

of any Federal program involving the use of pesticides or other chemicals to eradicate or control animal or plant pests, and for other purposes; to the Committee on Agriculture.

By Mr. WALDIE:

H.R. 15968. A bill to assist the State in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITEHURST:

H.R. 15969. A bill to be known as the Pollution Abatement Act of 1970, to establish the National Environmental Control Commission as an independent agency of the government, and to vest in that Commission jurisdiction over environmental pollution programs; to the Committee on Government Operations.

By Mr. ZWACH:

H.R. 15970. A bill to amend the Federal Meat Inspection Act to give any State an additional year to develop and enforce an effective inspection program for meat and meat food products that are distributed wholly within such State, and for other purposes; to the Committee on Agriculture.

By Mrs. GREEN of Oregon:

H.R. 15971. A bill to amend the Fair Labor Standards Act of 1938 in order to require equal pay for equal work to individuals of both sexes in professional, executive and administrative positions; to the Committee on Education and Labor.

By Mr. GUDE (for himself, Mr. HOGAN, and Mr. BROYHILL of Virginia):

H.R. 15972. A bill to authorize the Commissioner of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PUCINSKI:

H.R. 15973. A bill to amend the Labor-Man-

agement Reporting and Disclosure Act of 1959 with respect to the terms of office of officers of local labor organizations; to the Committee on Education and Labor.

By Mr. TIERNAN:

H.R. 15974. A bill to amend the Watershed Protection and Flood Prevention Act of 1954, as amended; to the Committee on Agriculture.

By Mr. BROCK:

H.J. Res. 1083. Joint resolution proposing an amendment to the Constitution of the United States with respect to freedom of choice in attending public schools; to the Committee on the Judiciary.

By Mr. CORMAN:

H. Con. Res. 507. Concurrent resolution expressing the sense of the Congress with respect to the establishment of United Nations Day as a permanent international holiday; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself and Mr. BRADEMAS):

H. Con. Res. 508. Concurrent resolution to express the sense of the House with respect to peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. RARICK:

H. Con. Res. 509. Concurrent resolution expressing the sense of Congress that the President, acting through the U.S. Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights, including genocide, in the Soviet-occupied Lithuania on the agenda of the United Nations Organization; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H. Res. 839. Resolution providing additional compensation for services performed by certain employees in the House Publications Distribution Service; to the Committee on House Administration.

By Mrs. GREEN of Oregon (for herself,

Mr. AYRES, Mr. GIAIMO, Mr. QUIE, Mr. ROSTENKOWSKI, Mr. MICHEL, Mr. SMITH of Iowa, Mr. ANDERSON of Illinois, Mr. WAGGONNER, Mr. ERLBORN, and Mr. STRATTON):

H. Res. 840. Resolution for the appoint-

ment of a select committee to study the effects of Federal policies on the quality of education in the United States; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISH:

H.R. 15975. A bill for the relief of Nguyen Van Nam; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 15976. A bill for the relief of Arie Aviv (also known as Arie Abramovich); to the Committee on the Judiciary.

H.R. 15977. A bill for the relief of Hema-yack Meghrigian; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

303. By the SPEAKER: A memorial of the Legislature of the State of South Dakota, relative to banning the use of DDT and other similar harmful products; to the Committee on Agriculture.

304. Also, a memorial of the Legislature of the State of South Dakota, relative to issuing currency depicting the Mount Rushmore National Memorial; to the Committee on Banking and Currency.

305. Also, a memorial of the Legislature of the State of Tennessee, relative to repeal of the Gun Control Act of 1968; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

395. The SPEAKER presented a petition of Ohio Bell, Chicago, Ill., relative to redress of grievances, which was referred to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### PRESIDENT NIXON'S BUDGET FOR FISCAL 1971

#### HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HALL. Mr. Speaker, in a speech before the National Agricultural Outlook Conference held in Washington, D.C., yesterday morning, Murray L. Weidenbaum, Assistant Secretary of the Treasury for Economic Policy, chose as his subject, "The Fiscal Outlook for 1970-1971."

Mr. Weidenbaum offers an enlightening and succinct discussion of President Nixon's new budget for the fiscal year, 1971, and its effect on rearranging our national priorities for the decade of the 1970's.

Mr. Weidenbaum's speech follows:

REMARKS OF THE HONORABLE MURRAY L. WEIDENBAUM, ASSISTANT SECRETARY OF THE TREASURY FOR ECONOMIC POLICY, BEFORE THE NATIONAL AGRICULTURAL OUTLOOK CONFERENCE, WASHINGTON, D.C., FEBRUARY 6, 1970

#### CHANGING PRIORITIES FOR THE 1970'S

President Nixon's new budget for the fiscal year 1971 is a clear and specific indicator of

the Administration's determination to maintain a noninflationary fiscal policy for the year ahead. But the new budget is more than that; it also is a major step toward rearranging our national priorities for the decade of the Seventies. I would like to explain both of these points this morning.

#### THE FISCAL OUTLOOK FOR 1970-1971

From the viewpoint of short-term economic stabilization, the thrust of the fiscal year 1971 and budget is quite clear. To the \$3.2 billion surplus achieved in fiscal 1969 and to the \$1.5 billion surplus we anticipated in the current fiscal year, it is our determination to add a third year of modest excess of income over governmental outgo—a 1971 surplus of \$1.3 billion.

Given the economic environment that we anticipate, I believe that such modest budget surpluses are the order of the day. The maintenance of a budget surplus is a clear signal to the money markets, private investors, and other sectors of the economy that the Federal Government is continuing to press its anti-inflationary effort. I believe that any planned deficit, no matter how small, would have weakened that impact. In contrast, too large an anticipated surplus could set in motion strong deflationary forces. It also is noteworthy that these surpluses are being achieved by restraining public sector demand, rather than through new or increased taxes.

The budget has been prepared on the basis of a set of economic assumptions for 1970 which we consider quite reasonable. Actu-

ally, our estimates of GNP (\$985 billion), personal income (\$800 billion), and corporate profits (\$89 billion) are all close to the midpoint of the range of forecasts made by experienced private economists and financial analysts.

We have projected the Gross National Product in the calendar year 1970 at a five and a half percent increase over 1969. This clearly represents an intent to achieve a temporary slowdown in the growth pattern of the economy for 1970, a slowdown necessary to achieve a substantial reduction in inflationary pressures before the economy returns to high employment growth at relatively stable prices.

No official quarterly pattern of GNP in 1970 has been released. Obviously, more than one such pattern would be consistent with the \$985 billion figure. The pattern that I personally prefer shows real GNP relatively flat in the first half of the year, followed by an upturn in the second half. As you know, one of the favorite new parlor games in Washington, at least among economists, is to debate the significance of the fraction of one percent decline in the real GNP in the fourth quarter of 1969. It is hard for me to view this as any thunderous or precipitous decline. In fact—as I said in a public statement three months ago—I do not measure major swings in economic activity by such fine percentages. That is, a decrease of several tenths of one percent in the real Gross National Product really means a period of no growth. I would make the same state-

ment about a reported rise of several tenths of one percent in real GNP.

Incidentally, despite a lot of third party statements to the contrary, the Treasury economics staff has not been able to discover of Economic Research that it mechanically any pronouncement by the National Bureau of Economic Research that it mechanically measures a recession by two or more quarters of negative real growth, no matter how small, in the GNP or in any other single statistical series. The Bureau uses three broad criteria in characterizing a phrase of a business cycle: (1) its duration, (2) its amplitude of change, and (3) its scope or degree of involvement among economic sectors.

Looking beyond the outlook for the coming year, I believe that it is particularly significant that this year's Federal Budget, as well as the Economic Report, contains projections beyond the budget year, through the period ending in 1975. This Administration believes that such a forward look is necessary for more informed and enlightened decisions on national priorities.

#### CHANGING FEDERAL PRIORITIES

The Federal Budget for 1971 provides a good guide as to the changing priorities of the Federal Government. Rather than repeating the rhetoric usually contained in such documents (thankfully, this year it is kept to a minimum), let us see where the money is going.

Last year, as in every year since the Korean War, the largest category in the Federal Budget was national defense. In the 1971 budget, in contrast, the largest share of the budget goes to a civilian sector, specifically to human resource programs (which includes education, health, welfare, veterans, and manpower projects). The shift is quite dramatic—in 1969, 44 percent of the budget went to defense and 34 percent to human resources; in 1971, we come close to reversing the relationship—41 percent to these civilian investments in people and 37 percent to military programs.

Only in part does this shift represent our winding down of our direct participation in the Vietnam War. The trend we are reversing is a longer-term trend than that. A decade ago, in 1961, national defense received a larger share (48 percent) of the Federal Budget than is either contemplated for 1971 or actually was spent in 1969.

The anticipated \$7.7 billion reduction in military outlays between 1969 and 1971 is the largest area of cutback, but by no means the only one. Space exploration spending is down by over \$800 million in the same period, and foreign aid is about \$200 million lower.

Other reductions or eliminations occur in lower priority areas throughout the budget. The President proposes to eliminate the operation of the nuclear ship Savannah, to close down the NASA Electronics Research Center, to sell the Alaska Railroad to private owners, to sell off over \$750 million worth of surplus commodities from our stockpile of strategic and critical materials, and so forth.

The areas of increased and, hence of higher priority, in addition to human resource programs previously mentioned, are quite noteworthy. Programs to improve the environment, such as control of air and water pollution and more parks and open spaces, expand by over 50 percent in two years, rising from \$785 million in 1969 to a recommended \$1.1 billion in 1971. The 1971 figure represents a more than fivefold increase from a decade ago.

Outlays for crime reduction also represent an area of substantial growth in the Federal Budget and, hence, of increased priority. Expenditures in this area almost double in a two-year period, rising from \$658 million in 1969 to \$1.3 billion in 1971.

Another important, but less dramatic change in the Federal sector is the trend toward decentralizing the actual operation of public programs. This can be seen most

clearly when we examine two separate but related items—(1) the personnel of Federal agencies and (2) financial assistance to state and local governments.

The 1971 budget proposes to continue the reduction in direct Federal employment begun last year. From a total of 2,633,762 full-time permanent civilian employees in the Executive Branch as of June 1969, we now estimate that the total will be 2,602,800 at the end of June 1970, and down to 2,597,200 by June 1971.

In contrast, Federal financial aid to state and local governments will be rising during this same period, to help our states, cities, and counties to carry out programs of national significance.

The estimated total of \$28 billion of Federal aid to state and local governments in 1971 is an almost fourfold increase since 1961. Moreover, the 1971 funding represents more than an increase in dollars. It contains what we believe to be an important qualitative innovation in Federal-state-local fiscal relations. What I have in mind here is a start on our new program of Federal revenue sharing with state and local governments.

We are well aware of the adverse side-effects that too often accompany existing programs of grants-in-aid. Revenue sharing, which will be in addition to existing grant programs, is designed to decentralize not only the expenditure of Federal funds but the actual decision-making as to the way the funds will be spent. Our revenue-sharing program provides for priorities to be set by each state and local government, rather than here in Washington.

Let me emphasize that these shifts in priorities have not come about the easy way, by merely realigning expenditures in a rapidly expanding budget. Rather, this Administration has taken the more difficult but, we earnestly believe, the more responsible and necessary approach of rearranging relative program priorities within an almost constant budget total. Specifically, during the year 1969-71, total budget outlays are estimated to increase about 2 percent a year, or less than the near-term expected rise in the price level. This overall restraint in government spending is necessary in reconciling our twofold considerations of promoting short-term economic stabilization and long-term growth and welfare.

Let me end by noting the positive outcome we expect from the responsible pursuit of both objectives. Our short-term effort of fiscal restraint should, as we see it, make possible a long-term sustained period of substantial growth of income, employment, and living standards. On the basis of our projection of a \$1.4 trillion GNP in 1975, the current Federal tax structure would yield \$266 billion in revenues in that year. Even after making full allowance for the future costs of current programs plus the new efforts recommended by the President, we estimate that there will be an additional \$22 billion available to finance new program initiatives in 1975. Those are the rather pleasant prospects of an enlightened and responsible fiscal policy. It may not suffice for all that we may wish to do, but it provides the opportunity for a good start.

#### SUMMARY

These, then, are the economic highlights of the Federal fiscal outlook:

1. The maintenance of budget surpluses in the fiscal years 1969, 1970, and 1971 is a clear signal to the money markets, private investors, and other sectors of the economy that the Administration is continuing to press the anti-inflation effort.

2. I do not measure major swings in economic activity by such fine percentages as a fraction of one percent of GNP. On this basis, I expect real GNP to be relatively flat in the first half of 1970, followed by an upturn in the second half.

3. The 1971 budget signals a fundamental reorientation in the composition of the Federal Budget—from military to civilian programs. The largest single share—41 percent—is devoted to investments in human resources, up from 34 percent in 1969 and 30 percent in 1961.

4. In striking contrast, the military portion of Federal outlays is being reduced from 44 percent in 1969 (48 percent in 1961) to 37 percent in 1971. The role of the military in our society as a whole and in the public sector specifically is being reduced substantially.

5. In addition to human resources (such as education, health, welfare), other areas of high priority and hence of rapid Federal expenditure increases are improving the environment—up over 50 percent between 1969 and 1971—and crime reduction—a twofold increase during the same period.

6. Another important change is the trend toward decentralization of the Federal sector. This can best be seen by the modest reductions in direct Federal employment and the substantial expansion in Federal financial assistance to state and local governments (e.g., revenue sharing).

7. These shifts in priorities have not come about the easy way, by merely realigning expenditures in a rapidly expanding budget. Rather, we have taken the more difficult but necessary approach to rearranging relative program priorities within an almost constant budget total.

8. To assist the Nation in setting future priorities, the 1971 budget makes the important departure of including long-term projections. On the basis of a \$1.4 trillion economy in 1975, Federal revenue from existing taxes would be \$266 billion. This would be \$22 billion above the 1975 costs of existing programs plus Nixon Administration initiatives to date. This is not a forecast of any \$22 billion surplus, but an indication of the long-term flexibility that can result from sensible short-term fiscal policies.

#### COLD WAR AGAINST NEW YORK

#### HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. FISH, Mr. Speaker, during the recent Lincoln Day recess my colleague, DANIEL BUTTON, of New York, announced that he was introducing at least four resolutions to put an end to Defense Department practices relating to Federal employment, contract awards, and defense installations as they relate to New York State.

At that time Congressman BUTTON made what I feel is an excellent summation of the problems many of us have had with the Department of Defense in these matters and I would like to associate myself with Congressman BUTTON's statement which I present in full.

The statement follows:

Today I am announcing my intention to introduce at least four resolutions in the House to put an end to unacceptable practices by the Department of Defense in connection with Federal employment, contract awards, and defense installations in New York State.

In addition, I have written President Nixon asking him to set up a Blue-Ribbon Commission not limited to but charged with reviewing such practices of the Department. I have recommended to him that this Commission include representatives from the De-

partment, the two Senators from New York, and a bi-partisan representation from the state's Congressional delegation.

My most recent experience with Defense officials came in connection with efforts to keep informed about current "cutbacks," when I was unable to obtain needed information.

Fourteen hundred Federal employees were summarily dismissed in the last two months of 1969 at Stewart Air Force Base and Suffolk County Air Force Base.

All efforts to obtain information and to discuss humane alternative arrangements for these employees failed.

So far as I can determine, New York State and its citizens have been treated by the Department as if they were a foreign territory. Even its Congressional representatives, to this date, have not been able to hold a meeting with anyone in the Department responsible for this conduct.

My argument with the Department is over their miserable failure to handle situations involving Federal employees. Their total disregard for families and local economies—once they've decided to phase out an installation or make personnel cutbacks—is shocking.

New York has been suffering discrimination for at least a decade, under four different administrations. The facts convince

me that it makes no difference who is President because the Pentagon has been waging a cold war against New York and her citizens to deprive us of a fair share of Federal defense employment and contracts.

In waging this cold war, the Defense Department has committed serious injustices against Federal employees, disregarding their rights to proper employment practices as provided by statute and regulation, and ignoring the fundamental right of their union representatives to be kept informed and able to protect the members.

For example, the American Federation of Government Employees, which represents the overwhelming majority of non-Postal Federal employees in New York, has been denied any adequate explanation or briefing, according to AFGE's President John F. Griner and National Vice-President Joseph D. Gleason. They assure me that they and AFGE's local unions in New York endorse my proposal and will cooperate fully in an investigation of defense employment practices.

The following table shows that during the ten-year period from 1960 through June, 1969 when the Department of Defense experienced a vast growth in personnel and funds throughout the country, New York actually lost one out of every three Federal employees working for the Department.

CIVILIAN EMPLOYMENT IN SELECTED STATES IN DEPARTMENT OF DEFENSE INSTALLATIONS (1960-69)

	New York	California	Illinois	Texas	Pennsylvania	Total for 5 States
Federal, DOD 1960.....	51,230	141,703	25,539	58,091	67,497	344,060
Federal, DOD 1969.....	33,476	179,412	33,585	78,346	72,970	397,689
Change in number of DOD positions (1960-69).....	-17,754	+37,709	+8,046	+20,255	+5,473	+53,729
Percentage change (1960-69).....	-34.6	+26.6	+31.5	+34.8	+8.1	+15.6

Let us look at still other figures. In California, for example, there is today one Defense Department employee for every 108 persons in the population. In Texas one employee for every 142 persons in the population. In Pennsylvania, one for every 161 persons and in Illinois one for every 352 persons.

How many are there in New York State?

One Federal employee working for the Defense Department for every 547 persons in our population.

When you consider the need for employment in New York, especially the lack of job opportunities for many of our citizens who are locked into the older, decaying, core cities of our State, these figures are an outrage and I wish to have an accounting for the massive discrimination against New York State which has produced this condition. Federal employment opportunities for our citizens could go a long way toward vastly improving social conditions in our state by providing the needed pay-rolls to stimulate self-reliance and job security.

But we are confronted with even worse. The preceding figures do not include the 1400 jobs lost because of the closing of Stewart and Suffolk County Air Force Bases. They do not reflect the cutbacks at Niagara Falls Army Support Center; the Naval Applied Science Laboratory; Fort Hamilton; Seneca Army Depot; and several other affected installations. They do not reflect the loss in employment in the last few months at the Watervliet Arsenal and the reductions in employment at Griffis Air Force Base.

Most significantly, we do not yet know the outcome of proposed retrenchment at Griffis Air Force Base. To me this is a test of the integrity of the Department's real attitude toward New York State for the future.

At issue particularly is the prospect that the Pentagon will transfer the Ground Electronics Engineering Installation Agency from Griffis to some other part of the country.

I am watching very carefully the situation at the Watervliet Arsenal. This is a unique installation, unlike any other arsenal in the United States and a crucial facility not only for the defense of the United States but also for the defense of its allies.

I do not propose here to enter into the important question of the development of modern weapons. But if the labor force and the experts assembled at Watervliet are sacrificed, then the role of New York State in the defense posture of this Country will continue to depreciate.

In September, 1969, Watervliet Arsenal had 3548 Federal employees working for the Defense Department. By the end of December 360 had been fired. It is now planned to dismiss another 366 by June. This means a loss of 726 jobs or 20% of total employment in less than nine months. I question the wisdom of a reduction of such significance in this most unusual, strategically important installation. Of course, I shall continue to review every proposed reduction at Watervliet Arsenal.

The four resolutions I am working on will be designed to end the cold war waged by the Department of Defense against Congress, against Federal employees, against local government officials, and against local communities.

One specifically designed to remedy this condition in New York State:

Calls for a Congressional inquiry into the employment and contract award policies of the Department of Defense (with specific reference to the question of whether New York State has received its fair share or has suffered discrimination).

Three other resolutions:

Seek to require the Department to notify affected Members of Congress at least 120 days in advance of any plans or intentions to close bases and installations or to transfer major units. Would also require immediate notice when a feasibility study (cost

analysis) is undertaken on any military installation by the Department.

Require the Department to notify Congressmen and employee unions at least 120 days in advance of any plans for changes in the size and composition of the civilian Federal employee staffs, including changes requiring Federal civilian employees to relocate.

Require the Department to communicate directly with local government officials of all communities and state agencies which might be affected by any changes in the numbers of military personnel and of Federal civilian employees so that these local officials can have sufficient time to respond adequately. The Department would be required to notify these officials 120 days before final action.

In addition to these resolutions and my letter to President Nixon, I intend to discuss these matters with my Colleagues in the Post Office and Civil Service Committee of the House as they relate to Federal employment practices.

FEBRUARY 10, 1970.

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

DEAR MR. PRESIDENT: I am most disturbed by the fact that for several months the Congressional Representatives from New York have been unable to obtain timely information regarding Department of Defense policies and decisions affecting Federal employment and contracts in my state.

Following inquiries from my constituents who complained about current Department of Defense "cutbacks" in employment in New York, I, myself, immediately sought to meet with persons of responsibility in the Department of Defense. My efforts were fruitless.

Subsequently, I learned that other members of the New York Congressional delegation had similar experiences.

In the meantime, I have received further communications which cause me serious concern about the manner in which the Department of Defense has been dealing with residents of my state.

As just one example, fourteen hundred Federal employees, many with long years of service, were summarily dismissed in the two-month period just before Christmas at Stewart Air Force Base and Suffolk County Air Force Base.

All efforts by these employees, by their union representatives, and by myself and other Congressmen to obtain information and to discuss humane alternative arrangements for these employees failed.

In seeking to determine the causes of this kind of situation created by the Department of Defense, I was informed that its most recent conduct reflected a standing policy, at least a decade old, to discriminate against my state in defense contracts and defense employment.

As evidence, I received a table, which I am enclosing, showing that during the ten-year period, from 1960 through 1969, when the Department of Defense experienced a vast growth in personnel and funds throughout the country, New York lost one out of every three Federal employee positions in the Department of Defense.

In California, for example, there is today one Defense Department employee for every 108 persons in the population.

In Texas, there is one employee for every 142 inhabitants. In Pennsylvania, there is one for every 161 persons; and in Illinois, one for every 352 inhabitants.

How many are there in New York? In my state, as of last June, there was only one Federal employee working for the Department of Defense for every 547 persons in our population. Today, taking into account the recent "cutbacks," I estimate the figure to be closer to one for every 600 inhabitants.

In the light of this situation, and of the

recent experiences of our Congressional delegation, I am appealing to you personally to establish a Blue-Ribbon Commission to investigate these conditions, including the reasons for the obvious discrimination in Federal employment and contracts against New York.

In my opinion, it would be helpful if this Blue-Ribbon Commission included, among others, representatives from the Department of Defense, the two Senators from New York, and a bi-partisan membership selected from the Congressional delegation from my state.

I am sure that such a Blue-Ribbon Commission would soon discover the facts and submit recommendations which would correct the mistakes of the past. As for myself, I wish to assure you, Mr. President, that I shall cooperate with you and the Blue-Ribbon Commission to the fullest in improving the Federal personnel and contracting practices of the Department of Defense.

Sincerely,

DANIEL E. BUTTON,  
Member of Congress.

### NLRB BUDGET CUTS PUZZLING

#### HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. THOMPSON of New Jersey. Mr. Speaker, one of the many peculiar aspects of President Nixon's new fiscal 1971 budget is the unexplained cut of some 113 positions in the National Labor Relations Board.

Such action is being taken at a time when Nixon administration economic and fiscal policies are certain to produce increased demands on the NLRB in carrying out its statutory functions in labor-management relations. Presently, the NLRB handles about 19,000 unfair labor practice cases annually, plus another 12,000 representation cases. In fact, President Nixon's own budget for fiscal 1971 states the view that the NLRB workload will be increasing during the year:

Estimates for 1971 reflect an intake increase over 1970 of 5.4% for unfair labor practice cases and 1% for representation cases.

While the total budget request for NLRB shows a slight increase in funds, the cut in personnel requested by the Nixon administration would mean that further delays would likely occur in the processing of NLRB cases.

Mr. Speaker, an exhaustive inquiry by the Special Labor Subcommittee in 1968 showed the inordinate time that often takes place in cases involving unfair labor practice charges against employers.

Our report in December 1968, entitled "National Labor Relations Act Remedies: The Unfulfilled Promise," set forth the dimensions of this problem, using the J. P. Stevens case and other similar cases as examples of how antiunion employers, with the aid of local officials and community pressures, coupled with the cumbersome administrative delays of the Board and the courts, can effectively destroy legitimate trade union efforts.

Mr. Speaker, the proposed cutbacks in NLRB personnel can only have the effect of further delaying the administration of

justice under the act in important cases that will further disrupt and endanger the labor-management relations climate in the United States. The Nixon administration must bear the full responsibility for the consequences of such shortsighted budgetary policies. At this point in my remarks, I include the text of an article by Mr. Mike Causey in "The Federal Diary," as carried in the Washington Post for February 14, 1970. The article is entitled "NLRB Staff Cuts May Delay Its Cases":

#### NLRB STAFF CUTS MAY DELAY ITS CASES

(By Mike Causey)

An upcoming staff cut at the National Labor Relations Board will mean a lengthening in the time it takes the federal middleman agency to resolve squabbles between labor and management.

The NLRB now spends anywhere from 30 days to a year in settling election arguments, contract disputes and allegations of unfair labor practices that crop up between unions and management, or employee and employer.

President Nixon's fiscal 1971 budget proposes a cut of about 113 positions, to 2,197 for the professionally oriented agency. Nobody can figure out exactly why. Other labor-oriented operations of government will be growing while NLRB shrinks.

Officials aren't sure whether they will have to fire people to meet the new ceiling, or if it can all be done through normal attrition. But they do believe that their workload will pile up, since they will have fewer employees to handle a growing workload.

NLRB gets almost 19,000 unfair labor practices charges a year, and another 12,000 representation cases. The unfair labor charges involve allegations that somebody—usually management—has hedged on a contract obligation or agreement. The representation cases can be from a union that asks for an election among employees to represent them, or from employees or management asking that a union be decertified because it no longer effectively represents a majority of workers.

About 90 per cent can, fortunately for NLRB, be resolved on an informal basis. That can happen when the agency gets union and management to agree to drop their complaint, or resolve it without making a federal case of the issue.

From 5 to 10 per cent of the complaints NLRB gets, officials say, must be handled through formal procedures that can take from 40 to 50 days. If all legal avenues and appeals routes are taken, the case can eat up nearly a year.

With no end of labor-management disputes in sight, and with fewer people to help out, NLRB predicts it will take longer to settle arguments. For union officials and employers who have a potential beef, the advice is to file early.

### MAN'S INHUMANITY TO MAN—HOW LONG?

#### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,400 American prisoners of war and their families.

How long?

### POLLUTION SOLUTION

#### HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. ZWACH. Mr. Speaker, it appears that one of the big thrusts of the seventies will be the fight against pollution, the battle to preserve the quality of our environment.

Many people think of this as a massive, federally financed effort, but that is not necessarily the case.

Richard Higgin, a discerning weekly newspaper editor in our Minnesota Sixth Congressional District, wrote an editorial in his Lake Lillian Crier pointing out this misconception.

Mr. Higgin rightfully says that pollution is everyone's concern, that we cannot solve the problem at the Federal level until we first win the battle with the individual.

Mr. Speaker, under leave granted, I would like to insert Editor Higgin's editorial in the CONGRESSIONAL RECORD and commend its reading to my colleagues.

The editorial follows:

#### POLLUTION SOLUTION

Nope—I don't have it . . . a pollution solution, that is. If I did, I'd be in Washington, since nobody else has come up with it either. I just believe that more of us need to be concerned about it and working at it.

We, here in the rural areas, seem to be almost completely unconcerned about it. Actually, I don't think most of us realize just how desperate a situation it is becoming.

Last year when Kandiyohi Lake had problems, and when the state pollution agency hopped on the village of Cosmos in an effort to stop it from polluting the Crow River, a few people woke up—but for the most part many of us slumber on like Rip Van Winkle.

It isn't merely that a few rivers and lakes here and there have become polluted and the air in some of the larger cities has turned green with smog. Pollution is turning up everywhere in America, eating away at the vital parts of this great nation like a cancer.

You see it in the litter along the roads, on the sidewalks, in public places where people congregate. You see it in abandoned cars scattered everywhere. You find it in foul smells. It reappears evermore frequently in the desperate search by most municipalities for more dump grounds. It occurs in the death of birds, fish, game—due in part to pesticides and herbicides. We're wading ever-deeper in pollution of one kind or another.

A startling statistic (to me at least) was presented by Bob Erickson at the Conservation Symposium at Blomkest last week. He stated that every person, man, woman, and child produces an average of four pounds of garbage or rubbish each day—that's a total of 70 tons of garbage each day in Kandiyohi County. See what a problem it is?

Ted Shields said at the same meeting that we must determine in the 1970's how to lick this problem—by 1980 it will be too late. A sobering thought, indeed.

On top of that, he said that our minerals will not hold out at the rate we're using them. We must start re-cycling them.

Unfortunately, we're paying dearly for our modern conveniences. Our convenience packaging, for one thing, for the most part does not deteriorate and return to the soil and air, so the garbage keeps piling up while our resources run out.

We are going to have to learn how to reuse junk autos and other trash. Our sewage

plants will have to operate so that sludge is not poured into the rivers, but returned to the soil in the form of fertilizer. We cannot continue draining our water and top soil down the rivers to the Gulf of Mexico. If the fields must be drained, most of it will have to go to lakes or various ponds to keep the top soil here, and to allow the water to sink into the earth and replenish the water tables.

The angles are innumerable, and we must work at every one of them.

The causes are many. Modern conveniences, industrial methods, and over-population are certainly high on the list of causes. But one that is causing more damage than most others (and one that can be corrected) is what I call America's present-day socialist mentality.

We've had so many years of creeping socialism and we've gotten into the socialist mess so deeply that too many of us have the socialist mentality: "To heck with it. I'm just one unimportant person. I can't do anything. Why should I worry about litter and pollution. My little bit doesn't make any difference. I'm not responsible—let the government take care of it."

If we can free the American people from this destructive complex, the other causes of pollution will soon clear up, too.

#### TO ASSIST AMERICA'S FISHING INDUSTRY

**HON. HOWARD W. POLLOCK**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. POLLOCK. Mr. Speaker, today I have introduced two bills to assist America's fishing industry. The first bill would authorize the Secretary of the Interior to make loans to fishermen's cooperative associations. These loans could be used to finance the cost of purchasing and storing fish and shellfish or products; to provide operating capital; and to finance the acquisition by purchase or lease of land, buildings, and equipment used in connection with the storing, processing, and preparation for market of fish and fish products.

The second bill that I have introduced would authorize the Secretary of the Interior to make loans to insurance cooperatives of fishing vessel owners and operators for the purpose of providing marine insurance at lower rates. Such insurance would cover loss of or damage to commercial fishing vessels—including machinery, equipment, and gear—and injury or death of crew members. To effectuate this insurance program, \$10 million would be appropriated to a revolving fund, known as the "fishermen's association insurance loan fund." With certain limitations, the Secretary of the Interior could then use the fund to make low interest loans to fishing associations. These restrictions include the following:

First, the amount of a loan could not exceed 50 percent of the capital and surplus of the association;

Second, loans could not be made for a period exceeding 10 years;

Third, interest rates could not be less than the average market rate on outstanding Treasury obligations plus a reasonable charge for administrative costs;

Fourth, to be eligible for a loan, the vessel under consideration must be owned by an American citizen, and the vessel owner must be a member of a fishing association.

Each of these bills is designed to assist fishing vessel owners and operators with problems that have proved especially onerous in recent years. Thus, for example, my first bill would enable fishermen to obtain loans more easily than ever before. Although both the Farmers Home Administration and the Small Business Administration are authorized to make loans to fishery establishments, such loans are often impossible to obtain because of the nature of particular operations.

The truth of this last statement is best illustrated by an example. Since oyster farming is considered an agricultural enterprise, a cooperative engaged in this type of farming can obtain a loan from the FHA. However, if the same cooperative wants to catch and sell shrimp in addition to harvesting oysters, then it is not eligible for an FHA loan, because shrimp fishing is not classified as an agricultural enterprise. By establishing a loan program especially designed to meet the needs of fishery cooperatives, my bill will bring much needed stability, economy, and efficiency to many segments of the fishing industry which have been plagued heretofore by lack of capital.

