defense while much of what the U.S. spends for defense goes right into Japanese pockets. Not only what is spent here by U.S. servicemen and the fantastic sum it takes to maintain the U.S. facilities here, but, what about all of the industrialists who can attribute so much of their earnings to direct income from the manufacture of items being produced to prolong the war in Viet Nam.

The Japanese put on a pious anti-war face but do not miss a trick when it comes to making a buck from this unfortunate war.

There is no danger of the U.S. military being pushed out of Japan by any amount of student demonstrations. The Japanese government would never allow it considering the revenue it brings in. The Japanese government does allow it considering the revenue it brings in. The Japanese Government does allow (and I firmly believe en-

courage) anti-American demonstrations to be sensationalized in the press so they can get trade concessions in return for what they have convinced Washington is a super effort on the part of the government to allow the U.S. military to stay in Japan.

All U.S. government leaders should spend one year in a commercial company in Japan. That would hip them in a hurry to the devious tactics applied here.

The one who really has to pay for all of this is the Japanese domestic buyer. He has to pay outrageous prices for any imported goods, and outrageous prices for Japanese produced products to allow the same item to compete overseas. One day the people will wise up that "Free Trade" means higher prices at home.

A JAPANESE DOMESTIC BUYER.

CHINA APPLAUDS DISSENT IN THE UNITED STATES—REPRESSES OWN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the San Diego Union of July 29, 1970:

CHINA APPLAUDS DISSENT IN THE UNITED STATES—REPRESSES OWN

Because the problem of the generation gap is all-present today, let us for a moment discuss the situation with the youth in Red China.

First, let us look at the inconsistencies in Red China's policy. It has enthusiastically endorsed the protests, riots and revolutionary activity of young people in the United States and elsewhere in the world.

Yet, at the same time, it has adopted excessive repressive measures against China's own students and other dissenters.

To counteract any stray thought of protest, there is now heavier indoctrination of teenagers to enforce an even greater awareness of communism and to deepen their "love" for the Communist Party chairman Mao Tse-tung.

Peking's preoccupation with the younger generation also reflects a concern that the present political system may not endure under a Mao successor—at least so far as the young people are concerned.

China's leaders are attempting to insure that succeeding generations will provide Mao-type "revolutionary successors" who will not succumb to the "sugar-coated bullets" of enemies at home and abroad.

In their orientation of youth, they have two fears that they emphatically inject. One is that imperialist conspirators are determined to smash China.

The other is that young people know that many hundred youths were executed in Kwangtung Province for alleged crimes. The crimes consisted of rebellion against being sent to work in the countryside and in instances even lesser "crimes."

Most of the youths, especially since the cultural revolution of a couple years ago, are undergoing "re-education" at the hands of the peasants. Many of the urban colleges and universities have been emptied of youth and the young people sent to work under peasants.

They are made to understand that the rural assignment is not temporary, that students, especially those who fail to fully conform, are expected to spend the rest of their lives in agricultural work with the peasants.

Red China's youths are confronted with the Communist philosophy, and a constitutional dogma that makes a fine art out of repression and persecution.

CULVER ANNOUNCES RESULTS OF FIRST HIGH SCHOOL QUESTIONNAIRE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CULVER. Mr. Speaker, each year that I have been in the U.S. Congress, I have prepared a questionnaire on the issues before the Congress and the Nation in order to obtain the opinions of the people in the Second Congressional District of Iowa.

This year, for the first time, I have formulated a special questionnaire for the high school students in my district in order to increase their participation in the political process and to enhance my understanding of their views.

In my visits with the Second District high school students, I have been continually impressed with the depth of interest and understanding these students have shown on the crucial issues and am extremely pleased that over 5,000 of the 10th through 12th grade students were willing to share their opinions with me in this questionnaire. I include the tabulations at this point in the Record:

THE NATIONAL BUDGET

Present inflationary pressures require restraint in Federal spending. If you were required to make the choice as to where the budget should be cut, which areas would you select? (Figures in parentheses indicate percentage of 1969 budget allocated to each function).

	Percent
Defense	53.2
International Affairs, including economic assistance, Peace Corps, Food for Freedom, USIA	13.8
Space	48.1
Agriculture	4.2
Natural Resources, including pollution, recreation, flood control, conservation	2.3
Commerce and Transportation, including highways, airports, postal services, business assistance	12.7
Community Development and Housing	7.0
Education and Manpower	3.4
Social Security	13.2
Health and Welfare, including medicare, health research and manpower, food stamps, child nutrition, vocational rehabilitation	10.8
Veterans Benefits	9.7
General Government, including law enforcement, crime reduction, civil rights, Congress, and the courts	6.8

VIETNAM

Which one of the following do you consider to be the most preferable course in Vietnam at the present time?

Immediate withdrawal of all combat forces, while continuing economic and social assistance and maintaining military advisers	18.2
Continued phased withdrawal of American combat forces as South Vietnamese Army assumes more responsibility for conducting the war	54.6
Complete immediate removal of any American presence in Vietnam	11.0
Resumption of full scale attacks on the North with any necessary increase in American men and material	14.6
No response	1.4

FOREIGN COMMITMENTS

Would you favor a Congressional resolution requiring the President to obtain ap-

proval of Congress before United States troops are committed to fight in foreign countries?

Yes ----- 63.1
No ----- 20.8
Undecided ----- 15.5
No response ----- .6

NATIONAL SECURITY

Which one of the following do you feel poses the most immediate and serious threat to the security of the United States?

Foreign Communist aggression ----- 25.1
Instability in the developing nations of Asia, Africa, and Latin America ----- 6.1
Radicals in this country ----- 33.3
Unmet domestic human needs which give rise to internal tensions ----- 33.7
No response ----- 1.7

CAMPUS DISORDERS

Who do you feel should have the primary responsibility for controlling campus unrest and disciplining students who disrupt the functions of the university? (please check only one)

The college or university itself ----- 60.2
Local law enforcement officials ----- 16.9
The Federal Government ----- 21.5
No response ----- 1.4

ABM
Do you approve of the proposed expanded deployment of the safeguard anti-ballistic missile system?

Yes ----- 35.0
No ----- 28.7
Undecided ----- 34.7
No response ----- 1.5

18-YEAR-OLD VOTING

Do you think that 18-year-olds should be able to vote in national elections?

Yes ----- 79.0
No ----- 15.1
Undecided ----- 5.5
No response ----- .4

ELECTORAL COLLEGE

Do you favor abolition of the electoral college (in favor of direct popular elections)?

Yes ----- 66.6
No ----- 16.4
Undecided ----- 16.1
No response ----- 1.0

DRAFT

Should the present draft lottery system be changed in favor of an all volunteer army?

Yes ----- 51.2
No ----- 33.2
Undecided ----- 14.8
No response ----- .7

YOUTH OPINIONS

Do you feel that your opinions are adequately considered by those governing this country?

Yes ----- 27.5
No ----- 53.5
Undecided ----- 17.6
No response ----- 1.4

Although a Congressman's consideration of legislation cannot be solely guided by opinion polls, this expression of views of Second District high school students and the results of my annual questionnaire will be helpful in my consideration of the issues before the House of Representatives. I have been particularly gratified to receive additional comments on the questionnaire and subsequent correspondence on these issues.

As in my last annual questionnaire, we examined the high school responses in terms of specific criteria—in this case, grade, political identification, size of high school and community, as well as the differences between male and female respondents. I include that analysis at this point in the RECORD:

Questions	Grade			Sex		Political preference				Size of school				Place of residence			
														Community—			
	10th	11th	12th	Male	Female	Republican	Democrat	Independent	Other	Under 200	200 to 400	400 to 1,000	Over 1,000	Farm	Under 2,500	From 2,500 to 10,000	Over 10,000
1. National budget:																	
Defense	46.9	49.7	61.2	56.9	49.3	48.6	51.9	57.1	66.2	45.3	44.0	57.4	57.1	49.6	43.7	56.6	58.5
International Affairs	13.9	13.0	14.5	17.8	9.8	17.1	13.0	12.4	15.2	10.8	11.6	13.3	16.7	11.0	14.1	12.6	16.4
Space	48.9	47.4	47.9	39.0	57.8	47.5	48.4	48.5	42.2	55.2	54.5	48.6	42.1	52.0	54.3	49.5	42.6
Agriculture	3.9	3.4	4.9	4.7	3.7	4.2	4.6	3.8	2.9	2.2	3.7	4.9	4.7	2.4	4.8	5.1	4.8
Natural Resources	1.7	2.5	2.6	2.6	2.0	2.1	2.3	2.6	.5	2.2	2.3	3.1	1.6	2.9	3.0	2.1	1.7
Commerce, Transportation	14.7	13.1	10.4	11.8	13.5	15.9	12.1	11.3	10.8	13.2	13.2	13.1	11.9	14.7	11.9	12.6	11.5
Community Development	8.0	6.9	6.2	7.9	6.2	8.9	6.2	7.7	5.4	7.5	8.1	6.2	7.1	7.8	8.0	5.1	6.9
Education and Manpower	3.4	3.3	3.6	3.7	3.2	4.5	3.2	3.5	1.0	2.5	3.2	5.3	2.3	4.5	3.7	3.6	2.6
Social Security	13.2	12.5	14.1	14.2	12.5	18.9	11.4	11.7	16.2	10.0	14.3	13.9	13.7	15.2	10.4	12.6	13.3
Health and Welfare	10.8	9.5	11.9	11.6	10.1	15.9	8.7	10.2	8.8	7.9	17.1	11.5	8.2	14.6	10.6	11.3	7.9
Veterans Benefits	10.5	10.9	8.5	9.7	9.9	10.1	9.5	10.5	6.9	9.3	8.5	10.5	10.0	9.0	9.7	10.8	10.1
General Government	6.8	7.5	6.3	7.2	6.5	6.2	6.8	7.5	5.9	6.0	7.3	6.6	7.3	7.0	7.3	5.6	7.0
2. Vietnam:																	
Immediate withdrawal of combat forces	16.1	17.6	20.7	16.8	19.6	14.4	20.2	18.8	22.5	16.6	17.9	19.8	17.7	17.9	17.5	19.3	18.3
Continued phased withdrawal	55.5	56.9	52.1	53.0	56.4	61.1	54.1	51.8	46.6	55.1	51.7	54.1	56.6	54.7	55.2	53.6	55.0
Complete immediate withdrawal of all U.S. presence	11.1	9.0	12.0	10.3	11.4	7.0	10.0	13.5	16.7	11.7	10.9	11.4	9.8	10.4	9.9	11.7	11.1
Resumption of full-scale attacks on the North	16.1	14.6	14.0	18.6	11.0	16.8	14.4	14.5	12.3	14.9	18.0	13.8	14.5	15.7	15.8	14.5	14.3
No response	1.1	1.9	1.1	1.2	1.4	.6	1.3	1.5	2.0	1.8	1.5	.9	1.3	1.3	1.6	.8	1.3
3. Foreign commitments:																	
Yes	62.5	62.4	64.1	61.9	64.6	54.8	67.5	64.2	64.7	67.6	63.6	62.1	62.3	63.0	63.6	63.3	63.2
No	19.6	22.6	21.1	24.7	17.1	29.2	16.4	21.6	19.1	15.0	21.6	22.3	21.9	20.7	18.7	22.2	21.7
Undecided	17.3	14.3	14.4	12.9	17.6	15.7	15.6	13.7	13.7	17.2	14.2	15.1	15.1	15.9	17.0	14.1	14.5
No response	.6	.7	.4	.4	.7	.3	.5	.5	2.5	.1	.6	.5	.7	.4	.8	.4	.6
4. National security:																	
Foreign Communist aggression	27.4	25.6	23.2	26.2	24.5	26.1	27.3	23.8	17.6	28.7	25.2	25.0	23.6	22.6	26.8	22.9	24.3
Instability in developing nations	5.3	6.1	6.5	7.2	4.8	6.8	6.4	5.4	4.4	6.3	4.3	6.3	6.5	6.4	5.7	5.3	6.2
Radicals in this country	33.8	33.5	33.4	33.8	33.3	38.0	33.5	31.0	26.0	38.7	37.6	31.2	32.0	36.8	35.6	33.3	30.5
Unmet domestic human needs	31.7	33.2	35.7	31.2	36.0	28.3	31.8	38.0	49.0	25.0	31.3	35.9	36.4	21.9	29.9	36.7	37.4
No response	1.8	1.6	1.2	1.6	1.5	.8	1.1	1.8	2.9	1.4	1.7	1.7	1.5	1.1	2.0	1.8	1.6
5. Campus disorders:																	
College or university	58.4	58.5	63.2	55.7	65.2	57.2	59.5	63.1	66.7	55.4	59.8	59.4	63.4	59.0	56.4	62.9	62.1
Local law enforcement	16.6	17.6	16.3	18.2	15.2	19.3	16.0	15.8	16.2	17.4	17.2	16.8	16.4	18.2	17.5	13.8	16.8
Federal Government	23.4	22.5	19.5	24.7	18.4	22.9	23.5	19.3	16.2	26.3	21.8	22.4	18.9	22.1	24.8	21.9	19.6
No response	1.5	1.3	1.0	1.4	1.1	.6	1.0	1.8	1.0	1.0	1.2	1.4	1.3	.7	1.3	1.4	1.5
6. Expanded ABM:																	
Yes	37.1	34.2	34.5	46.9	23.4	39.8	36.1	33.7	32.8	37.4	33.4	36.8	34.1	36.2	33.8	35.1	35.5
No	27.7	28.5	30.3	28.6	29.3	22.0	30.0	31.7	42.2	27.0	27.1	28.7	31.0	26.8	27.7	30.1	30.6
Undecided	34.1	36.1	34.0	23.7	45.8	37.3	32.9	33.4	24.5	34.5	38.0	33.5	33.9	35.9	36.4	34.0	33.0
No response	1.1	1.1	1.2	.8	1.4	.9	1.1	1.3	.5	1.1	1.4	1.0	1.0	1.1	2.1	.7	.9
7. 18-year-old voting:																	
Yes	78.6	78.8	80.4	81.9	76.5	77.1	81.2	79.4	84.3	83.9	77.4	79.2	78.8	78.1	80.2	79.7	79.8
No	15.5	14.6	15.4	12.9	17.7	17.8	13.3	14.9	12.3	11.1	16.2	15.8	15.7	16.1	14.2	15.1	14.9
Undecided	5.9	6.4	4.2	5.1	5.8	5.0	5.3	5.7	3.4	5.0	6.3	5.0	5.5	5.6	5.5	5.2	5.3
No response	.1	.1	.0	.1	.0	.0	.1	.0	.0	.0	.1	.1	.1	.1	.1	.0	.0
8. Abolition of the electoral college:																	
Yes	62.5	69.2	69.1	69.5	64.0	65.9	66.4	68.7	77.0	61.9	63.2	66.7	70.5	65.1	57.4	66.7	71.7
No	17.0	15.3	16.7	15.9	17.1	18.8	17.2	14.5	9.8	20.3	18.6	17.5	12.9	18.8	21.4	17.9	12.4
Undecided	20.1	14.5	13.7	14.1	18.2	14.8	15.7	16.4	12.7	17.7	17.8	14.9	16.1	15.7	19.7	15.1	15.3
No response	.4	1.1	.6	.6	.7	.5	.7	.4	.5	.1	.5	.9	.5	.4	1.4	.4	.6
9. Volunteer army:																	
Yes	45.6	49.1	58.0	59.5	42.8	49.2	48.9	55.6	62.7	46.5	43.2	54.3	53.8	50.3	47.5	51.6	53.5
No	38.8	36.4	26.8	27.8	39.6	35.2	36.9	30.2	21.1	38.0	43.1	3.7	30.6	34.4	37.7	35.1	30.7
Undecided	15.3	14.1	15.0	12.4	17.3	15.5	13.9	14.0	15.7	14.7	13.6	14.7	15.4	14.8	14.5	13.3	15.5
No response	.3	.4	.3	.3	.3	.1	.4	.2	.5	.8	.0	.3	.2	.5	.3	.0	.2
10. Adequate consideration of opinions:																	
Yes	28.6	27.7	26.5	28.4	26.9	33.0	30.0	22.5	20.1	28.0	29.1	29.1	25.5	30.3	27.0	28.7	24.9
No	52.1	52.4	56.1	54.0	53.4	48.3	51.8	58.7	69.6	51.6	50.2	53.1	56.6	49.2	54.0	52.7	57.8
Undecided	18.1	18.8	16.7	16.7	18.8	17.8	17.5	17.6	9.8	19.9	19.7	16.4	17.1	19.7	17.6	17.3	16.5
No response	1.3	1.1	.7	1.0	1.0	.8	.6	1.2	.5	.6	.9	1.4	.8	.7	1.3	1.3	.8

DR. HORACIO AGUIRRE, MAN
OF THE YEAR

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. FASCELL. Mr. Speaker, I would like to call to the attention of our colleagues the recent honoring of Dr. Horacio Aguirre as Man of the Year by Alianza Interamericana. The award bestowed upon Dr. Aguirre was established to give recognition to the citizen who has shown a continuing enthusiasm and effectiveness in increasing good will between men of Latin and North America. No better choice, in my opinion, could have been made than Horacio Aguirre, the dynamic editor and cofounder of *Diario Las Americas*, Daily of the Americas. Through the medium of print, Dr. Aguirre has worked tirelessly in the cause of promoting good will between our country and Latin America. I can only echo the praise of His Excellency, Dr. Gonzalo Facio, the Foreign Minister of Costa Rica, who delivered the main address at Dr. Aguirre's testimonial. I am certain our colleagues will find Dr. Facio's speech of interest.

The speech follows:

SPEECH BY DR. GONZALO FACIO

Mr. Chairman, Dr. Horacio Aguirre, former Presidents of Cuba, Guatemala, El Salvador, Honduras and Dominican Republic, distinguished guests, ladies and gentlemen: we are gathered tonight to do honor to a distinguished Western Hemisphere's citizen who is one of the most outstanding personalities in this fair city.

We are gathered under the auspices of "Alianza Interamericana", which, by its commendable efforts toward inter-American friendship, has become a remarkable forum for men of good will from all the Americas.

The award bestowed today on Horacio Aguirre as Man of the Year was established to give recognition to the citizen who, during the previous year, has shown more enthusiasm and effectiveness in increasing good will between the men from Anglo and Latin America, and who, thus, have contributed more toward the maintenance and promotion of a better understanding between our countries and the United States.