The second bill which I have introduced today was drafted in response to another problem confronting many fishermen in Alaska and elsewhere: the high cost of marine insurance. Again, the need for remedial legislation is best illustrated by an example. In my State of Alaska, insurance rates as high as 14 percent of total coverage are being charged for hull insurance. Recent investigations indicate that insurance rates are increasing in almost every area of marine insurance and in almost every region of the country. For this reason, I believe that Federal participation in fishermen's insurance is necessary if the industry is to grow and prosper.

Mr. Speaker, I want to emphasize the urgent need for remedial legislation of the type that I have outlined today. America's fishing industry contributes a great deal to our society, both from a monetary and from a nutritional point of view. It would indeed be a national catastrophe if we in Congress were to neglect the needs of the courageous and independent men who own and operate America's fishing fleets. Therefore, I urge you, Mr. Speaker and my distinguished colleagues, to give your careful consideration and support to the legislation that I have just introduced.

#### FEDERAL BOAT SAFETY ACT

**HON. EDWARD J. PATTEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. PATTEN. Mr. Speaker, since the end of World War II, the sale of recreational boats has increased tremendously. It is a \$3 billion industry and the expan-

sion not only reflects our growing prosperity, but is also a sign that more Americans are enjoying outdoor recreation.

Both of these conditions are gratifying, but one of the problems caused by the enormous increase in boat sales—up 93 percent since 1960—are the mounting number of boating accidents. From 1960 through 1968, an estimated 10,869 persons lost their lives in recreational boating accidents throughout the Nation—244 of them in New Jersey—and property damage in the country totaled \$46.3 million—\$2.3 million in New Jersey.

These figures are shocking, because most of the boats are used only on weekends in the summer. Despite this, the human and property losses are appalling. To help prevent future boating accidents, legislation has been introduced in the House Merchant Marine and Fisheries Committee that would provide:

Minimum safety standards for design and construction of small boats; and

Federal aid to help States improve their safe boating programs.

According to the column, "Jersey Boating," by Bob Campbell, in the Star-Ledger of Newark, N.J.:

Its major provisions have been endorsed by most responsible boating organizations as the Boating Industry Association and the National Association of Engine and Boat Manufacturers.

The Coast Guard, which has helped save thousands of persons and their boats from disaster, also believes that the bill would increase boating safety, and Transportation Secretary John A. Volpe is another vigorous advocate and backer. The main sponsor of the House bill is the able and respected chairman of the Merchant Marine and Fisheries Committee, EDWARD A. GARMATZ. Several other Members, including myself, are cosponsors of the House measure.

Mr. Speaker, the House has approved safety legislation in other important areas, including the Airport Airways Act, which will increase the efficiency of air traffic control, and passed legislation that strengthened safety requirements in cars and tires. Also under consideration is the Railroad Safety Act.

If legislation is being passed that will provide greater safety—in the skies and on highways and railroads—it should also be extended to our waters, where millions of Americans find relaxation and pleasure. I hope that Congress passes—and the President signs—the Federal Boat Safety Act in this session, for if enactment is postponed, not only life, but property will be lost.

#### HONORS JOHN C. HILLY

**HON. BERTRAM L. PODELL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. PODELL. Mr. Speaker, Mr. John C. Hilly is a fine and dedicated citizen of Brooklyn. Mr. Hilly has distinguished himself in all his endeavors—and they have been numerous. As current president of Bush Terminal, as well as of Commerce, Labor, and Industry of Kings

County, and as former president of the Brooklyn Chamber of Commerce and chairman of the Council of Regents at St. Francis College, Mr. Hilly has served the people and the interests of Kings County. Mr. George H. Hearn, Commissioner of the Federal Maritime Commission and a devoted civil servant, described Mr. Hilly as a "man who lives for man."

It is with pleasure that I insert the text of the remarks of Commissioner Hearn at a meeting honoring Mr. Hilly in the RECORD:

Your Excellency, Bishop Mugavero, Right Reverend and Very Reverend Monsignor, Reverend Fathers, Mayor Lindsay, Members of our Congressional Delegation, other dignitaries who grace our dais, Stewards, Members of the Cathedral Club and friends, all.

As a former member of the Cathedral Club, who on many occasions has had the pleasure of being a Steward at this annual gathering, I recall looking forward to attending this dinner as it afforded a wonderful opportunity not only to meet and greet old friends, but to be a part of a memorable occasion.

The President of the Club, in addition to selecting the person the Club wished to honor, invited a prominent speaker. The list of these former honor men, as well as those who have addressed the Club, is a very impressive and inspiring array of great men of our time. It includes distinguished members of the Cathedral Club and friends such as John Fitzgerald Kennedy, Lyndon Baines Johnson, Hubert H. Humphrey, Speaker John McCormack, Senators Mike Mansfield, Henry Jackson, Eugene McCarthy, and Secretary of State Dean Rusk. These are but a few of the men who have brought inspiring messages to Brooklyn over the last fifteen years under the auspices of the Cathedral Club.

In turning to our honor man this evening, John C. Hilly; to list the accomplishments of such an illustrious person, particularly to this group, is really unnecessary and quite aside from my purpose. When you compare the charitable, communal and industrious achievements of John with the achievements of other great men of our time, the comparison, I believe, will favor John.

Our honored guest is known as a thoughtful person—one who believes in and lives for the brotherhood of all mankind. In effect, he is one of the men who live for man. I view him not in light of his charitable, educational, humanitarian and civic interests, but as one who knows of his work as the President of the Bush Terminal Company, as Vice Chairman and Director of Bush Universal, Inc.; as a Governor of the Propeller Club of the United States; and as a Director of the National Defense Transportation Association. In summary, I know John as a man of commerce, transportation and industry, not as a lawyer, educator and humanitarian, although I am well aware of his many contributions in these areas.

In my opinion, the successful work which he has accomplished in the commercial sector of life is by far his most significant achievement. He has been able to effectively blend his dynamic qualities of leadership, energy and imagination into the commercial avenues of a materialistic world resulting in an inspiring and productive record. In effect, while rendering to Caesar the things that are Caesar's, he has shown that in order to best help your fellow man, the community and humanity in general, you must first be a success in doing your own thing. You must succeed in earning a living, in rearing and educating your family, in gaining the respect of your peers, so that your leadership, your ideas and "know how" will be accepted, emulated and hopefully put into practice when one does the will of the Creator.

I am a regulator and therefore am not charged with the promotional aspects of transportation. However, I may speak out when the foreign waterborne commerce of the United States is threatened. The fact that I might have to adjudicate a maritime problem in the future no more prevents me from giving, in a general way, my basic thoughts on maritime affairs than would any of the jurists here tonight be prevented by his position from giving his opinion concerning crime and injustice.

We are all familiar with the effect the container revolution has had on transportation in general and on the great Port of New York in particular. But it awes me to think of the effect that the hovercraft, hydrofoil, surface effect ship traveling 80 knots or more an hour on an air bubble, and the tri-section vessel traveling 60 knots an hour on a double hull, will have on transportation as we know it today. These are but a few of the transportation advances as we progress into the 1970's—the decade which, in my opinion, will be the "make or break" decade for this Port as far as international commerce is concerned. We must look about us, reassess our position and find out how we can continue to remain number one in commerce and trade.

Other countries are continually working to be successful traders. They constantly strive for trading recognition by building and improving their fleets, particularly Japan and the maritime countries of Europe. Because of other priorities since the end of World War II, the United States has allowed its merchant marine industry to decline perilously. This has been a tragic mistake from any viewpoint, but it becomes more serious when viewed in the light of Soviet fleet expansion during the same period.

Two decades ago when the United States was first in shipping and first in shipbuilding, the Soviet fleet constituted no threat to our maritime existence. In the days immediately following the war the Soviet fleet was composed primarily of old Liberty ships that we had given Russian under the lend-lease program. The rest of their fleet wasn't worth mentioning. Their ships were old when the Liberty ships were still new.

The situation is vastly different today as the following statistics will illustrate:

1. The Soviet Merchant Marine has increased seven times since 1950. During the same period, the United States Merchant Marine has dwindled to less than half its former size.

2. At the end of 1968, Russia had 458 merchant ships on order or under construction; the United States was building only 62.

3. Eighty percent of the Russian fleet is less than ten years old; eighty percent of the American Merchant Marine is at least twenty years old—right at the point of complete obsolescence.

Thus, despite the now limited physical capacity and scope of the Soviet merchant fleet, the manner in which the Soviet merchant ships are undercutting free world shipping on selective trade routes with bargain rates, the availability of Soviet financing for shipyard facilities and equipment in lesser-developed countries—all these developments typify how Russian sea power is being projected.

Our ships are now carrying about five percent of our own trade and commerce by volume. In my opinion, it is a national disgrace for a country with an illustrious maritime history such as ours, with its thousands of miles of coastline and with the trading posture of the world today, to have to rely on ships flying flags other than our own to carry over ninety percent of our foreign waterborne commerce.

In an effort to rectify this sad state of our merchant marine, the President has recently announced a new maritime program and the Administration has proposed legislation to implement that program. This is a necessary

step to revitalize our merchant fleet, but it is not enough. We may build the biggest fleet composed of the largest and most efficient ships, but without cargo those ships will add nothing to our trade and commerce. It is the cargo actually carried by ships that constitutes the difference between success and failure in ocean commerce. As American citizens we should see to it that American flag vessels carry the preponderance of American cargoes to the market places of the world.

We must constantly be able to keep our attainable goals in sight and while I do not wish to become too materialistic, I must frankly say that we must be practical achievers in all fields. Commerce should not be the least of these attainments. We must be constantly ready here in the City of New York to keep our waterfront—its terminals, piers and upland facilities in a high state of productivity.

I am personally delighted to see the recent announcements of the revival of the Brooklyn Army Base, the Green Docks improvement at 39th Street, and the revitalization of the Brooklyn Navy Yard. The approval of Federal loan guarantees of almost \$100 million will permit Seatrain Lines to build two 230,000-ton tankers right here in Brooklyn. This was made public by our own Congressman John J. Rooney, Chairman of the House Appropriations Subcommittee. We all know of the Congressman's efforts over the years to keep the Brooklyn Navy Yard as a source of employment for this district and the metropolitan area in general. He has continually been aided in these efforts by our other Congressmen, Hugh Carey and Jack Murphy, who I might mention are here this evening and who have in the past been honored individually by the Club. The results of these efforts will in some way attempt to fill the gap that has been left by the development of container farms on the New Jersey side of the Port. These are typical examples of the imagination we must be constantly using to create new markets for our goods which will result in increased services and local employment.

What I am trying to say is that we, as Americans, can no longer continue drinking Brazilian coffee from an English cup while sitting on a Danish chair after coming home in a German car from an Italian movie and then picking up a Japanese ballpoint pen and writing an indignant letter to our congressman demanding something be done about spending the country's diminishing dollar reserves on Venezuelan oil. This country can no longer continue to be the peace keeper around the world and at the same time not perfect its right to an adequate share in its own commerce and trade. We can no longer continue to upgrade the lives of all Americans and at the same time fall in open competition with nations that do things cheaper than we do because of the lower standard of living under which their citizens live and work.

Our underinvestment in many of the truly good things of life has really deprived us of the only kind of wealth that will prevail in the long run. We must continue to strive for better education and a better environment. Only upon their attainment will we develop superior minds trained to distinguish true values capable of bridging the gap between all of our citizens to ensure for us tranquility, peace and a better life. To accomplish this we must make our society the most productive society on earth. A commercially productive society will ensure a more productive life in terms of human fulfillment. To be sure, a creative society will cost more in terms of private endeavor and in terms of public investment. Oliver Wendell Holmes summed up the case for public expenditures and the public happiness when he said, "Taxes are the price we pay for civilization." We must have greatness in a civilization which brings forth truth, beauty and

the conditions that encourage human dignity in a sense of order—these are some of the things that make life and work worthwhile.

I call upon each of you this evening to arouse the latent creativity around us and bring it into the mainstream of our national life and purpose so that we may meet the final challenge of our age by having faith in the self-renewing power of the American industrial system.

As one scribe so poignantly wrote many years ago concerning this blending of commerce and good works:

"How far away is the Temple of Fame?"

Said a youth at the dawn of the day,  
He tolled and strove for a deathless name;  
The hours went by, and the evening came,  
Leaving him old and feeble and lame,  
To plod on his cheerless way.

"How far away is the Temple of Good?"

Said another youth at the dawn of day,  
He tolled in the spirit of brotherhood,  
To help and succor, as best he could,  
The poor and unfortunate multitude,  
In its hard and cheerless way.

He was careless alike of praise or blame,

But after his work was done,  
An Angel of Glory from Heaven came,  
And wrote on high his immortal name,  
To proclaim that—the Temple of Fame  
And the Temple of Good are one.

For this is the lesson that history

Has taught since the world began:  
That those whose memories never die,  
But shine like stars in the human sky,  
And brighter grow as the years go by,  
Are the men who live for man.

So, John Hilly, as your accomplishments are a constant reminder that the temple of fame and the temple of good are one, let us tonight resolve to go from this place, at this time, to strive toward those goals which you have attained by being one of the men who live for man.

SISTER MARY McELROY

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 16, 1970

Mr. BOLAND. Mr. Speaker, the senior government class at Cathedral High School in my home city of Springfield, Mass., is visiting Washington this week.

For the first time in many years, the class is not being accompanied here by Sister Mary McElroy.

Known to her Cathedral High School students, and to her associates in the Sisters of Saint Joseph for 21 years as Sister Marie Delourdes, Sister Mary McElroy died January 4, after more than two decades of educating Springfield youngsters. The thousands of people whose lives were touched by this magnificent woman and servant of God mourn her loss.

Sister Mary possessed virtually a unique and inimitable talent. She could converse with anyone regardless of age, color, creed, or position. The problem of a generation or credibility gap did not exist with sister—for she gave not just words of advice, direction, or consolation, but she gave of herself, and, in doing so, she was able to reach the minds and hearts of all who came to know her.

To those who knew her as an instruc-

tor of American history and government she will be remembered as a teacher whose love for America inspired in her students a confidence in our government and a dedication to the ideals that have made this country great.

To those who knew her as a guidance counselor, she will be remembered as a person who always had time to talk, or to listen, and somehow to make each individual whose life she touched a better person for having known her.

To her associates in the religious community she will be remembered as a warm and loyal friend whose career as directress of vocations was cut short long before anyone expected such a loss.

Many lives have been diminished by her loss, but, just as surely, our lives will never be the same for having known her.

A requiem mass was held for Sister Mary McElroy this morning at the Lourdes altar in the Shrine of the Immaculate Conception here in Washington. The Reverend Michael Doyle of Springfield and the Reverend Henry Murphy, S.J., a Cathedral High School graduate and dean of admissions at Fairfield University, concelebrated the mass. Another requiem mass will be conducted tomorrow morning for Sister Mary at St. Matthew's Cathedral.

Sister Mary's funeral mass—a glorious mass, or white mass—was among the most striking religious ceremonies I have ever witnessed. The Most Reverend Christopher J. Weldon, Bishop of Springfield, celebrated the mass with the assistance of 10 area priests who knew Sister Mary.

At this point, Mr. Speaker, I put in the RECORD a citation adopted by Cathedral High School's student body in tribute to Sister Mary McElroy and a letter written by Donald A. Shea, a Cathedral senior, to the editor of the Springfield Daily News.

The items follow:

CATHEDRAL HIGH SCHOOL,  
Springfield, Mass.

We would like to cite, for outstanding service to God and Country, the late Sister Mary McElroy, of the Sisters of Saint Joseph. The students of Cathedral High School, Springfield, Massachusetts, whom she loved dearly, deeply regret her passing in a tragic automobile accident on January 4, 1970. The example she set is one all educators would do well to follow.

As a teacher of Government, she instilled the ideals of our nation into the minds and hearts of the thousands of young people she came in contact with during twenty years of education and guidance. Dedicated to the preservation of democracy, she inspired many young Americans to love and trust their country in a time when disillusionment and defiance are rampant among American youth.

Sister Mary encouraged constructive criticism and urged students onward in the peaceful improvement of our government. She devoted her life to enkindling patriotism in youthful minds, through a thorough knowledge of the workings of our system of federalism.

Sr. Mary McElroy emphasized the importance of working within the system for reform. She spoke when strong words were needed; she acted when change was required, and she fearlessly defended her beliefs and her country when they were attacked from within, as well as from without.

Sister Mary McElroy was truly an outstanding American.

[From the Springfield Daily News, Jan. 13, 1970]

A TRIBUTE TO SISTER McELROY

January 13 was observed by the Cathedral High School family as a day in memory of Sister Mary McElroy, who was known affectionately as "Marie D." to thousands of Cathedralites for twenty years.

Sister McElroy was a rarity among educators of our day. She loved God above all things, and had an inimitable talent for passing this love to us, her beloved "kids." As the years passed we could see the lines in her young face deepen, and her hair turned steadily gray with the worry she experienced over us. She cared. She really cared.

Sister McElroy unabashedly brought herself down to our level to help us with our problems, and tried, and succeeded, in steering us in the right direction.

She was the embodiment of all that bigoted, immoral and dishonest men of every age have feared. Her whole life, the reason why she chose the life she did, was to be near God and to bring others close to Him, and she was unparalleled for this.

The magnitude of our loss, as young impressionable minds, will become greater as the days progress. For without Sister Mary McElroy, we kids are a little bit more leaderless, forced to meet life head on, without the aid of one who loved us, and helped us in the biggest way.

The responsibility to pick up the fight where Sister McElroy has so abruptly left off lies on the shoulders of teachers, parents, and most importantly, ourselves. She had seen us on our way and left us to struggle alone. God has been satisfied, and Mary McElroy has found what she sought out.

It is now our turn to profit by the sterling example that was her life.

DONALD A. SHEA,  
Class of 1970,  
Cathedral High School.

UNDERSTANDING THE SILENT  
MAJORITY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, recently an editorial appeared in the Humboldt State College, Arcata, Calif., newspaper, the Lumberjack, which provides an insight into how the so-called "silent majority" is viewed by some members of the younger generation.

In my judgment, the author of this editorial has added immeasurably to closing the "generation gap." I would sincerely hope that this editorial would find its way into many college newspapers because of the message that it conveys.

I am inserting the editorial in the RECORD and I strongly urge my colleagues to read it and pass it on to the colleges in their districts.

Do not underestimate the intellect, the stability, and the maturity of our young people. The overwhelming majority of our students are now and will, in the future, be a tremendous contributor to orderly economic growth and social advancement throughout the Nation.

Of course, there are some "rabid radicals" on campus, but they are very much in the minority. The "silent majority," which is the "vast majority" on our

campus are reasonable, responsive, and responsible students—working hard to acquire the best in education today—preparing for a leadership role tomorrow. I am proud to represent them in the Congress of the United States.

The editorial follows:

[From the (Arcata, Calif.) Humboldt State College Lumberjack, Jan. 21, 1970]

#### UNDERSTANDING THE SILENT MAJORITY

Time Magazine recognized them as "Man and Woman of the Year." President Nixon has taken them under his wing politically. Spiro Agnew has embraced them with blunt rhetoric and has given them a sense of national identity and importance. They are the Silent Majority, and to understand the way and the reasons why they think as they do, we must look to their history.

Our parents are the Silent Majority. The man that pumps your gas, delivers your mail, checks your groceries and tends your bar, the man that makes and services your car, builds your home and mows your lawn—all these people are the Silent Majority.

These are the people that work a 40-hour week for a living, often with overtime. They work with their hands and minds, in jobs that aren't very exciting or romantic, that don't pay well enough to buy much more than food and clothing, pay taxes and house payments. They pay their taxes, always wondering if the amount of their earning dollar that the government takes will ever stop going up.

Their sons and daughters are a source of both pride and wonderment—pride that a son may graduate from college and move up the line of success, wonder that he or his classmates seem to be seen only in the light of campus riots, disturbances and violence.

The Silent Majority is puzzled by current events—young people leaving the country rather than be drafted, campus unrest and turmoil, a seeming decline in morality, patriotism, and the virtues that the Silent Majority regarded as sacred during their youth—hard work, steadfast honesty, solid respect, and honor for their country.

To understand their puzzlement, look at their lifetime. First, an economic depression that racked this country inside out for more than ten years. Ten long years when millions of men were out of work, unable to feed and clothe their families, reduced to accepting welfare, forced to live with a desperate situation that they had no control over whatsoever. Some people who lived during that era maintain that the country actually bordered on revolution in the deepest depths of the depression.

Soon after the depression, in 1939, war broke out in Europe, also caught in economic catastrophe. World War II lasted nearly six years, killing millions of people and leaving both physical and psychological scars on and in all people that were affected by it. Our generation has never known a conflict so totally severe.

We have never stood in line for food, or rationed meat, milk, gasoline or clothing. Most of us have never had to spend years in a foreign country away from families, wives and children, not knowing if we would wake up alive the next morning.

These are the reasons why the Silent Majority believes in the things they do. They have lived through these powerful events, and the imprint they made on their minds determines in large part their political and social views.

Understanding the Silent Majority and how they view contemporary society may never be fully possible, but with a realization of their history, the events they have lived through, it may be easier to comprehend and sympathize with what they do and say. We should remember that in 25 years, we may be the Silent Majority.

VETERANS' NEEDS: A CLARK COUNTY, NEV., VA HOSPITAL

### HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. BARING. Mr. Speaker, we are witnessing in this country today the return of some of our fighting men from South Vietnam. At the same rate that these men are being redeployed to military installations here at home and to other U.S. bases around the world, another large segment of our military manpower force is being discharged from active duty.

These men are our veterans who have served their country in the highest manner and deserve great tribute for performing their duty.

Mr. Speaker, while we can lay tribute and accolades upon them, to many those are kind words but words do not necessarily help the former GI's receive good hospital and dental treatment, much less purchase a home today at the current inflated interest rate schedule. Nor, do kind words possibly help or allow these veterans to return to college to continue their education and training by other means.

While the need for improvement is there within our veterans' hospitals, there is need too, for the construction of more veterans' medical and surgical centers in this Nation to meet the growing demand for service for our many veterans.

From my own congressional district, the State of Nevada, I wish to insert the letter from the Las Vegas Lodge No. 1468 of the Benevolent and Protective Order of Elks:

DEAR MR. SPEAKER: This is to inform you that Las Vegas Lodge No. 1468 of the Benevolent Order of Elks wishes to be read into the *Congressional Record* as unanimously supporting a request in the form of a proposed bill asking for a 400-bed veterans' hospital for Clark County, Nevada.

This matter was accepted in the course of New Business at the regular weekly meeting held Thursday evening, December 18, 1969, and the unanimity represents the wishes of the entire membership.

Sincerely yours,

J. GORDON HOOPES,  
Exalted Ruler.

Mr. Speaker, the purpose of the remarks in the RECORD today are in behalf of my bill, H.R. 5948, which would provide for a Veterans' Administration general medical and surgical hospital of 400 beds in Clark County, Nev. This is the bill to which the enclosed letter from the Elks Lodge alludes. This hospital would be in the vicinity of Las Vegas, Nev., which is the fastest growing community in my congressional district of Nevada.

In 1969, Las Vegas, in Clark County, ranked as the seventh fastest growing city in population in the Nation. As far as I know that statistic remains the same today as we are about to embark on the 1970 census.

Included in this growth in the southern Nevada, Clark County area, with its center in Las Vegas, is the majority of veterans who live in Nevada. We current-

ly have an estimate of 55,000 veterans residing permanently in the State.

Mr. Speaker, Nevada has but one veterans' hospital. It is in Reno, Nev., in the far northwestern corner of our large 110,500 square mile State. Reno is 465 miles from Las Vegas. Veterans in Las Vegas and throughout southern Nevada must travel either to Reno for care or to Los Angeles or Salt Lake City, both of which are as far, if not farther, away from Las Vegas than Reno.

This distance of travel is just not possible for many veterans residing in the Las Vegas area, Mr. Speaker. The expenses they incur when traveling to Reno or to other cities, are extremely prohibitive in comparison to personal income. Then, many veterans who are handicapped are not able to travel such a long distance.

As I stated in testimony before the House Veterans' Affairs Subcommittee on Hospitals in April 1969, "I have countless numbers of letters in my files this year and from years past stating just this complaint: That Reno and other western VA centers are too far away for travel.

Besides the enclosed letter of support for the Clark County Veterans' Hospital from Elks Lodge 1463, I have numerous other letters with current dates from southern Nevada veterans and concerned citizens on the same subject of a 400-bed VA hospital for the Las Vegas vicinity.

Two other reasons backing up the establishment of the Clark County veterans' hospital are that there is plenty of public land available for use in southern Nevada at very minimal costs and the climate of the area, needless to say, is ideal for rehabilitation of our sick and disabled veterans.

Southern Nevada faces a definite need for a hospital for veterans and the entire area populace would benefit.

Mr. Speaker, the need for more Veterans' Administration hospitals nationwide is evident with the growth of the population of veterans and especially in light of the current return rate of our Vietnam fighting men to the ranks of veterans.

#### AID TO MENTALLY RETARDED

### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. WALDIE. Mr. Speaker, the importance of constructing and maintaining facilities for the care and treatment of persons suffering from mental retardation and other disabilities originating at birth cannot be overestimated. Neither, Mr. Speaker, can we understate the need for comprehensive services for these afflicted persons.

With this in mind, Mr. Speaker, I am today introducing legislation providing for assistance to the States in the development of plans for provision of necessary comprehensive services to the mentally retarded and the construction of needed facilities to serve these persons.

## FIGHT AGAINST POLLUTION

## HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. BROWN of Ohio. Mr. Speaker, critics of President Nixon who say that his fight against pollution is mere rhetoric will have to swallow these words of criticism, in view of his swift, decisive actions to combat the environmental crisis facing our Nation.

Mr. Nixon has followed his words in the state of the Union message with a strong order that the Federal Government lead the way in eradicating pollution, and to implement the order has earmarked funds to carry through with the program.

A recent editorial in the Columbus Dispatch praises the President's actions in the ecology fight. I include the following editorial in the RECORD:

[From the Columbus (Ohio) Dispatch, Feb. 6, 1970]

## BOTH TONE, EXAMPLE SET BY NIXON IN ECOLOGY FIGHT

President Nixon has proven there was more than rhetoric in his State of the Union message's call for an all-out battle to preserve the quality of life in America by eradicating the pollutants which endanger our environment.

Mr. Nixon's most recent statement revealed the federal government not only can be expected to serve as a rallying point in the ecological march but that it will label itself as the first target.

He called the federal government "one of the nation's worst polluters" and ordered all federal facilities to comply with the government's clean water and clear air orders by Dec. 31, 1972.

The President earmarked \$359 million to provide government leadership in the program. Meanwhile, all federal installations, public works, aircraft and watercraft are to be adjusted so they cannot be accused of being polluters.

It was a move to assure that the federal government can "sweep its own doorstep clean" before dictating to others.

A prime example on the federal pollution list is the Army's military academy at West Point. It is now dumping inadequately treated sewage into the Hudson River. This project alone will cost an estimated \$3.1 million to correct.

In our rush to build military training facilities in World War II, we gave little consideration to their contributions to the deterioration of environmental quality. Many of these military bases remain in operation, still continuing to spew out pollutants.

As a starter in the campaign to preserve the quality of life, Mr. Nixon told Congress he envisioned a "\$10 billion nationwide clean waters program," plus assurance of guaranteed open spaces and continuing research into control of other pollutants such as those in the fields of air and noise.

He said, "The 1970s absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters and our living environment. It is literally now or never."

This leadership from the top should be encouraging to a vital segment of the population—youths who are voicing increasing concern about the world they will inherit.

But the problem really is one for all to

help solve. It is well that the nation's chief executive has set both tone and example in officially opening the fight.

## IN SUPPORT OF NATIONAL BOY SCOUT WEEK

## HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. DANIEL of Virginia. Mr. Speaker, the week of February 7-13 was National Boy Scout Week. Sixty years ago, on February 8, the scouting movement in America was formally organized in Washington, D.C. Today the Boy Scouts of America boasts of more than a million members.

It is fitting and proper that this outstanding youth organization be given due recognition. Many of today's local, State and national leaders are former Boy Scouts; but, more important, tomorrow's leadership is being developed in Boy Scout troops all across our land today. The efforts of this association to inspire young boys to noble purposes is among the highest of objectives. The molding of young minds to provide our country with a future responsible citizenry is a noteworthy public service.

As Americans living in turbulent times, we all realize the importance—indeed, the necessity—of well-qualified and properly motivated leaders. The young people of today will be heir to our problems and to our achievements. They will be called upon to shape the destiny of our Nation. The job will be a tough one, but I am confident that with proper training and development such as that provided by the Scout organization our youth will preserve and keep America American.

In the February 12 Franklin News-Post of Rocky Mount, Va., there appeared letters written by eight Cub Scouts as part of an achievement program. The subject was "Why I Love America." It is always gratifying and encouraging to learn of young people in our Nation who are proud to proclaim that they are Americans. In order that the contents of these inspiring letters may be shared with my colleagues, I insert them in the RECORD:

## WHY I LOVE AMERICA

(By Tim Arrington)

America—the U.S.A. is the country where I live and am proud to say so. Many brave men have fought and died for the freedom which we now enjoy and we should all work trying to keep these freedoms. This is a country where we can work, play, worship, sing, speak, pray, go and come when we please. There are countries in which these things do not exist. I just love my country—The United States of America.

(By Barry B. Brugh)

I love America because we have a home to go to. And a school to go to and work. I love America because we are free to go anywhere we want to go. And we have food to eat. I love America because we have the freedom to say what we think.

(By Walter Hartman)

I like America because it is a free country and the people in America are free to do

what they want to do. And you have a lot of good friends in America to. And you have your own homes to live in. And because there are no kings to tell you what to do.

(By Jeff Hodges)

I like America because we have our freedom and America is beautiful. America has beautiful mountains and trees. And there are pretty homes in America, we have roads to travel on and good fields to work and to live on. We have good stores to buy food, clothing and other things.

(By Greg Dillon)

I love America because we have freedom to establish justice. We have flowers and trees.

We have men fighting in Vietnam to protect us.

I think our country is the greatest in the world because we can worship God.

Three American men have already walked on the moon.

(By Clayton Leach)

I like America because we are able to work for any place we want to. We were the first on the moon. We have Thanksgiving and go to Church where we want to. We can write letters and say what we want to. I like my home here. That is why I like America.

(By Vernon McClure, Jr.)

I love America because we have freedom. We can have guns and we can hunt and fish. Our country was founded by Christians and we have freedom to speak of what we want. We have freedom of property. We can worship as we please. And we can have the press.

(By Tommie Hodges)

I like America because it is beautiful. It has good schools and good churches. Farmers can farm and raise vegetables and fruits. Also raise cows and pigs and chickens so you can have good things to eat.

America also has good people and places to work. And America also has Cub Scouts and Boy Scouts for our boys.

## JUNIOR COLLEGE ROLE AFFIRMED AT OSCAR ROSE CEREMONIES

## HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. STEED. Mr. Speaker, groundbreaking ceremonies were held recently for Oklahoma's newest State institution of higher education, Oscar Rose Junior College at Midwest City.

This institution is appropriately named for the late Oscar Rose, superintendent of schools at Midwest City for more than 25 years and a national leader in education. It is headed by Jacob Johnson, another outstanding educator.

Dr. Edmund J. Gleazer, Jr., executive director of the American Association of Junior Colleges, served as principal speaker at the groundbreaking ceremonies.

His address, "Affirmation by Builders," illustrates the expanding and useful role of the junior college today. Its text is as follows:

## AFFIRMATION BY BUILDERS

I am honored by your invitation to participate in this unusually important meeting. To you I bring sincere best wishes and congratulations from 1,000 sister institutions

across this land. You are to be congratulated not only on your achievements but on the remarkable promise of achievements to come.