I cannot think of a better choice than that of Dr. Horacio Aguirre as Man of the Year 1970. Few citizens living in this cosmopolitan city have achieved so much in the field of inter-American relations as this courageous editor of *The Americas Daily*.

From the columns of this great newspaper, which honors its name by its dedication to the cause of the Americas, Horacio Aguirre has worked indefatigably to dispell the causes of misunderstandings between our peoples, to inform the readers about what is really going on in our part of the Continent, to defend the just causes that Latin Americans are striving for, and to denounce the forces of evil which threaten to destroy our democratic freedoms.

Under the intelligent guidance of its Editor, Horacio Aguirre, *Diario Las Americas* has become the bastion of anti-Castroism, and the tribune for those who fight to liberate Cuba from its tyrants. This attitude, by itself, merits the award you are giving Horacio Aguirre, since the existence of a Communist regime in the heart of the Americas poses a clear and present danger to the inter-American solidarity.

THE CUBAN CASE

In effect, if the Cuban regime were no more than a national dictatorship, its incompatibility with the inter-American system would be no greater than that shown by the old-style dictatorships that still plague the Hemisphere.

But the tyranny that Cuba is suffering today cannot be considered as an isolated item in the world scene. It has the efficient propaganda support of the international communist movement and the economic and military support of the powerful governments of Red China and the Soviet Union.

Inasmuch as the Cuban Government has made its country the center of the totalitarian conspiracy against the free governments of Latin America, its actions should be restrained by means of the instruments of the inter-American System.

This is the thesis that has been held, from the beginning, by those of us who have directed and are directing our foreign policy. Costa Rica is not neutral in the case of Cuba. It is in favor of inter-American democracy. It is for the re-establishment of freedom in the beloved Antillean Island. It is for using the application of the methods of collective action to put a stop to the aggression that the communist regime carries every day, in providing money, propaganda and armaments to subversive groups that are conspiring to overthrow the Latin American democratic regimes.

The Resolution adopted at the Eighth Meeting of Consultation of Ministers of Foreign Affairs, by virtue of which the present Government of Cuba was logically excluded from participation in the inter-American System, has the determined support of my Government. Even if there is no specific legal standard regarding the expulsion of governments that defy the system, an elementary principle of equity prevents the parties who ignore the obligations imposed upon them by an international treaty from continuing to enjoy the benefits that that same treaty establishes for those who endeavor to comply with it in good faith.

My Government has always hoped that this Resolution will be only the first step toward a more effective collective action. Only through the elimination of the bloody dictatorship that is today oppressing our brother nation in the Antilles, can the long-suffering people of Cuba once more enjoy their right to self-determination. And now that it is rumored that some Foreign Ministers are thinking to ask for the re-admission of the Castro regime to the OAS, my Government declares in advance its most decided opposition.

It is also rumored that some governments are thinking of asking that the sanctions imposed upon the Castro regime by the Ninth Meeting of Consultation of Foreign Ministers be lifted. My Government maintains that the Fidelista dictatorship continues to be a serious threat to the people in America. It is a well-known fact that Cuba is today a center where guerrilla fighters are trained and financed and where asylum is given to the criminal terrorists and air pirates that are striving to destroy our democratic movements. Instead of thinking of lifting the sanctions against the Castro regime, we should be studying what other measures could be taken to stop Castroist aggression against its neighbors.

THE PRINCIPLE OF NON INTERVENTION

Each time that measures are proposed to thwart the illegal activities of the Cuban regime against its neighbors, and each time that measures are proposed to help the Cuban people to liberate themselves from their tyrant, there are opponents who resort to the Principle of Non Intervention as their main argument.

I maintain that this Principle, correctly interpreted, does not prevent the OAS from

carrying out a collective action that really favors the cause of the good Cubans.

In effect, the Principle of Non Intervention, a true conquest for weak countries in their relation to the powerful ones, is based on the recognition of the personality of each State, on their legal equality and on the right of each people to get the Government it desires, provided that that right is limited by the obligations imposed by the international juridical order.

Non intervention rests ultimately on the sovereignty of each State. And sovereignty is nothing else than the power each people has to decide its own destiny. Then, those who really violate the sovereignty of the people are those who, like Castro, seize the State's instruments of power to impose their will over the sovereign will of the citizens. Consequently, no international measure that tends to guarantee the effective exercise of representative democracy can infringe the sovereignty of the people. On the contrary, it encourages and protects that sovereignty, making possible its free expression. And if it does not violate this sovereignty of the people, it cannot violate the Principle of Non Intervention.

THE EFFECTIVE SOLUTION

The only effective solution that I see to thwart the Castroist aggression against its own people and against the people of the rest of the Americas, is that of promoting an internal upheaval.

Is that possible? Of what I know about the internal situation of Cuba, my answer is a qualified yes.

The Castro regime has lost the backing of the majority of the population. Even without taking in consideration the exiles and those who want to leave the country, it is obvious that the peasants and the workers are not satisfied with the present situation. The declining production statistics and the frantic call to the workers made from time to time by prominent figures of the regime, are evidence enough of what I just have said.

The militia and the army are too numerous to be indifferent to the mood of the mass of the population. They ought to be against the regime in increasing quantities. And despite their government's claims, there are groups living in the countryside that provide the basis for insurrection. At present they lack food, equipment and ammunition. Therefore, they are lucky to survive, but the potential is there.

THE CATALYTIC ELEMENT

What has been lacking is an effective leadership that would act as a catalytic element of the situation of discontent against the Castro regime. This catalytic element, in order to be effective, must be appealing to the forces now in military control of the island. These forces should be assured that whenever some rebellion or insurrection takes place, it will be provided with the means required to resist the inevitable reaction of the forces still loyal to the communists. The success of any such attempt will be the most effective way to encourage others to follow the example.

I repeat that at this moment the Castro regime is discredited among its own people. Its precarious hold on his followers can be easily broken, provided he is given no time to recuperate. A few but immediate blows by the partisans of freedom can turn the tide and bring him down.

THE LEGAL AND HUMAN CONSIDERATIONS

Of course, this aid to the people of Cuba that want to liberate themselves from the communist tyranny may appear to be in violation of existing inter-American and international treaties. But against the narrow legal interpretations stands the fine tradition of this Continent of helping those oppressed peoples to get rid of their oppressors.

Since Benjamin Franklin sought and obtained in France armaments and loans to help his countrymen to fight their war of independence, a sentiment of human solidarity has always risen in this Hemisphere over legal obstacles to help those who are willing to fight for their country's freedom.

Now this sentiment of human solidarity is more apparent in the case of Cuba, in which the intervention of the Soviet powers tends to consolidate a communist regime that is being repudiated by an overwhelming majority of the Cuban people.

THE LONG RANGE SOLUTION

The eventual elimination of the Castro regime will not, of course, solve the problems raised in other countries by the self-betrayed Cuban revolution: the problem of the existence of a radical current that feeds on the frustration of the Latin American masses as a consequence of the impotence of the democratic governments to carry out a frontal attack on misery, ignorance and servitude.

The memory of an impoverished people is very short. The Cuban lesson may be rapidly forgotten if the economic and social conditions that have prevailed in Latin America are not strikingly improved in a short time. The Castroist regime could be overthrown by the combined efforts of the Cuban patriots and inter-American collective action, and yet be born again with more impetus in other countries of the Hemisphere.

The hopelessness of the impoverished people is the real challenge to our liberty in the West and in the World. It is at the same time a challenge to take action; action not by military strength, but by the exchange of ideas and ingenuity, and by dedicated energies.

Military strength you must have, to be sure, and enough of it. But the real job to be done is of the heart, not the trigger.

Military strength you must have in the United States, to be sure, and enough of it. But the real job to be done is of the heart, not the trigger.

The will to transform the life of the peoples of America through the exercise of freedom and the full guarantee of their well-being, should be as irrevocable, as irrevocable as our adversary's determination to conquer our countries and destroy our liberty.

THE ECONOMIC LEADERSHIP

If universal culture has developed a particular field of knowledge in the United States and has accumulated certain experiences there, it is logical that such knowledge and experience should be applied to those parts of the world that are willing to live in communion with the United States.

This spreading of knowledge may not be only generous but also necessary. Friendship only flourishes lastingly among equals. The rate at which the United States is separating itself from its friends is alarming. The only way to bring about stability is to urge friendly nations to apply the knowledge and experience accumulated in the United States.

The North American knowledge of how to produce abundance is not generally understood. It is assumed that straight production methods explain all success. Actually they only explain half. The other half is the simultaneous broadening of the market to absorb the increasing production.

The advantage of increasing consumption as productivity rises is a comparatively recent realization. Since the middle thirties higher industrial wages and better prices for the farmers, instead of ruining industry and the urban population, have made them richer. To become wealthier by outlaying more money, by paying higher wages and better prices, is a modern paradox. From President Figueres of Costa Rica, come these remarks:

"Since the time of Greek culture it has

been understood that personal wisdom is a possession you increase by sharing, by teaching others. It took modern economic and social conditions (a rising productivity and an active labor movement) to produce a society in which wealth, too, is something you increase by sharing."

STABILIZATION OF PRICES AT A FAIR LEVEL

This brings us to one of the constant themes of my political party, the National Liberation Movement, when discussing hemispheric affairs. Let us apply to international trade the principles that have been proved successful in the internal economy of the United States. The best way to develop Latin America, the best way for all, including the United States, is to pay better prices for Latin American products. The Latin American Republics are now the proletarians of the Hemisphere. They are the suppliers as well as the customers of modern industry. North Americans can buy Latin American national output cheaply, just as it was possible to obtain North American labor cheaply thirty-five years ago. But this condition is meritless. A previous generation of Americans could use slave labor "free." But the sweat of the slaves did not make the nation rich. One can now drink cheap coffee when the low tide comes in the "free" market. But on these matters, the penny one saves makes him poorer.

If Latin America could stabilize the prices of its exports at a fair level, and receive more foreign investments—public and private—that will permit it to build up capital and raise productivity, we would stop the economic anemia which is the main cause of cultural and political backwardness.

ADVENTURE OF THE SPIRIT

If the present crisis of Inter-American relations is to be overcome, this great nation of yours has to become the guiding force of liberation. You will have to summon your strength and your will, your feeling for the value of human dignity and freedom; you will have to renew your creative sense of history, and make a real offer of your own to the millions of people of Latin America, not in the spirit of competitive bidding, but as you would do to your own fellow citizens. I do not mean showing a few examples of technological progress and saying: These come from a civilization in which freedom plays an important part. The Soviet Union can show very good technological progress that has occurred under quite different conditions. I mean to engage in a real adventure of the spirit.

Because peace, and with it freedom, are no longer threatened primarily by weapons. These are developing a coexistence of their own. The real threat to peace and freedom—a still more explosive threat than atomic fission—is the extreme poverty among great masses of mankind.

They say the United States never entered a war properly prepared. I think there never was a war for which the United States is so eminently prepared as for this war against want that looms before us.

The Communist Empires are shifting their strategy from total war, because it is obvious that it would mean indiscriminate annihilation of both sides.

Instead, they now bring to the poverty stricken people the helping hand that can so easily become the closed fist.

We should not rely on the belief that the material help they offer will always turn out to be meager, deceitful, illusory. If the communists' empires believe that their new method is effective for the purpose of conquering the underdeveloped countries, their own people will be made to shoulder in privations whatever the cost of the strategy may be. There is a significant chance that in their

fight against poverty, the underdeveloped areas will get real aid from the Soviet Union and Red China.

This is why I do not think that the task of the United States should be looked at as simply a competition in the puissant arts of the investment, the loan and the handout. This is why I speak of a real adventure of the spirit.

And as you embark in this new adventure in true leadership, it should be remembered that the substance of freedom lies in concepts of equality, of human dignity, of free choice, not in any particular form of thinking, or dealing, or living. It is necessary to avoid a confusion that has sometimes stirred mistrust against the United States. We know that a free enterprise system is impossible without freedom. But it should not be assumed from that, that freedom is impossible without a free enterprise system. Capitalism is a dynamic social tool for the West. But freedom for those needing help is the right to accept capitalism or to reject it, or to compromise with it. The only thing freedom is not free to reject is freedom itself.

With the right kind of help, wisely given, the impoverished people of Latin America will develop tremendous unused energies and create a new civilization in our part of the Continent.

What I hope, then, is that the United States gives the people of Latin America not just the fullest economic support, but a spiritual welcome into the realm of freedom.

There should not be two separate Americas in the New World, if we are to save inter-America solidarity. But unfortunately there are two: the wealthy America of the North and the poor America of the South. And unless we take great measures to stop the rapid widening of the Rio Grande, the two Americas, instead of brightening the Earth with their unity, will make it bleaker by their strange and dismal coexistence, not only miles, but centuries apart.

But let the new blood of a larger and dependable income circulate through the veins of Latin America, and you will see the rise of new aptitudes and the vigor of new health, transforming squalor, ignorance and tyranny into plentiful living, progressive education and democratic freedom.

"HOPE"—GOOD WILL AMBASSADOR FOR THE UNITED STATES

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. GARMATZ. Mr. Speaker, last week the hospital ship *Hope* came to Baltimore and docked at the Maryland Shipbuilding & Drydock yards for an overhaul and a coat of paint. It was my privilege to be among a group of Baltimoreans who welcomed the staff and the founder of the project HOPE, Dr. William B. Walsh.

I know all of you are familiar to some extent with the work being carried on by this group. I am sure you will be interested in the splendid article in the Baltimore Evening Sun on the history of the project and the outstanding accomplishments of those serving on the *Hope*. Therefore, I am inserting the article in the RECORD for your thoughtful reading:

[From the Baltimore Evening Sun, Aug. 6, 1970]

WITH HER, SHE BRINGS HOPE: "YANQUI, COME BACK" IS MESSAGE OF "HOPE"

(By Jon Franklin)

A favored remnant of the Eisenhower era is getting an overhaul and a new coat of white paint at the Maryland Shipbuilding and Drydock yards.

It is the hospital ship *HOPE*, the steel plate and diesel engine epitome of one of the most idealistic ventures in American foreign policy.

"When you're with *HOPE*, you don't have to apologize when you say you're an American," said Captain Daniel Hollier, who has commanded the ship for the last two and one-half years.

"At a time when there's so much harm being done in the world, this is one thing that's doing good," he said.

The gaunt, greying mariner, a veteran of almost a half-century at sea, was standing on the breezy starboard wing of *HOPE*'s bridge as the 15,000-ton vessel slipped into Baltimore harbor last week.

NURSES LINE RAILS

A deck below almost 100 nurses lined the rails, waving to the escorting flotilla of pleasure craft and passing binoculars from hand to hand.

They were dressed in spotless, freshly laundered white uniforms and starched caps. Project *HOPE* insignia on their sleeves and collars.

As *HOPE* passed Fort McHenry the project's best-known personality emerged from his stateroom.

He was William B. Walsh, the 49-year-old Washington, cardiologist who founded Project *HOPE* a dozen years ago.

He recalls that his first donation came from Eugene M. Zuckert, one of his patients who later became Secretary of the Air Force in the Eisenhower administration.

TOLD OF IDEA

Dr. Walsh told Mr. Zuckert about his hospital ship idea in the course of a physical examination. Mr. Zuckert, an attorney, told him that the first step would be to incorporate as a charitable organization.

"He donated the \$150 for that on the spot," Dr. Walsh said. That was in 1958.

At that time Dr. Walsh had close ties with the Eisenhower administration, and was appointed co-chairman of the People to People Program's committee on medicine and health professions.

He accepted the job with the unofficial understanding that the President would donate the hospital ship.

The vessel chosen was the mothballed Navy hospital ship *Consolation*.

BUILT IN 1945

Consolation was built in 1945 as Marine Walrus, a modified transport. The Navy converted her to a hospital ship, switched her name to *Consolation* and painted AH-15 on her hull.

She was sent to treat GI's and POW's in postwar Japan, and when the Korean War began she was sent there, eventually participating in the United Nations operations at Inchon, Wonsan and Hungnam.

After the war she was decommissioned and placed in reserve with the San Francisco mothball fleet. There she collected barnacles for five years until selected to become Project *HOPE*'s floating medical center.

Originally affiliated with the People to People program, the *HOPE* project was soon severed so fund-raisers could collect money under the aegis of a non-profit organization.

The ship was donated and refitted by the United States government. The medical and other necessary equipment was contributed

by manufacturing companies, and the necessary hard cash needed to pay salaries and purchase expendables was collected by fund-raisers.

INTENDED AS SCHOOL

Though *HOPE* is usually thought of in terms of a hospital, the ship is intended primarily as a school.

"To go to these areas of the world solely for the purpose of treatment would be like walking through quicksand," Dr. Walsh said on one occasion.

So the *HOPE*'s capacity, 700 patients when it belonged to the Navy, was reduced to 110 beds to make room for books, teaching aids and related equipment.

When *HOPE* (Health Opportunity for People Everywhere) ties up at host country ports, local medical personnel are sent to train in the hospital as "counterparts."

Each professional crew member of the *HOPE* teaches one such counterpart at a time. Nurses train nurses, technicians train technicians, and doctors train doctors.

ADAPT TO COUNTRY

"But we don't try to Americanize them," insists one *HOPE* crew member.

"We adapt to the country. If we're where there are midwives, we don't tell them that midwives aren't the American way to do it. We train midwives."

Since *HOPE*'s initial voyage, the project reports it has trained more than 5,400 physicians, dentists, nurses and technicians and treated more than 142,000.

When *HOPE* leaves a country, she routinely leaves a medical detachment behind to operate shore programs. Project *HOPE* has also established centers in Laredo, Texas, and Ganado, Arizona.

As much as it is a medical center, *HOPE* is a political instrument, a gesture of friendship in keeping with the People to People philosophy from which it originated.

SYMBOL OF UNITED STATES

"I like to think of *HOPE* as a dramatic and effective symbol of the national trait that makes U.S. power bearable," said Dr. Walsh.

"As people, we reach out to other people with the wish to help them when we have little or nothing to gain from them, and it astonishes and disarms the people of other nations when they see and understand our crazy, personal generosity."

Because the ship does have political impact independent of the medical considerations of its mission, it has on occasion been caught up in the ideological battles raging in many of the countries she visits.

On her second voyage she entered Trujillo, in northern Peru, to face a welcoming committee of a grey mare and six bearded Peruvians shouting anti-American slogans.

SCENE RECALLED

Dr. Walsh recalls the scene in his book "Yanqui, Come Back!"

"The morning was bright and warm as the *HOPE* approached Salaverry," he wrote. "But the harbor itself was not a reassuring sight."

"As the ship drew closer, Dr. Arnie Smoller, who looks more like a halfback than a general practitioner, focused his binoculars on the small knot of people waiting on shore."

"Suddenly he stiffened and let out an exclamation. One of our greeters was holding a placard. In a strained voice he read out the words: 'Beware of the Yankee Warmongers. Now they come shrouded in white like a dove of peace.'"

But with time and *HOPE*'s presence, the "Yanqui No!" signs became rarer and, shortly after a military junta overthrew the local government, disorders began in the city when a rumor circulated that *HOPE* was about to pull out because of the chance of violence.

SOLDIERS VISIT

American medical crew members recall that the ship was quickly visited by an officer and a squad of soldiers who came with guarantees for the safety of the ship and, before they left, donated a pint of blood each.

Another of the times that *HOPE* was caught up in political crossfire was in Nicaragua in 1966, when medical crewmembers were accused of practicing discrimination against their Latin American "counterparts."

But the longer *HOPE* remained the less validity the criticism seemed to have, and once again the day-to-day activities of the floating hospital outlasted the propaganda blasts leveled against it.

When the ship leaves a port, she is invited back. And the number of nations actively seeking a visit by *HOPE* continues to grow.

Today that list stands at about 30.

NEW SOVIET ESPIONAGE TACTIC DIRECTED AGAINST U.S. DEFENSE FACILITIES

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. ICHORD. Mr. Speaker, I call to your attention an interesting article, titled "The Role of Money in Soviet Espionage Operations," prepared by the distinguished Director of the Federal Bureau of Investigation, John Edgar Hoover, for the June 1970 issue of the professional publication, *Industrial Security*.

The Director points out a significant trend in current Soviet espionage operations. While noting that the Soviets have always used mercenary agents, the Soviets were especially successful during the 1930's and World War II in recruiting "ideological agents" whose motivating force was belief in the tenets of communism rather than the drive for money. He recalls the more notorious examples of the latter, particularly Dr. Klaus Fuchs and Harry Gold, atomic spies, who cheerfully and voluntarily cooperated in espionage on ideological grounds. This type of agent, expecting no material or monetary award, dedicated himself to the demands of the Soviet system and worked long hours at great personal sacrifice and inconvenience.

However, Mr. Hoover points out, in the current period the Soviets have found that ideological agents are becoming increasingly difficult to recruit. He attributes this fact largely to the revelation of Stalinist tyranny and the brutalities of Soviet policy, such as the invasions of Hungary, and Czechoslovakia, which have dispelled the magic pull of the "brave new world" across the seas.

The Soviets are now relying more and more on mercenary agents and meeting with some success. This, he observes, is largely because of some unfortunate trends in our society. The Soviets, Mr. Hoover said, have noticed and are taking advantage of what many observers have called a breakdown of certain key and basic values in our society, such as love

of country, respect for law, personal integrity, honesty, and honor, values which historically have been important in holding the citizen firmly against betrayal and treason. The erosion of traditional values has been encouraged by the so-called student new left movement, and an increasing number of young Americans are becoming hostile to their native land. "Here," Mr. Hoover warns, "are seeds for espionage exploitation." He states:

The Russians are well aware that there are Americans (some in responsible government, industrial, and military positions with access to data desired by Moscow) who are deeply in debt. The job of the Soviet intelligence officer is to make the personal contact, to develop the potential agent and to encourage him to accept money in exchange for information—and Moscow has been successful in far too many instances.

I am pleased to note that the increasing dangers of Soviet espionage have not gone unnoticed in the House of Representatives. The Members will recall the passage by this House on January 29, 1970, by an overwhelming vote of 274 to 65, of the bill H.R. 14864, titled the "Defense Facilities and Industrial Security Act of 1970," a bill reported from the House Committee on Internal Security. This measure would provide a solid legislative base for the maintenance of an industrial security program. I regret to advise that the bill has received no action as yet by the Senate to which it was transmitted following passage by the House several months ago.

Surely in light of the growing dangers we face at home and abroad, this is no time to relax our vigilance and efforts. In this connection, I would also take the opportunity to express my deep concern that a bill, S. 782, passed by the Senate and now pending before a subcommittee of the House, would appear to nullify those considerations which the Director of the Federal Bureau of Investigation warns are of increasing importance to our defense against foreign espionage operations.

Entitled a bill "to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their Constitutional rights," the bill in its literal terms would prohibit any inquiry with regard to a personal income from foreign espionage agents or agents of foreign powers. It would also prohibit any inquiry of Federal employees concerning subversive membership and associations. While I commend the distinguished Senator for his motivation in introducing the bill, it appears to me that the bill if enacted in its present form would have seriously detrimental effects on the Nation's internal security.

The Committee on Internal Security is now preparing for hearings during which we will examine the adequacy and effectiveness of Federal employee loyalty security programs. The inquiry will be one of oversight of existing laws and regulations, and their administration. Mr. Hoover's remarks amply demonstrate that there must be no complacency in this field.

The Director is to be commended for

this timely and perspicacious article. I am personally grateful for his devotion to the Nation's welfare, and his unrelenting vigilance.

The article follows:

THE ROLE OF MONEY IN SOVIET ESPIONAGE OPERATIONS

(By John Edgar Hoover)

A white envelope addressed to a well-known business firm;

A cigarette package, tore open at the top, with several cigarettes missing;

A small aspirin box;

A rusty tin can wedged between broken stones in an old fence;

A rolled up newspaper.

An envelope, a torn cigarette package, an aspirin box, a rusty tin can, a rolled up newspaper—what do they have in common?

All contained money—\$20 bills!

Not that the money was there just by chance. It wasn't.

The money was placed there purposely.

By whom?

The KGB and GRU—that is, by members of the Soviet intelligence services operating inside the United States.

For what reason?

For payment by the Russians for information given, documents supplied, or other services rendered by agents, that is, Americans who are spies for Moscow.

The envelope and cigarette package were passed by the Soviet officer to the agent while they were eating lunch. The aspirin box was handed to the American while he was walking down the street with the Soviet. The tin can was carefully placed in a stone fence for later retrieval. The rolled up newspaper was casually thrown on the seat of the agent's car.

By prior arrangement, the American knew that these items contained money—Soviet payment for services he had rendered.

If we counted up all the Russian payments, the total amount of money spent by Moscow on espionage in this country, how much would be involved?

It would run into thousands upon thousands of dollars.

The "capitalist" device of money—hard, cold cash—represents today one of the most effective espionage tools of the Soviets in this country. The Soviets have unlimited cash. They are ready to use money—and in large sums—if it will lead them to the data they seek.

Not that the Russians give money away promiscuously. They are pragmatic, shrewd bargainers. They will not pay unless absolutely convinced they will obtain full value and more in return. Once, however, they sense that money can bring them valuable information, they will pay quickly and in almost unlimited amounts.

The Soviets have always used mercenary agents. As far back as 1920, the early Bolsheviks were trying to smuggle diamonds into this country for espionage purposes. They realized that money could turn the loyalties of some men and women.

During the 1930's and especially during World War II, the so-called ideological agent proved a great bonanza for Moscow. The ideological agent is the individual, like Dr. Klaus Fuchs or Harry Gold (atomic spies of the 1940's), who gladly and voluntarily cooperates in espionage because he believes in the tenets of communism or otherwise supports the Soviet system.

The ideologically motivated agent works long hours at great personal sacrifice and inconvenience. He expects no material or monetary award. Fuchs, for example, once spurned a Soviet offer of money because he felt it would be an insult to his integrity. The Soviets frequently paid Gold expense money—but time after time this Philadelphia

chemist spent money out of his own pocket for spy trips without a thought of financial reimbursement. To him, it was an "honor" to help the Soviet cause.

Today, however, the Russians realize that ideological agents are becoming increasingly difficult to find. The revelations of Stalinist tyranny and the brutalities of Soviet policy (such as the invasions of Hungary and Czechoslovakia) have rubbed the lustre off both communism as an ideology and the Soviet state. The magic ideological pull of the "brave, new world" across the seas has grown considerably weaker as an espionage incentive.

For this reason, the Soviets are relying more and more on the mercenary agent—and in their search, unfortunately, are being abetted by some current trends in our society.

First of all, the Soviets have noticed what many observers have called a breakdown of certain key and basic values, such as love of country, respect for the law, personal integrity, honesty and honor—those values which historically have been important in holding the citizen firm against betrayal and treason. Crime has increased dramatically in recent years. Civil disobedience has been rampant. An increasing number of individuals feel that to violate the law is not a crime but really the thing to do.

The erosion of patriotism has been encouraged by the growing nihilism and anarchism of the so-called student New Left movement, especially by groups such as the Students for a Democratic Society. "America is a Murderer"; "Down with the Establishment"; "Hurrah for Fidel, Mao and Ho"—the attitudes typified in these slogans are undermining citizen confidence in government, respect for the law and the ability to tell right from wrong. They are creating in some people a belief that this country is rotten, corrupt and despicable, certainly not worthy of support and allegiance.

More and more there are some Americans (especially among the young) who are bitterly hostile to their native land. Here are seeds for espionage exploitation.

This mood of alienation and lack of respect for the institutions of society is being supplemented by another trend the Russians have already seized upon—an increasing materialism in America which more and more emphasizes the dollar sign as the growing individual ambition.

The Russians are well aware that there are Americans (some in responsible government, industrial, and military positions with access to data desired by Moscow) who are deeply in debt, who are desperately trying to maintain a material standard of living in excess of their legitimate income, who crave the benefits of affluence, such as automobiles, homes, boats, clothes, vacation trips. The only answer in the minds of such persons is money. And the Russians have the money. The job of the Soviet intelligence officer is to make the personal contact, to develop the potential agent and to encourage him to accept money in exchange for information.

Such is the Russian task—and Moscow has been successful in far too many instances.

In one case, for example, the Soviets paid an American an estimated \$10,000.

Who was this individual?

He held a prominent government job in Washington, D.C., where he had access to highly confidential documents.

How did the Russians make contact with him?

The American moved in Washington diplomatic circles where he met a number of Soviet officials. (It should be noted that Soviet officials assigned to the Russian Embassy in Washington, D.C., and the Russian Mission to the United Nations in New York City form the backbone of Moscow's spy services

in the United States. A Soviet defector has estimated that some 70 to 80 percent of the Soviet officials in this country are also intelligence officers.)

The Russians obviously assessed this individual as an excellent prospect. The American and his wife were invited to dine at the residence of a Soviet attache—a most unusual event. Subsequently, the American's daughter received a birthday present from the Russian. (The giving of gifts, such as vodka, books, caviar, classical records, and jewelry, is a favorite Soviet device for ingratiating themselves with either potential or actual American agents. These gifts represent a type of monetary gain for the recipient.)

The American, as it turned out, was exactly the type the Soviets were seeking—an opportunist who craved social status, who enjoyed entertaining and associating with prominent people and who wanted in his neighborhood to be considered a "big shot." He purchased an expensive home and lavishly furnished it. He gave elegant gifts.

All of this cost money, much more than he earned. In years past his life had been one of hand-to-mouth financial juggling: borrowing on his insurance policies, negotiating loans, staying one step ahead of the bill collector.

The Soviet spy apparatus "turned" the American. At one meeting the Soviet officer, who was "developing" the American, made mention of some documents at the American's place of employment. Would he (the American) bring them to the Russian?

The man from Moscow was deadly serious. His eyes were firm. His jaw was set.

The American hesitated.

"We're friends," the Russian said. "We've known each other for a long time. We need your help." (To the Soviet, "friendship" was part of the development technique which would lead, he hoped, to "capture" of the agent.) Then came those fatal words: "You'll be paid for the information."

We can almost imagine the thought processes in the mind of that American in those crucial minutes: personally deep in debt, a keen desire for an expensive life style, a need for status in the eyes of others. All the time, these gnawing personal temptations and desires—a mercenary materialism, if you will—were unheeding and destroying all personal convictions and values which said: "No. Remember your country. What you are doing is wrong."

The dollar conquered!

The Soviet placed an envelope on the seat of the American's car—later determined to contain some \$200. Other meetings followed, and more money. Sometimes the envelope contained as much as \$1,000.

Now, with Soviet help, the American became "affluent." He helped his wife buy an expensive car. He renovated his home, bought trees and shrubbery, liquidated old debts and even spent \$2,000 repairing the house of his mother-in-law. On his wife's birthday he used \$200 of Soviet funds to buy her a gift.

To his friends, the agent explained his sudden affluence. He had outside income from a funeral parlor doing business in upstate New York. To his wife, he said the money emanated from real estate deals.

In another case, a young serviceman received approximately \$24,000 from the Russians. From this money, he purchased, among other things, a bar and restaurant as well as automobiles. On one occasion, the Soviets gave the American a lump sum payment of \$6,000. They often gave him amounts of \$400 to \$500. The information in his possession was so valuable that the Soviets, on one occasion, gave him a pencil which could be used to write normally (visibly) or invisibly. He was instructed to use this pencil to copy confidential data which was then to be placed in magnetic boxes. These containers would be

secreted in a "dead drop" for later retrieval by the Russians.

Security officers in industrial plants should never underestimate the power of dollar bills to extract confidential documents or other classified material from their firms.

The security officer in making inquiries among employees and others should endeavor to determine the financial status suspects. Is this person in debt? Is the debt of recent origin or has it been accumulated over a considerable period? What specifically caused the debt—and expensive life style, illness in the family, gambling, personal escapades? How has the debt been managed—by renegotiated loans, loans from relatives, other ways? Has there been a note of desperation on the part of the suspect to obtain money? Does he have a part-time job to earn more money?

The Soviets, in contacts with Americans, always (very diplomatically, of course) seek to determine the financial status of a prospective agent. They are looking for *points of vulnerability*. This is basic to any development process.

In one instance, during the course of a dinner conversation, the American mentioned that he badly needed a new car. He said he was so short of cash, however, that he would have to obtain a rather lengthy (three year) loan, and then he was worried about making payments. (The American's wife had an extremely serious illness which contributed to his financial problems.) The Russian said he was "sympathetic" and probably could help—which he did by later furnishing money for information.

Another American was so deeply in debt that his personal possessions had been attached by a creditor. The Russian duly noticed this fact.

Still another agent found the going tough financially because he had "expensive tastes and a very expensive girl friend." The Russians later gave the agent several hundred dollars to help defray the expenses of his romantic venture.

The Russians have become increasingly bold, so to speak, in waving dollar bills before the eyes of agents and potential agents.

On one occasion, a serviceman was approached on the streets (obviously the Russians had carefully investigated him in advance) and invited into a bar. The Soviet met again the following evening with the serviceman and made a definite proposition—if the American would obtain a definite document he would be paid \$700. The Russian paid him the amount on the spot, in advance, for which the serviceman executed a receipt. Later the Russians used the receipt as blackmail and over the following years extracted a large amount of confidential information through the agent. (Corruption and blackmail are effective Soviet devices to keep the agent in line.)

On the second contact with one American, the Soviet inquired about his salary. When informed of the amount the Russian commented: "That's peanuts for a man of your talents." He then asked about a new home the American was buying. How much would it cost? How did he intend to pay for it? How big a down payment did he have? The American supplied the financial details and said the mortgage would be paid in 25 years. Terrible," sighed the Russian. "You'll be an old man by then." He then added that sometime he would tell the American how to make a lot of money. Which he did later!

Financial remuneration is given not alone in cash, but in many supplementary ways.

During World War II, the Soviets offered to send Harry Gold to the Massachusetts Institute of Technology and did finance in part his education at a university in the Midwest.

In another instance, the Russians offered an American a 20 percent commission to purchase certain ruby crystals utilized in lasers. (The Soviets may offer the American a type of business deal, especially through Amtorg, a Soviet commercial company which has long been a cover for Moscow spy activities.)

The American ostensibly is hired as a "consultant" for which he is given money.

The giving of expensive gifts: invitations to Russian-sponsored events, such as ballets, receptions, movies; payment for overseas trips; the purchase of furniture, etc.

One Russian diplomat offered to lend the American money.

Payment of "expense money" or even a "pension."

All of these devices, of course, are merely variations on the master theme—the putting of money in one form or another, in the pocket of the disloyal American espionage agent.

Very interestingly, one of the "appeals" of Soviet cash is that the amount *should not* be reported on income tax reports! Both like to laugh about this point.

Sometimes the Russians go to almost fantastic lengths in their hope that monetary enticement, this time in the form of a gift, might favorably affect an American. A Soviet officer, on one occasion, saw a wedding announcement in the newspaper. As a result he wrote the groom a most friendly letter, introducing himself, and offering his congratulations. He also offered to send a bottle of Russian vodka for the wedding party.

The Russian's generosity was probably somewhat influenced by a statement in the wedding announcement that the groom was employed in a highly sensitive division of an industrial firm having defense contracts!

Sometimes the mercenary agent becomes troublesome for the Soviet principal—leading to bitter and angry words. The Russians will keep demanding more data, more documents, claiming the information previously furnished was not too good or current. "My boss," he says "wasn't too impressed." "Can't you do better?" On the other hand, the agent is out to drive a hard bargain. He could not care less about the Soviet cause, the Russian's standing with the "boss" or just how valuable the data is. He wants money.

A Soviet KGB officer and an American agent had lunch in a Washington, D.C., restaurant. "How much money did you bring?" the agent asked to open the conversation. (Social amenities at this meeting were few). "Money," exclaimed the Russian in excellent English. (Russian diplomats are exceedingly well-trained, speak good English, dress in American clothes and know how to handle themselves with skill in our society). "You know, the last paper you brought was no good. It wasn't what we wanted, but even so I brought \$500 for you to show you we appreciate the hard work you did to get it and to show you that we trust you."

The American snapped: "Let's not talk any more. First, give me the money. I want \$5,000." The Russian gave him \$500, but the American was unhappy. "That's not enough," the agent bellowed, his voice rising. The Russian trying to pacify the American, laughed slightly and said: "You ask for money like we just give it away. We do—but for the right information. Now, if you tell me what you can bring, then I can tell you the value of the information."

"I'm not going to talk any more," the agent replied in a haughty mood, "until you give me my \$4,500. Otherwise we are finished."

They were not finished. It was a typical haggling interview—with two raven opportunists, one from Russia and the other from the United States, arguing over stolen information and dollar bills while eating chicken and French fried potatoes.