This is an important event. I mean that! I believe that today we are not only breaking ground for some buildings. We are also affirming our beliefs. The buildings of a people are important. From the Town Meeting House of New England to the pyramids of Egypt, to the cathedrals of Europe, and the skyscrapers of New York, the buildings erected by a people say something about the values of those people. And these community colleges, 50 to 60, being built each year from California to New York, and Florida to Washington are clarion declarations of what Americans believe. In these plants is tangible expression of a basic faith in the value of people which too seldom finds expression in the newspapers and the films. It is creed not often spoken audibly but declared in the way the American taxpayer authorizes his money to be spent. It is a faith that motivates people to serve on school boards and advisory committees, to have a part in the hundred and one activities in each community which quietly, and for the most part, inconspicuously, keep the life blood of the community moving. This simple, practical, daily expression of belief in the dignity and value of human life forms the broad base of American society and is regrettably overlooked in a period of such national castigation as we are passing through.

The community college in America has its genesis and strength in the desires of these kinds of people. The surging demand for such institutions is found not so much in the leadership of national statesmen, leaders, philosophers, or university presidents, but in the petitions of P.T.A. groups, school boards organizations, chambers of commerce, mothers and fathers, little known individuals. These have formed to produce a ground swell which inexorably has moved to overcome all resistance. The people of Ohio so moved. Cuyahoga Community College in Cleveland was the first publicly-supported institution of higher education in that area to open in fifty years. Three thousand students showed up on opening day.

Ten years ago I received a letter from the president of a Junior High P.T.A. in Pennsylvania. She said her group didn't care whether the Democrats or the Republicans provided the legislation, but they wanted community colleges for their children in Pennsylvania. "Tell us how to go about it." A few years ago Pennsylvania passed community college legislation. Philadelphia, Pittsburgh, and ten other cities now have their colleges.

Florida has built its thirty junior colleges, most of them in the last few years. Seventy per cent of the students have already exceeded the educational attainments of their parents—and more and more of the parents are found in the evening programs of the same college attended by their children during the day. And California has been a national leader with community junior colleges now within commuting distance of 95 per cent of the state's population.

These are just illustrations of the dramatic national story. The community college is not a concept devised by a national committee and superimposed upon the educational patterns of the cities of our land. Rather it is an idea which has taken its form as insistent economic and social forces have generated and interacted and sought their logical educational shape. It has sprung from the people it serves.

The community college idea makes sense, as one industrialist told me last week. Here are some examples of why it makes sense:

The community college gives the high school graduate or the older person who can profit from college work the opportunity to try. There is no examination, no probing by

interviews, no measure of what the student can and will do which is a fraction as effective as this. So we can afford to have community colleges with open door admissions policies. But we cannot afford to have universities of this kind. Highly selective universities require as their partners open door community colleges in a democratic system of higher education.

There is another reason community colleges make sense. A great deal of talk is heard these days about gifted students and superior students and able students. But we make a mistake in picturing these as the cream at the top of the bottle—people are able, superior, gifted, in some ways and may be average or inferior in others. Superiority is often situational.

It is more reasonable to think in terms of different kinds of intelligence—of different kinds of abilities. Those students who have capacity for preparation as nurses, electronics technicians, microwave technicians, dental hygienists, may be considerably more able, gifted, in meeting the requirements of their vocation than the student who finds himself at home in the graduate schools of the universities. Only in the United States of America does there exist colleges like this one which may bring together on the same campus, under the same roof, those of such varied interests and objectives. In most countries the vocational line and the university preparatory line are kept separate. The student at an early age makes an almost irrevocable commitment to one or the other. And if he is a misfit in either line his chances of success are poor. The comprehensive community college gives opportunity for students beyond the high school to find their appropriate lines of educational development in an atmosphere which honors the social worth of a wide range of interests, capacities, aptitudes, and types of intelligence.

And let me mention just one other reason the kind of college we envision today makes sense for our time. Our communities today need a focal point, a cohesive force, a creative center. I see the community college in this role. It is an institution not limited to the usual college age population, but a cultural resource to be used throughout the life of the citizen. Learning, we are told, is most effective when related closely to a problem, a question, a need. As questions and problems and needs arise from the days of late adolescence to that "last of life for which the first was made" the citizen draws upon the resources of his community college. The college is a reservoir not only of man's accumulated experience but it is a forum for examination of current issues and concerns against the backdrop of human wisdom that gives relevancy and reason to discussion.

It is on the community college campus that the community reflects upon its role, examines its purposes and objectives, tests its hypotheses, evaluates its group life, strengthens its communication, and builds its leadership.

Much more could be said and will be said in the years ahead on this campus. Even more important than the words spoken will be the living testimony found here in the thousands of persons who collectively will set the tone and create the spirit of this place. But let it now be clear that stronger than the footings which will bear these buildings are the basic affirmations of the builders.

We believe each should become all he is capable of being.

We believe in education as means toward the fulfillment of man's aspirations and potentials.

We believe in a mobile society with position determined through competence.

We believe in the social worth of a wide range of aptitudes, skills, interests and types of intelligence—the artisan, craftsman, executive, technician, scientist, poet, and businessman.

We believe that people can become capable of governing themselves and that capability is both demonstrated and learned through the establishment and control of such institutions as community colleges.

We believe in the importance of the community as a context for learning and see the community college as a unifying, cohesive, and dynamic center for creative social activity.

It is with reference to these affirmations and others held basic to a society of free men that we break ground for Oscar Rose Junior College. And, as we do, we dedicate ourselves to those pursuits by which these ideals and values can be secured and extended.

#### GOVERNOR McNAIR'S SPEECH TO GEORGIA DEMOCRATS

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

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. STEPHENS. Mr. Speaker, when the Georgia Democratic Party held its annual Jefferson-Jackson Day Dinner in Atlanta on February 9, the guest speaker was Georgia's distinguished neighbor, Robert E. McNair, the Governor of South Carolina. His speech was timely and challenging and deserves widespread distribution. Therefore, I have asked that Governor McNair's speech be set out in the RECORD, as follows:

#### SPEECH OF GOVERNOR McNAIR

I am happy to have this opportunity of being with you on an occasion which is particularly important in the development of the Democratic Party. As we gather tonight to recall the principles of Jefferson and Jackson, we find our national party at something of a crossroads in its direction and leadership.

At the same time, we begin to observe among the people of this nation a disappointment and frustration with the present administration in Washington. We see the signs of disillusionment developing as the unfulfilled promises and campaign debts begin to pile up. The nation is beginning to ask why inflation and the cost of living continues to skyrocket at an even faster pace. Citizens seeking stability in our law enforcement are finding that crime rates are only increasing across the nation, and that public safety is even more of an issue than it was a year ago.

Home owners are discovering the realities of high interest rates. Under levels set by the present administration, a person setting out to buy a \$20,000 home will pay interest charges amounting to \$15,000. At a time when we see a need for 26 million new housing units in America, we find the administration in Washington either unable or unwilling to provide the type of financial climate which would make this goal attainable. The housewife knows about inflation, also. While she is waiting for campaign promises to be met, her food costs have risen by eight percent during the term of the new administration.

Elsewhere the economic pinch is being felt. Workers are being laid off as unemployment rises steadily. In our major industries in the South, working hours are being shortened, with corresponding reduction in the paycheck each person is taking home.

In short, the people of this nation are looking for an alternative to the disappointing performance now taking place in Washington. They are looking for a new source of leadership which can do more than talk and promise. I do not need to remind the

citizens of this state, or other neighboring states, of the devastation which results from irresponsible campaign promises and false hopes they raise among certain segments of our population.

The people of this state—indeed the people of our nation—will not sit idly by and accept the type of misleading direction which is being passed along through the present administrative channels. I am satisfied that the honeymoon of the Republican administration is rapidly drawing to a close, and that people of America are looking for effective, realistic and progressive leadership. There is but one direction to look—the Democratic Party.

We have endured a decade of division which has seen our party—and our nation—split by factionalism. The bright promise of the sixties became the despair of false hope, anger and frustration. In search of scapegoats, the political opportunists have pitted race against race, generation against generation, and American against American. Amid irrational talk of revolution and insurrection, responsible leadership has tried to steer a course of moderation which would not punish good causes simply because of extremists who support them.

Through it all, the Democratic Party has suffered its share. No one need be reminded of the problems which have beset our party before, during and after the Chicago convention of 1968. As much as we would like to say that Chicago is history, that is not the case. The elements which made our convention a three-ring circus on national television are still at work within the very structural fiber of our party. In the name of reform, Democrats have set out to discredit responsible state leadership, and to remold the party into a narrow, restrictive political instrument with limited purpose and effectiveness. They talk in terms of quotas to replace free and open participation, and they lead us toward a type of artificial ideology which would replace the spontaneous voice of the people themselves.

The challenge is a serious one for the Democrats of Georgia—and South Carolina—and Louisiana—and Montana—and Connecticut, and wherever our party still has the ability to win elections. It goes beyond questions of liberalism vs. conservatism, or labor vs. management, or region vs. region. These are the simple, pat issues which make it easy for the theorists to explain away our difficulties. There are no buttons to push in Washington which automatically assign certain segments of the population to belong to one party or the other. There is no master switch at National Party Headquarters which produces millions of votes simply because we have written down on paper a certain type of ideology. Politics is not a game in which two players manipulate the pieces to their own personal advantage. It doesn't work that way.

The leadership of political parties is a far more complex and complicated matter. One speech from the floor of the Senate does not make a party liberal; one governor fighting for the rights of the people of his state does not make it conservative. If we are not willing to maintain the present political balance of all these elements within our party, then we invite not only a narrowing of the Democratic Party base, but a polarization of the entire political structure in America.

This is not reform; this is regression. At a time when our party is crying out for reunification, this only further divides us. When voices of extremism drown out those of moderation, the result is not reform, but destruction. There are even those of some national prominence who have openly stated that the present party should be destroyed, and rebuilt along different lines. They say that reform is worth 20 years of defeat, and that we have the choice of reforming along

their lines or seeing the party die. This is only so much academic, self-serving nonsense.

If there are to be realistic alternatives, however, they must be initiated by the responsible and effective elements of moderation within the party. They must come from Atlanta and Columbia and Nashville and St. Louis, and all the other communities—large and small—where the voice of the people is still the policy-making body of the Democratic Party. Those of us who resist the drift to extremism do not at the same time defend the status quo. The Democratic Party is in serious need of regeneration and revitalization. It does need new energy, new faces, new perspective, new participation. But I submit to you that the type of growth our party requires does not come from self-serving reformers who seek to close the party door to those who do not agree with them. It does not come from those who would have barred Congressman Albert Rains of Alabama from the National Committee. It does not come from those who talk about party loyalty, and then turn around and support candidates such as John Lindsay in the name of liberalism.

This type of reform defies the very principle of loyalty, tolerance and ideological balance which has characterized our party. In its place, new voices of leadership should be raised within the Democratic Party—voices dedicated to conciliation, harmony and mutual understanding.

The nucleus for such new leadership can come from this very room here tonight. It does not require that you draft a new manifesto of party policy and position; it does not require that you establish a mathematical formula for the allocation of delegates. It requires one simple commitment: that each of you reach out into your communities and bring into your precinct, county, and state organizations more and more dedicated people. If we are truly to expand the base of our party, this is where the input must come, this is where the revitalization must take place. It is in your hands, and not in the hands of a select party committee, to determine the future of our party. It is up to you to involve the young people, the minorities, the great cross-section of America which today is looking for an answer to the problems our nation faces. It is not enough to complain and condemn unless we are willing to work toward a better solution. It is not enough to say that our party today is without leadership. Unless we are willing to become directly involved in the activities of our party, then we cannot criticize those who do step into the leadership vacuum.

The surest sign of new life in a party comes at the local level; the surest sign of party decay is when our precinct and county clubs grow stale. The deterioration of state or national parties is merely a symptom of much more serious difficulties at the local level. In my visits among party leaders in this state, Tennessee, North Carolina, Florida and others, I have viewed first hand the type of new enthusiasm which is prevalent among party workers there. I have sensed a new feeling of determination and dedication to restore stability to the Democratic Party. There is a new understanding of the role of organization in the building of a party. Perhaps it is not as dramatic as some of the cures being proposed at the national level. Perhaps it is not as politically exciting as the recommendations coming out of our so-called Reform Commission. But the victories of political combat do not come with sensationalism. They come with the type of hard work needed to mold a solid and stable party from top to bottom.

This is the type of political reform which must ultimately determine the future of the Democratic Party, the type of reform which is in your hands and responsible Democrats

like you throughout the nation. Let us revitalize the Democratic Party by beginning at the local level, and strengthening our organizations at home first. Let us bring new energy to the national party by involving the state parties more fully in national matters. This is the type of program of reform which I advocate for the Democratic Party at the present time. The issues we raise should be issues which unite us, and not issues which divide us. As we enter a crucial election year for the entire nation, we must use this time for building the type of structural strength which can stabilize the party, involve the people themselves, and ultimately deliver the victories which we need so badly.

There is a big job ahead. We lost more than the White House in 1968. In the South alone, we have seen deep incursions into our traditional strength. In the last 20 years, the Democratic Party has lost six Governors' seats, six Senate seats, 29 House seats, and 214 State Legislative positions. Our National Democratic Governor's Conference, Lester, has been reduced to 18 members, and I do not enjoy that type of exclusive club. All of these setbacks, however, have not altered the basic foundation of strength from which our party draws its energy. The Democratic Party remains the only party which can legitimately lay claim to being the party of the people. There is a vast reservoir of untapped support at the grass roots level which we must seek out and bring into our party. As I told the Democratic National Committee last fall, "We are a party of liberals, we are a party of conservatives; we are a party of moderation encompassing that great collection of ethnic, religious, economic, cultural, occupational and social minorities which have given our nation its perpetual regeneration of strength."

"Let us not now turn from this coalition of ideals into a single-minded party bent on purging certain elements from its midst."

On this evening when we gather in the name of Jefferson and Jackson, it is well that we consider their principles in light of our present situation. It is well that we ask ourselves whether the Democratic Party is moving in the right direction; and if not, what can we do to correct the situation. The party is in a state of flux. Its course for the future could well be determined by the willingness and effort on your part to participate in the important decisions facing us in the next few weeks. As we look for new leadership, we realize that the time has arrived for full involvement of all sectors of the party's broad base. It is not a time for regionalism, but nationalism. It is neither a time to punish nor to pamper a certain group; instead it is a time to move forward together under the type of broadened banner which can make us all welcome and effective within the same party.

This, after all, is the message of Jefferson and Jackson. When they called it a party of the people, they meant all the people, and not a coalition of limited special interests. We should strive for nothing less today as we seek to live up to their ideals, and fulfill the promise of their high aspirations. The Democratic Party can be no longer than your own commitment to help it. At this critical juncture in our history, this nation needs participation—and not silence—from its people.

This is a time for expansion, not constriction. This is a time for building, not destroying. This is a time for involvement, and not condemnation. The future of the party is in your hands. I ask only that you remember the heritage of involvement which has been passed along to us all, and heed the traditions of Jefferson and Jackson in seeing that America will always have a party which can truly provide the people of our nation with an effective voice in their government.

Thank you.

ALLIED STRATEGY IN EUROPE  
RESTS WITH FATE OF F-111

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. BOB WILSON. Mr. Speaker, I wish to draw very particular attention to a news story that appeared in the February 1, 1970, edition of the San Diego Union concerning the F-111.

Perhaps the outstanding characteristic of the news story, by Ray McHugh, Washington Bureau chief of the Copley News Service, is that it represents an all too rare objective appraisal of the F-111. The storm of controversy that has swirled around this aircraft is mentioned but is not permitted to becloud the true facts. Over the years the personality conflicts that generated the conflict over the F-111 have themselves been the real subject of the almost endless discussion; rarely has the press—and I am afraid many others—bothered to look at the F-111 simply as a combat aircraft.

Mr. McHugh has done just that. He points out the combat capability of the F-111 and the dependence that our NATO commanders place on the aircraft. He also helps to explode the most widespread misapprehension about the F-111, its safety record. And he does this in detail. The figures he uses are from official Department of the Air Force records. As a matter of fact, and based on my own inquiry, every fact set out in the news story is agreed to by the Air Force.

Mr. Speaker, it is a refreshing experience to see a responsible newspaperman taking a hard and inquisitive look at the F-111 itself instead of engaging in a further perpetuation of myths. The F-111 is described as "our only guaranteed response short of nuclear missiles" and that is just what it is.

The article follows:

[From the San Diego Union, Feb. 1, 1970]  
PLANE UNDER STUDY: ALLIED STRATEGY IN EUROPE RESTS WITH FATE OF F-111

(By Ray McHugh)

WASHINGTON.—More is at stake than the future of an airplane in the current reappraisal of the Air Force F-111.

A special scientific advisory board evaluating a recent F-111 crash in Nevada could affect allied strategy in Western Europe, the next generation of American warplanes and the now-popular Capitol Hill attacks on military spending and alleged waste.

The crash, blamed on a flaw in a new type of steel, has brought a new chorus of demands on Capitol Hill that the crisis-punctuated swing-wing F-111 program be halted. Secretary of Defense Melvin Laird says he will make no decision until the board reports.

Industry and Air Force experts say they are confident the F-111 will be certified safe, but congressional critics of military spending and old foes are again in full chorus.

President Nixon's disclosure that his 1970-71 defense budget will be the lowest in almost 10 years will not silence them.

REDS HAVE SWING-WING PLANE

Should the F-111 program be abandoned, allied commanders in Western Europe would be denied for most of the 1970s the all-weather, penetration fighter-bomber they in-

sist is essential as a balanced deterrent against any kind of Soviet adventure in the North Atlantic Treaty Organization area. The possibility that the follow-on B-1 strategic bomber might become a pawn in the U.S.-Soviet strategic arms talks adds to their worries. Russia already is flying a swing-wing fighter similar to the F-111 and is flight testing a mach-2 swing-wing Tupolev jet bomber believed capable of low-level penetration at a range of 2,000 miles with added air-to-ground missile capability.

General Dynamics Corp. officials who build the F-111 insist that tests will show the metal flaw as a "one in a million" failure and that their plane is one of the most reliable ever delivered to the Air Force. It has a safety record to prove it, they say.

(The new steel called D-6AC also has been used in other advanced aircraft and figures in the design of projected jets.)

GENERALS AGREE WITH FIRM

High-ranking Air Force generals agree with General Dynamics. The Strategic Air Command already has asked permission to resume low-stress training flights pending final board action. However, the F-111 is peculiarly vulnerable to criticism. Ever since former Secretary of Defense Robert McNamara trotted out the revolutionary, swing-wing plane as an all-service aircraft in 1961 and dubbed it the "TXF" the plane has been an inter-service and political storm center.

The Navy, which fought the all-service "commonality" concept vehemently from the beginning, finally canceled its F-111 contracts in favor of a strictly carrier swing-wing model F-14 that will be built by the Grumman Aircraft Corp.

But the Air Force proceeded with the F-111, adapting it to fighter, fighter bomber, strategic bomber and reconnaissance missions. The F-111B nuclear bomber version is to replace the aging fleet of B-52s until and if the Air Force goes ahead with the next generation B-1 bomber.

"If you stop the F-111B, my SAC (Strategic Air Command) is dead," former Air Force chief of staff Gen. John D. McConnell once said.

NATO LEADERS COUNT ON F-111

In Europe, the F-111's importance is magnified by weather. With conditions adverse up to 80 per cent of the time, NATO commanders have counted on all-weather F-111 squadrons to give them a balanced attacking force during the 1970s that could react to a full range of Communist threats. It has been called "our only guaranteed response short of nuclear missiles."

In a Nov. 2, 1968, speech at Fort Worth, Tex., President Nixon said:

"Our air supremacy must be retained. The F-111 will in the Nixon administration be made into one of the foundations of that supremacy."

Fort Worth is the main assembly plant for the F-111, but 33 per cent of the plane is produced in California, 30.9 per cent in New York and only 13 per cent in Texas.

AF SAYS FIGURES SHOW BEST RECORD

Although F-111 cost increases, technical problems and accidents have received widespread publicity, Air Force statistics indicate the plane has the best safety record of any "Century Series" aircraft. After 51,000 hours of flying, the Air Force has lost 17 F-111s. At comparable points, it had lost 59 F-100s, 33 F-101s, 40 F-102s, 51 F-104s, 34 F-105s, 22 F-106s and 24 F-4s. (The F-4 figure applies only to Air Force experience and does not include Navy accidents.)

The F-111 cost of \$8 million per airplane also has figured in the controversy. An operational F-4 or A-7 attack plane costs approximately \$3 million, but comparisons are not valid. The F-111 has a massive electronics system that permits it to fly in any weather. It carries three times the payload, goes twice

as far at speeds equal to or superior to any of its contemporaries, and can deliver bombs on target at 15 per cent of the present annual operating costs of bomber fleets that involve radar, fighter, anti-aircraft suppression, tanker and other types of escorts.

FOR TRIAL RUNS

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. RAILSBACK. Mr. Speaker, in the days and weeks ahead, there will no doubt be heard the clamor for great social programs to be instituted on an immediate and massive scale. The election year urge to spend and spend in order to collect votes in November is a very real and dangerous fact. The budget submitted by President Nixon does not promise Nirvana, but it does reveal that the administration is committed to future significant and innovative programs designed to improve the quality of life in America.

Eight successive years of Federal deficits, culminating in the huge election year 1968 deficit of \$25 billion fueled the fires of inflation to such an inferno that they were literally consuming the value of the dollar, even to the extent that the dollar was subject in world markets to some demand for devaluation. This is the picture that faced President Nixon as he took office. The Nation's economy was like a rocket ship on a suicidal inflationary flight into outer space, but which could not be slowed too quickly lest it fall back in a crash.

President Nixon has cautiously attempted to decelerate the economy and hopefully he will be successful, however, the encouraging aspect of his program is that he has not forsaken human progress. There are bold and innovative programs being cultivated which hold great hope for the future. Our former colleague, Donald Rumsfeld of Illinois, a member of the President's Cabinet and Director of the Office of Economic Opportunity is engaged in a pragmatic and purposeful program of testing and review of new innovations.

The Chicago Tribune in an editorial January 28, 1970, discussed the OEO pilot project on President Nixon's proposed minimum income program and called for greater usage of the pilot project approach throughout the Federal Government. I think my colleagues will find the editorial interesting and timely, and I commend it to their attention.

The editorial follows:

[From the Chicago (Ill.) Tribune, Jan. 28, 1970]

FOR TRIAL RUNS

The office of economic opportunity is conducting a trial run of President Nixon's proposed minimum income program. Recently David Kershaw, director of a pilot project involving about 100 families in New Jersey, testified behind closed doors before the House ways and means committee and later talked with reporters. Results so far are inconclusive, he said. But the experimental approach of the office of economic opportunity in this instance can be commended with confidence.

It is sound pragmatism to test on a less than national scale ideas which, if fully funded throughout the country, are more certain to cost vast sums than to fulfill the hopes of their promoters.

In the same issue of *The Tribune* in which the New Jersey experiment was mentioned, California college regents governing 27 campuses were reported to have backed away from full implementation of plans for year-round classes. Results on those campuses where the change had been made had proved disappointing. Evidently the regents are glad they had not plunged full-length at once, and sorry they had spent as much as they had on an unsuccessful undertaking.

The social sciences, including government, are anything but exact. But they are scientific enough to offer endless opportunities for experimental pilot projects. Small-scale failures can be almost as instructive as big ones, and far less expensive. Officials can expand small-scale successes with both more confidence and more popular support than grandiose but untried undertakings can command.

Government's alternative to using a trial run is to begin a new program on a national scale. Since the President, Congress, and the cabinet-level executive departments are all national in scope—as are some of the problems they confront—starting big can be possible. A social scientist who can persuade the right people in Washington that his novel but untried idea would in practice relieve a major difficulty may see an army of bureaucrats hurriedly assembled to implement that idea simultaneously throughout the country.

But once the bureaucrats are recruited and entrenched in the budget, they constitute a powerful lobby against acknowledging failure. Pride and self-interest continue to pursue concepts once attractive in theory but later proved unfruitful. Programs launched full-grown not only can be wasteful in themselves but may long overshadow and stunt their betters. Especially when they are spending tax money, many officials would rather repeat mistakes than withdraw in favor of other men working on other projects. For example, only institutional momentum has carried into the present a huge federal welfare system long since generally conceded to be unsuccessful in accomplishing its objectives.

We urge the Nixon administration to make repeated use of the pilot-project method. If it were to become increasingly widespread in the federal government, the value received for federal spending would climb sharply.

#### BERGEN YOUTH HEADS FOR ENGLAND

#### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HELSTOSKI. Mr. Speaker, I dare say that most of us agree that well-educated people—not in any particular field of endeavor—is the crying need of our era.

While it is important for us to believe this, I feel it is more important for the rising generation to think so. Thus, it is with great pride that I place in the *RECORD* an article from the *Herald-News* of Passaic, N.J., on Mr. Raymond J. Gibbons of Wood-Ridge, a constituent of mine who has been honored with the award of a Rhodes scholarship.

In placing the article in the *RECORD*, I call distinct notice to Mr. Gibbons' expression that through education people will learn to react and relate to other

people and not be primarily concerned with the advancement of themselves in their specialized fields. As a former educator, I subscribe to this philosophy.

In my opinion the principle of this young man is an indication of the good that will come to the United States of America and the world when all people realize that the reported generation gap exists only in the minds of those who refuse to face realities.

All of us whether young, middle-aged or elderly seek the same objective—a better Nation and world. If selfishness is discarded and we do seek to become better informed and educated, we can put our minds and shoulders to work to build a better present and future for all generations.

The article follows:

#### A RHODES SCHOLAR: BERGEN YOUTH HEADS FOR ENGLAND

(By Walter Hamma)

WOOD-RIDGE.—A 20-year-old Princeton honor scholarship senior recently awarded a Rhodes Scholarship said that what the world needs most is not educated scientists or lawyers or administrators, but well-educated people.

Raymond J. Gibbons, son of Mr. and Mrs. Raymond Gibbons, 361 Innes Road, feels that people must react and relate to other people and not use their intelligence solely for the advancement of themselves and their specialized fields.

The most important and hardest role one can adopt, in his estimation, is that of a teacher. He said that a good teacher not only gives a person textbook knowledge but influences his students in all fields.

Although Gibbons has been majoring in aerospace and mechanical density, he has had experience in the teaching field. As part of his extracurricular activity he is part of the Trenton Action project. In this, college students tutor disadvantaged children. Gibbons presently is helping a fourth grade boy with his studies.

The Princeton senior said that the Nixon administration's curtailment of the space program will force many brilliant youths who were encouraged to major in aerospace sciences to reshape their lives. The new government policy was the reason Gibbons applied for the Rhodes scholarship.

A graduate of the local public school system, the youth was always good in mathematics and science in school. When he first entered Princeton, he was pointing toward an engineering career. However, in his last two years under the university honors program, he shifted to aerospace and mechanical sciences.

When Gibbons enters Oxford University, England, on his Rhodes scholarship, he is planning to continue his education in the sciences and humanities, taking courses in philosophy. He does not know whether the draft will postpone his entering the university.

Under this program he can take more physics courses and can work in the study of humanities. He works closely with a faculty advisor of his own choosing, can select his own subjects and immerse himself in research work.

When he graduates in June, Gibbons will have one of the highest averages ever earned in four years at the university.

When the youth was in high school, he was a Boys' State representative in 1965, and the next year as a senior was a Youth Day representative at the Borough Council meeting and state YMCA youth governor in Trenton. In 1968 he received the Princeton University award for the highest academic average in his class.

Besides his academic work and his part in the Trenton Action project, Gibbons is a member of the University Priorities Committee made up of undergraduates, faculty and administration which advises the president of Princeton on the university budget.

He is on the executive committee of the Westminster Foundation, a Presbyterian organization; is chairman of the Undergraduate Engineering Council; president of Beta Pi, the engineering honorary national scientific society. He also participates in intra-mural athletics, mainly, cross-country track.

Gibbons' father is general credit manager of Columbian Carbon Co., a subsidiary of Cities Service Oil Co. His mother, the former Frances Gillar, hails from Hyndhurst.

The youth was born in Staten Island and came with his parents to Wood-Ridge when he was 3 years old. His sister, Mrs. Frank (Trudy) Wells Jr., lives in Carlstadt.

#### A BAN ON NO-DEPOSIT BOTTLES AND PLASTIC CONTAINERS WHICH ARE NOT SAFELY DISPOSABLE

#### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. SCHEUER. Mr. Speaker, today with my colleagues, Messrs. BURKE, BUTTON, Mrs. CHISHOLM, Messrs. HALPERN, HELSTOSKI, MIKVA, OTTINGER, PODELL, POWELL, REUSS, TIERNAN, and WALDIE, I have introduced legislation to prevent the use of no-deposit beverage bottles and to ban the use of plastic containers which are not safely disposable.

Americans are the greatest waste producers in history, the result of our affluent society. Among the greatest sources of manmade waste in this country are the empty glass bottles and containers which litter and defile our streets, sidewalks, open lots, public parks, and highways. Drastic and immediate action is needed now.

Municipal garbage collection schedules are being reduced all over the country because of the glut of waste materials. The escalation of collection costs is endangering the financial stability of our cities and the health of our citizenry.

It costs 30 cents for Government trash collection agencies to pick up and dispose of one empty bottle. The escalating numbers of bottles found in waste since the shift to no-deposit bottles, is a major factor in solid waste disposal. Only Federal legislation can alleviate this growing nationwide problem.

The legislation that my 12 colleagues and I have introduced will encourage return of glass bottles to the bottler for refilling or disposal. Bottlers of all soft drinks, and all beer, ale, malt liquor, and distilled spirits, will have two choices: First, to fill only deposit bottles which the customer will have a financial incentive to return; or second, to fill only taxed bottles under an arrangement where the tax would be refunded to the retailer on return of the bottle. The deposit or tax will range from 2 cents to 25 cents depending on the size and contents of the bottle. Retailers would be compensated for expenses they incur on handling. Violations of the act will be

punishable with a fine not exceeding \$1,000.

This proposed act will return the general public to the familiar and time-tested principle of the returnable bottle. Generations of American kids have financed their Saturday afternoon movie and the first soda fountain date from the proceeds of 2 cent deposits collected from untold wagonloads of returnable bottles hauled back to the neighborhood grocery store. The only new coverage provided in this bill will involve liquor bottles, and kids from Maine to California will welcome the addition.

I believe that the public is ready now to suffer a mild inconvenience in order to avoid the major polluting effect of glass litter.

The bill also bans the use of plastic beverage containers which do not burn or which exude poisonous fumes when burned, which the Secretary of Health, Education, and Welfare and the Secretary of the Interior find are not safely and easily disposable. We must put a stop to this new threat before it spreads further. The mandating of deposit bottles should also encourage the further development of safe, conveniently disposable plastic beverage bottles.

#### CHAUTAUQUA COUNTY HOME INFIRMARY IS PACE SETTER

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HASTINGS. Mr. Speaker, recently there appeared in the magazine, the American County, an article by writer Robert Dyment on the Chautauqua County Home and Infirmary located in my district in Dunkirk, N.Y. It is an excellent, well-written article, and spells out in detail why this facility ranks among the top 15 percent in New York State.

The Home and Infirmary operates under the supervision of Burton G. Miner, commissioner of social services in Chautauqua County. In this day of mounting criticism over ineffective welfare programs and shoddy administrative practices, the article gives refreshing evidence that some things in the system do work.

Organization and dedicated workers constitute a basic ingredient in the success of this operation. In addition, an atmosphere of warmth and friendliness helps to create for each resident the feeling that this infirmary is truly a home deserving of the well-earned accolade of a pace setter. I should like Mr. Dyment's article included in the RECORD at this point:

COUNTY HOME AND INFIRMARY: A PACE SETTER  
(By Robert Dyment)

CHAUTAUQUA COUNTY, N.Y.—The kitchen, dining, and feeding operations play an important role in the increased growth of nursing homes, county homes, and infirmaries. The Chautauqua County Home and Infirmary in Dunkirk, N.Y., opened in

October, 1961, has long been considered a model of how a county home and infirmary should look and operate. Its kitchen and dining hall facilities have often been examined by federal, state, and county officials, as well as by institutional-feeding specialists from throughout the nation. It's known as a "pace-setter."