These are some of the problems the Russians face in dealing with the mercenary agent. He is an opportunist who can on occasions become most difficult to handle, who can bid up the price, who can never be fully trusted. But the Soviets are knowledgeable of this kind of disreputable personality and are trained to deal with him.

The Russians are prone to make payment to their agents in \$20 bills. In paying large sums (several hundred dollars), a group of \$20 denominations does not make a large bundle. On the other hand, the \$20 bill is readily negotiable. In person-to-person contacts, the money is often placed in envelopes, in rolled up newspapers or, as in one instance, in a program from a sports event. Briefcases which can be exchanged are also used. In some instances, elaborate advance instructions are followed whereby the money is hidden in "dead drops" in stone walls, in public parks, near telephone poles.

In doing his job, the industrial security officer must not become complacent. This is probably the greatest threat in counter-intelligence work. It is so easy to become complacent, to let standards sag, to not maintain a continuous security educational program for employees. Today, when the Soviet Union professes friendship with our country, it becomes easy to forget the deadly intent of the Soviet espionage services. The KGB and the GRU are just as dangerous today as five, ten or twenty years ago.

You in the industrial security field—the readers of *INDUSTRIAL SECURITY*—must be particularly alert to the increasing dangers of the mercenary agent. This type of spy is a current and continuing threat to your company and your country.

Remember the comment of one Soviet who boasted rather gleefully: "Money can do anything, including circumventing the American security program."

Here is our challenge.

GAO RECOMMENDATIONS ON TIMBERLANE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. WYMAN. Mr. Speaker, the rising costs of Federal and federally assisted educational programs make it essential that local school districts and State educational offices exercise effective controls over the expenditure of Federal funds. Because weaknesses were evident in such controls in the Timberlane Regional High School District, N.H., I requested the Comptroller General of the United States to examine certain aspects of Federal fund expenditures.

The Comptroller General's report, dated June 11, 1970, outlines a number of suggestions for improvement of controls exercised by the New Hampshire State educational agency and the Timberlane District over Federal grant funds in that district and provides guidance for measures to be taken to preclude recurrence of similar problems at other locations.

I want to commend Mr. Staats and the General Accounting Office for this constructive report and recommendations and also the superintendent and the staff of the Timberlane Regional High School District for taking the initiative in implementing corrective procedures. I en-

close for the RECORD the digest of the GAO document along with the response of the Acting U.S. Commissioner of Education. This is an outstanding example of how the different levels of our Federal, State, and local governments can work together with success and harmony to achieve reform when it becomes apparent that reform is needed.

EXPENDITURE OF FEDERAL FUNDS BY TIMBERLANE REGIONAL HIGH SCHOOL DISTRICT, N.H.

WHY THE EXAMINATION WAS MADE

At the request of Congressman Wyman, the General Accounting Office (GAO) examined reported weaknesses in control over Federal grant funds used for equipment purchases, travel activities, and consultant services by the Timberlane Regional High School District, New Hampshire. Most of the funds came from programs administered either directly by the Office of Education, Department of Health, Education, and Welfare (HEW), or through the State educational agency.

During fiscal years 1966-69, Timberlane received Federal funds totaling \$559,230 for the operation of various programs.

The matters in the report were discussed with the New Hampshire State educational agency and Timberlane. The Office of Education and HEW have not been given an opportunity to formally examine and comment on this report, although certain matters were discussed with the Office of Education officials.

FINDINGS AND CONCLUSIONS

Contracts awarded by Timberlane for the purchase of equipment may not always have been awarded to the low bidders.

Timberlane awarded a contract for a language laboratory system under a Federal grant program to the only company submitting a bid. At the direction of the former principal, the bid specifications were based on the specific capabilities of equipment sold by this company.

Officials of another company told GAO that they had attended planning conferences and had expressed interest in installing this equipment, but did not receive an invitation to bid.

To obtain suitable equipment at the lowest possible cost, all companies showing an interest in supplying items should be asked to submit bids. Specifications should not be based on characteristics of a particular brand.

In six other contracts involving Federal funds

—three were awarded to the low bidder,
—two were awarded on the basis of only one bid having been received, and
—one was awarded to other than the low bidder.

With respect to the latter, the basis for awarding it to a higher bidder could not be determined either from Timberlane records or available officials. GAO emphasizes the importance of the purchasing organization's documenting the basis for awarding contracts to other than the low bidder.

Prior to February 1968 there were weaknesses in Timberlane's controls over travel expenses charged to Federal grants. Thereafter, travel policies and procedures were strengthened as a result of suggestions made by the State auditor.

In June 1967 Timberlane paid Federal funds of \$100 to an individual for services as a student consultant. He was subsequently determined to be unqualified scholastically. The individual represented himself to Timberlane as having a master's degree when in fact he had not graduated from high school. Timberlane informed GAO that the Federal Government would be reimbursed for the fee.

Timberlane also strengthened its procedures for hiring consultants.

Funds awarded to Timberlane by the Office of Education were available for expenses incurred only during the period for which the grant was made. However, in several instances, Timberlane used the funds to make payments for personal services and travel which were to be performed after the grant period. GAO found no instances where the services did not relate to the project. Because of the resulting understated grant balances at the close of the preceding grant period, the amounts of continuation grants may have been higher than would otherwise have been the case.

GAO also noted that Federal funds of \$930 may have been spent for equipment and furniture related to arts and crafts which was ineligible for Federal funding.

Federal grant funds of \$711 were paid to two Timberlane employees for services they did not perform. The payments were made to avoid lapsing of grant funds at the end of the grant period. The funds were later returned to the Timberlane business administrator and deposited in the joint personal savings account of the business administrator and the then project director along with \$100 of unused travel funds previously advanced under the Federal grant.

Subsequently, the funds were returned to Timberlane's account and correctly reported to the Office of Education as unspent at the end of the grant period for which they were available.

RECOMMENDATIONS OR SUGGESTIONS

Provide the New Hampshire State educational agency with instructions so that appropriate guidelines will be devised for local educational agencies when buying equipment under the Federal program. Similar assistance may be needed in other states.

Seek recovery or take other action on the basis of the circumstances involved where funds awarded to Timberlane for a specific grant period were used to pay for personal services and travel to be rendered after the expiration of the grant period. Also, the Office of Education should satisfy itself, through the use of HEW's Audit Agency where necessary, that other local educational agencies are recording such costs correctly.

Make clear to State and local educational agencies that grant funds must be deposited only in an official bank account of the agency receiving such funds.

Take appropriate action to recover amounts which may have been paid to Timberlane for arts and crafts items not eligible for Federal reimbursement.

OFFICE OF EDUCATION,
Washington, D.C.

HON. ELMER B. STAATS,
Comptroller General of the United States,
Washington, D.C.

DEAR MR. STAATS: Thank you for your letter of June 11, 1970, with which you forwarded copies of your report to Congressman Louis C. Wyman of New Hampshire regarding the General Accounting Office (GAO) examination into the expenditure of Federal funds by the Timberlane Regional High School District (Timberlane), New Hampshire. We appreciate the opportunity to review and comment on the findings and recommendations.

PROCUREMENT OF EQUIPMENT

We agree that maximum practicable use of solicited competitive bidding procedures in selecting suppliers is highly desirable in the acquisition of equipment with Federal grant funds provided to local educational agencies (LEAs) under Title III, National Defense Education Act (NDEA). We think it is equally desirable and appropriate that State educational agencies (SEAs), in discharging their responsibilities for leadership

and control in the so-called State plan programs, such as that authorized by Title III, NDEA, issue guidelines and instructions designed to promote and regularize LEA use of such bidding procedures and assure adequate documentation of the basis for final supplier selection.

The Office of Education (OE) cannot, of course, dictate the procurement policies and procedures followed by any SEA or LEA in acquiring equipment with Federal grant funds. These matters must be governed by applicable State statutes and regulations, with due regard for local authority, responsibility, and initiative in dealing with local needs and circumstances. OE does, however, share with each SEA a clear responsibility to promote the economical use of Federal grant funds so as to yield maximum program effectiveness and educational benefits. Encouragement of equipment acquisition through solicited competitive bidding is a means to that end.

The OE guidelines for SEA administration of the Title III, NDEA program currently are under revision. In light of the GAO findings and recommendations in the Timberlane report, a statement substantially as follows is being considered for incorporation in the revised issuance:

EQUIPMENT PROCUREMENT POLICIES AND PROCEDURES

Equipment purchased through use of title III, NDEA funds will be acquired in accordance with established State and local procurement policies and procedures. In the absence of such policies and procedures, the procurement process, at least in the case of acquisition of a single item, two or more like items, or a group of related items (e.g., system components), having an estimated cost in excess of \$1,000, should include: (a) solicited competitive bidding; (b) use of bid specifications drawn to permit and encourage submission of bids by at least three (3) qualified suppliers; and (c) documentation, in project records, of the basis for final supplier selection.

The same OE issuance will emphasize that the substance of procurement policies and procedures are matters solely for SEA determination in consonance with State statutes and regulations and in recognition of the operation of local rules and ordinances. The issuance also will stress, however, OE's readiness to render appropriate technical assistance in the installation of an equipment acquisition system at the SEA level after basic statutory and policy questions have been resolved.

In further response to the GAO findings and recommendations pertinent to equipment acquisition policies and procedures, and to reinforce the effect of the OE statements proposed above, this subject will be afforded greater emphasis in the course of subsequent State Management Reviews. These week-long SEA-level reviews, 19 of which are scheduled to be conducted during fiscal year 1971 by teams of program and management specialists from the Bureau of Elementary and Secondary Education, provide an excellent vehicle for on-site appraisal of SEA attention to, and effectiveness in, this area of management and for OE recommendations for further improvement therein. (It should be stated here that, while the State of New Hampshire is not among the 19 SEAs presently scheduled for a State Management Review in the current fiscal year, consideration now will be given to including that State in the schedule if one of the 19 selected States requests deferment until a later fiscal year. Addition of New Hampshire as a 20th target State in fiscal year 1971 is not feasible due to budget and manpower constraints.)

CONTROLS OVER TRAVEL EXPENDITURES

With regard to control and documentation of travel expenditures charged to Federal funds provided under title III, Elementary and Secondary Education Act (ESEA), we note the GAO finding that Timberlane began strengthening its pertinent policies and procedures as early as February 1968 and that the present system for travel regulations and documentation appears to provide adequate Federal fund control and accountability.

The necessity for improved LEA accounting for, and documenting of, costs charged to Federal funds was under active discussion with the New Hampshire SEA prior to issuance of the Timberlane report. A recent audit of SEA administration of the program authorized by Title I, ESEA, conducted by the Department of Health, Education, and Welfare (HEW) Audit Agency, indicated that a number of LEAs are deficient in maintaining accounting records and supporting documentation with respect to expenditures of Federal funds. Similar conditions have been noted in the course of recent HEW audits of other Federally funded educational programs in New Hampshire. The effectiveness of the SEA-administered program of local audits of Federally supported projects also is an open question under active OE consideration in conjunction with the SEA.

The findings and recommendations contained in the Timberlane report give added impetus to these ongoing actions which are designed to strengthen State agency fiscal management policies and procedures and LEA operational fund control and accountability performance.

CONSULTANT SERVICES

It appears from the Timberlane report that the earlier unsatisfactory procedures pertinent to engagement of consultants were rectified beginning in February 1968 and that present practices insure against the employment of unqualified personnel. With regard to LEA documentation of the nature and results of consultant services at the project level the Timberlane report notes OE issuance, in January 1970, of an administrative bulletin to all Chief State School Officers emphasizing the importance and value of such permanent documentation. Assessment of the extent and effectiveness of SEA implementation of that bulletin will be made during the current cycle of State Management Reviews discussed earlier herein. The matter also will be discussed during the next scheduled series of OE-sponsored regional meetings with State-level Title III, ESEA officials. We anticipate also that any significant deficiencies in SEA implementation of the aforementioned bulletin will be cited in subsequent reports of HEW Audit Agency review of the Title III, ESEA program.

FUNDS USED TO PAY FOR PERSONAL SERVICES AND TRAVEL TO BE PERFORMED AFTER THE EXPIRATION OF THE GRANT PERIOD

The Timberlane report cites numerous instances in which the LEA, in 1966 and 1967, charged to Title III, ESEA funds awarded for a specific grant period the costs of personal services and travel to be performed subsequent to the end of that period. As the report notes, such actions were clear violations of the pertinent Federal regulations. See 45 CFR 118.15(b)(4), which states, in part:

"Federal funds shall be considered to be expended by the local educational agency . . . on the basis of the time in which such [personal] services were rendered, such travel was performed. . . ."

The actions under discussion caused an understatement by the LEA of the unexpended fund balances reported to OE at the close of the grant periods during which the funds in question were available. This, in

turn, invalidated the accuracy of OE determinations of the funding required by the LEA during subsequent budget periods of the projects involved.

We will make an immediate analysis of all grant awards, expenditure reports and allied fiscal data related to Timberlane's Title III, ESEA project(s) during the time span in question, to determine whether or not, at the termination of the entire project period, the LEA's reported and refunded balance of unexpended funds was adjusted to offset the effects of the earlier understatements of available funds. Should it appear that any additional refund is required, OE will take immediate recoupment action.

As noted in the Timberlane report, direct administration of the Title III, ESEA program now is the responsibility of the New Hampshire SEA, acting under an annual State plan approved by this Office. Therefore, to preclude recurrence of the regulatory violations under discussion, at timberlane or at other local agencies, we will take prompt action, in conjunction with SEA officials, to assure complete understanding of the funding principles involved and to stress the need for close SEA surveillance of LEA fiscal practices, through project monitoring and audit procedures.

OTHER MATTERS RELATING TO CONTROL OVER GRANT FUNDS

With respect to the questionable payment of Title III, NDEA funds to Timberlane in connection with purchase of arts and crafts equipment and furniture, we have learned that the New Hampshire SEA already has instructed Timberlane to refund \$930, the Federal share of the total purchase price. OE will monitor this refund action to its completion and will request the SEA to adjust its annual financial report on Title III, NDEA funds to account for the refunded amount.

In the 1967 matter of deposit of Title III, ESEA funds in the joint personal savings account of two Timberlane officials, we note that the funds in question were later withdrawn from that account and were included in the unexpended balance to OE for the budget period during which they were available for expenditure. Nonetheless, we do not countenance either the deposit action or the earlier transactions whereby the same funds were paid to Timberlane employees—either as travel advances or for services never rendered—to avoid the lapsing of said funds at the end of the budget period.

A revision of the Title III, ESEA instructional manual now is in progress. That revision will incorporate a clear, unequivocal statement that Title III, ESEA funds distributed to a LEA are to be deposited in an official bank account held by, and in the name of, the recipient local agency. The instruction will emphasize SEA responsibility for strict enforcement of that banking procedure.

We have previously stated that the payment of Title III, ESEA funds for personal services which LEA officials knew had not been, and would not be, rendered—represent aggravated instances of that practice by Timberlane.

We have indicated previously our planned actions to assure full understanding of Title III, ESEA fund accountability regulations and procedures on the part of New Hampshire SEA officials and to stress the necessity for close supervision and surveillance of LEA fiscal practices. The transactions listed above will be cited to show the need for effective SEA programs of project monitoring and auditing of LEA accounts and procedures.

To augment and reinforce all of the specific remedial actions discussed herein, OE will request the HEW Audit Agency to schedule, as soon as practicable, reviews of New Hampshire SEA administration of the pro-

grams authorized by Title III, NDEA and Title III, ESEA. The results of those audits will permit OE to assess the current need for additional broad-based guidance and technical assistance at the State level.

Sincerely,

T. H. BELL,

Acting U.S. Commissioner of Education.

WORLD SANITY

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. WATSON. Mr. Speaker, during these troubled times, there are men of great faith who inspire others to lead a good life by their own example and ability to communicate. Such a man is the Reverend Dr. C. Newman Faulconer, pastor of the First Presbyterian Church, Greenville, S.C. Just recently, Dr. Faulconer delivered a magnificent sermon taken from I Thessalonians 4: 11-12. Because his message is so timely, I commend it to the attention of the people of this Nation and the Congress as follows:

WORLD SANITY

Text: I Thessalonians 4: 11-12—"Study to be quiet and to work with your own hands that ye may walk honestly and that you may have lack of nothing."

In the fourth chapter of Paul's epistle to the Thessalonians, he gives us a fivefold program for world sanity. Many times people ask me, "What is this world coming to?" Well, what is it coming to? We do not have any evidence that it is coming to its senses. We do not have any evidence that it is coming to its knees. But a more relevant question is not what is the world coming to, but what or who has come to the world. In the beginning of this chapter, Paul says, "I beg you, I pray you by the Lord Jesus, that you will continue to learn more and more about the life that pleases God." The life that is pleasing to God is the only life that is satisfying to man. This particular epistle is the earliest of the writings of Paul. It is thought by many scholars to be the oldest book in the New Testament, written perhaps about twenty years after the death of Jesus Christ. In this fivefold program for world sanity, we find three of the ingredients of the program in the verses we have announced as our text, and the other two aspects of the program are found in the context.

I. QUIETNESS

If we are to have a sane, satisfying and satisfactory world, if we are to have a part in bringing sanity to this planet, we must learn, by the grace of God, how to live quietly. The New English Version of the New Testament puts it, "Let your ambition be to keep calm." We may learn a lesson, if we are interested in doing so, from a statement which throughout the years has challenged me: "I heard the guns at sunset roar, but I never heard the sun go down." Someone has said, "The gods come to us on feet of wool." I wonder why it is that we sing as one of the nativity hymns "Silent Night, Holy Night"? The Bible says, "In quietness and confidence shall be your strength," and God is still saying to a noisy, jittery, panicky world, "Keep still and know that I am God." There is great therapeutic, healing value in the sacrament of silence. "Forests were made that weary men might rest and find their souls again."

I have read about certain experiments which have been made in laboratories where

experts have endeavored to discover the effects of sound on the muscles, nerves, the respiratory system, the mind, and even on the soul and the spirit. The National Council for Noise Abatement has indicated that noise is one of the dangerous areas of pollution in this age of a polluted world. We pollute our streams, we pollute the air, we pollute the minds of our young people, and noise is a type of pollution that is contributing to the unrest and tension of our neurotic age. In laboratory tests mice have been driven insane by noise. They have not only been driven insane, but they also have been driven to their death. Decades and decades ago some wise man said, "The salvation of our jittery civilization depends upon man's willingness and ability to learn how to sit quietly and alone for five minutes in a room." Paul said, "Study to be quiet." Make a deliberate effort to live a life of quietness and calmness.