The Chautauqua County Home and Infirmary serves two needs: a county home and a county infirmary, with the economy of joint service areas. It is the largest medical facility in Chautauqua County when measured against patient days. For instance, there were 29,886 patient days during the first six months of 1969.

It is located on a beautiful 30-acre site. The building's being near the western boundary of Dunkirk permitted the extension of municipal water and sewer services to a great advantage—an unexpected bonus. The central section of the building is rectangular, consisting of three floors housing the reception lobby and general offices, a combination auditorium and chapel, the main kitchen, and the heating plant.

The infirmary is a three-story wing to the right of the core, designed in a cross-shape. Spacious rooms with connecting water closets accommodate two and four patients each. There are ample single rooms to meet the needs of the critically ill or of those who must be isolated. Each floor has an attractive dining area and a well-lighted day room. The laundry and ample storage areas are located in the partially day-lighted basement.

The county home is a 1-shaped two-story wing to the left of the core which accommodates 56 residents. The design of the wards is similar to that of the infirmary and can readily be converted to infirmary use. There is also a chronic care unit.

The site's natural contour permitted each section of this multistoried building to be day-lighted while retaining the pleasing appearance of a level roof line.

The home and infirmary is almost fireproof, with reinforced concrete faced with brick on the exterior. Porcelainized panels between steel-framed windows add a touch of color. The interior is finished with painted plaster walls, with vinyl wainscoting, floor tile, and aluminum ceiling panels. The exception is the service areas, which are finished with glazed tile walls and either treated cement or quarry tile floors.

The cost of this facility, \$2,300,000, was financed on a pay-as-you-go basis without bonded indebtedness of any kind.

The Chautauqua County Home and Infirmary is a division of the county department of social services. Burton G. Miner is commissioner and his wife is director of the food, kitchen, and dining operations. Mrs. Miner keeps abreast of the latest food information and physical requirements for such a facility by attending annual food-supervisory classes at Cornell University and elsewhere.

The total capacity is 218 patients, with 199 infirmary beds and 19 well-aged beds. Today, there are 162 patients—below the total capacity—due to a lack of registered nurses. As soon as the RN's become available, the capacity will be increased.

There are 18 positions for licensed nurses and 50 hospital aide positions at the Chautauqua County Home and Infirmary.

Various medical specialists are available to the institution during various days of the week. The home also has its own dental offices, barber shop, chapel, day rooms, and other facilities. Its own laundry facilities handle about six tons a week.

Every patient is remembered by the county home and infirmary with a birthday card and two Christmas gifts. There are civic, social, and service groups that come every week to entertain the patients at the county home.

The average age of patients is 75 and over. Some are suffering from heart, cancer, and diabetic diseases. Others are blind. The ratio of female over male patients at the home is two to one. One patient is over 100 years old, while the youngest is a paralyzed man in his 30's. There are six mentally retarded patients. Thus, feeding conditions must be geared to meet a variety of patient needs and personalities. The home and infirmary has its own commissary.

There is a transfer agreement with Brooks Memorial Hospital in Dunkirk and the W.C.A. Hospital in Jamestown, N.Y. 50 percent of all the infirmary patients come from either of these two general hospitals. They come by way of the general hospitals when the patient no longer needs the acute care furnished in a hospital.

There are no full-paying patients here. Therefore, the Chautauqua County Home and Infirmary isn't competing with private enterprise. Some have a slight income but not enough to pay full costs. Requests for admittance to the home and infirmary can originate with a doctor, family member, or personal physician.

Food costs from January through June, 1969 were \$31,923.91. Bids are put out once a month for staples, canned goods, and meats. Bids for other items are placed on a weekly basis. Dr. Russell Brace, resident physician, specifies the variety of foods needed to be purchased for well-balanced meals.

Mrs. Miner says, "We also provide meals at cost to staff members wishing to eat here, providing them with the same good menu." The food service staff consists of 14 aides, three full-time cooks, one commissary steward, and a fully qualified dietician, who comes in one half day a week.

The turnover in food service personnel is extremely slight, attesting to the excellent pay scales and fringe benefits being paid, as well as the fine working conditions and equipment.

A six-week menu cycle is used within the fall, spring, and summer programs. Cooks operate on two rotating shifts, 6 a.m. to 3 p.m. and 10 a.m. to 7 p.m. Every fifth week they have a Friday and Saturday off, followed by a Saturday and Sunday. Sometimes their schedule calls for a three-day weekend off. The entire food service staff is cooperative about working on holidays, realizing that the patients depend on them. "It's very important that your food service staff be congenial in this type of operation, and we have such a congenial staff," says Mrs. Miner.

The Chautauqua County Home and Infirmary pays one of the highest going rates for personnel involved with the food services. The lowest rate here is \$1.87 per hour, with cooks starting at \$2.53, and going up to \$2.79 per hour.

Wages come to \$45,052.82 for six months. Fringe benefits are high, with \$11,000 attributed to this category. Total cost for food service, including salaries totaled \$88,239.91 for the first six months of 1969.

"Two-thirds of our food service cost is for labor and fringe benefits, a growing trend with other county operations throughout the nation. However, because of well-trained personnel, modern equipment, facilities and methods, we get better mileage out of our costs than some other facilities," says Mrs. Miner.

Patient feeding schedules are as follows: 7 a.m.—Breakfast; 11:30 a.m.—lunch; 4:30 p.m.—evening meals; and 7 p.m.—night nourishment.

At 6 a.m. the cook starts preparing coffee and cereal for breakfast; serving starts about an hour later. The pantry personnel at each dining hall prepare eggs and other items for special diets. All food is served family style.

The dining room for women ambulatory patients is located on the ground floor. Floors are scrubbed daily, and then buffed, eliminating any slipperiness.

Patients being served family style in the dining areas are all taken care of by dietary aides. As time and years progress, some patients require more time to consume their meals. On an average, however, between 30 to 45 minutes is required for a patient to complete a meal at the Chautauqua County Home and infirmary.

The modern kitchen facilities are located on the first floor. Hot tray carts are used to bring food into the dining room pantries. Nurses and hospital aides will help serve the infirmary patients not able to eat in the dining room facilities. Nurses and aides know the eating habits and food requirements of each individual patient. Non-selective menus are used. The carts are set up by dietary aides and then served to patients on trays.

Something new will be tried during the summer of 1970 when some patients will be fed outdoors on the spacious county home and infirmary grounds. Incidentally, Mrs. Miner has many notes from patients thanking her and the staff for the excellent meals.

In regard to training new personnel, which both Commissioner and Mrs. Miner consider one of the most important phases of the institution's operations, Mrs. Miner has developed an excellent combination training-work schedule for new employees.

Here is the orientation schedule followed by new dietary aides, as set up by Mrs. Miner, using the 6 a.m. to 3 p.m. shift as an example of the routine:

#### FIRST THREE DAYS OBSERVATION ONLY

A. Preliminary: 1) Time card, number, and clock; 2) Locker room; 3) Meal ticket purchase.

B. Familiarization with building: 1) Kitchen; 2) Pantries and patient's dining rooms; 3) Sewing room; 4) Storage rooms; 5) Dietary office.

C. Introduction to Daily Routine: 1) Check for change in a patient's diet in dietary office; 2) Check menu for the day; 3) Prepare for breakfast; 4) Inform nurses if a patient is missing in dining room; 5) Pass special diet trays; 6) Assist patients in dining room; 7) Return soiled dishes to kitchen after helping patients who need assistance; 8) Clean up dining room—mop floors, wash tables, fill sugar bowls and salt and pepper shakers; 9) Pick up necessary supplies for the day; 10) Return dishes to dining room and set tables and trays for next meal; 11) Make coffee and tea for staff coffee break; 12) Coffee break—Discuss any big problems; 13) Prepare noon meal—a.) Butter bread, b.) Dish up dessert, and c.) Place coffee, tea or milk on tables or trays; 14) Get steam cart from kitchen; 15) Place food on tables and have patients come for dinner; 16) Fix the special diets and take trays to the patients; 17) Help those patients in the dining room who need help; 18) After patients leave dining room—same routine as after breakfast; 19) Return soiled dishes to kitchen; 20) Noon meal for staff—12:30 P.M. to 1:30 P.M.; 21) Set table for the evening meal; 22) Prepare any fresh fruits or vegetables for the next day or make jello if it is on the menu; 23) Check the schedule for next day; and 24) Time to leave.

All new dietary personnel are given diet manuals to read. "We hope that reading these will give the new person an understanding as to why some patients need special diets and also why all patients need a well-balanced diet."

New dietary personnel receive the following instructions on personal hygiene: 1) Hair nets; 2) Clean uniforms and shoes; 3) Frequent hand washing; 4) Bathing daily; and 5) Use of deodorant.

#### NEAR THE TOP

Chautauqua County ranks near the top in home and infirmary facilities available

for area residents. The county is listed as better off than 85 per cent of other New York state counties in home and infirmary facilities available. And, Chautauqua County is a national leader in modern facilities for a county home and infirmary.

### PRESIDENT'S VETO OF THE HEW APPROPRIATIONS

#### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. SCHEUER. Mr. Speaker, the President's veto of the HEW appropriations made it clear that education is not one of his high priority programs. For, though our local school systems are in desperate need of massive Federal funding, Mr. Nixon decided to turn his back on the programs for our children—all in the name of inflation.

Such an excuse is ironic, for Mr. Nixon himself has made decisions far more responsible for this inflation than the passage of the HEW appropriations ever would have been. In December, Mr. Nixon embarked on a \$1.3 billion spree for a totally unnecessary supersonic civilian plane. More recently, and in the face of growing opposition, he announced plans for the second stage of the controversial multibillion-dollar ABM program. The ABM issue divided the country last year; it will do so again this year and the division will be more bitter. Extension of the ABM will plunge this country deeper into a senseless arms race where the sky will be the limit and our sons the first casualties.

How many extra teachers could have been hired for the price of a single one of his mighty weapons of destruction? How many additional rooms in hospitals? How many more nurses and doctors? How much more for medical research? Essentially, has the President decided that the weapons of war have a priority over the needs of our people? Moreover, I fail to be moved by the President's contention that the veto will arrest inflation. Indeed, Mr. Nixon's record against inflation has been one of too little action taken too late. At the beginning of his term Mr. Nixon announced that inflation was the major domestic problem. He promised to come to grips with it. Yet, since Mr. Nixon has become President, inflation has mounted faster and faster. The prices for food, clothing, and other basic necessities are becoming increasingly onerous for all but the well to do. Today, thanks to the administration, the Nation's economy faces what is clearly its worst crisis in over a decade.

The HEW appropriations bill was a litmus test of the President's plans for not only inflation but also the vast majority of our citizens. The President failed this test on both counts. Indeed, if Mr. Nixon and we in Congress really want to deal effectively with inflation we should use the budgetary ax on one of the Pentagon's white elephant programs, not on the much needed HEW appropriations.

### NBC'S PETER HACKES HIGHLIGHTS HISTORIC SPACE EVENT

#### HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. EVINS of Tennessee. Mr. Speaker, Mr. Peter Hackes, an outstanding correspondent and space specialist for the National Broadcasting Co., has written an article on "Apollo 11—Man's Greatest Journey."

This is indeed an excellent article, well written, and with historically important data worthy of preservation.

Because of the interest of my colleagues and the American people in this historic achievement, I include Mr. Hackes' article in the Extensions of Remarks:

#### APOLLO 11—MAN'S GREATEST JOURNEY

(By Peter Hackes)

For an instant on that Sunday afternoon, it was as if time were standing still. Not just the time of day: 17 minutes past 4:00 p.m. Eastern Daylight Time, on July 20, 1969. But all time. Since time began.

It was a moment in history to be talked about, and read about, for all of history yet to come. It was the kind of moment that must have stopped the clock the day Christopher Columbus stepped ashore. Only more so.

Space expert Dr. Wernher von Braun likened it to the day in unrecorded history when aquatic life first began crawling on land. Others ranked it with the development of nuclear energy. President Richard Nixon called it "one priceless moment in the whole history of man." "The heavens," he said, "have become part of man's world."

For the first time man had landed on the moon.

Six and a half hours later (10:56:20 p.m. Eastern Daylight Time) 500 million people in 49 countries around the world watched television sets in awed fascination as a small-town boy named Neil A. Armstrong from Wapakoneta, Ohio, stretched his silvery-booted foot down to the lunar surface. Said Astronaut Armstrong, in his midwestern twang, "That's one small step for a man; one giant leap for mankind." His voice, loud and clear, had come to us from an island in space nearly 239,000 miles away.

Mankind's most ambitious, most complicated, most fascinating journey—the flight of Apollo 11—began on July 16, 1969. In a launch that started exactly 724 milli-seconds behind schedule, three Americans were rocketed into a cloudy sky from Pad 39-A at the Kennedy Space Center, Florida, just past 9:32 a.m. Eastern Daylight Time. The mighty Saturn Five booster's 7½ million pounds of thrust lifted the 2,898-ton 36-story tall "stack" gently but firmly. An incredible journey had begun.

Apollo 11 circled the earth 1½ times; then it fired its third-stage booster engine, which drilled it into a precision flight toward the moon. In the early afternoon the command module separated from the third stage, turned around and joined itself "nose to nose" with the lunar module, which was garaged in the top of the third-stage booster. Then the combined spacecraft pulled away, and the spent third stage received a radio signal that sent it off toward the sun.

#### THE APOLLO 11 TRIO

For the next three days Apollo 11 coasted outward toward the moon. Aboard the com-

mand module were three men headed for the history books: Command Pilot Armstrong, a civilian, who only a month before his thirtieth birthday would become the first human being in history to make footprints on the moon; the command-module pilot Air Force Lieutenant Colonel Michael Collins of Washington, D.C., also thirty-eight years old, son of a two-star general, nephew of a four-star general (former Army Chief of Staff J. Lawton Collins); and the third man aboard, lunar-module pilot Air Force Colonel Edwin E. Aldrin, Jr. (whose friends call him "Buz"), thirty-nine years old, from Montclair, New Jersey . . . destined to be the second man in history to walk on the moon.

Neil Armstrong was flying a plane, back in Ohio, before he drove a car. His love for flying led him to join up as a naval aviator in 1949. Later, he flew seventy-eight combat missions during the Korean War. After leaving the navy in 1952, Armstrong attended Purdue University, graduating in 1955 with a degree in aeronautical engineering. He became a research (test) pilot for the government that same year, and later test-flew seven new planes that were being developed. His top achievement as a NASA test pilot came when he flew the experimental X-15 rocket-plane to an altitude of more than 200,000 feet at a speed of about 4,000 miles an hour.

Armstrong had been Command Pilot aboard Gemini 8. He demonstrated his exceptional cool-headed piloting skill on that flight by overcoming a stuck position-thruster, bringing Gemini 8 down to a safe emergency landing from earth orbit. Armstrong's favorite relaxation comes when he's soaring in a glider.

Mike Collins—the only one of the three who would not be walking the moon's surface—spent his childhood moving from army post to army post, as his father's orders dictated. Collins attended St. Albans School in Washington, D.C., and was graduated from West Point in 1952.

He chose the Air Force, and became a test pilot at Edwards Air Force Base, California, putting new jet fighter planes through their paces. Collins, too, is a Gemini veteran. He flew on Gemini 10, which docked with an Agena target vehicle. In that flight, Mike Collins went outside the capsule twice to "walk" in space. His greatest nonastronaut pleasure comes from fishing and playing handball.

Buzz Aldrin is another West Pointer who chose the Air Force. He also holds a degree from the Massachusetts Institute of Technology—a doctorate in astronautics. Aldrin is a physical-fitness advocate who likes to run, do high-bar exercises, and scuba dive. Like Armstrong, he, too, was a Korean War pilot, and flew sixty-six combat missions. His previous space flight experience was aboard Gemini 12 when he spent five and a half hours performing experiments outside the capsule.

This, then, was the trio about to make history as they soared out toward the moon. On the third day of the Apollo 11 flight, Armstrong and Aldrin left the command module (nicknamed Columbia), through the hatch and tunnel into the LM (nicknamed Eagle) and for one and a half hours sent back the longest, clearest, and most interesting TV show from space (up to that point). It was a color demonstration of the dials, instruments, switches, and equipment aboard the LM, equipment they would begin using two days later as they descended to the lunar surface.

#### THE DESCENT BEGINS

On day Number Four, Saturday, July 19, Apollo 11 arched behind the moon, fired its engine, and returned in lunar orbit. Another TV transmission that day showed the harsh beauty of the moon's pockmarked surface.

The next day, July 20, the final critically difficult part of the odyssey began when, with astronauts Armstrong and Aldrin aboard, the

LM separated from the command module at 1:47 P.M. EDT. Glider pilot Armstrong shouted to Houston Mission Control, "The Eagle has wings!" At 4:05 P.M. EDT it began its descent toward Lunar Landing Site Number 2.

Astronaut Collins remained aboard Columbia, orbiting the moon by himself awaiting Eagle's return, and ready to dive to the rescue if that became necessary during Eagle's descent or ascent periods. For on the lunar surface the two men would be on their own, beyond the reach of any possible rescue effort. Collins bade the two moon pioneers good-bye with a casual "See you later!"

As the LM dropped slowly toward the moon, the world held its breath. From Calcutta to Paris, Oslo to Buenos Aires, an estimated one billion citizens of the world listened to the radio talk between Eagle and Houston Control as the historic descent progressed (there being no TV pictures of the landing):

HOUSTON. Eagle, you're looking great. Coming up 9 minutes.

HOUSTON. You're now in the approach phase. Everything looking good. Altitude 5,200 feet.

ASTRONAUT EDWIN E. ALDRIN, JR. Manual Altitude. Control is good.

HOUSTON. Roger. Copy.

HOUSTON. Altitude, 4,200 feet.

HOUSTON. You're go for landing. Over.

ALDRIN. Roger. Understand go for landing.

HOUSTON. We're go. Think tight. We're go.

ALDRIN. 2,000 feet. Into the AGS [Abort Guidance System]. 47 degrees.

HOUSTON. Roger.

ALDRIN. 37 degrees.

HOUSTON. Eagle, looking great. You're go. Altitude, 1,600.

HOUSTON. 1,400 feet. Still looking good.

ALDRIN. 35 degrees.

ALDRIN. 750 coming down to 23. 700 feet—21 down, 33 degrees . . . feet down to 19. 540 down to 30 . . . 15. 400 feet down at 9. A forward, 350 feet down at 4 [static].

[The figures given for forward and down by Eagle are reports of their speed—velocity in feet per second—both across the face of the moon and down toward its surface.]

ALDRIN. 300 feet. Down 3½, 47 forward. One minute, 1½ down 70. Altitude velocity light. 15 forward. Coming down nicely. 200 feet. 4½ down. 5½ down. 9 forward. 100 feet, 3½ down, 9 forward. 75 feet. Looking good. Down ½. 6 forward, 60-second lights on. Down 2½. Forward, 30 feet. Picking up some dust. Big shadow. For 4 forward, 4 forward drifting to the right a little. Down ½. 30 seconds.

ASTRONAUT NEIL A. ARMSTRONG. Contact light. Okay, engine stopped. Mode control both auto. Descent engine command override off. Engine arm off.

[When Armstrong reported "contact light," Probes 5 feet 8 inches long on the lunar module's landing pads had touched the moon.]

ARMSTRONG. Houston . . . Tranquility Base here. The Eagle has landed.

HOUSTON. Roger, Tranquility. We copy you on the ground. You got a bunch of guys about to turn blue. We're breathing again. Thanks a lot.

TRANQUILITY BASE. Thank you.

HOUSTON. You're looking good here.

TRANQUILITY BASE. A very smooth touchdown.

#### THEY'VE LANDED!

The world, as well, began breathing again. Shouts and cheers went up across the earth Apollo 11 had left four days earlier. A huge screen in Trafalgar Square flashed the news to thousands of Londoners and to \* \* \* Yankee Stadium, where the New Yorkers were playing the Washington Senators, told 35,000 ball fans "They're on the Moon!" and the crowd sang "America the Beautiful." That's what they sang in Seattle, where the landing

interrupted a game between the Pilots and the Minnesota Twins. At Philadelphia, fans at a Phillies-Cubs game stood in silent prayer.

Hundreds of thousands of United States servicemen—many in Vietnam—heard the landing words. The streets of Johannesburg, Tokyo, and Vienna were almost deserted. Most people were at home listening as two Americans began their landing on the moon. It was the same in Prague, Copenhagen, and Lima. In Moscow, Soviet television reported the historic moment at the end of its newscast. And the newspaper *Pravda*—in an unusual move—held up its press run so it could carry the moon-landing story.

Back on the moon, astronauts Armstrong and Aldrin went about preparing Eagle for an emergency liftoff if such became necessary, and made preparations for going outside the LM. We heard a preliminary report on what they saw out the window, from Astronaut Armstrong:

TRANQUILITY BASE. It really was rough, Mike, over the targeted landing area. It was extremely rough, cratered, and large numbers of rocks that were probably some many larger than 5 or 10 feet in size.

COLUMBIA. When in doubt, land long.

TRANQUILITY BASE. Well, we did.

TRANQUILITY BASE. Houston, that may have seemed like a very long final phase, but the autotargeting was taking us right into a football-field-sized crater with a large number of big boulders and rocks for about one or two crater diameters around it. And it required us to fly manually over the rock field to find a reasonably good area.

HOUSTON. Roger. We copy. It was beautiful from here. Tranquility. Over.

TRANQUILITY BASE. We'll get to the details of what's around here but it looks like a collection of just about every variety of shape, angularity, granularity, about every variety of rock you could find. The colors vary pretty much depending on how you are looking relative to the zero phase length. There doesn't appear to be too much of a general color at all. However, it looks as though some of the rocks are boulders, of which there are quite a few in the near area—it looks as though they're going to have some interesting colors to them. Over.

HOUSTON. Roger. Copy. Sounds good to us, Tranquility. We'll let you press on through the simulated countdown and we'll talk to you later. Over.

TRANQUILITY BASE. Okay, this one-sixth G is just like an airplane.

HOUSTON. Roger, Tranquility. Be advised there are lots of smiling faces in this room and all over the world. Over.

TRANQUILITY BASE. There are two of them up here.

HOUSTON. Roger. It was a beautiful job, you guys.

COLUMBIA. And don't forget one in the command module.

TRANQUILITY BASE. Roger.

#### MAN'S FIRST STEP ON THE MOON . . . AND THEN ANOTHER

Approximately six and a half hours after the landing, the two explorers—their cabin depressurized and their backpack life-support systems, lunar gloves and lunar boots in place—opened Eagle's hatch.

Following the flight plan, Armstrong was first to go down the nine rungs of a ladder welded to one of the LM's landing legs. As he backed out of the cabin and moved downward, he pulled a cable release that opened a door in the underside of the LM, from which a collection of tools and other moon-use instruments popped out and remained suspended at waist height from the lunar surface.

One piece of equipment was a television camera, prefocused on the underside of the ladder, facing the descending astronauts. When Aldrin flipped a switch inside the LM, the camera began to operate. And the world

not only heard what was going on . . . it saw history happening.

What millions saw first (an estimated 125,000,000 viewers in the United States alone—the largest audience ever to watch anything on television) was the ghostlike figure of Astronaut Armstrong, gingerly backing down the ladder and then testing the surface to see if it would support him. It was at that moment, 10:56:20 p.m. EDT, that Armstrong uttered his now famous line, "That's one small step for a man; one giant leap for mankind."

Twenty minutes later, history's second moon visitor, Astronaut Aldrin, came down the same ladder. And again the world was watching its TV screens. Aldrin's first words summed up his feelings: "Magnificent desolation."

During the next two hours and twenty-six minutes the lunar excursion drew the gamut of responses as the world below watched in magnetized fascination. The astronauts obliged by moving the TV camera from its LM position to a tripod they set up about thirty feet away, focused on their activities.

We looked on—transfixed—as they slowly became accustomed to the moon's gravity—just one-sixth of its pull here on earth. At first they walked. Soon they hopped and finally settled on a sort of slow bounce with each step . . . something akin to a football player beginning a broken-field run.

So many pictures we saw that night will remain etched in our brains: The men uncovering an aluminum commemorative plaque affixed to the LM's forward landing leg between the fourth and fifth steps of the ladder; opening a cylindrical cask attached to the ladder and extracting a four-by-five-foot nylon American flag attached to a folded pole; pushing the unfolded pole into the lunar soil, the flag "flying" in the moon's airlessness by means of a metal brace behind it; both saluting after they had raised the flag.

They left mementos on the moon—a "time capsule" in the shape of a thin silicon wafer the size of a half dollar, inside a case shaped like a woman's compact, bearing messages of goodwill from the heads of state of seventy-three nations microfilmed on it. They also deposited on the moon mementos of the five men who had died in the world's race to outer space: the shoulder patch that was to have been worn by the late astronauts Grissom, White, and Chaffee, who died in the Apollo 1 disaster; and medals that had been awarded to two Russian cosmonauts who died—Gagarin and Komarov.

At one point the astronauts had a two-minute "telephone" talk with President Nixon as he watched their moon activity at a White House television set.

Later they set out three experiments: one to trap particles of the "solar wind"—emissions from the sun; another, a laser reflector from which ground stations in any nation may bounce laser light beams to determine the moon's exact position within a few inches; and a seismometer to record moonquakes and meteoroid impacts. As they worked, the astronauts snapped hundreds of pictures.

In describing the soil of this alien world, Armstrong compared it with powdered charcoal . . . fine grained . . . "almost like cocoa." Aldrin reported it was "rather slippery. The powdery surface," he said "fills up all the very little fine pores and you tend to slide over it very easily."

Armstrong told Houston that the flame from the descent rocket engine had not dug out a crater on the moon, that the LM's landing footpads had sunk into the lunar surface only an inch or two, and that his boot pressed down "only a small fraction—about an eighth of an inch." Commented Armstrong, "It has a stark beauty all its own . . . much like the desert of the United States."

Finally they set about digging up samples. In all they loaded fifty pounds (earth weight) of moon rocks, pebbles, dust, and powder into two metal boxes that then were hoisted into the LM cabin. Soon afterward, astronauts Aldrin and then Armstrong reentered the cabin.

At 1:07 a.m. EDT, on July 21, 1969, man's first walk on the surface of the moon ended.

Around the world, bleary-eyed TV-watchers continued their marathan mesmerized stare at millions of screens. Although that was our last glimpse of the two men, the camera on the surface kept sending a picture of the ghostly landscape with the LM in the foreground, the flag "waving," and the lunar tools and experiments. Hours later the astronauts turned off the camera from inside the LM . . . and went to sleep.

Perhaps to aid the weary—some of whom had spent thirty hours, off and on, listening to radio and television, President Nixon had declared that day, Monday, a "Day of Participation" in the moon landing. All government offices were closed, and across the nation it was a holiday for most people.

At the end of a lengthy rest period the astronauts were awakened and began preparing to leave the moon. At 1:54 p.m. EDT, on the afternoon of July 21st, they detached themselves from the landing stage and fired the LM's ascent-stage engine for six minutes, to launch themselves from the moon aboard the LM's upper section. It worked perfectly, returning the LM to orbit and a docking three and a half hours later with Collins in the command module.

#### HOMeward BOUND

The three-day trip home from the moon was one of sleep, housekeeping, and vacuum-cleaning lunar dust. Following a perfect reentry and splashdown in the Pacific on July 24, they emerged from their capsule and were hoisted by a helicopter which brought the trio to the deck of the carrier USS *Hornet*. Immediately they entered a quarantine chamber, designed to protect the earth from whatever lunar "germs" they might have brought back with them. The three-week quarantine was spent by the men inside the Lunar Receiving Laboratory at Houston, Texas, to which their mobile chamber was flown.

President Nixon had left Washington to be aboard the *Hornet*, where he watched the splashdown and recovery operation. Later he walked to the window of the sealed mobile quarantine facility that housed the trio aboard ship and told them (with the aid of a microphone) that he felt he was the luckiest man in the world to be able to welcome them back. "As a result of what you have done," he told Armstrong, Aldrin, and Collins, who were looking out the window of the sealed van, "the world has been drawn closer together." Mr. Nixon added, "This is the greatest week in the history of the world since the Creation."

The administrator of NASA, Dr. Thomas O. Paine, predicted: "Man is indeed going to establish places of abode outside the earth. We have clearly entered a new era."

Paine's deputy, NASA Associate Administrator George Mueller, agreed, saying, "It seems quite clear that the planets of the solar system are well within our ability to explore . . . at the present time." From many quarters came predictions that Mars would be next—probably by the turn of the twenty-first century.

During the flight of Apollo 11, the President expressed the hope that future space ventures would be trips of exploration and not of conquest and that they would be cooperative ventures with other nations. The President predicted that by the year 2000 man "will have visited new worlds where there will be a form of life."

Whether or not his prediction proves true, Apollo 11 paved the way. It was a beginning. It demonstrated for the first time that man

has the ability to leave his earth, land on a distant surface, and survive in an alien environment.

Many other moon flights will take place. NASA has planned ten Apollo landings. Eventually, man will create colonies of scientific investigators on the moon.

But the dusty footprints of history's first two lunar adventurers—Neil Armstrong and Buzz Aldrin—will remain stamped forever in the vacuum stillness of a place called the Sea of Tranquility. On the moon.

#### FACTS ON THE MOON

The earth's natural satellite is a sphere 2,160 miles in diameter and 8,790 miles in circumference, or about a fourth that of the earth in each case. Weighing about 81 quintillion (81,000,000,000,000,000) tons, the moon has 1/1000 the earth's mass 1/50 the earth's volume.

It takes 27 days, 7 hours, 43 minutes, 11.47 seconds for a complete revolution of the moon around the earth. Since the same side of the moon always faces the earth, it takes the same amount of time for the moon to complete a single rotation on its axis.

The moon travels in an orbit at an average distance from the earth (center of moon to center of earth) of 238,855 miles, the maximum distance (apogee) being 252,710 miles and the minimum distance (perigee) being 221,463 miles. The distance surface to surface: average, 233,814 miles; apogee, 247,667 miles; perigee, 216,420 miles. The moon's average speed in orbit is 2,287 mph.

The gravity of the moon exerts a force on the surface a sixth as great as does gravity on the earth's surface. Surface temperatures on the moon range from 243° F. with the sun at the zenith to -278° F. at night.

The surface of the moon is marked by maria (extensive flat areas that, when viewed through telescopes, resemble "seas"), by mountains ranging to perhaps 30,000-40,000 feet in altitude, and by craters ranging in diameter from inches to 180 miles. The surface is covered by dust, sand, small and large rocks, and tremendous boulders.

The moon has virtually no atmosphere and, therefore, no wind. Without atmosphere, in which friction would cause many micro-meteoroids and meteoroids to burn up, the surface is pelted frequently by these solid visitors from space. Radiation also reaches the surface in strength without being filtered through atmosphere or captured by any girdling magnetic fields.

#### LUNA 15

An unmanned Russian spacecraft, Luna 15, was launched unannounced on July 13, just three days before the Apollo 11 takeoff. It was thought by Western observers that the Soviet Union intended it to land on the moon, scoop up lunar surface samples, and return to earth before the Apollo 11 splashdown. However, Lunar 15 crashed into the moon on July 21.

WORLD RECORDS IN MANNED FLIGHTS TO THE MOON AS FILED BY THE UNITED STATES WITH INTERNATIONAL AERONAUTIC FEDERATION IN PARIS, JULY 28

(a) Duration of stay on lunar surface outside spacecraft—Armstrong, 2 hours 21 minutes 16 seconds.

(b) Duration in lunar orbit—Collins, 59 hours 27 minutes 55 seconds.

(c) Duration of stay on lunar surface—Armstrong and Aldrin, 21 hours 36 minutes 16 seconds.

(d) Duration of stay on lunar surface inside spacecraft—Aldrin, 19 hours 45 minutes 52 seconds.

(e) Greatest mass landed on moon—Armstrong and Aldrin, 7,211 kilograms (15,897 pounds).

(f) Greatest mass lifted into lunar orbit from lunar surface—Armstrong and Aldrin, 2,648 kilograms (5,838 pounds).