II. INDUSTRY

If we are to have world sanity, we must not only learn to live quietly—we must learn how to live industriously. "Study to be quiet and to tend to your own business and to work with your own hands." Happy indeed is the man who is gainfully employed. The happy individual in this world is the individual who is making a contribution by doing something worthwhile. And so Paul says, "We need to study to be quiet, and men need also to think very seriously about the imperative necessity of learning how to work with their own hands. Of course, it is not a laughing matter when we see certain deliberate efforts to encourage laziness and indolence on the part of multitudes of individuals. Let it never be said that the church lacks love or charity or sympathy, that the church has no concern for people who are down and out and underprivileged. We are concerned with such individuals, but I, for one, do not see how in the name of common sense, in the name of humanity, and in the name of God, we can be stupid enough to say that regardless of what your attitude is toward life, regardless of what you are willing or unwilling to do to contribute something to life, we are going to give you a guaranteed income. Methinks this is one of the problems of our jittery age today. Man needs to work; Man needs to engage in creative labor! So Paul says, "Study to be quiet and give some thought to the necessity of working with your own hands."

Not a single week passes that this church does not give handouts in your name and in the name of Christ to needy persons who come by seeking help. We want to help, and we do help, but the best way to help men is to help them to learn how and to want to help themselves. Jesus said, "Work while it is day, for the night cometh when no man can work." In periods of old age and incapacitation, we can understand how individuals need to lean on someone else, but the Bible is right in saying, "Work when you can," remembering that the day will come when you can't. Jesus also said, "My Father worketh hitherto, and I work." Oh, Jesus was a dreamer, but He was never a drifter. Warren Beale in his prayer a moment ago, spoke of our world of beauty and of bounty, and indeed God has put up in His storehouse abundance and plenty. If you want coal, the law of toll says you must dig for it. If you want to harvest a crop, the law of toll says you must plough and sow and work for it. If you want to build up a bank account, the law of toll says you must work for it. Toll is one of the laws of life. Paul indicated that the world needs to know this, and that even Christians from time to time need to be reminded of it.

Paul lived and wrote in a time when people felt, as some people feel today, that the world was coming to an end. Someone spoke to me just yesterday about the nearness of

the return of Christ and the end of this age. A self-appointed prophet had worked out a little formula whereby he could prove, with a guaranteed certainty, that within a certain number of years history will come to a climax and the world will end. Well, some of Paul's contemporaries thought the same thing, and, as a result of it, they said, "Why work any more? Let's just sit down and fold our hands, twiddle our thumbs, and wait for the Lord to come and receive us into glory." Paul said, "No, as long as you have even one day left, it must be a day of work and of toil." You remember these words of Paul. "If a man will not work, neither let him eat." Then Paul has something else to say not just about the necessity, the imperative necessity, of living industriously, but he indicates that in this way, and in this way alone, can man live with a sense of dignity. "Tend to your own business and work with your own hands, and in this way you will earn for yourself a reputation of honesty in the outside world, and you will achieve an honorable independence." Amen.

III. DECENCY

If we are to have world sanity, Paul indicates that there is a third thing we need. We need to learn how to live quietly, to live industriously, and to live decently. Now what is about to be said is not something I have thought up in my study or dreamed up on my pillow. This is something that is said very dogmatically and clearly in the revealed word of God, and Paul says more about this in this particular chapter than anything else. He wants men to learn how to live calmly and to live industriously, but the emphasis of this chapter is that men should learn how to live decently. He says, "You need to earn for yourself a reputation for honesty and honor," and indeed this is true. But how are we going to earn this reputation for honesty and honor? Paul speaks of "God's plan—But you can frustrate God's plan." Society can repudiate God's plan. But says Paul: "God's plan is to make you holy." And here in verse eight he uses a play on words: "It is not for nothing that the Spirit God gives is called the Holy Spirit." God's plan is to make you holy, and the Spirit God gives is called the Holy Spirit. God's plan cooperate with God in His plan to make you holy and to make this a holy world, to cleanse and purify our contaminated society, then you must, "make a clean cut with sexual immorality." I visited historic Corinth in the ancient world where travelers see nothing but crumbling ruins of what was once one of the busiest and most famous cities in the world. You can see huge stones which were parts of temples, but in that ancient and corrupt day in the temple, where people went presumably to worship God, they had more than one thousand temple prostitutes. Oh, Paul knew the problem of changing the attitude and changing the character of people who lived in this sensuous, pagan world. Paul insisted, "God's plan is to make you holy, and this means on your part, first of all, a clean cut with sexual immorality. Everyone of you should learn to control your body, keeping it pure and treating it with respect, and never regarding it as an instrument for self-gratification as pagans do who have no knowledge of God." Then Paul adds, "You cannot break this rule without suffering the consequences."

In a meeting just recently in a high church court, a paper was presented on the subject of sex. We are living in an age of sexual license, and even some of the leaders in the church are beginning to encourage sexual looseness and license. Some of you read portions of this paper which was to be presented to this church court. Excerpts of it appeared in *Parade* magazine. Some of the delegates attending this particular meeting were prepared to voice their pro-

test and to make an effort to get the report changed; thus a resolution was introduced asking this high ecclesiastical court to label as sin adultery, fornication, premarital sex, and other aspects of this particular problem. Nearly four hundred persons at this particular ecclesiastical convention voted *not* to label these things sin. We can sympathize with our young people who have all the temptations that any age and any generation throughout the centuries have faced, but we are making it more difficult for them by taking down the fences and direction signs. Permissiveness is substituted for taboos and prohibitions, and it is more difficult to accomplish what Paul is begging for and praying for here. Those who would be Christians need to be reminded that God's plan is to make you holy and to give you the grace and the ability to cut yourself loose from sexual promiscuity and license.

We are living in a world which is neither mentally nor morally mature, much less spiritually mature. In a program for world sanity we desperately need to do something about our salacious literature, our pornographic motion pictures, and the contaminating filth that is being dispensed in the world today. There is a quotation from the Old Testament prophet Jeremiah who was concerned about this same problem. He spoke of the idolatry and the sexual looseness of the people of his day who were corrupting his nation, and with a tone of sorrow and lamentation he said, "But my people love it so." Yes, we love to have it so. Read what Edward Gibbons says about the decline and downfall of Rome, and you see all of the elements of decay which destroyed ancient Rome working on our society today. Corruption ultimately and inevitably leads to collapse.

IV. LOVE

The fourth ingredient that Paul indicates we find in verse nine when he says: "As touching brotherly love ye need not that I write unto you: for ye yourselves are taught by God to love one another." If we are to have world sanity, men must live quietly, men must live industriously, men must live decently, and men must live lovingly. Regarding brotherly love, Paul has something wonderful to say here. I can say it, too, about most of the members of this congregation. Paul affirms: "You don't have any need for written instructions. God Himself is teaching you how to love each other." And God is the only One who can teach us this important lesson of life. Dan Cupid can't teach it. I can't teach it. God, Who is a God of love and Who is Love, is the only Teacher Who can teach man how to live lovingly. Now this was somewhat of a startling novelty in Paul's day when the world was torn asunder by schisms and divisions. Paul declares, "You need to learn how to live lovingly, to quit fragmenting God's world, to quit dividing God's world." Yes, this is one of the scandals of the church. Even in the church we have somehow refused to learn how, by the enabling grace of the Spirit of God, to live lives of Love, in order to transform the world from a battlefield into a brotherhood. You have heard a little poem called "The Magic Circle":

"He drew a circle to shut me out,
Heretic, rebel, a thing to flout;
But Love and I had the wit to win.
We drew a circle that took him in."

What is the real answer to the generation gap, to the racial divisions, to all the schisms in the church? We need to draw a circle which is the magic circle of love that will take others in. I can't think of a better story than one I have shared with you before. In verse eight Paul uses the word "despiseth." In a certain community there was an old negro man who had the reputation of being the happiest individual in

town. One day a minister stopped him on the street and said, "Uncle George, you know you have an enviable reputation in our community. Everyone speaks of you as the happiest man in our town. Explain to me the secret of your happiness." The Christian Negro gentleman replied: "Boss, I guess it's because I ain't got nobody in my despisery." Yes, the happy individual and the happy society is the individual and the society of individuals living in the radius of Christ's redeeming, transforming love!

V. HOPE

There is the fifth and final ingredient given in this program for world sanity. Lastly, Paul says, we must learn how, as children of God, to live hopefully. There are many things to discourage us and to drive us almost to despair, but I refuse to let the world situation drive me to despair. The Bible is a message of hope; it is a message of victory. It is not a message of defeat, defeatism or despair. So in the concluding part of chapter four, Paul says, "I would not have you to be ignorant brethren, concerning those who have died, that you sorrow not even as others who have no hope." Paul knew the hopelessness of a dark and pagan world, but Paul says, "I would not have you to live in this sort of ignorance, this kind of darkness, and in this realm of despair. I would not have you to be ignorant, brethren, as others who have no hope." We do have hope in time and in eternity, for "since we believe that Jesus died and rose again even so do we know that God will bring with Him those who sleep in Jesus."

What is this hope? It is a hope that we shall live again, that the grave is not the end, that there is life beyond this life and beyond this death. It is a hope that we shall live again with those we have loved and lost for a while. "For if we believe that Jesus died and rose again, then we also know that those who sleep in Christ we shall see again." An additional aspect of this hope is not just that we shall live again, not just that we will see again those we have loved and lost for a while, but that we shall live with them *throughout the endless ages of eternity in God's eternal Now, in the presence of the living Christ.*

The very final sentence in this chapter is this: "God has given me this message on this matter, so by all means use it to encourage one another." Let this be our program and our prayer that God will again bring sanity to our confused and insane world.

(Sermon by Dr. C. Newman Faulconer, June 14, 1970, First Presbyterian Church—Greenville, S.C. Preached extemporaneously and typed from tape recording.)

H.R. 18701—NATIONAL DEVELOPMENT BANK ACT OF 1970

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. CONTE. Mr. Speaker, I have noted with particular interest the remarks of the gentleman from Texas (Mr. PATMAN) in the RECORD of July 29, 1970, made in connection with the introduction of the National Development Bank Act of 1970, H.R. 18701.

That bill would establish a National Development Bank for the purpose of making and guaranteeing loans to public and private entities to carry out economic development projects. The bill is grounded in a recognition that economic conditions have resulted in a period of scarce money and high interest rates.

The bill's author has recognized that the bite of these conditions has been sharply felt by State and local governments which find it increasingly difficult to raise money to finance important public projects.

However, there is another segment of our economy which feels the tight pinch of inflation and high interest rates. I am referring to the Nation's small businesses. Their financial difficulties are always substantial, but in times such as these, the difficulties become acute. Probably no one is more familiar with these special problems of small business than is the distinguished gentleman from Texas who so ably serves this House as chairman of the Banking and Currency Committee.

Mr. Speaker, the special problems for small business in today's economy have also been recognized by President Nixon. On March 20, 1970, in a message to Congress, the President expressed his concern and suggested a comprehensive legislative program for meeting the special needs of the small businessmen. Those legislative proposals have been referred to the Congress, and in large part, are embodied in H.R. 16644, which Mr. WIDNALL and I introduced, the Small Business Amendments of 1970. Among the provisions of that bill of special interest is one that would allow the Small Business Administration, in connection with an SBA-guaranteed loan, to make interest assistance grants to the small business borrower. This, in my view, would be a very effective way for the small businessman to overcome the hardships of high interest rates.

H.R. 16644, is presently pending before the Banking and Currency Committee. I hope that hearings will be scheduled soon, and that favorable action on the administration proposals will result.

THE FORMOSA MYTH

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. FRASER. Mr. Speaker, a few weeks ago I delivered a paper on Formosa at a Members of Congress for Peace Through Law—MCPL—luncheon. Dr. Marilyn B. Young, at my suggestion, has read my paper and in turn called to my attention an essay "Peking and Washington: Is Taiwan the Obstacle?" by Edward Friedman. I found this article very useful. It appears in the book "China and Ourselves," edited by R. Terrill, and I include a portion of Dr. Friedman's contribution at this point in the RECORD:

LEAVING IT UP TO PEKING

When a contingent of Harvard University's Committee of Concerned Asian Scholars visited Chinese diplomats in Paris in 1969, they told the Chinese that they supported China's claim to Formosa.¹ The Chinese diplomats, however, did not put forth such a claim. Instead they thanked these Americans for their support of China's just stand that the American military must leave the Formosa area. In short, aside from "October

Footnotes at end of article.

First" rhetoric, there seems to be little evidence that China is demanding Formosa as the price of better relations with the United States. China's rational fear is armed, hostile powers at its door. It has compromised and will compromise much else to try to remove that danger.

THE CONTINUING POWER OF TAIPEI

Many people in the free world would cringe at the prospect of placing the people of Formosa under a dictatorship they do not want. Of course the people of Formosa already live under such a dictatorship, that of Chiang Kai-shek. But for power politics specialists, the fate of Formosa itself has never been viewed as a vital American concern. Therefore many foreign relations specialists in and out of the government are quite willing to sacrifice the Formosan people to America's broad interests or the administration's narrow political interests. Ambassador Reischauer, for example, "would not oppose reconciliation between Taiwan and the mainland if it should come." As Reischauer sees America's interests in the Formosa area, "we can accommodate ourselves almost any outcome without great menace to our own vital national interests."²

Peking is not suggesting that it favors an independent Formosa. Yet Peking certainly knows that Formosa, even without American military bases, would stay within America's or Japan's economic orbit. Peking seems to have been suggesting for fifteen years now that she is willing to risk that outcome in order to move America's military threat further from her borders. Is America willing to risk a Formosa open to economic and cultural relations, better able to decide her own fate, and free of American backing, for an aggressive Chiang Kai-shek? American politics would first have to free itself from Chiang Kai-shek before it could consider that alternative and open itself to a new relationship with China.

It is easy to believe that the days of McCarthyism are past and that America can now act rationally in its own interests and in the larger interests of peace in Asia. Unfortunately the evidence does not quite support such an optimistic assessment. In June 1969, when Secretary of State Rogers suggested that America recognize Mongolia and win for Washington "a valuable listening post," President Nixon reportedly resisted the proposal "primarily because of strong objections from the Chinese Nationalist Government in Taiwan—the same reason that made Washington back away from recognizing Mongolia in 1961."³ Chiang Kai-shek still seems to have veto power over American policy. Perhaps he will change his mind on Mongolia as he moves closer to Moscow; he did that once before in 1946. Either way, Washington still does not seem able to decide America's China policy on any rational or national-interest basis. Chiang Kai-shek's view of Mongolia changes with his international political position. China's policy similarly is flexible with regard to Formosa. Only American policy remains frozen.

PEKING'S ERRORS AND TAIPEI'S PLOTS

This is not to suggest that China's policy has been all wise or entirely open. Peking's 1958 judgment on the state of relations between Chiang Kai-shek and America was in error. The policy of attacking the offshore islands based on that misjudgment was a serious blunder. In addition, China would do much better in the international arena if she openly said that she recognizes that twenty years of de facto independence of Formosa—or 75 years counting from the Japanese takeover—makes some difference. She could then say she sympathizes with the desire of the Formosan people to overthrow the military dictatorship of Chiang Kai-shek that rests on American military backing. She could say that while she hopes that in the long run that the people on Formosa will

naturally choose to be one with their brothers on the mainland, their mainland brothers now support the people of Formosa in their immediate struggle against Chiang Kai-shek and the American military. Such a policy statement would place full blame for continuing armed hostilities against China on Chiang Kai-shek and the United States, and still not foreclose the nationalist aspirations of the leaders and people of China for a single, united Chinese nation.

Of course Chiang Kai-shek and his colleagues will do everything they can to prevent a smoothing of troubled waters between China and America. They will continue by armed acts to try to make the Formosa Straits a turbulent sea of war. They had Douglas MacArthur's backing and came close to succeeding in obtaining American support for attacking China late in 1950. They offered their troops for use in the Vietnam War, hoping that would induce a reaction from China and thus escalate the Peking-Washington confrontation. They urge Washington to bomb Peking's nuclear installations. They are happy to have Formosa used for U-2 spy flights over China and for training, supplying, and storing for wars in South and Southeast Asia, everywhere from Tibet, to Burma, to Vietnam, to Indonesia. Consequently, one can expect Chiang Kai-shek to try to get America to move missiles or atomic weapons or military bases and troops to Formosa—anything to keep Formosa a somewhat viable and threatening military worry for Peking so that China's relations with the United States cannot easily improve. Since there seems to be little organized opposition to Chiang Kai-shek's plans, he may yet succeed in further embroiling America against its own interests.

Silence seems to be the American stance with regard to its interests in the Formosa area. There was no public discussion of Washington's decision to approve Chiang Kai-shek's son as his successor on Formosa. There does not seem to be any move afoot to withdraw American backing for the military deployments on the islands of Quemoy and Matsu. Formosans in Japan deemed dangerous by Chiang Kai-shek's regime have been kidnapped, jailed, and deported. Formosans returning from America have been barbarously punished by Chiang Kai-shek for exercising American political rights while in the United States. There is no loud, sustained, and organized outcry from American academics (myself included). After all, why antagonize Chiang Kai-shek and lose access to research materials on Formosa, as a few courageous American scholars have done? And more important, why antagonize Chiang Kai-shek and endanger innocent and apolitical Chinese acquaintances on Formosa?

Elements in the Department of Justice continue to serve Chiang Kai-shek's interests. In the early 1950s they pressured Chinese students in America. In the late 1950s they successfully scared the Macmillan Publishing Company from distributing Ross Koen's book on the China lobby in American politics.⁴ In the last days of the Johnson administration and again in the first days of the Nixon administration, the Internal Security Division of the Justice Department ordered the United Formosans in America for [Formosan] Independence to register as a foreign agent. Such registration could invite reprisals to the Formosans and their families still in Formosa. Has the political atmosphere which forced Harry Truman's hand in 1950 changed so very much? While it may well be true that Chiang Kai-shek and his people "have an ever diminishing potential to influence Washington's China policy,"⁵ that influence does not seem yet to have diminished to a point that is safe for America, China, or peace in Asia.

THE FORMOSA MYTH

The point is not that Formosa cannot be an obstacle to better relations between China

and America. Mao Tse-tung's successors who have been brought up on the rhetoric of "liberate Formosa" may come to believe and act on the slogan as he has not. The issue may get entangled in domestic Chinese politics, and men in Peking may find it no easier to seem soft on American imperialism than American politicians can readily afford to seem soft on communism.