FUTURE FARMERS OF AMERICA  
NATIONAL WEEK

**HON. WILLIAM H. NATCHER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. NATCHER. Mr. Speaker, as the Future Farmers of America prepare to observe their national week during the period of February 21 through 28, I welcome this opportunity to salute this outstanding agricultural youth organization. The theme for this year's National FFA Week is "FFA—Emphasis Agriculture" and certainly this in itself is a capsule definition of what the FFA is all about.

All down through the years from the time it was organized nationally in November 1928 to this day, the FFA has endeavored to continuously improve the great industry of agriculture for the welfare of all our citizens by making significant contributions to the vocational agricultural education system and the overall agricultural complex of our Nation. The members of FFA are students of vocational agriculture in nearly 9,000 local high schools throughout the country and this organization's impressive contributions to agriculture are made possible through FFA providing its student-members an opportunity for practical application in FFA activities of the lessons learned in the vocational-agricultural classroom.

The young people brought together by the FFA are those who have already displayed and developed an intense interest in agriculture whether they be from the farm, ranch, or town. Fortunate, indeed, are the young men who have the opportunity to participate in the FFA because through this program they not only learn about all the aspects of modern agriculture, but they are given the chance to develop leadership skills and work together to build a better community.

As we all know, farming is now and always has been our Nation's largest and most vital industry and certainly with the continuing expansion of our population it becomes increasingly important that our young agriculturists have the best possible training to meet the demand for food. Understandably, for many years the FFA has directed its major efforts toward establishing young men in farming, but now considerable time and effort goes toward the training and development of these young citizens for numerous jobs which support the Nation's farmers and provide consumer services.

The July 1969 tabulation shows a membership of 13,808 Future Farmers in 168 chapters in Kentucky and based upon what I have observed from my association and experience with the chapters in the Second Congressional District I can assure you, Mr. Speaker, that this program has been and continues to be a tremendous success. We are justifiably proud of our Future Farmers because they are indeed a credit to their country and the influence of their activities is far-reaching and highly significant.

As these fine young men approach the celebration of another national week I consider it a distinct honor to offer them my sincere congratulations and best wishes for continued success in all their future endeavors.

LITHUANIA

**HON. THOMAS J. MESKILL**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MESKILL. Mr. Speaker, today we are celebrating the 52d anniversary of the Declaration of Independence of the Lithuanian nation. Lithuania has suffered a long and stormy history. Time and again the people of Lithuania have seen their freedom smothered by the oppressive hand of the Soviet Union.

Throughout more than a century of Russian domination followed by a period of German occupation during the First World War, the people of Lithuania kindled the flame of freedom. Lithuania's declaration of independence on February 16, 1918, marked the beginning of two decades of Lithuanian progress—progress in agriculture, progress in industry, progress in meeting social needs, and progress in the development of Lithuanian culture.

This progress came to a dramatic halt during the Second World War as the tiny republic was once again crushed by the occupation forces of the Soviet Union and Nazi Germany. In the wake of the war, the Lithuanian nation returned not to independence but to the oppressive domination of the Soviet Union.

The Lithuanian people have endured enormous hardships and through them all they have maintained their strong desire for freedom. The struggle still goes on.

The persecution which the Soviet Union has inflicted upon these freedom-loving people is intolerable. It is a denial of the fundamental human rights of freedom and self-determination.

Throughout its history, the United States has stood as a monument to freedom in the world. The United States has consistently supported the aspirations of the Lithuanian peoples for self-determination and national independence.

Today, I call on the President of the United States to direct world opinion to the plight of these enslaved people who remain trapped behind the Iron Curtain. I urge President Nixon to bring the injustices suffered by all Lithuanians and Baltic peoples to the attention of all freedom-loving people of the world through organizations such as the United Nations.

Today, these brave and courageous people still cling to the hope and idea of freedom and independence. I am honored to join with loyal Americans of Lithuanian descent and with all Lithuanians around the world in their celebration of Lithuanian Independence Day. I urge the leaders of the Soviet Union to restore the

right of self-determination to these millions of captives who yearn for the freedom that was theirs 52 years ago.

STATEMENTS ON ATOMIC ENERGY  
AND THE ENVIRONMENT

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. WOLFF. Mr. Speaker, on February 6 my distinguished colleague from New York (Mr. REID) and I conducted an informal hearing in New York on the potential environmental impact of atomic energy in the New York metropolitan region.

Because of the relevancy of the statements we heard to the general subject of atomic energy and the environment we have determined to include them in the RECORD on a regular basis during the next 2 weeks.

Today I would like to include the statements of Joseph C. Swidler, chairman of the New York State Public Service Commission and our colleague from New York (Mr. BINGHAM).

The statements follow:

REMARKS BY JOSEPH C. SWIDLER, CHAIRMAN,  
NEW YORK STATE PUBLIC SERVICE COMMISSION

Congressman Reid, Congressman Wolff, and Congressman Addabbo, I am pleased that you have invited me, as the new Chairman of the New York State Public Service Commission, to appear at this hearing on the subject of environmental impact of atomic energy plants. Your invitation makes clear that you are specifically interested in the possible siting of such plants on Long Island Sound.

In my letter of January 28 accepting this invitation, I told you I expected to be sworn in as a member of the Public Service Commission on Monday, February 2. It is my pleasure to report to you that the swearing-in ceremony was held as scheduled, and that I have now been holding office as Chairman of the Commission for almost 96 hours. These have been a very interesting and educational four days, but I must confess that they provided me little opportunity to improve my background on the subject of the hearing.

It may be helpful if I first explain the present situation of the Public Service Commission in relation to nuclear plant siting and then speak for a moment about plans for the future. At present the Commission has only tangential jurisdiction with respect to siting problems.

The electric utilities of this State are not required to secure the approval of the Commission before constructing or operating a power generating plant, whether it be nuclear, fossil fuel or hydro. The Commission must ultimately approve the securities issued to finance such plants, the books of account in which plant and operating costs are recorded, and the rates charged for the plant output, but none of these are effective as controls over plant location. In this respect the Public Service Commission stands out as compared with many other agencies of the State. I understand that before any power plant can be built, one or more permits are required from numerous State agencies.

In Governor Rockefeller's "State of the State" message to the Legislature of January

7, 1970, he proposed the reorganization of the Public Service Commission by expanding and strengthening the capacity of the Commission "to protect and conserve our natural resources and environment" and by establishing procedures "for resolving questions relating to the location of major utility facilities without undue delay." These procedures, he stated, would guarantee "the rights of citizens, localities and conservation groups to participate in decisions concerning the location of such facilities, while at the same time promoting the timely development of needed facilities by avoiding multiple or serial suits in the courts . . ."

The legislation referred to by Governor Rockefeller is being drafted by his aides, and they have consulted with me. However, the drafts are still far from definitive in form. There is little, therefore, that I can add in detail to what the Governor has already disclosed of his plans.

It is apparent, however, that the Governor contemplates some form of licensing or certifying procedure in which the environmental issues will be fully explored with the assistance of interested groups, including those dedicated to the protection of our environment.

The Governor's message balances two considerations which are intimately related. On the one hand is the enormous growth in the demand for electric service, which is now running at a compounded annual rate between 7 and 8%. At this rate of growth, electric demands double in each decade, and electric power facilities must grow at the same pace. Visualize, if you will, installing in a single decade capacity equal to all that now in existence, and quadrupling existing capacity by 1990. On the other hand, is the fact that our environment has only a limited capability to absorb the products of combustion, the products of radiation and the waste heat in the condensing water, without impairing the quality of the environment. These counterbalancing forces impose on the electric power industry, and on the government agencies which must review their construction and operating programs, a solemn responsibility to seek solutions to power plant expansion requirements in a way which considers all environmental factors and the best available technology in order to reconcile the need for expansion of power capacity with essential environmental protection.

I am sure I do not need to emphasize to you that in any particular situation the Commission will seek and find the most capable and knowledgeable environmental experts to guide us in finding the best answer under all circumstances. You would not want me to prejudge now the questions which may come before the Commission, sitting in a quasi-judicial capacity in a plant siting proceeding, until we hear from our own staff and consultants and from the witnesses for the parties. I trust, therefore, that you will not expect me to speak on the question of plant siting at any specific locations. However, the Commission has an intense interest in the specifics of this hearing, and a member of the Commission staff will be present throughout the hearing so that we can receive the benefit of the testimony which you are taking here today.

I want to thank you again for this opportunity to appear before you.

#### PROBLEMS POSED BY NUCLEAR POWER PLANTS (By Congressman JONATHAN BINGHAM)

An unfortunate crisis of public confidence has developed over the past several years with regard to the performance by the Atomic Energy Commission of its responsibilities to protect the public interest by regulating peaceful uses of atomic power. In the past several months, this credibility gap has widened considerably, in large part as a result

of controversies over plans for increasing numbers of nuclear power plants across the country.

After careful study of the many aspects of this complex issue, I have come to the conclusion that there is significant cause for this waning of public confidence. In my view, it stems in large part from the fact that the AEC possesses authority both to promote and to regulate peaceful applications of atomic power—a dual responsibility that is, as far as I am aware, unique in our federal governmental machinery.

As the Government's "salesman" of commercial nuclear power, the Commission concluded and promised in the late 1940s and early 1950s that nuclear power energy could be harnessed to produce economically competitive electric power. It has held out this and other visions of peaceful applications as a means of justifying the immense investments that the federal government has made in the nuclear energy field, both for defense and peacetime purposes. Understandably, the AEC has committed a great deal of effort to assure that its projections would come true. As a committed promoter of peaceful nuclear power, the AEC has necessarily developed intimate relations with the manufacturers of nuclear generating equipment and the entire power industry.

But to carry out its statutory mandate to protect the broad public safety, health, and well-being by regulating the commercial nuclear power industry, the AEC has been expected and required to make critical and objective judgments about the plans and operations of nuclear industry.

Despite its diligent efforts to perform these conflicting functions with equal vigor by keeping them clearly separated within the organizational structure of the AEC, compromises have inevitably occurred.

First, the AEC has admittedly taken the attitude that nuclear power reactors should be reasonably safe, but not necessarily as safe as is technically feasible. This policy scares people.

The crisis of public confidence has been aggravated by the AEC's defensiveness, its over-reaction to criticism, and its refusal to allow states to set stricter standards if they want to.

If not checked, the public fear of nuclear power may reach irrational proportions and seriously interfere with the future supply of much needed electric power.

Two legislative steps which go far to restore public confidence, as well as to assure public safety are: (1) We should remove the regulatory powers over commercial uses of nuclear energy from the AEC and vest them primarily in the Public Health Service of HEW, and to a lesser extent, in the Federal Power Commission. The Public Health Service would have the basic licensing authority, subject to veto by the Federal Power Commission on the basis of its judgments of the economic and technical feasibility of projects for which licenses are requested.

Every modern industrial nation in the world that has a commercial nuclear power program divides the promotional and regulatory functions. Only the United States vests these conflicting functions in a single agency. Vesting regulatory powers primarily in the Department of Health, Education and Welfare would serve greatly to assure the public that its interests and safety are being fully and objectively protected.

It has long been assumed and contemplated by the AEC and the Joint Committee on Atomic Energy (which is the body of Congress charged with overseeing our activities in the nuclear field) that the regulatory functions would at some point in time need to be separated and transferred in another agency. Although such a move has been considered and reconsidered from time to time

by the AEC and the Joint Committee, it has been repeatedly postponed. Now is the time to make the move.

Finally, it is noteworthy that a very sophisticated and careful study of the general question of government promotion and regulation of technological advance conducted by the National Academy of Sciences at the request of the House Committee on Sciences and Astronautics, released in July of last year after almost six years of work, comes down firmly on the side of a clear and strict separation of standard-setting, promotion, and regulation.

(2) The second legislative need is to give the individual states clear power, which they do not now have, to impose their own standards regulating the construction and operation of commercial nuclear facilities within their state boundaries, including (among other things) the discharge of radioactive and other waste materials from nuclear power plants, provided that any such state standards would be at least as strict as those set by the Federal government, and I would hope that should this legislation be enacted, the State of New York would take a very careful look at the various standards set by the Federal government to determine whether they are adequate for the needs of New York State and the desires of the people of the state. The position of the AEC to date has been that it is acting for the Federal government, has sole jurisdiction in the nuclear field—a position which I feel is both unwise and unfair. The State of Minnesota, wishing to impose stricter safety standards, has challenged the AEC on this point. I believe the states should be free to impose standards for commercial nuclear facilities that are stricter than the AEC's if they choose to do so.

#### A TRIBUTE TO PATRIOTIC AMERICAN LITHUANIANS

#### HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MURPHY of New York. Mr. Speaker, today is a day dear to the people of Lithuanian birth and descent throughout the world, including the more than 1 million patriotic American-Lithuanians. This year, February 16, marks the 52d anniversary of the Declaration of Independence of Lithuania, proclaimed in the capital city of Vilnius in 1918. For the past 29 years, Lithuania, however, has been occupied and exploited by the Soviet Union by force of arms. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following tribute to freedom-loving Lithuanians everywhere and offer my support of the just cause of Lithuanian liberation.

American Lithuanians, who have contributed so much to the growth and culture of the United States, are dedicated to seeing the restoration of freedom and national statehood to their homeland.

The Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic process. The Soviet Union too over Lithuania, Latvia, and Estonia by force of arms, and in violation of international treaties binding the USSR. The Soviets have deported or killed hundreds of thousands of Lithuanian inhabitants since 1940. Indeed, Lithuanians have paid a high price for

their love of liberty and desire for freedom. But despite cruelty and systematic genocide by the Soviet oppressors, the spark of freedom still smolders in the hearts of Lithuanian patriots.

It is appropriate that on this day, we who live in this great United States that is dedicated to the principles of justice, liberty and freedom, remember and honor the courageous people of Lithuania. May their goal of independence, unity, and freedom someday be achieved.

#### AID TO THE ARTS—GENUINE NEED

### HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. GIAIMO. Mr. Speaker, for as long as I have had the privilege to serve in this body, I have urged that the Federal Government encourage and support the arts.

Never has this need been more obvious, Mr. Speaker. The arts are facing a financial crisis. Many of our most famous cultural institutions, orchestras, theatrical companies, museums, and the like, have either been forced to close or are burdened by serious deficits. President Nixon has recognized the gravity of the situation and has asked for a \$40 million appropriation for Federal aid to the arts and humanities. Various other officials have called for prompt action.

A significant step to save the arts was taken in New York recently when Gov. Nelson Rockefeller included in his 1971 budget proposal a request for \$18 million to start a State program of aid to cultural organizations. This program, to be administered by the State Council on the Arts, will attempt to diminish the estimated \$60 million deficit which New York's cultural institutions are facing.

On February 3, WCBS-TV in New York City presented an editorial entitled "Aid to the Arts." Although this editorial concerned itself primarily with the problems facing the arts in New York, its message was one that should be taken to heart by concerned citizens throughout the Nation. As WCBS-TV put it:

We need the arts. We need to bring beauty to the eyes and ears of our children before it is blotted out by the piles of garbage and the roar of the streets.

I wish to insert this outstanding editorial at this point in the RECORD, and I urge our colleagues to take note of it:

#### AID TO THE ARTS

No matter where you look these days, the arts are in financial trouble. In Manhattan, it's the New York Philharmonic or the Metropolitan Opera; in Brooklyn it's the Brooklyn Museum or the Botanical Gardens; out on Long Island it's the Eglevsky Ballet. These are just a few of many institutions in this area that are now dangerously in the red. And their situation is duplicated in opera houses, orchestras, museums and libraries, throughout the state and the nation.

It seems ironic that now, when the age of Yankee philistinism is over and when all

classes of Americans have developed a genuine need for music, ballet and the visual arts, the institutions that serve this need can barely keep going.

As our cities grow poorer, the arts grow poorer. For their traditional sources of revenue in the past were affluent patrons in the city and municipal budgets, sources which are now drying up. Unlike Europe, where national subsidy of the arts is accepted, America has been slow to spend government funds on such an unbusinesslike commodity.

We are glad to see, then, that our present leaders are showing a recognition of the need for subsidy for the arts. In December, President Nixon called for \$40 million in federal aid to the arts and the humanities. He is quoted as saying that this need has a compelling claim on our resources, as something integral and vital to the entire environmental program.

But Governor Rockefeller a couple of weeks ago came up with something that we think is even more significant—a budgetary request for \$18 million for a New York State program of Aid to Cultural Organizations, to be administered by the State Council on the Arts.

The Governor's proposal is more to the scale of the problem, for in New York State alone the deficit of all cultural institutions is estimated at \$60 million.

Furthermore, this aid is aimed specifically at those cultural institutions that are alive and well and living in the community—not at those that are merely expensive and moribund status symbols. An institution will have to show that it is doing a real service for all the public if it is to continue to qualify for this aid.

We need the arts. We need to bring beauty to the eyes and ears of our children before it is blotted out by the piles of garbage and the roar of the streets. And so WCBS-TV hopes that the State legislature will show its concern for the quality of life in New York State, by approving the Governor's request.

#### LITHUANIAN INDEPENDENCE DAY

### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. DULSKI. Mr. Speaker, on Monday we marked the 52d anniversary of Lithuanian independence.

This week also marks the 719th anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251.

These two anniversaries once again are observed while these proud people are still trying to regain the independence which they lost during the dark days of World War II.

The Communist regime did not come into power in Lithuania, Latvia, and Estonia by legal or democratic process. The Soviet Union took over these three countries by force of arms and in violation of international treaties binding Soviet Russia.

The Soviets have deported or killed hundreds of thousands of Lithuanian inhabitants since 1940.

The Baltic question remains unresolved. We must find a way to lift the yoke from these oppressed peoples.

#### NATIONAL FOREST CONSERVATION AND MANAGEMENT ACT

### HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, in view of the tremendous amount of confusion that has surrounded H.R. 12025, the National Forest Conservation and Management Act, I am today inserting in the RECORD three editorials that, in my judgment, most clearly explain the need for passage of this legislation.

I strongly urge my colleagues to read and carefully study these articles as I firmly believe they will clear up any misunderstandings that have developed regarding this act.

The editorials follow:

[From the Time Standard, Eureka, Calif., Feb. 9, 1970]

#### NO LESSON FROM TILLAMOOK?

The abrupt setback handed the proposed National Forest Timber Conservation Act on the floor of the House of Representatives last Thursday by massive assaults of conservationists, headed by the powerful nationwide Sierra Club, was also an abrupt setback to the economy of the North Coast.

Proponents of House Resolution 12025 employed the old Army tactic of "fall back and regroup," which any GI knows really means, "we're taking one H--- of a beating," by pulling the bill off the floor just as the battle was about to be joined.

According to Washington reports, Sierra Club spokesmen brought up strong objections to the bill based on versions and sections which already had been revised in committee. The alpinists charged that all receipts from national forest timber sales would be allocated to improved commercial timber practices, such as thinning, brushing out and replanting or re-seeding, to the detriment of recreational, fish and wildlife causes.

Not true. As of the first of this month, the bill was worded to read that 65 percent of the revenues derived would be applied to forest management, the rest to the regular channels, including schools and roads.

The bill also designated that it would apply only to those areas of national forests already designated as commercial timber lands, and would not alter those designated for wilderness areas, parks or other restricted-use areas.

The conservationists countered with assertions that increased timber production would mean the building of more access roads. True. This is a vital part of the intent, in order to speed lumber production to ease the critical housing shortage throughout the United States . . . and for another good reason.

What the conservationists did not mention is that the incredibly vast Tillamook Burn in northwestern Oregon in 1933 was the greatest natural disaster through fire in American history. Damage caused in this blaze which destroyed billions of feet of prime virgin timber made the dollar cost of the Chicago fire look like peanuts. And that fire was caused by outdoorsmen—campers in the pristine wilderness. The reason why it burned over so many miles and so many days is that—there were no forest roads to enable fire-fighting equipment to get in.

The bill came as no surprise to anyone. It was the result of extensive Congressional hearings last year in which it was deter-

mined that restriction of federal timber production was a direct cause of the serious lumber and plywood shortages and the subsequent inflationary rise in prices.

The national forests contain more than half of the country's saw timber; in California they hold nearly 60 percent, yet they produce less than 40 percent of the annual yield. Commercial operators on private lands would go dead broke at that rate.

So the conservationists fear roads. We remind them of Tillamook.

[From the San Francisco (Calif.) Examiner, Feb. 1, 1970]

#### TIMBER PINCH

The painful pinch on housing is bruising not only the poor and aged but singles and families with healthy incomes. They've got the jobs and the money is in their pockets, but the living quarters just can't be found.

The vacancy rate in San Francisco is as low as one percent in some neighborhoods and that's the desperation point for the homeseeker. The same situation applies in New York. The national vacancy rate for all types of housing is 2.4 percent.

The shortages can be laid to the Four L's—Land, Labor, Lumber and Lucre (meaning money). In the case of lumber, attention zooms in on a recently completed study by private consultants of public land timber policies. It criticizes U.S. Forest Service timber cutting policies as inflexible and overly conservative.

"If the national requirements for forest products during the next 30 years are to be met, forest management will have to be intensified," the study says. Particularly at issue is the annual cut from old-growth softwood forests in Oregon, Washington and Northern California. The survey criticizes federal agencies, principally the Forest Service, for being overly protective of old-growth stands while private timber has been harvested rapidly and efficiently.

Certainly the country must husband its timber resources. No one is talking about wanton exploitation and destruction. But the demand for timber is urgent and legitimate. Surely it can be met within the bounds of sound conservation practices. Authors of the timber study insist that "by intensifying timber management, USFS could double its timber harvest."

The federal government is dedicated to increasing the housing supply, but seems to be defeating its own purpose by underuse of a major construction material—timber. Shortages mean higher prices. Here at least is one problem posed by the Four L's that seems subject to solution. Congress should look into it.

[From the New Republic, Feb. 7, 1970]

#### TIMBER!

A bill now in Congress called the Timber Supply Act has created a flurry of concern in conservation circles over exploitation ("Raiding the Forests," Michael McCloskey, *NE*, Dec. 13, 1969). In my judgment what we ought to be more concerned about is the conservatism of our forest policies. In northern California there are peaks, between the inland highway and the coast 150 miles west, that are over 10,000 feet high and that almost no one has ever seen. In Oregon there is a stretch of timber between the McKenzie highway and Willamette Pass that is about 60 miles long and some 30 to 40 miles wide without a sign of a road. If we could get into these areas, we could have small crews with light equipment salvage the dead and down timber and keep alive lumber mills that otherwise will have to shut down. But Mr. McCloskey and the Sierra Club make any such venture sound sinful.

Mr. McCloskey says the premises of increased cutting of timber are faulty on every count. Just how does he spirit away

the better than 100 billion feet of dead and down timber that will be lost if an extended road system is delayed? How does he spirit away the maybe 10 or 15 billion feet lost each year to natural disasters? In 1958, Senator Morse fought to get roads into the Mt. St. Helens area in Oregon, to no avail. Some three billion feet of old growth silver fir were killed by bugs and rotted away as a result.

Many West Coast communities lack the money to activate more intensive forest management. The Timber Supply Act is designed to provide those additional funds, from timber sales of National Forests.

For many years the men in the Forest Service have had to do things they did not want to do, because of limited funding. Only by a sort of quasi-legal skulduggery have they managed as well as they have. The Forest Service has been selling timber partly on a barter basis; it has given the logger the chance to build a bridge, or a few miles of logging road as part payment for timber, with the rest in cash. This may mean little to people far from forests, but only by such means have the timber managers been able to push logging roads into the high ridges; timber of low value has been logged, instead of the much more valuable timber from the bottomlands. We still have some fine stands of timber in the western mountains, much of it now unreachable, and it is this high quality timber that can pay the high wage scales needed to keep the timber industry alive. Yet this sort of bartering has its limits. To the best of my knowledge the Forest Service has done all that it can with such arrangements, and we are losing mills right along.

The problems of the mills and the National Forests are many, but too few dollars for timber management is at the heart of most of them. With larger funds available, through regulated sale of timber from the national forests, the Forest Service could in short order put in a comprehensive network of logging roads, opening up to salvage logging many billions of feet of dead and down timber in the western mountains. There are many sections of back country with no roads, particularly in California, Oregon, Washington and Idaho. I am told that at the rate we are now going, it will be more than 40 years before a complete network of roads will be built, and that in Oregon alone there are some 40 billion feet of dead and down timber that will be lost if road construction waits on the normal pattern of development. This timber is old growth largely; it is of far more value than a similar stand of live young timber.

Since most of the timber in the western mountains is in very heavy stands, new roads will be paid for largely by the sale of timber on the right of way alone. In the event of natural disasters (wind storms, fires or disease), the timber lost could be rapidly salvaged.

In Oregon again, some ten million acres of national forests have new stands of second growth, some of which can be thinned of larger trees, thus permitting smaller, otherwise stunted trees to spring to life. It is estimated that as much timber can be obtained from such cuttings (that is from dead and downed trees, disasters and thinnings) as is being harvested in all of Oregon at present. It would increase the present cut of some eight billion feet to 16 billion, without a tree being planted and with no damage to timber stocks.

This program is entirely separate from replanting millions of acres of old, burned areas which are not coming back to timber. We could do that too. There are a great many jobless young men in our cities, yet there is work to be done. In the Job Corps camps, some few thousand have been doing it, in forestry camps. But that program has now been cut back. There is an almost unlimited need for the work such man can do—and not

just in the West. The main source of growth potential is in the hundred million acres of forest land east of the Mississippi and north of the Ohio.

The 1958 Timber Resource Review of the Forest Service forecast a timber need in the year 2000 of twice that being cut in the 1950s. The report saw an increasing growth over cut until the year 1985, and then a marked increase of cut over growth for the future—unless policies are radically changed.

Wilderness lovers are alarmed at the thought of an invasion by bulldozers. The alarm seems to be unwarranted. Many areas of wilderness that are now totally inaccessible can be made usable by extending our roads. We have in the Columbia gorge area, miles of high cliffs and peaks which no one is able to get near. They are set aside as recreational lands, partly for the highly unusual scenery, and partly because the roughness of the scenic country does not lend itself to commercial forestry. What few trails were created by the CCC boys have long since grown over. It is an old wilderness that can be brought to people only by a timber access road system behind the gorge. If we do no more than we are doing, we shall go on losing that timber that can't be reached, while at the same time lumber prices will reach new and unhealthy heights, limiting the building of homes that we need and running up welfare costs that we don't need.

#### LITHUANIAN INDEPENDENCE—A PLEA FOR JUSTICE

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. RARICK. Mr. Speaker, yesterday we again paused to honor the anniversary of Lithuanian independence. This was the 52d such occasion. Today and the remaining 363 days of the year, we do absolutely nothing to aid these exiled people to regain their enslaved and occupied homeland, nor to perpetuate their international identity.

The history of the Lithuanian people is one of long oppression and domination. From 1795 to 1915, Lithuania was occupied by the Russians until overrun by German armies in World War I. The defeat of Germany, coupled with the Bolshevik Revolution in Russia, brought about favorable conditions for Lithuanian independence. By 1917, Lithuanian public opinion pressured the German Government to authorize the gathering of a congress of delegates which proposed an independent Lithuania.

On February 16, 1918, Lithuania was proclaimed an independent state, based on democratic principles.

When German troops evacuated in 1919, the Red Army again occupied Lithuania.

In 1920, the Soviets signed a peace treaty with Lithuania, recognizing it as an independent nation and pledging renunciation forever of all rights of sovereignty.

The expansion of powerful countries leading to World War II soon found Lithuania again occupied. In 1939, the Germans were yielded the city of Klaipeda—Memel—and the same year a mutual assistance treaty was forced upon the little nation by Russia. Lithuania

was coerced to grant air bases and to admit Soviet military garrisons despite a treaty of nonaggression signed in 1926. In 1940, a rigged election produced a puppet congress which requested the incorporation of Lithuania into the Soviet Union. That same year Russia declared Lithuania to be a republic of the U.S.S.R.

From that day to present, Lithuania suffers as an oppressed land. Her people have been uprooted and hauled off by the tens of thousands to Siberian slave-labor camps—the language, customs, religion, and culture suppressed and destroyed.

Lithuania today haunts civilization as a classic example of the results of genocide. A genocide criminally inflicted by Bolshevik Russia—a signator to the Genocide Convention—against a small nation which has been totally absorbed and exploited by the Soviets.

The United States has never recognized the Soviet incorporation of either Lithuania or of the other two Baltic States; Estonia or Latvia. Lithuania still maintains an Embassy in Washington, D.C.

Mr. Speaker, in observance of the Lithuanian day of independence, I have today introduced a resolution with the hope that other freedom-loving Members will join in cosponsoring. The text of the resolution follows:

H. CON. RES. 509

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations, including genocide, in the Soviet-occupied Lithuania on the agenda of the United Nations Organization.*

## PARAPSYCHOLOGY, ENERGY, AND YOUR LIFE—PART 1

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. BROWN of California. Mr. Speaker, recently my friend Irving Laucks of Santa Barbara, Calif., prepared a stimulating lecture series for radio station KPFF in Los Angeles. Mr. Laucks delves deeply into many fascinating philosophical concepts, and I believe that his ideas warrant analysis by a wider audience. Today I am inserting part 1 of his lectures in the RECORD, and in the next few days I shall also put in the remaining speeches in this interesting series.

The material follows:

### PARAPSYCHOLOGY, ENERGY, AND YOUR LIFE: A NEW LOOK AT THE FUTURE

#### I. A NEW LOOK AT THE UNIVERSE: HOW TO SAVE OUR NECKS

If we are to escape world disaster, a radical change in our thinking must be a first step. In this series of talks which I begin today, I will try to give a glimpse of the accumulated evidence of a nonmaterial dimension or realm of the Universe which I believe has important consequences for our future—if we are to have a future.

Both Religion and Science strive to increase Earthman's knowledge of this Universe in which he finds himself, from which he has no escape. Religion started with instinctive or intuitive ideas which Earthman has held since long before history. Science, however, is comparatively new and consists of quite definite knowledge which mainly has been obtained by planned experiment and observation.

The ideas that religion teaches today are taught in language which ancient people understood. Science, however, keeps on changing and progressing as new discoveries are made, which often require new words for their description. Today's language of science could not have been understood two thousand years ago. Some of religion's ancient language is difficult for moderns. The Cooperators believe, however, that this Universe is not divided into separate compartments; that both religion and science are talking about the same Universe, and that their language should be modified so that each may understand the other. Only thus will evidence be impressed on Earth's citizens that will enable a reasonable meaningful view of man's existence in the Universe.

For example, the all-important concept, Energy, instituted by science in the last few hundred years was quite unknown when most of the religions of the world were promulgated by their prophets. Although still a great mystery science has found already that energy has many of the abilities that religion originally ascribed to a Creator. The creative function of energy might just as well have been ascribed to God, and the creative acts of God to energy. Here there need be no quarrel between religion and science. In further talks we will have more to say about the importance of certain kinds of energy.

What is the practical value of such ideas? The Earth has enough troubles to worry about today without wondering how it originated. Mainly we must rather worry about where we are going. I believe that the present dangers to mankind can only be eliminated by a deep change in the way man regards his relation to the Universe; in other words, where he is going. Now that he has made the first physical step outside of this small planet of his, perhaps he can be more interested in taking a further intellectual or spiritual step. Such a one will need a cooperation between science and religion—each modifying the other somewhat to conform with modern concepts. I mentioned Energy a moment ago because a conception of energy has great bearing on man's existence and future. In the past his thinking has largely centered on matter, good *solid* matter. Now matter has given place to Energy. We thought we knew something about matter, but of energy about all we know is that we have to pay promptly our monthly electric bill, or else.

A cooperation between science and religion, between knowledge by experiment and knowledge by intuition is suggested in this series of talks. Some people say it cannot be, because it implies a change in "human nature"—which they say is impossible. I ask my listeners finally to judge.

I am trying to finish a manuscript entitled "A Religion for Our Times: The Third Evolution" with accent on the word "evolution." Evolution is an old idea but only in the last century successfully applied to human affairs. Evolution is due to some property of primeval energy; a shorter word is "change". It is universally evident. The idea of evolution was first accepted by science and later pretty well by religion for the various forms of life on this Earth, when it was put in practical language by Darwin one hundred years ago. This stage of evolution, herein called the Second Evolution, is quite distinct in higher forms of life from the forms of

inert matter. There is still some difficulty in deciding about the lowest forms—whether they are living or inert. Life is perhaps a combination of material energy with psychic energy—the latter being introduced gradually to form the stage called life.