Yet one point stands out clearly. The accepted belief about "the same old roadblock in the way: the fate of the island of Taiwan,"⁶ is a myth. I would suggest that there is no cluster of fundamental, vital, irreconcilable interests separating the People's Republic of China from the United States of America. Rather, the prior concerns of moderate liberals for other areas has permitted extreme conservatives to win their way with regard to China because the liberals thought the sacrifice there would be worth the gain elsewhere. In a Cold War, anti-Communist climate that fears all revolution, the moderates have been forced out.

In the mid-1950s, in the early 1960s, and probably again today, China has been willing to discuss a settlement with America. Not once yet has America sat down seriously at the negotiating table with China to test the character of such a settlement. Meanwhile Chiang Kai-shek has done and continues to do all in his power to create situations that will prevent a settlement. The crux of the problem then is not an unproved and untested Chinese demand for Formosa but a weakness in the political system of the United States that permits America's foreign policy toward China to reflect the whims of a discredited general on Formosa more than the interests of the people of the United States and the conditions for a stable peace in Asia.

FOOTNOTES

¹ A report of the visit in *Far Eastern Economic Review*, May 22, 1969. The contingent's "Position Paper" appeared in the *Newsletter* of the CCAS, May 1969.

² Edwin O. Reischauer, "Transpacific Relations," in *Agenda for the Nation* (New York, 1968), pp. 423-24.

³ *New York Times*, June 15, 1969.

⁴ See *Bulletin of Concerned Asian Scholars*, May 1969, pp. 27-31.

⁵ Louis Halasz, *Far Eastern Economic Review*, May 22, 1969, p. 445.

⁶ *Ibid.*, p. 444.

Mr. Speaker, I am convinced that if both the United States and China recognize that the people living on Formosa are entitled to self-determination, United States-China relations will quickly improve. Dr. Friedman's view that "there is no cluster of fundamental, vital, irreconcilable interests separating the People's Republic of China from the United States of America" may or may not be valid. I hope it is. But it is my view that improved Chinese-United States relations should not depend upon sacrificing the people living on Formosa either to the Chiang Kai-shek regime or to the mainland Chinese.

UNIVERSITY OF NORTH CAROLINA
TO CONDUCT A FAMILY PLANNING CENTER

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. PREYER of North Carolina. Mr. Speaker, the Office of Economic Opportunity has recently announced a \$480,000

grant to the Carolina Population Center at the University of North Carolina to conduct a family planning program in 19 counties.

The center will plan and conduct a program that will seek to increase the participation of private physicians as suppliers of such services to the poor. The program offers great potential for the delivery of such services to poor women in rural areas who have limited access to health clinics. Also, the project will involve feedback from the consumers of the services so we can gain knowledge from the participants for future programs.

In view of the fact that we will soon be looking at a Senate-passed bill that would increase this Nation's commitment of resources to the goal of providing family planning services to all women on a voluntary basis, I would like to place some articles on this project in the RECORD:

[From the Baltimore Afro-American, July 18, 1970]

PILOT PROJECT TO PROVIDE FAMILY PLANNING FOR POOR

WASHINGTON.—Low income couples will have the opportunity to seek family planning aid from private physicians in a pioneering program soon to be launched in 22 rural areas of North Carolina.

The program, announced in Washington this week will be carried out by the Carolina Population Center of the University of North Carolina at Chapel Hill under a \$500,000 Office of Economic Opportunity grant.

The Center, established in 1966, conducts research, training and service activities extending from North Carolina and other Southern states to multiple relationships in Thailand, India, the Middle East and Latin America.

Participating in the conference were Congressmen L. Richardson Preyer, Democrat from North Carolina's Sixth District; Nick Galtmanakis, Democrat from the Fourth District; and Roy Taylor of the 11th.

Representing the Center were Dr. Trois Johnson, associate director of the Carolina Population Center in charge of state and national projects; Dr. John B. Graham, chairman of the UNC Population Policy Board and State Representative Arthur Jones, population policy consultant.

The Office of Economic Opportunity was represented by Dr. George Contis, chief of Family Planning.

"The program will be an experiment in keeping with the American tradition of self-determination," Rep. Preyer said, "to find out whether the relatively high fertility rate of low income couples can be brought more nearly into balance with that of more economically favored couples by making it possible for them to go to private physicians of their own choice whose services they could not ordinarily afford."

"The aim is to help them to rise out of the cycle of poverty by enabling them to control the spacing of their children and the size of their families."

Forty-two per cent of births are unwanted among the poor, Rep. Preyer said, in comparison to 17 percent of unwanted births among the non-poor. He quoted a 1960-65 O.E.O. study which showed the non-poor had an average annual fertility rate of 98.1 births per 1,000 women age 15-44, while the rate of the poor and near poor was 152.5—a 55 per cent differential.

In a statement issued jointly by Rep. Preyer, Dr. Johnson and Dr. Contis, eight immediately foreseeable benefits were cited: increased material and in part of low income people to control their fertility; decrease

in the numbers of unwanted pregnancies; decrease in the number of pregnancy timing errors; increased maternal and infant health; increased ability of the participating families to improve their economic status; introduction of the low income person to a private medical care system which can provide other health services as well as family planning; involvement of private physicians in family planning for low income couples, and valuable information to expedite establishment of similar programs in other parts of the country and world.

"Considerable data exist which show a direct relationship between family size and the incidence of poverty," Dr. Johnson said. "By making family planning services available in locations and at times dictated by the needs of the participants, as opposed to the interests of the dispensers, we believe participation will be greatly extended—particularly when the program is supported by an adequate information program so that eligible persons know of the availability of the services."

"Results of the program should provide important guidelines for aiding similar family planning programs in other parts of the United States and the world," he added.

The pilot project will seek to determine whether and how family planning services can be made available through private physicians to people who normally do not have access to private medical care and live in areas where family planning clinics are not established.

The program will be carried out in North Carolina's Coastal, Central and Western areas. Twenty-two counties are involved.

UNIVERSITY OF NORTH CAROLINA TO RUN 19-COUNTY FAMILY PLANNING PROJECT

[News from the Office of Economic Opportunity]

The Carolina Population Center, University of North Carolina, Chapel Hill, will receive a \$480,341 federal grant to test delivery mechanisms and to provide family planning services to nearly 6,000 poor residents in 19 counties, it was announced today by Donald Rumsfeld, Director of the Office of Economic Opportunity.

The center will plan and conduct a comprehensive family planning program that will seek to increase the participation of private physicians as the suppliers of such services.

An unusual feature of the program is that it will record the comments and opinions of consumers of service and feed their advice back into the system.

In setting up the program, the Center will work with state and local medical societies, state departments of health and social services, and other agencies. Those served will be referred by community action agencies, ministerial associations, medical societies, civic clubs, hospitals and local government agencies.

Program advisory groups composed of representatives of the poor will be set up in three major areas in which the project will operate. A professional advisory group will contain representatives from social and local health agencies, and the community action agencies.

The Carolina Population Center has an extensive program of training family planning program administrators and has worked with public and private institutions providing services to the poor.

The program is tentatively scheduled to provide services in the following counties: Cleveland, Camden, Rutherford, McConnell, Currituck, Chowan, Dare, Gates, Hyde, Lee, Orange, Perquimans, Tyrrell, Washington, Caswell, Chatham, Person, Burke, and Caldwell counties.

Trois Johnson, M.D., of the University of North Carolina, will serve as project director.

COMMUNICATION AND COLLECTIVE INNOVATION-DECISIONS

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. BURTON of Utah. Mr. Speaker, in response to the increasing need for reliable criteria for deciding among alternative patterns of resource use, this is the fifth in the series of articles I am calling to the attention of my colleagues. The article, written by Everett M. Rogers, and found in the January, 1970 issue of the Journal of the Water Pollution Control Federation, points out that decisions to be properly and effectively implemented must first be communicated effectively to the public. The article follows:

COMMUNICATION AND COLLECTIVE INNOVATION-DECISIONS

(By Everett M. Rogers)

My theme in this essay is that methods of water pollution control are innovations, defined as ideas, practices, or objects perceived as new by the individual, which must be communicated effectively to the public, for their collective decision to adopt. I assume that technically adequate methods of collecting and treating waste are known, and could be put into use, if this technical knowledge were translated into action in the form of facilitating legislation, and community and state referenda.

So the problem of water pollution control, from a communication point of view, is (1) how to meet the felt needs of citizens with the technical innovations now available, and (2) how to translate the resulting climate of public opinion into action. I will not deal at this time with the formation of a favorable public opinion about water pollution control, as this positive belief generally has been developed in recent years. In fact, I sense that in many states and some nations, we already have a strong case of "overkill" on the issue of water pollution control. Due to effective communication campaigns, especially in the 1960's, much of the public is firmly convinced of the problem of water pollution. Even the hippies are talking about dead fish in our lakes, "no swimming" signs, and oil-smudged rivers. So we do not need simply to produce more messages about the severity of the problem.

The main communication problem, in my opinion, is how to crystallize this fund of good intentions, favorable attitudes, and well-meaning enthusiasms, into decisions for action. Fortunately, social scientists have been studying this exact topic for several decades, in the case of municipal fluoridation, school bond issues, and other community decisions about innovations. The result is a model of the collective innovation-decision process, representing an approach potentially useful for those officials, leaders, and professionals who seek to secure the adoption of water pollution control measures.

The purpose of this essay is to convey an understanding of this collective innovation-decision process, and to apply it to the specific case of water pollution control.

TYPES OF INNOVATION-DECISIONS

Many innovations require individual decisions. Examples of such new ideas are a hybrid seed to be adopted by farmers; a new consumer product for housewives, or a new educational method for teachers. These innovation-decisions are optional, in that the individual has almost complete freedom to exercise his choice as to whether to adopt or reject.

Collective innovation-decisions are those made by the members of a social system who adopt or reject by consensus, and all must conform to the system's decision. An example is the fluoridation of water supplies. Each citizen may vote in a fluoridation referendum, but once the community decision is made, all must abide by it. Unfortunately, these collective decisions are usually much slower than individual decisions. The more individuals involved in an innovation-decision, the slower it will proceed. When information about a new idea must be communicated to a greater number of individuals, there is greater opportunity for message distortion, more room for differential perceptions of an identical stimulus, and a likelihood that consensus will be reached more slowly. Each individual brings to a joint discussion his own storehouse of opinions and beliefs, and these color his attitudes toward the innovation in a way different from that of his peers.

I believe that most decisions about water pollution control are collective decisions. The system or collectively may be national, regional, state, or a local community. But the individual alone does not make optional decisions about water pollution. Solutions require collective action.

COMMUNITY POWER AND DECISIONMAKING

Social philosophers have concentrated on the concept of power since Plato's speculations about philosopher-kings in his utopian state. But the work that set off a flurry of scientific and empirical investigations into the nature of community power structure was undoubtedly Professor Floyd Hunter's study of "Regional City"¹ (1). This sociologist utilized the "reputational method" to identify a small, closely knit coterie of business executives who dominated the important community decisions of the city, such as the decision to construct a negro swimming pool. Hunter's approach consisted of first asking knowledgeable citizens to indicate the names of the main power holders in the city. Then, he interviewed the power holders to determine their characteristics, the web of social relationships among them, and their roles in various community decisions. He found that occasionally the power holders played behind-the-scenes roles in the collective decision-making process by operating through lieutenants or by informally guiding figurehead "decision-makers."

Hunter's investigation immediately set off a barrage of criticism of his methods and results, largely from political scientists led by Professor Robert Dahl of Yale University (2). The opponents of Hunter's approach utilized a decision-making method of investigation in which collective decisions were analyzed retrospectively via a case study approach. Dahl's inquiry of power in New Haven, Connecticut, illustrates this decision-making approach. In this community, Dahl found a pluralistic power structure in which different leaders played different roles for different community decisions. Leadership was highly specialized; only three percent of New Haven's 1,029 leaders were engaged in more than one of the three major community issues (urban redevelopment, political nominations, and public education) studied by Dahl. "A leader in one issue-area is not likely to be influential in another. If he is, he is probably a public official and most likely the mayor (2)." This point illustrates another finding by Dahl and his disciples which contrasts with the results by Hunter and his students. The former report the importance of elected or appointed political leaders in community power analyses, while the latter stress the dominance of captains of industry.

¹ Said to be Atlanta, Ga.

During the 1960's, over 40 different studies of community power and collective innovations have been completed. The results provide the empirical basis for our present analysis, and extension to the case of water pollution control. Such extrapolation is somewhat risky because of the novel nature of water pollution control innovations. While the problem is highly visible, its solution is less so. And the innovation has much in common with automotive safety belts, family planning, and health insurance in that the results of its adoption are not very immediate. Nevertheless, water pollution control methods require collective decisions for adoption, just like the issues that have been analyzed in past studies: New swimming pools, recreation centers, or hospitals; creation of new formal organizations; urban redevelopment programs; fund-raising campaigns such as Community Chest; etc. All are ideas perceived as new by individuals. All are collective decisions in that the individuals in the social system agree to adopt or reject the innovation by some sort of consensus, and all must conform to the joint decision, once it is made.

STAGES AND ROLES IN COLLECTIVE DECISIONMAKING

It should be recognized at the outset that collective innovation decisions are considerably more complex than individual decisions. One reason for this is that the collective decision process is really composed of a multitude of individual decisions: To initiate a new idea in a social system, to adapt the new proposal to local conditions, to sanction the idea, to support the innovation, etc. Each of these different behaviors may be carried out by different individuals in the collectivity; in the case of optional innovation-decisions, all of these different activities occur within the mind of a single individual, and culminate in the adoption or rejection of the innovation.

Figure 1 presents a simplified paradigm or model of the collective innovation decision-making process. This process generally is viewed as a series of steps, stages, or sub-processes. These steps are not necessarily mutually exclusive, nor do they always occur in the exact chronological order depicted in Figure 1. Nevertheless, this over-simplified paradigm is useful because it provides a general framework for analyzing collective innovation-decisions.

Stimulation

Stimulation is the awareness by someone that a need for a certain innovation exists within a social system. Up to this point in time, neither the innovation, nor the need that the innovation might fulfill, are perceived to be important to members of the social system. This lack of awareness may result because none of the system's members know about the innovation, or because no individual recognizes the existing problem, or because no one has linked the existing problem to the innovation. The stimulator(s) very often is an outsider to the social system, or else is a member of the system who is oriented externally via social relationships with members of other systems. For example, a new school superintendent enters a community and realizes that the old school building is a fire trap. He plays the role of stimulator if he calls the inadequate school plant to public attention. So stimulators play an important role in relating the social system to the outside world.

Stimulators of collective innovation-decisions are more cosmopolite than other members of the social system. The cosmopoliteness of stimulators may be expressed by wide travel, readership of non-local publications, affiliation with national or international organizations, or by membership in

professional occupations associated with occasional migration, such as teacher, minister, or salesman. Perhaps the stimulator may not even be a regular member of the social system, but only have some contact with it.

The cosmopoliteness of stimulators provides them with relatively early access to innovations, and with a comparative frame of mind which allows them to perceive acute needs and problems in the social system which are not seen by the system's more local members. Cosmopoliteness also may lead the stimulator to have a generally favorable attitude toward change, relative to others in the local system. This desire for new approaches is not balanced by a vested interest in the status quo. Longevity in the system acts to inhibit stimulation activity.

Must the perceived need for a collective innovation originate inside a social system, or may such perceptions start with a state or national decision (such as for school desegregation) and then result in the innovation-decision being thrust on the local community? From the viewpoint of the decision-making paradigm, it does not matter whether the collective innovation-decision is directed by external sources or whether it arises spontaneously within the system. In most past inquiry, stimulation has come directly or indirectly from sources external to the system, but this may be due simply to the fact that all of the systems studied have been U.S. communities. But wherever perception of the need originates, the collective idea must enter the system in the form of a stimulator before the decision-making process can begin.

Initiation

Initiation is the sub-process by which the new idea receives increased attention by members of the social system, and is further adapted to the needs of the system. While stimulators perceive a need or problem in the system and suggest a new idea that might help solve the problem, initiators incorporate the innovation into a specific plan of action that is adapted to the conditions of the social system. This role involves intimate knowledge of the social system, including the ability to predict certain consequences of the new idea, once adopted. Thus, while the stimulator is an "outside man" with far-ranging contacts, the initiator is an insider, a localite. His forte is that he knows the system. The stimulator's expertise is that he knows the innovations; he is message-oriented. The initiator, in contrast, is receiver-oriented.

Initiation may result from the activities of more than one individual, and so we sometimes speak of an "initiating set." In an investigation of local decisions to construct new hospitals in 218 U.S. communities, one person initiated the action in only about one-third (32 percent) of the cases (3). There must, of course, be at least some communication between the stimulators and initiators. In some cases, the initiators may have acted as stimulators at the previous stage in the collective innovation-decision process.

A nice illustration of the intricate relationships between stimulator and initiator is provided by Dahl's (2) reconstruction of how urban redevelopment ideas occurred in New Haven. The cosmopolite stimulator was "an imaginative Frenchman, a professional city planner, who spun off ideas as a pin wheel throws off sparks. And, like sparks, his ideas often vanished into darkness. But his presence in New Haven, where he headed a firm of city planning consultants with a world-wide clientele, insured that his ideas would be heard. In a few places, the sparks fell on tinder, smoldered, and finally burst into flame." The man who helped the city planning consultant's innovations progress from idea into reality was the administra-

tor of New Haven's urban redevelopment program. This initiator assessed the costs and potential gains of each proposal, and after judging the few that seemed worthwhile, passed them along to the city's mayor for approval. So we see that in New Haven, the chief stimulator was not an initiator, although the two were in close contact.

A division of labor is even more likely between the initiators and the legitimizers, those who sanction the idea for the social system. The functions in the collective decision process performed by initiators and by legitimizers are quite different, as are their social characteristics. For instance, legitimizers are usually found to have high social status in the system, while the initiators are more often noted for their highly favorable attitude toward change and for their intimate knowledge of the system.² So initiators of collective innovation-decisions are unlikely to be the same individuals in a social system as the legitimizers.

Legitimation

Legitimation is the approval or sanctioning of a collective innovation by those who informally represent the system's norms and who possess social power. While the role of the legitimizer is mainly that of screening new ideas for approval, he may often alter or modify the proposals put to him by the initiators. However, seldom will legitimizers actively promote a collective idea after giving their approval. They generally play a more passive role in the collective decision-making process.

The rate of adoption of a collective innovation is positively related to the degree to which the social system's legitimizers are involved in the decision-making process. It may be possible for the initiators to proceed successfully without consulting the legitimizers in a social system, but this decreases the chances of securing adoption of the collective innovation. Usually, the legitimizers can kill an idea if they are not consulted. Initiators may circumvent the legitimation stage in the process for three reasons: (1) because they do not know who the legitimizers are for the idea they are initiating; or (2) perhaps because the initiators know who the legitimizers are, but they lack social access to these power leaders;³ or (3) because the initiators wish to save time. But for whatever reason, when legitimizers are ignored, they are more likely than not to scuttle the collective innovation.

Legitimizers of collective innovation-decisions possess higher social status than other members of the social system. Dahl found that power leaders in New Haven were typified by higher income, education, and other indicators of higher social status than their fellow citizens (2). A national investigation of community decisions to adopt new hospitals indicated that those in professional occupations were 90 times more likely to be legitimizers than were manual laborers (3).

Along with their high social status, legitimizers usually possess considerable social resources such as wealth, formal position, influence over others, and knowledge. They frequently hold high informal positions in powerful friendship cliques. Their high reputation in the system lends credibility to their decisions, an essential quality if their choices are to be accepted by the members of the social system. However measured or expressed, the legitimizer has a virtual monopoly on two of the scarce resources of any social system: status and power.

CONCENTRATION OF POWER

A general finding from past investigations on community power is that it is highly

concentrated in the hands of a few persons. Power is defined as the degree to which an individual has the capacity to influence the beliefs, decisions, and actions of others.

Following are some reported results from inquiries into the concentration of community power.

1. In a New York rural village, "Springdale," important collective decisions were made by a political machine of four power leaders who worked behind the scenes to control the affairs of the community (4). Yet the residents of Springdale claimed that one advantage of their village life over city life was equality and neighborliness.

2. In Atlanta, a city of half a million population at the time of one study, 40 key power holders were influential in important community decisions such as expanding the city limits or starting a community fund (1). These first-rate power holders were supported by second-rate lieutenants, who helped to carry out the legitimizers' decisions.

3. Dahl who studied the community decision for urban redevelopment in New Haven, concluded: "In origins, conception, and execution, it is not too much to say that urban redevelopment has been the direct product of a small handful of leaders" (2). Furthermore, he found that only three to six leaders (about one-twentieth of one percent of the city's registered voters) controlled the political nominations in each of the two major political parties of the city (2).

4. In one midwestern state, the governor met with four key industrialists at a luncheon at which he presented the problem of water pollution. By the time for coffee, these power holders had agreed to police their companies' water pollution problems, and to launch a state-wide campaign, which terminated a year later in a multi-million dollar water pollution control referendum.

So we conclude that power is usually concentrated in a few hands. But it is important to remember that the exact degree to which power is concentrated varies widely from system to system. Where power is more concentrated (and the power leaders are not opposed to change), innovations will be collectively adopted more rapidly because fewer individuals are involved in the decision-making process. When power is more widely distributed, a longer period of time is necessary for adoption because more individuals must be informed, persuaded, and convinced of the innovation's merits.

PUBLIC VISIBILITY OF THE DECISION STAGES

Legitimizers must process informal power in the system; they also may have formal positions of high authority, but this is not necessary. The studies by Hunter's reputational school generally find that legitimizers are informal, "behind-the-scenes" manipulators of community power. In contrast, the key power-holder in New Haven was the chief executive of the city, the mayor. Whether the legitimizers are formal as well as informal power-wielders or not, their decision-making activities are usually private rather than public affairs. In fact, stimulation and initiation, as well as legitimation, commonly occur in smoke-filled rooms. The public often becomes informed about the collective innovation (and involved in it) only at the fourth and fifth stages in the decision-making model (Figure 1), when the decision to act is made by the members of the social system and when the decision is carried into action. This does not mean to imply that the public is simply a rubber stamp for the legitimizers; they can countervail against the power holders. However, this is unlikely because the legitimizers hold their influential (informal) position in the system because they represent the system's norms and values. Their decision must be made largely for the system's benefit, rather than for their

own private gain. A legitimizer holds his leadership position only so long as he is responsive to the wishes of his followers.

So the legitimizers act as a type of normative screen for the social system, keeping out collective ideas that they feel would not benefit the system. Innovations also are selectively screened out at the stimulation and at the initiation stages, as implied earlier. So the stages in the decision-making process are like a series of sieves; at each stage many ideas are discarded. Only a small portion of the hopeful candidates for approval at the stimulation stage, survive the decision process and are put into action.

PARTICIPATION IN COLLECTIVE DECISIONS

At the fourth (and also at the last) stage in the collective decision-making process, the focus is on the decision to act by members of the social system. The public's preferences may be expressed in a variety of ways: A survey may be conducted, a referendum may be held on the issue, petitions may be circulated, or a public meeting or hearing may provide the means for expression. All of these methods of feeling the public pulse are utilized in water pollution control campaigns. In any event, it is usually thought to be advantageous to have widespread participation by members of the system in the choice process. This is because satisfaction with a collective innovation-decision, and acceptance of it, is positively related to the degree of participation of members of the social system in the decision.

Why should members of a social system be more satisfied with, and accepting of, collective decision if they feel they are involved in making that decision?

1. Through participation in the decision-making process, individual members learn that most others in the system also are willing to go along with the decision. So, participation is a means of revealing group consensus to the individual. If the individual member knows of group support for the decision, he is more likely to be satisfied with it himself.

2. The decision, whether to accept or to reject, is likely to be more appropriate to the needs of the system's members if they take part in reaching such a decision. In most cases we would expect a system's members to know their own needs more accurately than would their leaders.

ROLE OF PROFESSIONALS IN COLLECTIVE DECISIONS

Professionals in the field of water pollution control can perform the role of stimulators and perhaps initiators in the collective decision-making process, but seldom are they legitimizers. As we have pointed out previously, the legitimizer is usually characterized by seniority, high status, and established respect in a social system. Rarely do technical professionals possess these characteristics. They usually are perceived as social strangers temporarily alight in the system, of possibly high technical competence but of low general status and social power, and of relatively low credibility regarding decisions for members of the social system.

The professional possesses excellent qualifications, however, to function in stimulating and initiating collective innovations. His widespread social relationships and technical competence in his specialty provide a firm basis for calling new ideas to the attention of the system's leaders. The professional, for instance, can help identify legitimizers for a given issue and urge the initiators to utilize them. Also, he can help his clients more carefully evaluate the social costs of the collective decisions they are considering. Sometimes, for example, communities under-estimate the finances, time, energy, and other social resources that will be required to put a collective innovation into action. As a result,

² Obviously, the initiators must also possess social accessibility to the legitimizers.

³ Or else know that the legitimizers are opposed to the innovation.

communities bite off more than they can chew, and the collective idea fails.

Counter campaigns to new ideas often are launched by subgroups within the social system who oppose the collective innovation. An illustration comes from collective decisions by U.S. cities to adopt fluoridation of water supplies. The opponents of fluoridation are well organized and vocal, often claiming that fluorides are a type of rat poison; such techniques often have been quite successful in defeating fluoridation referenda. There is now some organized resistance to water pollution control. Professionals can help the proponents of collective innovations overcome these counterattacks, and perhaps they can prevent the formation of such opposition in the first place.

CONCLUSIONS

We have reviewed what is known or hypothesized about communication and collective innovation-decisions in order to suggest strategies for gaining control of water pollution. For it is through our understanding of the dark mysteries of community power and its workings, that we shall gain a fuller solution to this important social problem. I hope these notions will prove useful in your search for ways to guide efficiently our return to a state of clearer streams, purer water, and a healthier environment.

REFERENCES

1. Hunter, F., "Community Power Structure." University of North Carolina, Chapel Hill, North Carolina (1953).
2. Dahl, R. A., "Who Governs? Democracy and Power in an American City." Yale University Press, New Haven, Connecticut (1961).
3. Miller, P. A., "Community Health Action." Michigan State University Press, East Lansing, Michigan (1953).
4. Vidich, A. J., and Bensman, J., "Small Town, in Mass Society." Princeton University Press, Princeton, New Jersey (1958).

THE PERIPHERAL CANAL WILL NOT PROTECT SAN FRANCISCO BAY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. WALDIE. Mr. Speaker, just a few days ago Governor Ronald Reagan of California promised to protect the State's environment and issued what his press release termed:

A pledge to the people of California that the State will improve and protect the quality of life for future generations through the enhancement and protection of our environment.

The Governor's pledge was in the form of seven points. I would like to refer to two of those points and then note what appears to be a direct violation of the Governor's pledge—a violation made while the ink was hardly dry on the press release.

The Governor said:

All State public development and public works programs will be conducted in such a way as to preserve, and wherever possible to enhance, environmental quality of California for the people.

The Governor's final point was equally important. He said:

The State recognizes the Pacific Ocean and its estuaries as a resource that has heretofore not been thoroughly understood and, there-

fore, not fully utilized for its total multiple purposes, including underwater recreational opportunities. Working with the private sector, the State will encourage preservation, enhancement, and development of these important coastal and estuarine areas.

Those points are excellent ones, Mr. Speaker, but apparently the Governor is either unaware or unconcerned with efforts within his own administration to subvert his intentions and make hollow his pledge to the people of California.

Within days of the Governor's announcement, his resources agency secretary, Norman B. Livermore, Jr., revealed that a major State public works facility, the California water project, would, in fact, result in damaging fish life in the bay-delta estuary.

Appearing before the San Francisco Bay Conservation and Development Commission, Secretary Livermore revealed that damage to fish life in the delta area would occur within 2 years when the State begins to pump northern California water over the Tehachapi Mountains to the deserts of southern California.

Mr. Livermore said that the proposed peripheral canal project, which will insure the southern part of our State more efficient diversion of northern water to their pumps, will, in fact, lessen the damaging effects of the diversion on the fishery by releasing water into the delta.

That, Mr. Speaker, is extremely questionable.

What is crystal clear, however, is that the State is going to pump water without regard to the effects of that diversion, despite mounting evidence that this diversion will have tremendously harmful effects not only on the delta, but to the San Francisco Bay-Delta estuary.

In his appearance before the BCDC, Mr. Livermore promised that fresh water releases would be made to protect the delta. However, in response to the questions of newsmen following the meeting, he made the shocking disclosure that releases would not be made to protect the water quality of San Francisco Bay.

Without protecting the bay, Mr. Speaker, the entire estuarine ecosystem is threatened. The estuary is the "nursery" of aquatic life.

The estuary depends on the balance of fresh and salt water to foster this life. A drastic change in this balance will greatly jeopardize this delicate ecosystem. The State and Federal agencies charged with selling water to agriculture, industrial, and speculative interests have contracted for the sale of more water than is existent within the present Central Valley project and State water project areas of origin. The diversion of water to meet those contracts would result in the diversion of some 80 percent of the normal outflow of fresh water that flows into the bay-delta estuary. This, of course, would be a drastic and probably fatal change in the ecosystem.

Yet, even on the heels of Governor Reagan's pledge to protect the estuaries of the State, his resources secretary calmly admits that the State is not going to act to protect San Francisco Bay. He

said that the delta has prior water rights, but the bay has none.

Such a statement displays total ignorance of the workings of an estuarine ecosystem and is in direct conflict with the Governor's pledge "to encourage preservation, enhancement, and development of important coastal and estuarine areas."

I would challenge the Governor and Mr. Livermore to guarantee the preservation of the San Francisco Bay-Delta Estuary by not shipping one drop of northern California water to the south and by halting the California water project until it can be completely reevaluated.

The Governor should agree to this or repudiate his pledge to the people of California.

Mr. Speaker, I would at this time insert a copy of the Governor's press release of July 31, 1970, and a copy of an Oakland Tribune story of August 7, 1970, regarding Mr. Livermore's appearance before the Bay Conservation and Development Commission.

The press release and news clipping follow:

PRESS RELEASE

Governor Ronald Reagan today announced a far-reaching seven-point policy to develop the state's recreational facilities while simultaneously preserving its natural scenic landscape and its cultural, historical and archaeological values.

"This action constitutes a pledge to the people of California that the state will improve and protect the quality of life for future generations through the enhancement and protection of our environment," the governor said.

"It also pledges that our citizens will have the opportunity to make full use of the recreational opportunities offered by our mountains, shorelines, deserts and valleys."

The policy, which will guide both private and public plans and actions for the years ahead, calls for:

(1) The resources of the state will be employed to stimulate the active, progressive and coordinated participation of appropriate federal and local government agencies and of the private sector in providing areas, facilities and services to meet present and future recreation needs and deficiencies. The state will cooperate in identifying deficiencies and will assist in alleviating those deficiencies according to a system of priorities.

(2) Recreational use of lands currently in public ownership will be encouraged. The people of California, acting through their elected representatives, will seek use of suitable lands currently held by all government agencies. Highest priority will be given to seeking prime access to beach and coastal lands near urban areas.

(3) Local government entities most closely related to the recreation resources and to the sources of recreation demand will be encouraged to provide recreational opportunities.

(4) The private sector will be encouraged to develop and operate appropriate recreation resources and recreational opportunities on both public and private lands, while giving full consideration to the quality of the environment.

(5) All state public development and public works programs will be conducted in such a way as to preserve, and wherever possible to enhance, environmental quality of California for the people.

(6) The state will encourage at all levels of government and within the private sector the utilization of natural, historical and

archeological values for outdoor educational interpretation so that the citizens of this state may be able to more adequately enjoy, appreciate and understand the ecology of this state.

(7) The state recognizes the Pacific Ocean and its estuaries as a resource that has heretofore not been thoroughly understood and therefore not fully utilized for its total multiple purposes, including underwater recreational opportunities. Working with the private sector, the state will encourage preservation, enhancement and development of these important coastal and estuarine areas.

TWO VIEWS ON CANAL BY EXPERT
(By Fred Garretson)

State Resources Secretary Norman Livermore told the Bay Conservation and Development Commission yesterday that water exports to Southern California would be reduced in future drought years in order to protect the environment of San Francisco Bay and the Delta.

But later, in a press conference outside the BCDC meeting room, Livermore reversed himself and said only the Sacramento-San Joaquin Delta—but not San Francisco Bay—would be protected by special water releases.

The question was raised by BCDC Chairman Melvin Lane at the commission's final public hearing before taking a vote on whether or not the commission should oppose construction of the controversial Delta Peripheral Canal.

In his prepared text, Livermore said that in a future drought the customers of the State Water Project and the U.S. Bureau of Reclamation "will be required to take the deficiency" because the Delta has "prior rights" to fresh water supplies flowing into the Delta.

Livermore told the commission that in drought years the agencies which buy water from the Department of Water Resources and the Reclamation Bureau "would have to go on paying for water they weren't receiving."

Lane attempted to pin down Livermore about protection of the Bay's environment and Livermore replied, "The Bay and the Delta have prior rights" to the water. Lane then dropped his questioning.

But at the press conference Livermore was asked about his statement that the Bay has prior water rights in view of statements by the State Water Resources Control Board that the Delta is entitled to such water releases, but not San Francisco Bay.

Livermore replied, "That statement (by the Water Resources Control Board) is correct. I was referring to the Delta with a capital D, and to the bay with a lower case b."

In his talk to the commission, Livermore said that Northern California is responsible for diverting much of the water that used to flow into the Delta, particularly diversions caused by farm development in the Sacramento-San Joaquin Valley.

Even when all agricultural uses are deducted from the total, Livermore said, only two million acre feet of water will be exported to the Metropolitan Water District of Southern California while the East Bay Municipal Utility District and the San Francisco Hetch Hetchy system will be diverting 1.5 million acre feet of water.

He noted that a large part of the Bay Area population gets its water "from desecrated Hetch Hetchy Valley," a twin to Yosemite Valley.

"It therefore appears to me to be unseemly, to say the least, for San Francisco Bay residents to criticize our neighbors to the south for doing the same thing we northerners are doing. Let him who is without guilt cast the first stone!" he said.

EQUAL RIGHTS AMENDMENT

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. KEITH. Mr. Speaker, in light of the recent passage of the equal rights amendment, I think this column which recently appeared in a newspaper in my district is of particular interest to all of us. The Sentinel column, by "Elwood," was sent to me by Mrs. Kay Nowak, who thought it would be an inspiration for those who read it in the RECORD.

Because I agree that this is an especially meaningful piece, I am now submitting it in full for reproduction in the RECORD:

EQUAL RIGHTS AMENDMENT

In this time of preoccupation with sex and nudity under the guise of freedom of expression, an "Open Letter to Man," as it is called and written in simple terms to describe the image of womanhood, is creating a lot of interest throughout the country. Many radio personalities have read it repeatedly on their radio programs. Newspapers and magazines, both religious and secular, are reprinting it. And private citizens are copying it for distribution to their friends.

This is what "Open Letter to Man" says: "I am a Woman.

"I am your wife, your sweetheart, your mother, your daughter, your sister . . . your friend.

"I need your help.

"I was created to give to the world gentleness, understanding, serenity, beauty and love. I am finding it increasingly difficult to fulfill my purpose.

"Many people in advertising, motion pictures, television and radio have ignored my inner qualities and have repeatedly used me only as a symbol of

"SEX

"This humiliates me; it destroys my dignity; it prevents me from being what you want me to be—an example of—

"Beauty, Inspiration and love—

"Love for my children, love for my husband, love of my God and country.

"I need your help to restore me to my true position . . . to allow me to fulfill the purpose for which I was created.

"I know you will find a way."

This letter was written about ten years ago by songwriter Sy Miller and his wife, the former actress, Jill Jackson. But it wasn't until "Open Letter to Man" was discovered shortly over a year ago by the Rev. Francis J. Caffrey of the Maryknoll Fathers that it received widespread circulation.

Father Caffrey was so impressed with the letter that he got the Millers' permission to reproduce it. From that new beginning, it has developed its own quiet "underground movement" protesting the degradation of women as mere sex objects. Many prominent businessmen and entertainment personalities have assisted Father Caffrey in his efforts to help restore woman's proper image of love, beauty and dignity in our contemporary society.

R. D. Funk, Managing Editor of the Santa Monica (California) Evening Outlook was among the first to tell the story of the Millers', Father Caffrey and "Open Letter to Man" in his column. Since then the "Open Letter" has been reproduced and circulated widely in the U.S., in some foreign countries and is on its way to expanding its message of common decency throughout the world.