The First Evolution of the matter of the Universe out of energy began to be suspected when the chemist discovered the relationship of the hundred or so elements out of which inert matter is constructed. The astronomer sees this evolution still in action.

It is said to contemplate that we know a great deal more about how to turn matter into energy (the bombs of Hiroshima) than we do about how to turn energy into matter for beneficial use; as, for example, for human food.

Science has already discovered six or eight other kinds of energy which it has found out how to use beneficially. There are doubtless others still undiscovered; the most important of all—about which we know very little is psychic energy—the energy of thought or will. Psychic energy is superior to and can control all other forms of energy. In its development lies individual man's greatest interest and value.

In the manuscript previously mentioned I describe briefly a number of manifestations, of so-called psychic phenomena connected with human beings that have been observed from pre-history, but which only in the last century have been studied intensively by psychic research. All of these have one thing in common: material science cannot explain them. Material scientists persist in ignoring them, for to recognize them would mean starting to reform many of the foundations of material science—an awful job to contemplate, but sooner or later it must be done if what we call civilized society is to endure.

The great number and variety of these phenomena suggest, almost require, that there be a third realm or dimension of existence: a realm in which psychic energy is all-important. We know almost nothing about this phase of existence—infinite less than we do of this realm of matter. To promote the study of this unknown is an aim of The Cooperators.

Another phase of this psychic energy has been troubling philosophers for ages; that is, his mind, intellect, soul, spirit which is clearly non-material; but nevertheless, somehow connected with his material body. Material science has tried to say that this is produced by the material of the brain, but has failed utterly to show a credible or even plausible connection with which a chemist or physicist can agree.

Since, therefore, this intellect or soul is clearly *not* material, it may be more logically connected with the non-material phenomena of psychic energy previously mentioned, for it also is able to control and guide other kinds of energy and make them work, as has been well demonstrated by technological science; therefore, the intellect may logically be said to be an organization or "structure" at least closely related to psychic energy. Man is so accustomed, however, to his intellect, mind or soul that he takes it for granted. It is himself, he seems to believe he needs no introduction or explanation of *himself*. Until psychology started he gave it very little study; psychology however has vainly tried to connect his thinking with matter or material energy.

If, as suggested, there is a third non-material or energetic realm of existence in a dimension of psychic energy then it would be easy to imagine a Third Evolution going on in this realm, since evolution is a universal process. After developing a small power of thought such as man exhibits, evolution would hardly be satisfied to desist and cease operation. The great range of its powers, even in Earthman, from a Hottentot to an Einstein, suggest rather that it may have

an unlimited future development. The existence of soul, spirit, or intellect with an opportunity of continued development after leaving the material body at death, has always been a tenet of Western religions—an existence in a 'paradise' or 'heaven'. The rise of the Christian religion in ancient Rome has been generally ascribed to the teaching of Jesus and Paul of a future heaven. This gave hope to the slaves and submerged classes of Rome—hope of a future happiness, denied to them on this Earth. Unfortunately, Heaven and paradise were anciently conceived in quite materialistic terms. As science progressed it was found that such materialistic ideas were no longer tenable, and since the methods of science have acquired a high prestige lately, this has rendered the whole idea of a future existence in dispute and doubt, and many people no longer believe in its probability. There was also no suggestion in religion's ideas about how an individual intellect could find anything interesting in this promised heaven. Consequently, the picture has not been very inviting to modern thought. A few thousand years ago man had almost no comprehension of the interesting mysteries of existence still to be explored.

This loss of belief or hope in a future interesting existence, intensified by loose talk about the death of God, along with materialistic communism's teaching of the unimportance of individuality, has coincided with the great increase in trouble and turmoil in which man is now immersed on this planet. It is certainly reasonable to suspect a connection between the two.

The First and Second Evolutions are pretty well accepted by everyone these days. I remember very well, however, that in the later years of the last century my mother would not permit Darwin's *Origin of Species* in the house; I had to read it out in the barn. But we are not so much concerned today with how we got here, as we are about where we are going. The Third Evolution is the most important. And that is the one that many people have a great difficulty in thinking about.

What distinguishes the intellect and soul as a separate and distinct organization from the material chemical organization of the brain and body is the phenomenon of *initiative*—ability to plan to choose or to invent. The Cooperators are trying to impress on people the urgency of using this planning ability to get rid of the troubles that have been converging in the last century, that threaten to overturn the accomplishments that Earthman has taken centuries to achieve, in one great holocaust of destruction and despair.

Man has it within his grasp to broaden the ability science has barely given him, this ability to steer his course between the rocks ahead—if he will use it for constructive purposes instead of destructive competition—such as competition of war—which now threatens total destruction—only a little more total than continued race or class conflicts will bring about.

In further talks I will aim to show that this competition is so silly—because science can now show that the things we have been used to fighting about can be accomplished so simply by another route which entails no destruction—for example, by the use of the abundant energy that is all about us.

What does religion have to do with all this? Well, the great prophet, Jesus Christ, foresaw what it took science about 2,000 years to find out. The Cooperators have adopted as their Constitution the advice that Jesus and several other philosophers before him had given: Do unto others as you would have them do unto you.

## LITHUANIAN INDEPENDENCE

## HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. THOMPSON of New Jersey. Mr. Speaker, on February 16 the great people of Lithuania and their relatives here in the United States celebrated the 52d anniversary of their nation's independence. It was also the 719th anniversary of the formation of the Lithuanian State in 1251.

Unfortunately, our Lithuanian friends once again had to celebrate their own "July 4" under Soviet domination. For nearly 30 years the Soviet Union has occupied this proud nation and its sister states of Estonia and Latvia.

I would like to insert in the RECORD a resolution of the Lithuanian Council of New Jersey. Mr. Speaker, I think it will demonstrate the will of the Lithuanian people to regain the sovereignty which was cruelly denied them three decades ago.

The resolution follows:

## RESOLUTION OF LITHUANIAN COUNCIL OF NEW JERSEY

On the occasion of the 52nd anniversary of the Restoration of Lithuania's Independence we, the members and friends of the Lithuanian ethnic community of New Jersey, assembled here on the 15th day of February, 1970, in Kearny, New Jersey:

Commemorate Lithuania's Declaration of Independence proclaimed on February 16, 1918, in Vilnius, whereby a sovereign Lithuanian State was restored which had antecedents in the Lithuanian Kingdom established in 1251;

Honor the memory of the generations of Lithuanian freedom fighters who fought to defend Lithuania's national aspirations and values against foreign oppressors;

Recall with pride the political, cultural, economic and social achievements of the Lithuania Republic during the independence era of 1918-1940;

Express our indignation over the interruption of Lithuania's sovereign function as a result of the military occupation of our homeland by the Soviet Union on June 15, 1940.

Gravely concerned with the present plight of Soviet-occupied Lithuania and animated by a spirit of solidarity we, the members and friends of the Lithuanian ethnic community of New Jersey, do hereby protest Soviet Russia's aggression and the following crimes perpetrated by the Soviets in occupied Lithuania:

(1) murder and deportation of more than 400,000 Lithuanian citizens to concentration camps in Siberia and other areas of Soviet Russia for slave labor;

(2) colonialization of Lithuania by importation of Russians, most of whom are Communists or undesirables;

(3) persecution of the faithful, restriction of religious practices, closing of houses of worship;

(4) distortion of Lithuanian culture by efforts to transform into a Soviet-Russian culture and continuous denial of creative freedom.

We demand that Soviet Russia immediately withdraw from Lithuania and its sister states of Estonia and Latvia, its armed forces, administrative apparatus, and the imported

Communist "colons", letting the Baltic States of Estonia, Latvia, and Lithuania freely exercise their sovereign rights to self-determination.

We request the Government of the United States to raise the issue of the Baltic States of Estonia, Latvia, and Lithuania in the United Nations and in international conferences as well as to support our just requests for the condemnation of Soviet aggression against Estonia, Latvia, and Lithuania, and for the abolition of Soviet Colonial rule in these countries.

VALENTINAS MELINIS,  
President.  
ALBIN S. TRECIOKAS,  
Secretary.

## SOLVING THE JETPORT DILEMMA

## HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 16, 1970

Mr. MURPHY of New York. Mr. Speaker, the Airport and Airways Act passed by the House on November 6 is expected on the Senate floor this week. The bill that comes before the Senate contains my amendment authorizing the Secretary of Transportation to select a specific airport site when a local jurisdiction fails to do so within 3 years of written notification by the Secretary of the need for an airport. My amendment, dropped in the House version on a teller vote after the New Jersey delegation rallied against it on a bogus "States rights" argument, was reintroduced by Senator TYDINGS and approved by the Senate Commerce Committee. Let me make it clear that the bill coming to the Senate floor does not mandate construction of a fourth jetport in New Jersey. But dangerous congestion in the skies and maddening traffic on the ground result when badly needed airports are not provided. The so-called Murphy airport amendment, therefore, is an instrument to end the impasse over airport site selection. A major air tragedy should not be the impetus for ending the deadlock over construction of badly needed airports in hub areas. The New York Daily News has constantly championed construction of a fourth jetport for New York City. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the New York Daily News of Monday, February 16, again calling for passage of my amendment as the only means of solving not only New York's, but the Nation's airport dilemma:

## SOLVING THE JETPORT DILEMMA

Unless construction begins very soon on the intolerably delayed fourth jetport, warns U.S. Transportation Secretary John A. Volpe, New York will cease to be a major air terminal. As a matter of fact, the problem has global, as well as regional implications, Austin J. Tobin, executive director of the Port Authority, pointed out last night on "New York Closeup," on WPIX-TV.

When there are delays of two to three hours at plane-clogged Kennedy Field, Tobin said, the entire airline system is tied up, not

only throughout the U.S., but around the world.

Yet New York and New Jersey aren't one mile nearer today on a site agreement than they were a decade ago.

The Port Authority and the airlines have long since fixed on Solberg Airport and its surroundings in Hunterdon County, N.J., as the only practical site. Not Solberg, not any place in the Garden State, cries Gov. Cahill. Similarly, the Metropolitan Transportation Authority, which took over the former Stewart Air Force Base near Newburgh last week, rejected any plans to make it into the fourth jetport.

The way things are going, the two states will never get together, so Rep. John M. Murphy (D-Brooklyn-S.I.) has figured out a way to knock their heads together. Through his amendment to the airport and airways development act, the Secretary of Transportation would be empowered to make the site determination.

The measure, with the Murphy amendment, will come up on the Senate floor this week, possibly today, and Congress by all means should pass it.

At the very least, the law should prod New Jersey into a new spirit of cooperation which would make Volpe's intervention unnecessary.

But if he must make the decision, let him, and the sooner the better. We must have that fourth jetport!

#### ACTION TO PREVENT A FULL-SCALE WAR IN THE MIDDLE EAST

### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HELSTOSKI. Mr. Speaker, I have today introduced a concurrent resolution calling for an action which I believe is essential to preventing outbreak of a full-scale war in the Middle East.

The resolution calls on the President to beef up the defenses of the state of Israel by selling it military aircraft which it needs and has asked for to protect its territories and its people.

It was introduced because of the recent outbreak of war promotion on the part of France and the Soviet Union in furnishing arms and military equipment to the Arab nations. In the case of France it has been the sale of 100 Mirage jets to Libya.

The actions of the Russians and the French have greatly increased tensions in the Middle East. Threats of a full-scale war hang like a pall over the area. Israel has been placed in the precarious position of being ill equipped to defend itself against its aggressor neighbors.

A balance of military power in the area will be a strong deterrent to those ready to pull the trigger on an all-out war and our sale of military aircraft may be the only way to prevent it at this time. I say we should sell the aircraft to Israel immediately.

On this occasion I also call on the President to make the Middle East situation a key and extended point of discussion with President Pompidou of France when he visits the United States later this month in a determined effort to im-

press upon him the grave error France made in the sale of aircraft to Libya.

All of the powers of persuasion at our President's command should be used to convince President Pompidou that France must cancel the sale of the aircraft in the interest of peace in the Middle East and throughout the world.

#### THE 52D ANNIVERSARY OF THE LITHUANIAN REPUBLIC

### HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. BUCHANAN. Mr. Speaker, during the month of February Lithuanian Americans and their friends both here and throughout the free world are commemorating two very important events in the history of their nation. February of this year marks the 719th anniversary of the formation of the Lithuanian State and the 52d anniversary of the Republic of Lithuania. It is a privilege to join in the celebration of this anniversary and in the expression of support by millions of Americans for the struggle for freedom by the brave people of Lithuania.

This occasion serves as a vivid reminder to us that millions of people in Lithuania and the other captive nations of the U.S.S.R. as well as the citizens of Eastern European nations still live in captivity under the tyranny of Communist rule. The repression to which they are subject is a deep source of concern to freedom-loving people everywhere. The U.S. Congress gave formal expression to this concern in 1966 with the passage of House Concurrent Resolution 416, which reaffirms the support of the U.S. Government for the aspiration to the Baltic peoples of Estonia, Latvia, and Lithuania for self-determination and national independence. In this resolution the Congress urges the President to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

This resolution follows herewith:

#### H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

*Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—*

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

Attest:

RALPH R. ROBERTS,

Clerk.

As we join in the celebration of the Lithuanian state's 52d anniversary, it is my profound hope that the brave people of Lithuania will be encouraged to maintain their spirit through our expressions of support and that we can indeed bring the force of world opinion to bear on behalf of their freedom.

Mr. Speaker, on this occasion it seems particularly appropriate that we recognize the dedicated efforts toward freedom for the Baltic peoples by organizations representing the more than 1 million people of Lithuanian birth and descent in this country. At this point, I would like to call the attention of my colleagues to the following article on Lithuania's fight for freedom, which was prepared by one of these fine organizations, the Lithuanian American Community of the U.S.A., Inc.

The article follows:

#### A SEVEN-CENTURY QUEST FOR FREEDOM: BRAVE LITHUANIA

During the month of February, Lithuanian-Americans will be commemorating the 719th anniversary of the formation of the Lithuanian State when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251 and the 52nd anniversary of the establishment of the Republic of Lithuania which took place on February 16, 1918. But this celebration of Lithuania's Independence Day will not be similar to American celebration of the Fourth of July. It will contain no note of joy, no jubilant tone of achievement and victory. On the contrary, the observance will be somber, sorrowful, underlined with the grim accent of defeat and tragedy. For Lithuania has lost its independence, and today survives only as a captive nation behind the Iron Curtain.

The Communist regime did not come to power in Lithuania and other Baltic States by legal or democratic processes. The Soviet Union took over Lithuania, Latvia and Estonia by force of arms in June of 1940. The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of the Baltic nations—Lithuania, Latvia and Estonia—shows this to be a cruel fiction.

The Lithuanians are a proud people who have lived peacefully on the shores of the Baltic from time immemorial. Their language is the oldest in Europe today. They were united into a state more than 700 years ago, and by the 15th century their nation extended from the Baltic to the Black Sea and almost to the gates of Moscow. Their fortunes gradually declined and the nation was completely taken over by Russia in 1795.

The intensive and determined struggle for freedom and independence from Czaristic

Russia was climaxed on February 16, 1918, by the Declaration of the Lithuanian National Council, proclaiming the restoration of the independence to Lithuania.

The February Sixteenth Declaration was unanimously approved by the freely elected Constituent Assembly in 1920. Thus, following the will of the Lithuanian people, the re-establishment of an Independent State of Lithuania, with its capitol in the city of Vilnius was accomplished. A diplomatic recognition by many free countries followed. On September 22, 1921, Lithuania was received as a *bona fide* member of the League of Nations, thereby Lithuania became a member of the international community of sovereign nations. A full diplomatic recognition by the United States of America on July 28, 1922, was followed soon, also with *de jure* recognition, by other world powers—Great Britain, France, Italy and Japan.

Soviet Russia recognized *de jure* the Independence of Lithuania in 1920, and on July 12th of the same year signed a peace treaty with Lithuania which stated that:

"The Soviet Union recognizes the sovereignty and independence of the Lithuanian State with all the juridical rights associated with such a declaration, and forever renounces, in good faith, all Russian sovereign rights, which it previously had in regards to Lithuanian Nation and its territory."

The re-establishment of an Independent State of Lithuania and her return to the self-governing community of nations is the most significant historical event of the Twentieth Century for the Lithuanian Nation, whose political maturity, economic achievements and cultural creativity were manifested during the period of restored independence (1918-1940).

During the Second World War, the Republic of Lithuania became a victim of Soviet Russia's and Nazi Germany's conspiracy and aggression, and as a result of secret agreements between those two powers of August 23rd and September 28th, 1939, became invaded and occupied by Soviet Russian armed forces on June 15, 1940.

Since the days of Soviet Russian occupation, however, the Lithuanian people have waged an intensive fight for freedom. During the period between 1944 and 1952 alone, some 30,000 freedom fighters lost their lives in an organized resistance movement against the invaders. Hundreds of thousands of others were imprisoned or driven to Siberia. Though that resistance movement was weakened and finally subdued due to a failure to get any material aid from the West, nevertheless, the Lithuanian people are continuing their passive resistance against Soviet Russian genocidal aggression to this very day.

The United States of America, mindful of its own struggle for freedom and independence has remained sensitive to the aspirations of other people for self-determination. For this reason, Americans of Lithuanian descent are grateful to the Government of the United States for denouncing the Soviet Russian aggression in Lithuania and for refusal to recognize the alien subjugation of Lithuania since 1940. The United States continues recognizing the sovereignty of Lithuania. The Lithuanian Legation at Washington, D.C., Consulates General in New York, Los Angeles, Chicago and a Consulate in Boston are recognized and are functioning.

Recently the United States Congress passed *H. Con. Res. 416* that calls for freedom for the Baltic States. All freedom-loving Americans should urge the President of the United States to implement this legislation by bringing up the question of the liberation of the Baltic States in the United Nations and urging the Soviets to withdraw from Lithuania, Latvia and Estonia.

Thus, on the occasion of the 719th anniversary of the formation of the Lithuanian

state, and the 52nd anniversary of the establishment of the Republic of Lithuania, the Lithuanian-American Community of the USA, Inc., representing all Lithuanian-Americans throughout the nation, most fervently appeals to the representatives of the Federal, State and local governments, religious leaders, labor unions, civil, political and professional organizations, academic and cultural institutions, news media and to the people of good will, to support the aspirations of the Lithuanian people for self-determination and to national independence in their own country.

The free world can never rest in peace, knowing that in Lithuania under Soviet Russian rule, genocide and Russification are common place, religious persecution is prevalent, and basic human freedoms and rights are denied to the Lithuanian people.

#### LITHUANIAN INDEPENDENCE DAY

### HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HOWARD. Mr. Speaker, once again we have paused, as has been our custom, to remember the plight of the small nation of Lithuania, which, on February 16, 1918, after a 200-year struggle, declared its independence. We should take this opportunity to bend our thoughts to all captive nations, whose people are suffering under bondage.

When the people of Lithuania were able to declare their freedom after the fall of the Russian czarist regime in 1917, they started on the road to becoming a truly modern and progressive nation without delay. They instituted a democratic constitution, and became a member of the League of Nations.

The Lithuanians were one of the first nations to institute a land reform program. In 1930 compulsory education was established, reducing the illiteracy rate from 65 percent to 15 percent. This small nation was developing in all areas—industry and the arts reached new pinnacles. Social legislation brought new equality and dignity to all citizens of Lithuania.

Unfortunately, these efforts were to be shortlived. As the Second World War raged over Europe, the Lithuanian land once again became a battleground. They were invaded alternately by the German and Russian Armies; their land was destroyed, their people captured and killed. At the end, they became, once again, captives of the Russians, this time as a satellite of the Soviet Government.

In recalling this tragic history, we are again reminded of how many people are now living under such captivity, and we are again inspired by the courage and hopefulness of those peoples. As we give thanks for our own freedoms, which we hold to be the rights of all mankind, we salute the Lithuanians, and join in their hope that someday all men will be free to determine their own national destinies, free from outside interference. We must once again rededicate ourselves to the realization of these hopes.

#### PART OF THE REASON FOR SUPREME COURT DECISIONS

### HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. WYMAN. Mr. Speaker, in recent years many decisions of the U.S. Supreme Court have contributed materially to domestic discord and unrest. This is factual whatever may be one's individual opinion of the rights or wrongs of a particular decision.

Reviews of a book scheduled to be published on Thursday of this week authored by Justice William O. Douglas may help to explain some of these decisions by revealing both the attitude and motivation of a senior member of that Court. If the reviews are accurate, there is disclosed a degree of personal bias bordering on paranoia that is ill befitting of a member of the Court of last resort in America.

In this connection I believe the following column by Richard Wilson in yesterday's Washington Star is significant:

#### MORE STORM CLOUDS FORMING OVER DOUGLAS

A little black book which is bound to get Justice William O. Douglas in deeper trouble is circulating in Congress in advance of its Feb. 19 publication date.

Random House is publishing this 97-page time bomb under the title of "Points of Rebellion." It is an astringently worded tirade against the American "establishment," the Pentagon, the FBI and CIA, police, employers and educators, and concludes that "violence may be the only effective response" of outraged youth.

"George III was the symbol against which our founders made a revolution now considered bright and glorious," Douglas wrote. "George III had not crossed the seas to fasten a foreign yoke on us. George III and his dynasty had established and nurtured us and all that he did was by no means oppressive. But a vast restructuring of laws and institutions was necessary if the people were to be content. That restructuring was not forthcoming and there was revolution."

"We must realize that today's establishment is the new George III. Whether it will continue to adhere to his tactics, we do not know. If it does, the redress, honored in tradition, is also revolution."

Throughout his treatise Justice Douglas offers a justification for violence. He acknowledges violence has no constitutional sanction but says injustices may pile so high that violence is the only answer.

In other passages the Supreme Court justice advises American protesters to risk arrest because the police have no right to interfere with their freedom.

Douglas' book is a catalogue of the New Left's complaints against the American system. He reveals some information which sounds more like Georgetown dinner table talk than judicially established fact. In inveighing against the FBI and CIA, Douglas asserts that "certain hotels in Washington have allotments of rooms that are wired for sound and even contain two-way mirrors so that the occupants can be taped or filmed."

Every government conference room is assumed to be bugged, he asserts, and every embassy phone is an open transmitter. Justice Douglas does not reveal the source of this astonishing information, but it is recognizable as ordained fact in the circles in which the Supreme Court justice moves.

Few would be willing to quarrel with the right of a Supreme Court justice in his old age expressing his pet peeves about Washington even if they do fit the conventional stereotype of what Spiro Agnew calls the "limousine liberals." If Douglas wishes to exorcise the Pentagon, the military-industrial complex, FBI snooping, the Vietnam war, industrial personnel personality tests, and the affluent society, he is not without company.

The problem arises on the justification of violence and revolution by an associate justice of the U.S. Supreme Court, not merely campus sit-ins or wrestling with the police in Grant Park in Chicago, but violence intended to overthrow the government of the United States. Or, is that what Justice Douglas justifies? Is the "system," the "establishment" something different than the established order under law?

Justice Douglas concludes all by piously hoping that the revolution he is talking about will not be a repetition of 1776. The revolution that is coming, he says, will arise from "the search of youth for ways and means of making the machine—and the vast bureaucracy of the corporation state and of government that runs that machine—the servant of man."

Thus when Justice Douglas concludes his treatise he is not so high on the ramparts as in the middle passages when his high dudgeon eggs on you to violence. Then, having calmed down a bit, what bothers him is whether the "establishment"—whatever that is—will be wise enough not to use its "stockpile of arms" to suppress the dissenters, for he thinks that would bring on an awful ordeal.

Much of what Douglas has written is a summation of conventional liberal poppycock. It reflects the youth cult mentality which entrances the 71-year-old justice. This little black book may eventually take its place with the little red book, "Thoughts of Chairman Mao" in the sacred shrines of the young.

But right now the scratchy little volume has gone into the files of members of Congress who cannot quite work up a strong enough case to impeach Justice Douglas for his past association with a private foundation tied in with racketeers.

The Douglas impeachment move is not dead. Rep. Gerald R. Ford, Republican leader, still has this drastic action under consideration. "Points of Rebellion" is being added to the growing bill of particulars against a Supreme Court justice who would not stand a chance of reconfirmation in today's atmosphere.

#### LITHUANIA

### HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MURPHY of Illinois. Mr. Speaker, on this the 52d anniversary of Lithuania's rebirth of independence, it is appropriate that we Americans who have fought to maintain freedom in this country and throughout the world should recognize the bravery and determination of the Lithuanian people who have demonstrated that they, too, share these ideals.

These courageous people, despite the brutal occupation of their country by Nazi and Communist oppressors, have never forsaken their determination to win back their freedom. It is only proper that we Americans continue to take note

of their plight and make known to the world the terrible oppression and injustice under which they have labored.

The day is bound to come, Mr. Speaker, when Lithuania will tear down the walls of enslavement and once again regain her freedom.

#### CANCER—PROGRESS, PROBLEMS, ADEQUATE FUNDING URGENT

### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. DULSKI. Mr. Speaker, the 1970 national crusade for the National Cancer Society is underway.

The allout effort to solve cancer—both by prevention and treatment—has focused in important part on my home city of Buffalo, N.Y., where is located one of the world's most progressive cancer research centers: Roswell Park Memorial Institute.

Many, many man-hours of research have gone into the effort to solve cancer and much progress has been made. Many types of cancer are controllable today which were fatal only a few years ago. But much more needs to be done.

The National Institutes of Health has done yeoman work in supervising the research work which it has supported through grants and fellowships in addition to the financial support given by other sources, in particular the National Cancer Society.

#### DOES NOT WANT BLANK CHECK

Cancer research does not demand a blank check, but it does need ample funding.

I was interested in reading the transcript of closed-door testimony before the House Appropriations Subcommittee last year in which the director of the National Cancer Institute was asked about the Institute's ability to use a billion dollars in the current fiscal year instead of the amount requested.

The exchange by Dr. Kenneth M. Endicott with a member of the subcommittee, the gentleman from Kentucky (Mr. NATCHER), speaks for itself—page 221 of the hearings:

Mr. NATCHER. Mr. Chairman, would you yield at that point?

Dr. Endicott, in order for me to answer the question that the chairman just talked about a little better on the floor, just assuming now that we have the money to appropriate and in this bill we approved a billion dollars for the National Cancer Institute, what changes would you make not only in the number of grants but what changes would you make and how would you speed this up as far as time is concerned. What would you do with it?

Dr. ENDICOTT. Well, sir, first of all, one of our most serious limiting factors at the present time is the ability to construct facilities. The cancer research facilities around the country are pretty well filled. There is not very much room to crowd in more people and we don't have construction authority any more in the Cancer Institute. This is one of our serious limiting factors.

A second one is availability of a number of people. If you were to appropriate \$1 bil-

lion of 1-year money in the existing circumstances, I would probably have to lapse about something on the order of \$800 million of it.

Mr. NATCHER. In other words, you could not use any more than you are requesting now?

Dr. ENDICOTT. I could use more than I am requesting now, sir, because it is not \$200 million, it is \$184 million.

Mr. NATCHER. Approximately?

Dr. ENDICOTT. I couldn't in the existing circumstances. To appropriate \$1 billion on a 1-year basis would simply result in a lapsing of, I would say, perhaps \$800 million of it. I don't know exactly the amount.

Mr. NATCHER. Are we down to bricks and mortar? Is it a matter of structures? Hasn't this been one of the objections that we hear in the medical profession down through the years in regard to the amount that we have expended in cancer research—too much duplication, too much in buildings, too much in structures? Why not select outstanding people in existing facilities? Isn't that possible? I don't know, I am just asking this question. You know.

Dr. ENDICOTT. I would like to answer that by saying that I believe we have identified outstanding people in outstanding institutions and are supporting them, perhaps not supporting them as much as we should, but there are very few outstanding investigators interested in the cancer field, really outstanding ones not getting some support. There are other reasons why I said we would probably lapse that kind of money; that is, with attrition that is built into the Revenue Act, I have fewer and fewer people with which to mount new programs.

Mr. NATCHER. With \$1 billion—

Dr. ENDICOTT. You can only do so much with so many people.

Mr. NATCHER. With \$1 billion, instead of lapsing it couldn't you get people?

Dr. ENDICOTT. No.

Mr. NATCHER. Couldn't get them?

Dr. ENDICOTT. The attrition which is imposed by the Revenue and Expenditure Control Act—

Mr. NATCHER. We are going to forget that. Forget the Revenue and Expenditure Control Act. We don't have any hindrances of that type at all. You have \$1 billion.

Dr. ENDICOTT. I am impatient about the speed with which we are moving forward with the Lung Cancer Task Force. I have a group of experts and they have worked hard and met frequently to try to lay out a battery of biological and chemical tests. You appropriated funds for this effective July 1st. The committee has only just now come forward with enough specifications that we could invite contract proposals so that I will be lucky if I get the contracts let and the actual work started by the end of this year.

Cancer is a slow business. If one had \$1 billion without the 1-year part on it, then I could move up quite rapidly. The sudden injection of \$1 billion into the system under the present circumstances of 1-year money would, as I say, result in a lapsing of a substantial part of it.

Mr. NATCHER. If it were not 1-year money, Doctor, assuming it is not 1-year money and you had an additional \$1 billion, what would you do with it? "Here it is, Doctor. What are you going to do with it?"

The war in Vietnam will be over one of these days and our people will demand more in the field of cancer research and achievement.

Dr. ENDICOTT. There would be the following areas that I would concentrate on from the scientific standpoint. One, clearly would be virus. I would give this quite heavy emphasis. I would undertake a major expansion of the efforts in the field of chemical carcinogenesis. I would supplement the chemotherapy efforts but this would not require additions in terms of money that the other two do.

I would create a number of new cancer centers, especially in the South, the Middle West, and the Far West, and I would launch an intensive training program. These are the five main areas in which I would really push hard and then try to keep good basic research supported as it comes along. \* \* \*

Mr. Speaker, I commend the candor of Dr. Endicott. He said that he could use only a relatively small additional amount this year in addition to his budget request because of the limitations of manpower and equipment.

The progress which has been made in cancer research in recent years has been most gratifying. We should not let the work be interrupted where the funds obviously are being put to good use.

Mr. Speaker, the director of Roswell Park Memorial Institute, Dr. James T. Grace, Jr., offered an excellent up-to-date summary of cancer research efforts in a presentation recently to the National Cancer Society. Following is his informative text:

#### CANCER—PROGRESS AND PROBLEMS

(By Dr. James T. Grace, Jr.)

The decade of the sixties was a decade of *paradox* for cancer and other biomedical research.

By the mid-sixties research momentum was high—new important, relevant information was flowing from laboratories throughout the country—laboratory developments were being brought to the patient more rapidly—important, meaningful advances were being made in the care of the cancer patient—optimism among cancer investigators was rising steadily—then—down came the boom!

Cutbacks and restrictions of federal research funds came abruptly. These cuts exacted a heavy toll from cancer research in terms of loss of momentum, reduction of programs and loss of investigators.

One can only speculate about the toll of lives of future cancer patients. As I will discuss later, this federal research fund crunch is still with us and getting worse.

#### SOCIETY SOFTENS FEDERAL CUTBACKS

Fortunately the American Cancer Society was able to increase its support of research at the time of the federal cutbacks. Although the Society did not have the funds to make up the entire deficit, it was able to fill important gaps and generally soften the impact.

These funds helped to salvage valuable research programs that would have been completely lost otherwise. ACS support of research will be even more essential this year because of the continuing cutbacks of federal funds.

**Progress.**—The sixties saw the development of concepts of curability of types of cancer theretofore thought incurable. A good example is Hodgkin's Disease.

Prior to the sixties, Hodgkin's Disease was generally considered an incurable disease from its onset. Treatment was designed to control symptoms, not cure.

However, in the last few years it has become apparent that early Hodgkin's disease can be cured. With the present methods of treatment, more than one-half of the patients with early Hodgkin's Disease can anticipate cure.

#### LEUKEMIA IN CHILDREN

To those parents and families who have suffered the bitter anguish of a child with acute leukemia, the decade of the sixties left on a heartening note. The concept of curability of acute leukemia was born!

This concept grew out of a cooperative study of a large group of investigators in institutions around the country in which

they evaluated different methods of treatment of the disease.

The most recent modification of treatment, started in early 1968, shows more than 3/4 of the children living after two years. By projecting the curve to 5 years one predicts about 30% of the children will be living at 5 years.

A recent study of almost 200 children with acute leukemia surviving for long periods of time, 10–15 years, without disease indicates that roughly one-half of the children that go beyond 5 years are probably cured.

#### CURE RATE NOW 15 PERCENT

Thus, it is very possible that 15% of the children being treated today will be cured. A fifteen percent cure rate may not seem like much to shout about, but when one realizes that before the advent of the first leukemia drug, a little more than 20 years ago, all children died in a few weeks or months after diagnosis.

Knowledge from the sixties provides a solid base for an all out onslaught on acute leukemia—the killer of children. The many avenues of research must be pursued vigorously. This will require large new programs that cost money.

Another bright spot concerns a type of childhood cancer originally described in Africa but now found in other areas of the world as well, Burkitt lymphoma. This cancer is uniformly fatal when untreated and response to X-ray treatment poor.

However, a recent report indicated that 85–90% of children with early disease, and treated with drugs, had no disease 2 years later and required no further treatment.

It is probable that most if not all of these children are cured because if childhood cancer recurs after treatment it usually does so during the first 12 to 18 months after treatment. A disease free period of 2 years in children is ordinarily considered a probable cure of that cancer.

#### CURES FOR CHILDHOOD CANCER

Other forms of childhood cancer that were highly lethal with very low cure rates just a few years ago, are now being cured at much greater rates by combinations of such things as surgery, radiation and drugs.

Outstanding among these are a kind of cancer of the kidney known as Wilms' tumor, a highly virulent form of muscle cancer and a rare cancer of the eye. There are numerous other examples in which research progress is now being reflected in rising rates of cancer cure.

There is also a veritable mountain of exciting laboratory research whose potential in the control of human cancer has not yet been explored.

#### VIRUS SEARCH INTENSIFIED

The search for viruses that cause human cancer was greatly intensified during the sixties. This work has been difficult, expensive, and tedious. However, there is now considerable evidence that viruses may play a role in human malignant disease.

If these can be clearly pinned down as a cause of cancer (I think some will be in the next few years) this could have considerable practical importance. It should be possible to exploit this information, not only in cancer prevention but also in treatment.

Another exciting field of cancer research involves stimulation of the body's normal defenses against cancer. This has been done quite successfully with animal cancers and with beginning success in a limited number of human cases.

Many investigators feel that a combination of this approach with other established forms of treatment could substantially advance cancer control. Again all of these leads need rapid development and expansion to make them available to the cancer patient as soon as possible. This calls for large new research programs that cost money.

#### REGARDING FEDERAL FUNDING

More than one-half of the 1970 fiscal year has passed and the National Cancer Institute has been operating on an annual budget of \$172,977,000. This is \$11,976,000, less than fiscal '69. However, the final appropriation for 1970 has not yet passed Congress.

On July 31, 1969, the House of Representatives passed an appropriation of \$180,775,000 for the National Cancer Institute. On Wednesday, December 17, 1969, the Senate passed an amended bill which called for \$200,000,000 for the N. C. I., an increase of slightly more than \$19,000,000 over the House appropriation.

After passage of the Senate bill, it was sent to House-Senate Conference to settle the difference. The conference report was filed Saturday, December 20, resolving the N. C. I. appropriation at \$190,862,000. The House adopted the conference report on Monday, December 22.

The Senate declined to act on the conference report before the holiday adjournment because President Nixon sent a letter stating that he would veto it if passed by the Senate. If the Congress were not in session simple failure to sign within 10 days would constitute a veto. Some in the Congress believe that if they are in session they may be able to forestall or override the veto.

Regardless of what happens the bulk of the damage for this year has already occurred. Even if the bill were not vetoed, or if the veto were overridden, only about one-third of the fiscal year would remain for the increased level of expenditures. The other possibility is that the Executive Branch simply would not spend the money if appropriated.

(NOTE.—This speech was prepared prior to the Labor-HEW appropriation bill veto and Congressional failure to over-ride.)

#### NATIONAL PRIORITIES

It is apparent that there has been a shift in national priorities. Biomedical research simply has been moved down the list and I don't understand it!

There is—literally—nothing that will more surely improve the quality of American life than health research. Our only hope of really controlling devastating diseases and their enormous costs is through research. A cure for cancer would do more for our citizens than a thousand Regional Medical Programs—at a fraction of the cost—and it can only come through research.

#### SOME PRIORITY COMPARISONS

Cancer—will strike one out of four living Americans during their lifetime. Number one disease killer of children, costs Americans an estimated 15 billion dollars annually—with suffering and grief that cannot be measured.

The 173 million dollar budget is not much for a country in which 50,000,000 of its present citizens will get the disease.

The overall national budget for fiscal 1970 is \$192.9 billion—roughly equivalent to \$964 for every American now living. Of that amount, each American's share of the Vietnam war is \$125.

Each American's share of total defense outlays is \$395.

Each American's share of cancer research is 91 cents! I wonder if this reflects the American citizen's version of the nation's true priorities?

One billion dollars was poured into an atomic-powered airplane program—and 10 million dollars into a structure to hold it—to hold an airplane that was never built. This is seven times the current N.C.I. budget.

#### BIG INCREASE FOR ALLIANCE

President Nixon asked for 563.5 million for the Alliance for Progress in Latin America. That compares with a 1969 total of \$336 million. That increase—not the total budget amount, but just the increase—is 1 1/4 times

the total budget for cancer research. Is this a proper priority.

The 1970 budget for foreign aid rose sharply. Economic aid increased from \$1.3 billion in 1969 to \$2.3 billion in the 1970 budget. That increase—again, not the total budgeted amount, but just the increase—is almost six times greater than the National Cancer Institute budget.

It was estimated that a minimum of \$350,000,000 was spent last year for research on Chemical and Biological Warfare. This was almost double the amount spent for cancer research. Try explaining this to the young parents of the child with leukemia—or to the husband of the young mother with widespread breast cancer. They have serious questions about national priorities!

I think the people of this country do also. All of you—and the thousands of volunteers at home—and the many people who contribute to the American Cancer Society—I think this more accurately reflects the priorities of the nation.

The record \$60,000,000 given to the American Cancer Society in 1969 was, I believe, a reflection of the personal priorities of the American people.

#### A NATIONAL GOAL—CANCER CONTROL

I should like to urge all Americans to support cancer control as a major national goal of this decade just as a man on the moon was a national goal of the sixties. If this is done and if the appropriate commitment of national and voluntary resources is made, I predict that we can enter the decade of the eighties without the spectre of cancer hanging over our people.

What I am saying is that I believe control of cancer is an attainable goal of the seventies! This view is not mine alone, it is shared by other investigators in the cancer field.

Now what is the role of the ACS volunteer in all of this? The answer is simple—he has the most important task in the history of the Society! Reason—the ACS faces its greatest challenge ever because of the federal research funding crisis—and the volunteer is the backbone of the Society.

Never has the role of the volunteer been more vital than it is this year—yet never has he had the opportunity to make a greater personal impact on this miserable disease than he has now! And never have you—in your role as a volunteer leader—had a graver responsibility!

#### BIG DEMAND ON SOCIETY

Consider this—the ACS funded research grants totaling more than 20 million dollars last year. Yet because of the federal crisis there has been a heavy increase in applications for research funds.

The grim result—tragic results—is that there are now many hundreds of excellent research proposals—work vital to the cancer problem, that simply cannot be done because of a shortage of funds.

As I see it, the ACS through its volunteers, can play a major role in resolving the current research crisis—and in making the 70s the Decade of Hope for the cancer victim.

The ACS cannot expect to make up all the slack resulting from reduced federal support of cancer research. But there is a great opportunity for the ACS to convey the critical need to the people, and give them a chance to speak out and make their feelings known to their neighbors, friends and their government about what their real "national" priorities are. You, the ACS volunteer, can help them to express this.

#### DEMAND CAN BE HEARD

If an informed citizenry speaks out loudly enough and often enough it will be heard—and increased support of ACS and its research program will be tangible evidence of this concern and determination of the American people.

As you return home and start the crusade, you can tell your friends and neighbors and anyone else that the final chapter in the awful history of cancer *could* be written in the decade of the 70s.

You can tell them that the prospects, however, are sharply dimmed by present priorities of federal spending.

You can tell them that increased ACS support is imperative if cancer research is to weather this crisis.

You can tell them that the nation could provide no greater gift in the 70s than telling its 50 million citizens destined to get cancer in the future, "Don't Worry."

And finally, you can tell them for me that I was thrilled and awed by the magnificent space achievements of the 60's—but also add, that if I had my choice between a moon walk and the life of a single child with leukemia—I would never glance upward!

### INDIVIDUAL PRIVACY

## HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. McDONALD of Michigan. Mr. Speaker, for several years I have been most concerned about the growing threat to individual privacy posed by rapidly expanding public and private data collection operations. Congress first became aware of the ominous magnitude of this problem when it considered the establishment of a Federal data bank several years ago. Last year this issue was raised again during the debate on a bill to insure the confidentiality of information collected by the Census Bureau.

Recognizing the serious legal and personal problems that can be created by the collection and dissemination of statistical information, I have sponsored legislation to limit the number of census questions requiring mandatory answers and to prohibit the furnishing of mailing lists or other lists of names and addresses by Government agencies to the public. But to my deep interest in this matter, I was pleased to read the Time essay, "Personal Privacy Versus the Printout," which appeared in the February 16 issue of Time magazine. I feel it is a most thought-provoking article and I would like to share it with my colleagues:

#### PERSONAL PRIVACY VERSUS THE PRINTOUT

Except for the very rich, physical privacy is rapidly becoming an almost unobtainable luxury. In today's crowded cities, the paper-thin walls of offices and apartments expose not only the quarrels of modern man but even his yawns. He is observed by hidden cameras when he shops. This year, 12 million U.S. citizens will face the possibility of a \$100 fine and/or 60 days in jail if they refuse to answer certain questions about their income and job on the 1970 census. Although a developing body of law has begun to establish the rights and wrongs of wiretapping and bugging, modern technology provides Government agencies and others with ever more subtle and delicate means of surveillance. Legislatures and courts have hardly begun to deal with what may soon prove to be the greatest threat to man's "right to be let alone," as Louis Brandeis once described it. The threat is modern information-processing techniques, most notably that ubiquitous tool of post-industrial society, the computer.

#### MORAL CAPITAL

Political Scientist Alan F. Westin of Columbia University defines privacy as the right "to determine what information about ourselves we will share with others." In certain primitive tribes, people will not give their names to strangers for fear that they will thereby surrender part of themselves. Foolish as the custom may seem to modern man, it has a point: an individual's information about himself represents a large part of what Harvard Law Professor Charles Fried calls his "moral capital." Some of this information, by right and necessity, he wants to keep to himself. Some of it he will share with his family and friends, some he will admit—often willingly, often reluctantly—to the impersonal organizations he must deal with in daily life. Westin argues that an attack on a man's ability to control what is known about him represents a basic assault on his humanity; to the extent that it is successful, it limits his freedom to be himself.

What makes this trespass on self possible is the fact that a man's life today is largely defined and described by written records, many of which remain potentially available to outsiders. Schools take careful note of his intelligence and keep a detailed record of his academic achievement. His doctors have files on his health; his psychiatrist, if he has one, takes notes on his inner turmoil, his secret fears. Banks, credit-card companies and the Internal Revenue Service know almost everything about his income and financial status. Once he has ever served in the military or worked for a defense contractor, the Government knows a fair amount about his family and political associations. If he has moved recently, the storage companies have an inventory of his belongings. If he has ever been charged with a felony, the FBI probably has his fingerprints and often his photograph.

At present, much of this information is scattered over dozens of locations, divided among a host of different agencies. But what if, in the interests of national efficiency, the file keepers of the nation stored their separate masses of data in one gigantic computer bank? What if the recorded lives of millions of Americans were turned into an open book—or, more precisely, an open computer printout, available to anyone who knows how to punch the proper keys? That, in fact, is what may happen in the next few years. Four years ago, a Budget Bureau task force recommended that the Federal Government establish a National Data Center for the common use of its many agencies. Under this plan, the Government's 3 billion "person-records" that have been compiled by such agencies as the IRS and the FBI would be consolidated and computerized.

Although Congress so far has been cool to the federal data-bank idea, it has appropriated funds to help set up limited versions of it in several states; in California, for example, all of the state's records regarding social services such as welfare, medical care, rehabilitation and employment are scheduled to be computerized by 1973. The data-bank idea, moreover, has already been put into being by private business. The life insurance industry has cooperatively established a firm called the Medical Information Bureau, which operates from unlisted offices in five cities, and keeps files on 11 million people who have applied for life insurance. The files contain, among other things, information on the applicant's medical condition, travels, driving record, drinking habits, and even his extramarital affairs. The 2,200 credit-investigating firms that belong to Associated Credit Bureaus Inc., together have (and trade) information on 100 million people who have applied for credit in department stores and elsewhere.

#### AGE OF EXHIBITIONISM

Americans offer surprisingly little resistance to surrendering information about themselves. Giving up personal details is

regarded by most people as a fair trade for convenience. Shoppers who like the idea of buying something with checkbooks and credit cards can hardly expect to keep their financial resources or their spending habits a total secret. Even Hollywood's ageless glamour girls have to trade a birth date (although not necessarily the real one) for a passport. And convenient or not, almost everyone acknowledges the right of the Government to know a lot about its citizens.

Nonetheless, experts in the field of privacy fear that people have become much too indifferent about protecting personal facts that once were considered nobody's business. Crusading Washington Lawyer John Banzhaf III complains about the unseemly curiosity that investigators show in interviewing the acquaintances of prospective insurance and credit customers. Sample question: "Do you have any criticism of the character or morals of any member of the family?" But Banzhaf also puts part of the blame on an acquiescent public: "Isn't the consumer too willing to reveal personal details for a dubious credit advantage? Isn't there too little resistance to questions?"

In a sense, the modern willingness to surrender personal information may simply be another characteristic of an age that applauds exhibitionism and encourages communal experience. Patients who once confided their psychic secrets to an analyst in the privacy of his office now act out their problems and discuss them explicitly amidst group therapy. Among American Roman Catholics, private confession is gradually falling into disuse. Thousands of people have tried to escape from the impersonality of modern life by banding together in communes—a tribal form of society that rather drastically alters an individual's prospects of privacy.

That urbane pessimist, Henry Adams, believed that the dynamo in America had taken the place of medieval man's Virgin as the symbol of power; very possibly, the unblinking, all-knowing computer may come to serve as the moral equivalent of a god figure in a world society of electronic tribalism. Nevertheless, legal experts in the field fear that Americans, in their blithe acceptance of technological inevitability, have failed to consider the broader implications of allowing information about themselves to accumulate so easily. One result is that it is becoming harder and harder for people to escape from the mistakes of their past, to move in search of a second chance. The creation of a national data bank could make it virtually impossible. Worse still is the danger of misinformation. An item of information wrongly added or omitted from tomorrow's total-recall data banks might ruin a reputation in minutes. Government and industrial prying into political opinions could produce a generation of cowed conformists.

#### MORE THAN REGISTRARS

Columbia's Westin believes that one vital way to save Americans from becoming the victims of their own records is to create laws protecting a man's "data being" just as carefully as present statutes guard his physical being. He echoes authorities as far back as Blackstone in contending that "the greatest single legal safeguard to freedom has been the writ of habeas corpus." Westin suggests the creation of a "writ of habeas data," which would guarantee that personal information held by the authorities would see the light of a courtroom before it could be used.

At the very least, an individual should have the right to view publicly held information about himself and be allowed to correct errors in it. Technology's computer programmers are potentially far more than the ancient town registrars brought up to date. Before too long, some distant automated authority may know more about a citizen

than the citizen himself. Inevitable, perhaps. But it is an additional reason why modern man fights ever harder for some space inside himself to call his own, beyond the encroaching outside world.

### LITHUANIAN INDEPENDENCE DAY MARKS ANOTHER YEAR OF OP- PRESSION

#### HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HORTON. Mr. Speaker, we in America know what it is to fight for independence and to finally break free from a tyrannical hold. During February, Lithuanian Americans are commemorating Lithuanian Independence Day. This is a sad time because it recalls a people who have broken free and then became enslaved again.

If the Baltic States had not once tasted freedom and been recognized as an independent nation with the right of self-determination the grimness of being part of the Soviet Union would not seem as hard today.

Lithuanians are a proud and peaceful people who live on the shores of the Baltic. The Lithuanian state was composed of Lithuania, Latvia, and Estonia. More than 700 years ago, they were united into a state, and by the 15th century their nation extended from the Baltic to the Black Sea. However, by 1795, the Lithuanian Nation was taken over by Russia.

We in the United States, and all of the Western World, owe much to Lithuania for preserving our culture. One scholar has written the following:

The Lithuanians protected Europe against the Mongols and Tartars. They furnished a power and a government behind which the Eastern Slavs could live in peace and safety with a freedom that was unknown in Russia. They blessed their subjects with more human freedoms than in the neighboring countries. They encouraged education and tolerance, and they played a part in the general development of European civilization.

When Lithuania was annexed to Russia in 1795, the Russians began a policy of replacing the Lithuanian language and culture with Russian. But the Lithuanians resisted and remained faithful to their religion, language and traditions. The policy of forced Russification was abandoned in 1905.

During World War I, Lithuania was overrun by German and Russian armies. The defeat of Germany and the revolution in Russia was then favorable for Lithuanian independence. On February 16, 1918, Lithuania proclaimed herself an independent state.

The period of independence was a time of great achievements in agriculture, social legislation, education, literature, and music.

A land program was reformed with the result that Lithuania became a nation of small farmers. Prior to World War I, approximately 450 families owned 22 percent of all the land. By 1939, there were 335,720 farming units.

Industrialization also progressed. In 1913, there were 151 industrial plants with 6,603 employees. In 1939, there were 16,131 industrial enterprises.

In social legislation, Lithuania made progress with a labor control law, and the introduction of the 8-hour day. Grammar schools and high schools increased. In 1930, there were 1,173 grammar schools and in 1939 there were 2,328. Secondary schools increased from 40 in 1920 to 123 in 1927.

During World War II, Lithuania again became the battleground for Germany and Russia. The sad day came on August 3, 1940, when Lithuania was declared a republic of the U.S.S.R.

It is estimated that during this Soviet occupation, Lithuania lost 45,000 people. About 30,000 members of the Lithuanian intelligentsia were deported to Siberia, and 5,000 political prisoners were executed when the Soviet forces hastily retreated under German attack.

A few days after the German attack on the Soviet Union on June 22, 1941, Nazi forces overran Lithuania. The Germans inaugurated a colonization policy and several thousand German families were settled in Lithuania. Almost all Lithuanian Jews were executed by the Nazis.

When the Germans lost the war, Lithuania returned not to independence, but to Soviet domination.

News from the Baltic States has been very sparse since their incorporation into the Soviet Union. But even with Soviet occupation, the proud Lithuanian people have waged an intensive fight for freedom. Between 1944 and 1952, 30,000 freedom fighters lost their lives in organized resistance. Hundreds of thousands of others were imprisoned or driven to Siberia. Today, the Lithuanians continue their hope for freedom as individuals and as a nation.

Mr. Speaker, the United States has never recognized Lithuania's incorporation into the Soviet Union. On this 719th anniversary of the founding of the Lithuanian state, and 52d anniversary of the establishment of the Republic of Lithuania, it is important that we support the aspirations of Lithuanian people for self-determination.

We in the United States support their right to freely determine their political status. We support their right to the basic human freedoms which are now denied them under Soviet rule.

#### SILVER COINS

#### HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. McCLURE. Mr. Speaker, in commemoration of the visit of Pope Paul to Uganda last July, the Republic of Uganda has issued six silver coins in denominations ranging from 2 shillings to 30 shillings each. It is understood that approximately 15,000 of each coin will be produced.

Likewise, the Kingdom of Jordan has issued three commemorative silver coins in 1969 in the denominations of one-half, three-fourths, and 1 dinar. These coins are all 0.999 fineness and are available for sale through coin dealers.

The interest in silver coins is worldwide. They represent value and solvency elsewhere. To run to a cupronickel coin is a sign of weakness. I hope the House will reconsider its ill-advised position to authorize the issuance by the mint of only silverless coins.

**TENNESSEE VA HOSPITALS ARE SHORT OF FUNDS AND UNDERSTAFFED MEDICAL INTENSIVE CARE UNITS SUFFER**

**HON. OLIN E. TEAGUE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. TEAGUE of Texas. Mr. Speaker, Dr. Madison B. Brown, deputy director of the American Hospital Association, in testimony before the Subcommittee on Hospitals of the House Veterans' Affairs Committee pointed out last year the staffing disparity between nongovernmental general medical hospitals of 2.7 staff for each patient and the 1.5 ratio of staff to patients in the VA system. It is my belief that general medical and surgical hospitals in the VA should have at least two employees for each patient and a one for one ratio in VA psychiatric hospitals.

Mr. Speaker, funding and staffing policies in the VA medical system have not and are not keeping pace with the private sector. Although the Veterans' Administration has constructed many new intensive care and other special life-preserving and life-prolonging units for its hospitals, many are either understaffed or not staffed at all. A prime example of this exists at the Nashville VA hospital where the Director indicated to the Veterans' Affairs Committee in December 1969 that he was \$150,000 and 34 positions short to operate an eight bed surgical, a five bed medical, and a four bed intensive coronary care unit. In response to a further committee inquiry made in January 1970, the Nashville director stated, after receiving \$138,000 in additional funds from the VA Central Office of which \$28,000 was earmarked for other purposes—

We will be able to fill only future vacancies at a level which is 19 below our assigned full time positions.

He further stated—

It is not possible to open our completed intensive care units because of staffing, or add any additional personnel to other special medical programs.

If policies which result in this sort of a situation are not changed, the Veterans' Administration cannot deliver first class medical care to our Nation's veterans.

Mr. Speaker, the Veterans' Affairs Committee investigation of Tennessee Veterans' Administration hospitals in December 1969 revealed funding defi-

ciencies for fiscal year 1970 of over \$2.1 million to operate approximately 3,000 hospital beds serving 479,000 Tennessee veterans.

In Tennessee, the VA operates hospitals at Memphis, Mountain Home, Murfreesboro, and Nashville. A 1,280 bed domiciliary for homeless and chronically ill veterans is also located at Mountain Home.

Our investigation in December 1969 revealed that under the hospital staffing ratios which I advocate, Tennessee Veterans' Administration hospitals were approximately 1,100 positions short of needed staff. These extra positions would cost about \$10 million annually. A few of these positions would be difficult to fill at current VA salary rates, but most are recruitable.

Tennessee VA hospital directors also reported last December that community nursing care programs at their hospitals were underfunded in fiscal year 1970 by over \$600,000, and that more funds were needed approximating \$80,000 for fee basis dental care due primarily to increased workloads created by returning Vietnam veterans.

As of February 9, 1970, the Tennessee VA hospital directors had advised the Veterans' Affairs Committee that supplemental funds had been received in January 1970, to apply toward the reported deficiencies. A total of \$108,572 was provided for the community nursing care program which reduced the reported unfunded deficiency from \$624,388 to \$515,816. The VA hospital at Nashville reported that supplemental funds in the amount of \$5,250 were received to apply toward the reported \$80,000 backlog in the fee dental program. The hospital directors also reported that they had received approximately \$300,000 to alleviate shortages in personnel salary costs and other operations. The total supplemental allotment was \$413,822 for Tennessee VA hospitals. Of course these modest allocations are welcome but they do little to alleviate the serious problems confronting these hospitals.

In December 1969 the director of the 900 bed hospital at Memphis, Tenn., reported funding deficiencies of more than \$345,000 most of which was to support salary costs of personnel. Dr. J. W. Murdoch, Jr., hospital director, reported that he was approximately \$200,000 short in recurring salary funds and approximately \$50,000 short in other operations such as drugs, medical supplies, blood, and other recurring expenses. The remaining \$95,000 shortage was due to the diversion of approximately \$55,000 additional equipment funds and \$40,000 for nonrecurring maintenance and repair projects which would have to be deferred unless additional funding support was received.

Dr. Murdoch stated the Memphis hospital had begun fiscal year 1970, July 1, 1969, with 30 patients in the community nursing home program. Funding support for the fiscal year would provide for an average of approximately 20 during the year, Murdoch said the program was underfunded by approximately \$133,000. Murdoch estimated that the hospital could have provided for an average of

46 patients in the community nursing care program thus permitting earlier discharge of veterans who had obtained maximum hospital benefits.

Director Murdoch also reported that the specialized medical programs at the Memphis VA hospital were inadequate in scope or could not be implemented because of lack of sufficient employment ceiling or funding for fiscal year 1970. These included the open heart surgery program which required six more personnel at an annual cost of about \$48,000; the day-treatment center which required five more people at an annual cost of approximately \$77,000; and a specialized reference laboratory which needed two more full-time positions at a cost of approximately \$16,000.

To achieve minimal staffing ratio of two employees for each patient for general hospitals, Murdoch said the Memphis hospital would need approximately 375 more employees which would cost in excess of \$3.8 million annually. Most of these employees would be recruitable, however, some, including physicians and registered nurses, were reported as not recruitable at present salary scales.

In a subsequent report to the committee Dr. Murdoch said that supplemental funds in the amount of \$72,260 were received to apply toward his reported deficiencies. \$36,000 would be used to reduce deficiencies in recurring operating expenses such as drugs, \$30,000; medical supplies, \$4,000 and blood \$2,000. Murdoch said \$33,000 would be used to avoid staff reductions of three positions and the restoration of five positions vacated by attrition which had been frozen due to inadequate funds. Funds in the amount of \$2,260 was specifically restricted for use in the community nursing home care program and Murdoch reported the revised estimated fiscal year 1970 funding deficiency for this program would be \$131,086 rather than \$133,436.

Last December, Mr. G. R. Hiskey, Director of VA's 500 bed hospital and 1,280 bed domiciliary at Mountain Home, Tenn., reported his funding deficiencies during fiscal year 1970 at more than \$640,000. Hiskey stated that approximately \$400,000 was needed to support personnel salaries and approximately \$100,000 more was required for drugs, medicines, operating supplies, beneficiary travel, and other recurring expenses. Approximately \$140,000 of funds earmarked for new equipment and replacements as well as maintenance and repair projects was being diverted for use in salary accounts and other recurring expenses. Hiskey said:

The FY 1970 target allowance received was insufficient to provide adequate support for on duty staff even after using non-recurring funds for salaries.

The Mountain Home hospital director later advised the Committee on Veterans' Affairs that \$134,294 in supplemental funds had been received. Of this amount \$60,000 was allocated to alleviate the funding deficiencies in personnel salary costs. The remaining \$74,294 was restricted for use in the community nursing care program and would reduce the reported deficiency from \$216,547 to \$142,253.

In December of last year Dr. John T. Mason, Director of VA's large psychiatric hospital at Murfreesboro, Tenn., reported fiscal year 1970 funding deficiencies of almost \$600,000.

Dr. Mason said that planning for operational curtailments to maintain a solvent fiscal program within the funds made available for fiscal year 1970 included a reduction of beneficial travel, fee basis physicians, curtailing the incentive therapy program, linen replacement and purchase of additional and replacement equipment. He said that it would be necessary to delay filling of new positions and curtail all maintenance and repair projects under \$5,000 cost. Mason said the full-time permanent ceiling at the 1,000 bed hospital was cut from 763 in fiscal year 1969 to 758 in fiscal year 1970. Mason said:

We are unable to fill 10 positions due to limited funds and have only 748 full time permanent employees on duty at this time.

In reporting on the hospital's community nursing home care program, Dr. Mason said that funding support was inadequate and that \$92,750 additional could be used in this activity.

In order to achieve a minimal ratio of one employee for each psychiatric patient in fiscal year 1971 at the Murfreesboro hospital, Dr. Mason reported that 192 more full-time positions would be needed which would cost approximately \$1.4 million. Mason said the staffing ratio at the hospital was .6 employees to each patient as of September 30, 1969. While conceding that physicians and registered nurses would not be recruitable at present VA salary scales, Mason reported that most of the positions could be recruited.

Dr. Mason in his subsequent report to the committee stated that supplemental funds in the amount of \$69,268 had been received. He said:

The additional funds we received will permit a limited number of promotions and a conservative amount for our incentive awards program.

The personnel salary deficiency was reduced to \$467,079. Mason reported that of the total supplementary funds received \$9,268 was restricted for use in the community nursing home care program which permit maintenance of an average of four patients per month during the fiscal year.

In December 1969, Mr. Willis O. Underwood, Director of VA's 450-bed hospital in Nashville, reported a total funding deficiency in excess of \$500,000. Underwood reported his initial target allowance for fiscal year 1970 was not sufficient to cover personnel salary costs and that he had initiated action in July 1969 to delay filling of positions that he considered essential including one pathologist, one neurologist, one psychologist, and 16 nurses and nursing assistants. In addition he stated that specialized medical programs at the Nashville hospital were inadequate in scope or could not be implemented during fiscal year 1970 due to ceiling and funding limitations. These included an eight-bed surgical, five beds in medical, and four-bed coronary care units which required a total of 34 more positions at an annual cost of more than \$150,000. The cardiac catheterization

unit was listed as requiring one more position at \$7,000, the alcohol treatment unit was short seven positions at an annual cost of \$85,000 and the organ transplant program needed 15 more employees at a cost of \$176,000 annually. Underwood said:

We need to open our intensive care units. With a reduced budget, the only way we could get the personnel to staff them would be to close 2 wards, but with the largest patient demand in years, this is not a feasible alternative.

Director Underwood also listed a \$75,000 deficiency in the fee dental treatment program, a result of a large number of returning Vietnam veterans, and a deficiency in excess of \$181,000 for the community nursing care program. Underwood said:

Insufficient funds required that we discontinue outplacings nursing cases in October 1969.

He said additional funds would be required to support further outplacings.

The Nashville VA Hospital had a staffing ratio of 1.5 to each patient as of September 30, 1969. While conceding that physicians would not be recruitable at present VA salary scales, Director Underwood stated that most of the additional positions needed to achieve the minimal staffing ratio would be recruitable. These additional positions would cost about \$1.9 million.

In a subsequent report to the congressional committee, Hospital Director Underwood stated that he had received supplemental funds in the amount of \$138,000. Included in this amount were earmarked funds of \$22,750 for the community nursing home and \$5,250 for the fee dental backlog. He said the remaining funds would be applied to reduce deficiencies in drugs, other medical supplies, provisions, and prosthetic appliances. Underwood said that he was "not able to restore staffing already reduced as a result" of fiscal year 1970—funding. He stated:

We will be able to fill only future vacancies at a level which is 19 below the assigned full time positions.

He also said:

It is not possible to open our completed intensive care units because of staffing, or add any additional personnel to other special medical programs.

Mr. Speaker, the Veterans' Administration medical program must receive higher priority attention in future funding policies so that America's veterans receive the first-class medical care they deserve.

#### NEW SOVIET MAPS GIVE DISTORTION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. PUCINSKI. Mr. Speaker, the Soviet Union has become infamous for periodically rewriting their history to present to the world an infallible nation composed of infallible leaders, an ideal

that we in the Western World are supposed to rush to emulate so that we too can commiserate with the poor Soviet citizens in their peoples' paradise.

Now for the past few years the Soviets have been busy at work distorting their maps. There could be many reasons for this. Always preoccupied with their obsession for secrecy, maybe the Soviets have distorted their maps for security reasons. Or perhaps they want to extend their territorial limits to keep the fishing fleets of other nations away from their fishing grounds. Or maybe they just plain need more lebensraum.

For whatever their inscrutable reasons, I should like to place in the RECORD today an article which appeared recently in the New York Times discussing the Soviet Union's wily attempts to distort their geography.