"Open Letter to Man" is a simple, powerful message challenging today's animalistic, sex-oriented image of womanhood. It's difficult today for a girl or young woman to believe anyone really cares about morality, femininity and virtue in our society. But the challenge is simply stated for all to meet, "I know you will find a way." My question to this is can we? Or is it now too late!

As ever,

ELWOOD.

ADAPT—A SUCCESSFUL EDUCATIONAL APPROACH TO THE PROBLEM OF DRUG ABUSE

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 14, 1970

Mr. FISH. Mr. Speaker, it gives me great pleasure to insert in the RECORD the project proposal for ADAPT, action for drug abuse prevention training—a program to combat drug abuse which has been accepted as part of the school curriculum by the Arlington School District in Dutchess County.

The ADAPT program was conceived by the parents of seven children, Raphael and Frances Mark, as an outgrowth of radio programs they were doing in local schools in Dutchess County, N.Y. Raphael Mark is employed as director of special events for radio station WEOK in Poughkeepsie.

In doing varied studies in school programs 5 years ago, the Marks began to take note of the beginnings of drug abuses starting at a very early age. Problems dealing with glue sniffing, paint remover sniffing, detergents, and other commodities not really classified as drugs per se, but nevertheless easily available to younger children. Indications were that these seemingly harmless and easily acquired abuses would lead to more dangerous and hazardous abuses as the children grew older. The general educational community and the parent community at that time found it hard to believe that the excesses the Marks were describing were in fact becoming a problem within the schools. It was necessary to implement parent education programs first to make the adults aware of the existence of these problems in order that an educational program for the young could be effective.

The principle feature of ADAPT is the education of the young, their parents and their teachers simultaneously and in small groups. It uses an effective technique of entertainment, supported by expertise in the field of drug abuse furnished by a team of experts who serve on an informal panel.

ADAPT teaches this technique to others as well as providing teams of speakers and teams of organizers to gather an audience for the teams of speakers. ADAPT has one concept—the concept that education ultimately will become one of the strongest weapons in the fight against drug abuse. ADAPT does not feel that it is or has all the answers, but the response to the ADAPT method has proved that education can be entertain-

ing as well as meaningful. On an adult level, ADAPT works with PTA's, civic groups, or any interested group wishing to learn the technique of informing others on drug abuse.

In addition, ADAPT's team of speakers which includes a medical doctor, psychiatrist, psychologist, ex-addict, law enforcement official, and often an attorney—and by the way, these people appear as a team together and are headed by a team leader—will present a knowledgeable and helpful program free to any of the above-mentioned groups, as well as attempt to organize their audience and give them direction for local small discussions. Out of these programs and this research grew the specific part of the program which has been included as part of the general curriculum for the Arlington School District in Dutchess County. It will be implemented this fall and has been partially funded by the New York State Education Commission. The specific research and the basis for the ultimate implementation of the elementary and secondary educational phases of the ADAPT program follows:

ACTION FOR DRUG ABUSE PREVENTION TRAINING (ADAPT)—A PRELIMINARY PROJECT PROPOSAL

DESCRIPTION

Purpose. Inform and educate children, parents, teachers in the problems of drug use and abuse.

Goals. Education of non-users so that they do not become experimenters or users.

Train children, youth and adults to cope with their tension problems through desirable and acceptable means other than drugs.

Seek new ways of "turning on" our youngsters.

Educate our children and youth for intelligent decisionmaking.

Achieve the "we" approach; interaction between and among parents, children and teachers.

Participants. Over the past several months the following individuals (by title and/or name) and organizations have been involved in the planning, staffing, administering and evaluating phases of the experimental project. Budgeting, additional staffing, further evaluation, and reporting will be implemented if the project is approved.

Dutchess County Medical Association's Narcotic Council, Dr. Vincent Beltrani, Chairman. (Dr. Beltrani is also a member of Arlington Central School District Board of Education.)

The aforementioned Council's Drug Education Committee, Dr. Eleanor Peck, chairman, and including Dr. Stephan Rheingold (M.D.); Dennis Pearl (Arlington Central School District psychologist); Ralph Mark (Raphael) (WEOK AM-FM and Cablevision Programming Director who was prime originator of this "approach"); and Jeffrey S. Graham (lawyer).

Town of Poughkeepsie Narcotic Guidance Council, Dr. Ann Buckholz (Ph. D.) Chairman, and includes Mr. Pearl (previously mentioned); Paul Lacey (guidance counselor, Arlington Senior High School); Attorney Herbert Wallace; Dr. Arthur Robbins (M.D.); and Rev. Benjamin LeFevre (also a member of the Arlington Central School District Board of Education).

Representatives from Town of Wappingers and City of Poughkeepsie Narcotic Guidance Councils have also been involved in the planning stages, to include their Councils' participation and to afford coordination with Wappingers Central School and Poughkeepsie City School.

Adult Continuing Education Directors from Wappingers, Poughkeepsie and Arlington Schools have also been involved in the planning stages in order to coordinate the adult education aspects of the project, meeting with the three Town Narcotic Guidance Councils.

Parents, teachers and students in the Titusville Elementary School, Arlington Central School District, have been involved in the process as described in following sections.

Representatives of the parents (two PTA officers) and the teachers (librarian, 5th and 6th grade teachers) were involved in the evaluation sessions. Also involved in the evaluation process were Rev. LeFevre, Dr. Beltrani, Ralph Mark, Principal Joseph Kearney, Curriculum Director Miss Margaret Mary Walsh, Mr. Pearl, Mrs. Grace Donahue (Assistant Principal), and Lawrence A. Fallis (District Director of Federal Programs).

All of those in the evaluation process have observed and/or participated in the sessions and most have been involved in the various development stages.

A total of 350 children in grades 4, 5 and 6, 140 parents (both fathers and mothers) and 14 classroom teachers were involved in the sessions (both large and small groups) as described in the following sections.

Introduction. There is no drug problem in Dutchess County. In fact, there is no drug problem anywhere in the country. If you start from that premise, you are starting from the premise of ADAPT. ADAPT is an educational technique or approach that hopes to see itself go out of business. It is used in conjunction with existing programs because it is supplementary rather than initiative. ADAPT sells no theories. It deals only in facts. The fact is that ABUSE is the problem and it has become a household word.

The community of the school and the community of the home seem to run in separate paths. It has been shown in studies that many parents want the schools to assume the responsibilities that really should be theirs. It is only a natural course of events that the problems of abuse, whether they be drug oriented or environment oriented, should fall into this category.

ADAPT is an educational program that attempts to bridge the gap between home and school with a course of instruction that is focused on the young and old . . . children and their parents . . . at the same time. By using the common denominator of ABUSE, the program bridges this gap.

Described here is a specific program developed in terms of drug abuse.

Rationale. The program is based on the theory that ABUSE and specifically drug abuse is something that is not acceptable as an answer to problems and pressures by most families. Most people consider themselves average and the average attitude of these people is that, "Other families and other people's children are involved in wrongdoing and abuses, but not mine!"

Information learned through the types of youngsters calling YELL (a county-wide telephone answering and counseling service under the auspices of the Dutchess County Medical Association and based at Vassar Hospital), 30% of the calls are parent-child problems, 30% are boy-girl problems (but not sex), 15% are from youngsters who "need someone to talk to," another 15% cover a wide variety of problems including attempted suicide, but only 10% are related to drug problems.

This ADAPT approach to the drug problem is designed to reach those 90% of the youngsters who have not yet experimented with drugs as a means to solving their tension problems.

In the area of drugs, we have found that while people are attentive, shocked and often

willing to participate in discussions on drugs, the facts will never leave the room in which an ordinary discussion is held. People who attend these discussions often feel that they are quite knowledgeable on the subject and are interested in increasing their expertise perhaps, but not in learning anything. By combining youngsters, parents, and teachers, a genuine learning experience is entered into which results in continued discussion in the home and in the classroom. The total learning process is stimulated. A real awareness that drug abuse could strike their home results.

The thought behind this approach is centered in drawing an imaginary line through an age group. On one side are the older youngsters who may be experimenting with drugs or other abuse and who must be reached on a different level and in a different way. On the other side are youngsters who will experiment perhaps, but who are armed with no knowledge of any significance because there is no one to arm them with this knowledge. The parent community has taken great pains to warn its youngsters of the dangers inherent in hot stoves, poison and other obvious perils but drugs are a rather nebulous area because most parents do not know how to deal with the subject. This is often based on the fact that parents are on some sort of drug . . . from diet pills to pep pills and tranquilizers . . . which have been prescribed by physicians for health reasons. The confusion of the anti-drug campaign has promoted an attitude in many parents of confusion as to what to tell their youngsters since the young see their own families taking pills all the time.

ADAPT takes no position against pills in any form or in the legalization or theories of what should be done in areas of drug abuse. ADAPT says that abuse is dangerous and abuse must be corrected through continuing education and an open mind.

It is hoped that through continuation of this ADAPT program, youngsters who might be offered a pill or other stimulant or depressant will think twice before accepting it based on facts learned through the large and small group seminars. At least youngsters will be made aware of the consequences they can suffer if they do take a pill. By approaching children at an early age, in the intermediate grades (grades 4, 5, and 6) and by providing them with a method for easy discussion with their parents who will also accept the abuse rationale, hopefully, future generations of youth will not be subject to drug abuse problems.

Process. Described here are the first steps in the development of a model. This model or package eventually will include video-tapes, reference lists, resource center materials (software and printed material) for use by teachers and parents, and with children.

ADAPT thus far has been designed for children in the fourth, fifth and sixth grade level. A refresher meeting is conducted for those in seventh grade after they have spent the summer away from school. So that the facts are not dissipated, the same procedure is used with seventh grade students. There are a number of variants of the procedure, and each instructor, or team leader as he will be called, can adapt the procedure to his own particular style. Hence, the name ADAPT. It is a program that is used as an aid in teaching. The ADAPT program is not an end in itself, but rather a means to an end. To be totally effective, it must be carried through by trained, certified school teachers.

CLIMATE

To be most effective, the seminars are conducted in as informal an atmosphere as can be obtained. But it must be emphasized that the entire program is completely structured without appearing to be so. Plainly, the success of this program is its apparent informal-

ity. The success of any informal approach is discipline and the informality must appear to be present to the youngsters and other people in the room. The Team must be aware of what they are doing every minute of the time, similar to the cast of a play. In order to make the proper points when they can be made, the team leader must be able to seize the opportunity when it arises, rather than forcing an issue.

SUBJECT MATTER

It is important to cover the subject matter and the means of presentation together as one item. For purposes of this explanation, we will use as an example the course that was recently delivered at the Titusville Elementary School in the Arlington School District in Dutchess County. A detailed study of the types of youngsters and their families would not be relevant to this presentation, but can be furnished upon request. The course is divided into three parts: (1) Orientation; (2) seminar; (3) review; (4) followup.

Orientation

Children and parents are invited to attend a regular in-school assembly program. The team leader should be someone known to those who are assembled. This means a local official or personality who works with youth. In this case, a local radio figure. The program is no more than fifty minutes in length and in a very perfunctory fashion outlines what is planned.

Slides or other visual aids can be used, but only to supplement, never as the entire program. The lights in the room must be on and the entire program is on an informal basis. Youngsters, their parents and their teachers are urged to interrupt whenever feelings move them. During this orientation period, the subject matter is the general area of ABUSE. It is fast delivery designed to hold the attention of those gathered and involves outright show business techniques. The orientation period is one of the most important aspects, as it is the information gained here which is brought home by the youngsters whose parents were not in attendance and which determines some of the success of the program.

ADAPT, for its full impact, should have the parents and the children listening to the same things at the same time. It could develop an area where these young people can form a basis of discussion with their parents or guardians that will be carried home and will be the impetus for the parent to come to the next meeting. It must also be the impetus for the teacher to continue a program in her classroom along with her other curriculum. Therefore, this first meeting is of utmost value to the program and must in a short time delineate what is to follow without making it a bore and assuredly making it seem different.

The audience is told about abuse and how we will be discussing this in future sessions with smaller groups. The audience is told that there will be a team of knowledgeable people at future sessions and who these people will be, not necessarily their names but their positions (ex-addict, doctor, lawyer, etc.). In the general discussion, some pills are shown on the screen and the audience is asked to identify some if they can. The emphasis is made that these programs will be devoted to ABUSE and that drug abuse is just one of the many abuses throughout our world today. The youngsters are asked to define in their own terms the expression abuse. This can lead to a discussion even with so large a group. It is important that the questions be fielded in a specific fashion. (This technique has relevance later on.)

A microphone should never be used. If the speaker needs a mike to be heard, he should

not be the lead speaker. Second, it is necessary to come as close to the youngsters asking the questions as possible in the large room. This means traveling about the room and when you hear the question, it must be repeated for all to hear. Answers must be swift and uncomplicated. As many questions as possible should be fielded in this exact manner. This is what is meant by the statement previously made that this must look like an informal, extemporaneous activity. Every move has a purpose. The program must conclude at exactly the fifty minute period and the up-coming programs must be explained during that time. It must be stated clearly that the team will be returning to the school in the near future and the dates must be set at once so that the assembled group has a clear idea of when and who will return. How the programs will run should also be clearly outlined, but briefly and tersely. There are many questions that will be asked as the students and parents leave. These should be left unanswered with the promise that they will be covered in the next sessions.

This is important. Should parents remain behind to ask about the program, time must be allowed for this type of answer session. No questions should be fielded as to specific information except about the concept of the program because the more parents talk to each other about it, the larger the audience will be in the smaller groups.

Orientation session ends.

Seminar

This takes place either in a classroom or cafeteria. Ideally, the seating should be informal. This can be accomplished in a classroom by removing the desks and leaving the chairs in a semicircle rather than in the standard arrangement. The parents and teachers should be grouped around the back of the students. There should be a facility for showing slides and there should be a blackboard. Posters and literature, as well as a brief description of what has been covered during the orientation discussion, should be made available for youngsters to take home. Naturally, due to the informality of the program, it is not always possible to outline all the matters that will be discussed. In the room it is extremely helpful to the informal atmosphere if soft drinks or milk are available for the youngsters and coffee for the adults. In the front of the group is the Team Leader and nearby the ex-addict. Others are scattered throughout the audience and may not speak at all during the Seminar. They will answer questions only as they are asked and only answer them at the request of the Team Leader.

It is important that the Seminar remain just that and that the speaking part be short, informal and, in a large part, involve the audience. Youngsters are again asked to identify different pills that are shown on the screen. They are asked to define ABUSE and the replies are all asked for in a spontaneous manner so that there is noise in the room and the youngsters are really participating in the program. This is done only at the outset in order to set the tone for the discussions and the Seminar. Gradually the focus . . . namely ABUSE . . . and in this case pill abuse . . . is brought to the surface. As much as possible, youngsters are encouraged to interrupt and the questions they ask are fielded by the person on the Team who has the expertise in that area. A summary period is left available during which the Leader sums up the fact that youngsters should not eat or swallow anything that looks like a pill unless he has been given it by his doctor, the school nurse, his mother or father or guardian. In general this is the method of the Seminar.

Review

Here we leave the classroom discipline and retire with teachers and interested persons who have attended to an informal setting again.

What did we accomplish and what are the problems?

This review is an important part of the total program because the program should be exceedingly flexible. There should be no secrets and no holds barred. In the very analysis of the program comes education that pertains to its continuing effect.

During the review, new ideas are considered, new methods of presentation discussed and continued discussion of abuses undertaken. Review is the starting point for an adult-parent program which is part of the ADAPT plan. Nucleus of the Review program will be the stimulating force behind discussions in the mature sessions. While the content of the sessions may differ, the same general outline can be followed with mature groups.

Adults are recruited to be "trained" as team discussion leaders for carrying on the adult continuing education portion of the ADAPT Plan.

Follow-up

In conjunction with existing programs in the school curriculum, the original youngsters who were involved in fourth grade seminars are contacted and a class is held to see where they have arrived over the year. They are followed as a group until the seventh grade after which the existing discipline takes over.

This, then, is the essence of the program.

Progress to Date. Parents and teachers in the try-out school (Titusville Elementary School, Arlington Central School District) have exhibited tremendous enthusiasm for this program. The 140 parents have responded informally to many of the "participants" staff at Titusville School, and have "spread the word" to the extent that parents of children in other Arlington Elementary Schools as well as parents of junior high school students, are asking to have the program adapted to their schools.

Time-table. The adult continuing education phase of the Plan is being developed over the summer through the combined efforts of the three Guidance Councils and the three Adult Continuing Education Directors. Current planning calls for the final details of the adult portion to be worked out in September, October and November so that maximum utilization of parent-adult interest and involvement can be brought to bear on the Adult Program scheduled for the month of January in all three school districts.

Current time-table calls for the total plan to be implemented in the fall of 1970 in one of the elementary schools of the Arlington Central School District. By June of 1971 the full ADAPT Plan will have been effected and "packaged."

STAFFING

To be truly effective, the ADAPT team should have an ex-addict, a law-enforcement official, and a team leader who can establish immediate rapport with youngsters and involve them at any age in a discussion-type situation rather than a traditional classroom-type of climate. A knowledgeable mother is also desirable. The basic team can be added to or subtracted from as the situation demands.

For adult continuing education programs and teacher in-service sessions, other professionals from the local community and the State who are knowledgeable in drug abuse should be utilized.

Evaluation of the project requires considerable time from professionals who must be

involved at every step in the process. Evaluation tools must be found or developed.

Audio-visual technicians will be needed to video-tape each session in order to provide recovery capabilities for evaluation, for documentation and for final "packaging."

All facilities and video taping equipment will be provided by the Arlington Central School District.

BUDGETING

1 team leader (75 sessions with people; considerable development time is needed; involvement suggested to equal one-half time)-- \$10,000

1 ex-addict with professional endorsements (75 sessions with people; development time one-half time involvement)----- 5,000

Consultants at \$150 per course of three sessions each plus program evaluator for 75 sessions plus writing time----- 10,000

Professionals and consultants needed for in-service training of 275 teachers and 150 adults to serve as small-group sessions leaders with adults ----- 10,000

Purchase of blank video-tapes,

books, posters, films, slides, and other appropriate software to be used with various age-groups, for take-home and for the library resource center----- 5,000

1 half-time technician to video-tape each session, seminar, sampling series of in-service training for teachers, and sampling series of adult sessions to train group leaders and carry out small group seminars. ----- 5,000

Total ----- 45,000