I am calling attention of this article to my colleagues because it affords us yet one more example to Soviet perfidy and deception. There are those who continue to naively believe that somehow or other we can trust the motives of the Soviets when almost every day in one way or another we see that they work overtime at the art of deceiving the world.

How can anyone place any credence in the SALT talks or any other negotiations with the Soviets when we see example after example of their treachery and deception?

The article follows:

#### NEW SOVIET MAPS GIVE DISTORTION—NATIONAL SECURITY IS BELIEVED REASON FOR ALTERED FEATURES

WASHINGTON.—Government cartographers have discovered puzzling locational shifts in recent official atlases that seem to indicate distortion of the entire map of the Soviet Union for national security.

According to the specialists the Russian charts and atlases, once renowned for their standards of excellence, have been designed in the last few years to move coastlines, towns, rivers and other map features at random by as much as 25 miles in an apparent attempt at deception.

In one of the most unusual cases of such deformations, which have also been detected by West European analysts, a transport center in Western Russia was moved 10 miles from its true location on a lake shore, and converging railroad lines were twisted out of alignment to conform.

The possibility that the revised map locations are based on new surveys is ruled out by United States analysts on the ground that most of the Soviet Union, particularly the European section, had already been surveyed with a high degree of accuracy.

#### INFORMATION OMITTED

The Soviet authorities, reputed to be among the most security minded in the world, have traditionally omitted sensitive defense information from their published general maps and have altogether prohibited the dissemination of detailed topographic sheets.

A further tightening of security sometime after 1964 has now affected the published maps.

United States analysts say they wonder why the Russians should have undertaken an intricate program of distortion at what was evidently a heavy cost in time and money. If the intention was to mislead Western strategic planners in the guidance and targeting of intercontinental ballistic missiles, the Americans say, an expensive effort was wasted because the United States can use older, unaltered maps and modern techniques, pre-

sumably intelligence-gathering earth satellites, if necessary.

The speculation in Government circles is that the Soviet deception program may have been directed at another potential adversary, such as Communist China, with less advanced information and means to obtain it.

In the view of officials here the tightened Soviet map controls may have been prompted by what the Russians regarded as breaches of their security. These could have included high-altitude aerial photography by American U-2 planes, one of which was shot down in 1960, and information supplied by Oleg Penkovsky, a Soviet official who spied for the West and was tried and executed in Moscow in 1963.

#### DECISION BETWEEN '64 AND '67

The decision to alter the maps is believed to have been made some time between 1964, when the last Soviet atlas with true locations was printed, and 1967, when Moscow published the second edition of its World Atlas.

The first edition was regarded as one of the finest typographic products when it appeared in 1954. The maps of the Soviet Union in the second edition turned out to be distorted although foreign areas remained unchanged.

The distortion program involved two steps, according to Government analysts. The first was the scrapping of a well-known Soviet map projection, the network of geographical coordinate lines by which the earth's surface can be mapped.

#### RANDOM MISLOCATIONS

The map grid, called Kavraisky's Conic Projection, for its designer, was replaced by one that is unidentified and is unfamiliar to United States specialists. They contend that the new system is mathematically inconsistent and is not a true projection at all.

The second step is described as further deformation by random mislocation of map features with respect to the new grid. These small shifts, which would be of little practical significance to the casual map user, were detected by American and West European experts when they used a Soviet atlas in their own map compilation work.

Although the deformation effort is believed here to be inspired by security considerations, it affects not only strategic places but all parts of the Soviet Union, even to the most remote uninhabited areas of Siberia.

The mislocation of the West Russian rail town of Nevel is cited by the Government specialists as probably one of the most extreme cases. The town, together with the new grid system, was shifted 10 miles to the northwest, but for an unexplained reason the small lake on which Nevel is situated was not moved along with the other map features.

According to the analysts, the discovery of such discrepancies led to the detection of the entire series of map deformations.

### CRISIS FOR AEROSPACE WORKERS AND THE NATION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. BROWN of California. Mr. Speaker, now is the time to start thinking seriously about the impact of economic reconversion from a defense-oriented economy to a system more directed toward overall problem solving.

Reconversion can prove to be a difficult problem without proper planning. The fear of mass unemployment, of immediate recession, of zooming inflation—all these can quickly grip a nation which suddenly is confronted with the need to slow down its defense and related production.

Fortunately, a number of valuable proposals in this area already have been made at both Federal and State levels. I have introduced legislation calling for an economic reconversion commission, and similar measures have been authored in various State legislatures.

Recently, the Joint Committee on Economic Conversion of the California State Legislature held hearings on this issue, and one of the more detailed and impressive presentations was made by Mr. Paul Schrade, the western director of the United Auto and Aerospace Workers Union.

Mr. Schrade titled his testimony "Crisis for Aerospace Workers and the Nation," and because I believe that his ideas deserve greater attention, I am now inserting the testimony in the RECORD:

#### CRISIS FOR AEROSPACE WORKERS AND THE NATION

(Testimony of Paul Schrade, western director, United Auto and Aerospace Workers Union, before the Joint Committee on Economic Conversion of the California Legislature)

We feel that it is time to generate concern and action on the part of the decision-makers in the aerospace industry. Now, Mr. Rockwell, of North American Rockwell, understands this crisis. He said recently, "We have a recession in the aerospace industry." So, the corporate hierarchy at least knows the problem. Mr. Rockwell's job, and the jobs of people in the Pentagon and the military and the corporate hierarchies are not hurt by this crisis. Their pay goes on and it will probably increase.

Their profits will probably decline some but I don't know of any major aerospace company that has taken a loss since the beginning of World War II. The high profits of these corporations are guaranteed by public money. Aerospace workers are the ones to make the sacrifice because this industry has been traditionally an up-and-down industry. Workers are laid off without any notice and without care or concern about what happens to them afterwards.

We've been through this again and again. Before World War II employment was 63,000 in 1939, rose to a peak of 1,350,000 in 1943 and then was drastically reduced in 1946 to 240,000.

And there was a major cutback after the Korean War. And when the Navajo missile was cancelled in 1957, over 16,000 people were laid off without any notice.

In 1962, the Skybolt missile cancellation was another example of mass layoffs.

We find it very difficult as a union to bargain successfully as we bargain in the automobile industry. There has been no real, free collective bargaining in this industry. During wartime our no-strike pledge means that we are unable to use our full bargaining strength during the period of highest demand for the product our members build. During relative peacetime, bargaining strength is also curtailed because the government, the only customer of most of these large aerospace companies, says to the corporations, "Let them strike! You can deliver 60 days later or 120 days later," and their contracts are stretched out.

No corporation loses contracts as a result of strikes like GM would lose sales to Ford and

Chrysler. Workers, therefore, have always been up against it in the aerospace industry, and that's one reason why you can show a difference. Now that difference has narrowed in the past twenty years but you can still show a difference between what auto workers and aerospace workers make out of their collective bargaining efforts.

Now one of the other things I'm concerned about is that most of the people in this room are either on this committee or from our union. There is very little representation from the corporations and I understand that it was only with the greatest reluctance that you have one aerospace corporation representative testifying here today. This typifies the lack of concern about this problem, and the lack of concern about this as a state problem. I hope that this committee will pursue the corporate interests in this state and make them come up to the line and say what they're doing and what they're going to do in terms of business and jobs here in California.

I would suggest as my first proposal to this committee that they call a special hearing for the corporations and for the Defense Department and the Space Agency, in order to talk to them about prospects for future employment; what hopes there are for jobs; what conversion plans they have in the works to provide alternatives to laying off workers. I don't believe that the corporations should be allowed to take the fifth amendment on this crisis.

This crisis is something quite typical. The decision-makers in the Pentagon and the corporate headquarters show little concern for the human problems that Californians face.

Time after time people are laid off from this industry. For instance, after the Moon Shot a worker at North American Rockwell named Sidney Jimenez wound up in a Tastee Freez Drive-In restaurant in Brea. He was obviously a very skilled person. He was an instructor teaching Apollo astronauts how to operate the lunar lander.

This is the kind of human problem the industry, the Defense Department and the Space Agency doesn't really worry about. These kinds of things happen over and over. Even engineers of very high technical capacity are on layoff, looking for jobs, doing all kinds of things unrelated to their background and to their experience.

But this isn't the only way this kind of problem is handled. The Pentagon does it differently, particularly for its civilian employees.

There are many people who do the same kind of work as aerospace workers, who are employed by the Defense Department. Here's a welder, for example, who was laid off when a Naval base was closed. His name is Michael Montemura. He's 51. He said this to a Newsweek reporter:

"They say, 'the hell with us' and wipe us out with one stroke of the pen."

A shipfitter screamed, "Why didn't the ----- level with us before the election? This place is my life!"

A pipefitter, 63 years old said: "What's a guy my age going to do now? Who's going to hire me?"

Well, some of those people were hired. The Defense Department—for its civilian employees—has relocation, retraining and job guarantees, which the private corporations do not have for people doing the same work. And that should be investigated by this committee. What is good for one American working for the Defense Department should hold good for those people doing the same work for private corporations who are the major contractors for the Defense Department.

I want to specify the impact on workers here in California, and I'd like to cite North American Rockwell. It is one of the major aerospace corporations in the state. The production and skilled unit, which our union represents, is composed of 12,500 people. That

is a serious drop from the peak of nearly 30,000 in 1964.

In all of North American Rockwell's plants in Southern California, total employment in '64 was 90,000. It is now 48,000. 11,500 were laid off in 1969 alone. Five or six thousand more are projected for layoff by April of this year.

North American Rockwell is a merger of North American Aviation and Rockwell-Standard. There was great promise of diversification. Well, there is diversification. We've got Rockwell-Standard and North American Aviation together, and the commercial portion of it is still in Rockwell and the aerospace portion is still in the old North American Aviation plants and that is where the great decline is occurring.

There is very little prospect, very little hope for the workers at North American Rockwell who have been laid off in large numbers so far, and those who will be in 1970.

Adding to the problems at North American Rockwell, the loss of the F-15 contract—a new fighter for the Air Force—an eight billion dollar program, but probably much more than that if tradition follows, supposed to last for about ten years and employ at least 22,000 people. North American Rockwell recently lost an F-111 avionics contract, and is transferring its Sabreliner, a small commercial-private jet, to Oklahoma from Southern California.

There's some prospects for North American Rockwell with the new B-1 bomber, which could be a major program. There are some of us who believe that it is a pawn in the negotiations going on between the Soviet Union and the United States and will probably never be built. At least it is not being built, and no contract has yet been awarded.

In the commercial field, North American Rockwell is doing something. Most of its commercial production is in the Autonetics Division. It has some plans down the road for other commercial ventures. In the Autonetics Division, 1969 employment was 21,000, and has dropped by 1,000 already. In 1963, employment was 34,000. It has already been announced that 2,000 more will be laid off in the next few months.

The corporation tells that they will have 20 million dollars of commercial sales by September, 1970. Twenty million dollars represents 3.6 per cent of Autonetics' 1969 sales which were mostly for the space and defense agencies. This represents about 700 jobs. This 20,000,000 dollars in commercial sales, a major portion of North American's commercial business, represents about seven-tenths of one per cent of its present backlog of 3.15 billion dollars.

So much for North American Rockwell, which is one of the most serious examples of large cutbacks with few prospects for future employment.

In the Ryan plant in San Diego, which is part of Teledyne present employment in our bargaining unit of production and skilled people is 1,181, dropping from 2,042 in January, 1969 and a peak of about four thousand just a few years back.

The same thing holds true in the Bendix plants here in the Los Angeles area; it's true in the Norris Industries plant; it's true in Philco-Ford and Gilfillan and the other plants where we represent aerospace workers.

I believe these are startling examples of the employment decline that is taking place, and the problems workers are facing, with very little hope for the future.

Workers at McDonnell-Douglas in Long Beach are in a different situation because they are building, mainly, commercial jets; the DC-8, DC-9 and now the DC-10 which is a new ship that will probably fly for the first time early this fall.

Much of their work has been parceled out

to England, to Italy, to Canada, to the McDonnell-Douglas plant in St. Louis, and to other plants around the country.

Something has been happening in the airline industry which also must be taken into account along with the cutbacks in space and defense. The airline industry has "over-capacity". The president of TWA, just a couple of days ago, said, "In 1970 we may have jets sitting on the ground." "Traffic growth is almost non-existent." "We are now feeling the effects of a recession."

Compounding the problem of over-capacity is the new Boeing 747, which in terms of impact on this society is still something to be concerned about. The president of TWA said that the 747, that big, new jet, is about "5 or 10 years ahead of its time." So here we are with two pieces of the aerospace industry—both commercial and government—in very serious trouble.

In the Douglas Long Beach plant the prospects are for about 4,500 new jobs by the end of the year. This is one bright piece of news on the horizon. But even this increase in employment has been delayed by several months. The increase was supposed to begin early this year, but there are still layoffs taking place in the Long Beach plant, despite the introduction of DC-10 work. At the present time there are 12,000 people on layoff: 5,000 are collecting Supplemental Unemployment Benefits from our programs there.

So here we are with a prospect of 4,500 new jobs at McDonnell-Douglas, yet the projection of total employment there is from 39,000 people now, to 40,000 by the end of 1970. The 4,500 jobs are practically wiped out with a net increase of only 1,000 during the entire year.

There's going to be a further decline in defense and space employment at Douglas as well.

Currently, the absorption of people laid off from these corporations is going to be far less than it was. Many people were re-employed in other work in past cutbacks, sometimes in other aerospace work, sometimes at Tastee Freez Drive-Ins. Or sometimes they moved around the Southern California area and found no work at all.

It can be shown now that more people are going to remain unemployed for longer periods of time. Not only because of aerospace cutbacks and in commercial airliner production, but also because the Nixon economic policies are forcing unemployment on people in this country. The slowing down of the economy is going to mean more unemployment because it's planned that way. It's a deliberate policy of the Nixon Administration, and Congress seems to be going along with it.

If we were in a period of economic growth, many of these people would be absorbed into other jobs. But we're not. We are in a period of deliberate economic slowdown as a policy of this administration. So, with the slowdown in aerospace and in commercial airliner production, all the prospects that we had last fall for plenty of jobs, and plenty of production, have been destroyed by the Defense Department cutbacks, by NASA's cutbacks in the space program, by airline overcapacity, by the loss of the F-15, and by the Nixon slowdown.

There was an announcement by Secretary Laird right here in Los Angeles on January 15, of a 10 billion dollar cut in the defense budget. That kind of wipe-out is like wiping out half of General Motors sales for a year, or all of General Electric's production. All this with one wave of the hand of the Secretary of Defense.

At NASA, the decline has been continuous since 1965; 50,000 more people are supposed to be cut in 1970. So if you read the Los Angeles Times want-ads and you've got a Bachelor of Science degree or a Ph.D., you

may get a job. But fewer and fewer jobs are being offered for production workers and skilled workers in this industry.

In addition to all of these problems, the government is now projecting a 200,000 to 300,000 troop cut. This means that more of our men are coming from overseas bases and from Vietnam back to work, if they can find work. But many of them will not. This, along with what has been happening to the economy is going to create greater and greater problems. Those of us who live in or near large cities have some understanding of the explosive consequences of these problems.

And I think we ought to take a look, too, at what's happening with the hard-core unemployed, because the aerospace industry has been trying to do something about employing them on their first job.

The automobile industry was also a leader in employing hard-core unemployed. But these people are laid off first and they can then not qualify again if they worked over four months.

The Chrysler Corporation has been one of the best corporations for hiring hard-core unemployed. We have been working with them on that. They are now meeting with agencies in Washington to get out of their contract to hire hard-core unemployed.

So, when you take large numbers coming back from overseas, with no work prospects, when people are being laid off, particularly the hard-core unemployed who are younger and have had very little work experience, the explosive kind of social situation that this creates is too much to imagine.

On the positive side of this, the UAW has tried for many, many years to push for conversion programming. Before World War II, Walter Reuther, the president of our union, proposed that we convert auto plants for mass production of aircraft. This was opposed by the automobile industry. But Franklin Delano Roosevelt forced the automobile industry to convert its plants to aircraft and it was done.

We are ready to do these kinds of things. The government is willing to do them as long as it is for war materials. But for peacetime you find nobody really doing anything—either government or corporations—about projecting jobs and production for people's needs.

We've raised these things with management, but the management always says, "Look, under law we have the right to manage. We have the right to decide the product, plant, and so forth and therefore you can't bargain on this. You can't really press us on this."

And we can't, legally, although we try. And here again, this is the attitude that's generally expressed by every corporation. So in converting auto plants to aircraft for war, Walter Reuther then, following the end of World War II, presented proposals to the government and to the industries to convert aircraft plants into mass production of housing. If we had done that maybe we would not have the housing crisis today. The fact is, most people in this country can't even afford the housing that's on the market. So, here again we have tried to come up with constructive proposals to the government as well as to the corporations.

We supported your bill, Mr. Chairman. We supported and still support the McGovern Commission Bill which is still before the United States Senate, and we've done everything we could do as well as to try to slow down the arms race and to end the Vietnam War. You've been given a new conversion proposal that President Walter Reuther presented to the United States Senate on December 1 and it has great merit. I just want to highlight it because it's a plan that makes sense but I also want you to recognize that it probably will not get very far because the United States Senate is under

the domination and influence of the Defense Department.

So, we have the proposal that's been made on behalf of the UAW for a fixed part of the defense corporations profit, say about 25%, to be set aside for a conversion reserve fund held by the federal government. This money would be used for conversion payments to workers laid off, down-graded or put on short work weeks by defense cutbacks. And it would also serve to protect retirement benefits as well as hospital, surgical-medical and life insurance benefits. This money would also be available for defense contractors who plan for conversion but not unless they do.

So I would summarize my proposals to you as wrapped up with the conversion plan submitted by UAW President Reuther to the Senate. I would urge upon you a special hearing for the corporations, the Defense Department and NASA to find out what they're doing and what they plan to do. And I also would hope that you would give consideration for State Government to guarantee income through unlimited unemployment compensation until there is retraining, relocation of laid off aerospace workers and guaranteed jobs.

The Defense Department does this, and I don't see why the corporations with the state and federal government can't do that. And as I pointed out before, the aerospace corporations' and Pentagon hierarchies have that kind of protection themselves. I also hope that we would urge both the federal government and the corporations to set up a research and development fund for conversion because there is very little money spent if any for this kind of work. This is typical of the aerospace industry. It is typical of the automobile industry, too, which is spending very little on providing ways to provide safe cars or smog-proof engines.

Now there are many conversion programs and many things that can be done by this industry. The resources are there in the science and technology and skilled manpower and womanpower. But along with many ideas there has been little performance and very few successes in commercial production.

The state could provide research and development money for a better automobile engine, one that will not poison the air. It could do something about designing and building mass transit systems.

There is no reason why these corporations can't mass produce housing which is so vitally needed, of quality and at low cost. I would also hope that you would give consideration to proposals made by John Kenneth Galbraith; that these corporations should be made into public corporations. There is no reason why private contractors should be making a profit on war or on defense systems or on space programs at all. This has not always been the history of this country. Much of the arms production prior to World War II was built in federally-owned arsenals. There is no reason why these corporations can't be public corporations and under the control of government.

I hope this will be our future because these corporations have shown themselves as irresponsible in terms of workers' welfare; they have over-produced; they have manufactured unnecessary military equipment for the government; they've boggled many, many jobs but at the same time provided us with some very good and necessary things.

But because of the defense industry's performance I think the Galbraith proposal should be looked at very seriously. I hope that this committee will take a look at what this industry can do and particularly what it should be doing now and in the future.

It has all the resources needed for carrying on conversion and building the things that people need in peacetime. But it's geared for wartime. It's geared for high profits. It's geared for high costs.

And therefore it's going to be difficult to get them to do it on their own. They're going to have to be forced to do this by government. The government, as the responsible agency of the people of this state has the responsibility of calling the corporations to task on conversion, because if it's not done by government it will not be done at all.

Thank you very much.

#### MOILIILI—AN AMERICAN SUCCESS STORY OF COMMUNITY SERVICE

### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MATSUNAGA. Mr. Speaker, I wish to call the attention of this Congress and of this Nation to a great success story of community service rendered by a group of service-minded citizens. The entire city of Honolulu, Hawaii, is joining with pride in the celebration of the Moliili Community Center's 25th year of service.

Moliili is a residential area located about one-half mile south of the University of Hawaii. The Moliili Community Association was incorporated under State laws as a nondenominational, non-profit organization in 1945; however, the center's history dates back to the early 1900's when it was originally built by Japanese immigrants as a school to help preserve the Japanese language and culture.

Today's members are the direct beneficiaries of that older generation whose vision kept Moliili Community Center alive and nourished its hopes as a center to afford opportunities for each individual to find and develop his maximum potential.

Out of the dust of a long-gone rock quarry, once a Moliili landmark, has risen a center whose social and cultural programs have proved to be dynamic elements in the development of the Moliili community and indeed of the entire city of Honolulu.

This record of accomplishment has been achieved in great part under the able leadership of the community center's present executive director, Samuel Cox, and its first president Kinji Kanazawa.

Last month the Honolulu Star-Bulletin featured an article which set forth the goals of the Moliili Community Center—goals which go far beyond those of most community associations, as follows:

To afford opportunities for each individual to find and develop his maximum potential for a satisfying life in home, neighborhood, community and nation.

To enhance the social well-being of families and individuals.

To afford opportunities for the appreciation of cultural heritage and crosscultural understanding of Hawaii's diverse ethnic traditions and language as valuable cultural assets for the whole community.

To act as an instrument for the cultivation of citizenry in the community and to develop representative planning for the general residents of the community.

Attorney Kinji Kanazawa, who was the center's first president, commented:

The ultimate goal has always been to bring people of different backgrounds to a common medium of understanding. If we can accomplish that, we have it made. Service is a by-product.

In order that my colleagues may read the inspiring Honolulu Star-Bulletin article of January 24, 1970, "25 Years of Community Service in Moliili," I take pleasure in submitting it for inclusion in the RECORD:

#### TWENTY-FIVE YEARS OF COMMUNITY SERVICE IN MOILIILI

They're having a 25th birthday celebration today at 2535 S. King St. in Moliili.

People who live in Kaimuki, Kahala and beyond may have passed the spot a thousand times and never have noticed the sign that says "Moliili Community Center," and few have ever stopped for a close inspection of the rambling group of old wooden buildings that are the center's home.

The buildings scarcely rate a second glance. But what goes on in and around them is noteworthy . . . has been so for the last quarter century . . . and continues today.

Ukuleles strum in off-beat pulses in young untrained hands. Quiet classes are in progress. There's the infectious laughter of kids at play.

And the community's senior citizens make themselves comfortable and pass the time of day.

The busy youngsters may not realize it, but many of the oldsters who share the center with them had a great deal to do with nursing the organization through its infant years and into healthy, productive adulthood today.

It's the older generation that contributed the sustaining grit that has cemented the multi-racial Moliili community together at the center.

The face and the address of the Moliili Community Center has not changed the past quarter of a century.

Its leadership is different today—as it celebrates its 25th anniversary—and its purpose has been broadened.

The character very likely will never change as long as the building stands.

The center, originally built by Japanese immigrants in the early 1900's as a language school, is housed in the same structure.

#### HISTORICAL BACKGROUND

"That property has a very historical background," said Kinji Kanazawa, who was the Moliili Community Association's first president and held that position until 1948.

"It was acquired by my parents and other parents in Moliili to build the school to help preserve the Japanese language and culture."

The community center is one of three on Oahu that get support from the Aloha United Fund. But the Moliili Center has survived with only relatively modest help from the Fund—about one-third of a cent from each dollar's contribution, or only \$15,182 in 1969.

It is today as it always has been with the old building and the activities which it houses—the people of Moliili won't let it die.

#### KA MOILIILI COUNCIL

The forerunner of the Moliili Community Center was the Ka Moliili Council, established one month after the Japanese attack on Pearl Harbor to consolidate and support the predominantly Japanese Moliili community.

In 1943, the Moliili Japanese Language School trustees, afraid that the government would confiscate the school, made arrangements to transfer the property and its assets to the council.

"The trustees and the Ka Moliili Council felt that the school property represented an investment of the community and that it should remain in the community," Kanazawa said.

"That is why we developed the center to meet the leisure time needs of the community.

"The council started youth programs such as dances, 4-H clubs and athletic teams. We even initiated a branch library right on the center grounds with books for all ages and old Japanese games that the older men could enjoy."

#### BECOMES AN ASSOCIATION

As the breadth of its social service and coordinating function increased, the council made plans to become an association.

In 1945 the Mollihill Community Association was incorporated under State laws as a non-denominational, non-profit organization.

"For the most part the community supports the center itself through donations, membership fees, class registration fees, and money raising projects," explained Samuel Cox, executive director of the center.

The budget, which according to Cox was nearly \$90,000 last year, goes to help the Mollihill Community Center reach goals it sets for itself.

#### AMBITIOUS GOALS FORMULATED

The goals are ambitious and go far beyond those of most community associations. They are:

To afford opportunities for each individual to find and develop his maximum potential for a satisfying life in home, neighborhood, community and nation.

To enhance the social well-being of families and individuals.

To afford opportunities for the appreciation of cultural heritage and cross-cultural understanding of Hawaii's diverse ethnic traditions and language as valuable cultural assets for the whole community.

To act as an instrument for the cultivation of citizenry in the community and to develop representative planning for the general residents of the community.

"The ultimate goal," said Kanazawa, "has always been to bring people of different backgrounds to a common medium of understanding.

"If we can accomplish that, we have it made. Service is a by-product."

#### EVIDENCE OF ACHIEVEMENT

And there's solid evidence that the goals are being reached.

Working mothers can enroll their elementary age children in an after-school care program.

Walking escort service is provided from the Kuhio and Ala Wai Elementary Schools to the center. And a balanced program of play and interest classes is provided from 2:30 to 5:30 p.m.

Youngsters attend classes in ukulele, arts, aikido, kendo, judo, and ethnic dance classes and study Japanese, Chinese and Hawaiian language and culture.

All classes are supervised by qualified teachers.

If the pre-school youths need all-day supervision, mothers can enroll them in a recreational program that includes swimming and other sports, drama, and reading plus cultural enrichment.

For children with emotional problems, the center provides school counselor and child-and-family agency referral services.

#### PROGRAM FOR TEEN-AGERS

Energetic teen-agers have dances, outreach programs, referral services, recreational facilities and interest classes.

The center is keeping abreast of some of the teen-agers' new-found problems:

"We are starting to put a lot of emphasis on social work," said Cox, "especially the 'hard to reach' teens and glue sniffers and drug takers."

For adults there is a variety of cultural and social activities. These include cooking classes, Japanese folk dance, flower arrangements, calligraphy, karate and painting.

And for adults who want to lend a community hand, there are many service groups affiliated with the center.

#### OLD-TIMERS MAKE VISITS

Senior citizens are encouraged to drop-in daily—and many of them have been doing so for years.

"Some of the people who originally helped purchase the land for the Japanese school are still coming around," says Cox.

Immigrants are offered English and citizenship classes and occasional parties and excursions are planned for them. As Cox puts it:

"This helps them to better adjust and fit into the community stream."

Group counseling for the chronically unemployed is also offered through the Vocational Rehabilitation Agency.

All organizations, clubs, and scouting groups can, for a minimal cost, use the center's facilities as a meeting place.

#### ROLE IN COMMUNITY

The center cooperates through joint sponsorship and use of its equipment, buildings and grounds with other organizations to provide traditional community events, such as parades, picnics and dances.

Taking an active leadership role in studying community problems, like traffic safety, housing, and recreational needs and bringing them to the attention of the residents is another way the center serves.

"We have at times had meetings so residents could air their opinions and form groups to talk to City officials about problems," Cox said.

Kanazawa can recall some of those meetings that took place in the old days.

"We had many meetings trying to figure out how to get rid of the red dust from the quarry that covered trees and houses and got in our food," he said. "People are talking about ecology today, but we were the first to talk about dust control."

#### ROADS WERE SPRAYED

The efforts of the Mollihill residents resulted in the roads being sprayed and oiled and a mechanism being developed to spray the atmosphere as the rock was crushed.

"That is why we named the center's newsletter 'The Quarry Dust,'" said Kanazawa.

The determination that settled the dust is an inherent part of the Mollihill Community Center.

Its supporters sense—even if they never say it—that no one can help one as much as one's self.

### THE HONORABLE JOSEPH P. ROSTENKOWSKI

### HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MURPHY of Illinois. Mr. Speaker, it was with sorrow that I learned of the death of the Honorable Joseph P. Rostenkowski, father of our distinguished colleague, Congressman DANIEL ROSTENKOWSKI, who represents the Eighth Congressional District of Illinois.

It was my pleasure to serve with Joseph Rostenkowski in various categories of public life. For over 20 years, from 1935 to 1955, I represented the 17th ward and Joseph Rostenkowski represented the 32d ward in the Chicago City Council. We served together from 1944 to 1955 on the rules committee, which was the executive committee of the Chicago City Council. From 1940 to 1960 Joseph Rostenkowski and I were members of the Democratic

Central Committee of Cook County, Ill. We also served together as delegates to the Democratic National Conventions in 1944, 1948, and 1952.

In 1960 Joseph Rostenkowski resigned as Democratic committeeman of the 32d ward and was appointed by President John F. Kennedy as collector of customs of the Port of Chicago. Throughout his career Joseph Rostenkowski served his country, his State, and his country with dedication and devotion.

Mrs. Murphy joins me in extending to his daughters, Marcia and Gladys, and his son, DAN, our heartfelt sympathy.

#### DEVELOPING TRANSPORTATION FOR THE SEVENTIES

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. JACOBS. Mr. Speaker, I insert the following as an example of industrial statesmanship:

#### DEVELOPING TRANSPORTATION FOR THE SEVENTIES

(Presentation by Richard B. Stoner, vice chairman of the board, Cummins Engine Co., Inc., Columbus, Ind.)

I wonder how many of you saw a full-page advertisement that appeared in the "News in Review" section of the New York Times on January 18? It was headed "April 22: Earth Day." It said "A disease has infected our country. It has brought fog to Yosemite, dumped garbage in the Hudson, sprayed DDT in our food, and left our cities in decay. Its carrier is man."

Sponsor of that ad is an organization called "The Environmental Teach-In" which says April 22 "is a day to challenge the corporate and governmental leaders who promise change but who shortchange the necessary programs."

A few days earlier, on January 13, the Times carried a report issued by Mayor Lindsay's task force on noise control. Let me summarize one portion.

One of the first moves will be against truck and construction equipment noise. As for trucks, attempts will be made to lower 88-decibel limit the State of New York now prescribes.

The report says anything about 85 decibels is where injury begins; and California, the leader in sociability standards, has already set standards for 1973 at 86 decibels.

Do you know whom both the ad and the report are talking about?

They are talking about us!

And we had better listen!

And . . . we had better take action!

Our industry is either going to fulfill its moral obligation to lead the way in minimizing the threat of air, water, waste, and noise pollution in this decade or the people, led by our youth, will force the government to enact legislation which requires us to do the job we will not do ourselves.

All of industry is about to be caught again with an inadequate response to those problems that affect the human environment—health, hunger, security, to name three.

For most of us who have operated effectively with the clear economic goal of producing a competitive product at the lowest possible cost, a new phrase—sociability—is about to become the planning "goal" of the 1970's. Never before has this country entered a new decade with such a clear-cut technological challenge. We must clean up our environment.

So, remember that word, "sociability." It means making our products, our industry, our company, or plant operate in such a manner that it is acceptable to the public—that it is not too noisy; that it is not unhealthy; that it does not emit offensive odors; and that it does not sting the eyes.

Sociability has real meaning to us today as we recognize that stopping pollution is the number one technological challenge to the transportation industry in this decade.

This is the thesis of my remarks today because transportation vehicles are the number one contributor to air, noise, and esthetic decay. Emissions from vehicles make up over half of the contamination in the air over the United States. To a great extent, our success in cleaning up our products will determine the improvement in environmental quality throughout the country. The 100 million automobiles, trucks, and buses on America's highways spew more than 66 million tons of carbon monoxide, one million tons of sulfur oxides, six million tons of oxides of nitrogen, 12 million tons of hydrocarbons, and one million tons of particulates annually into the air we breathe.

In addition, the smoke, dirty water, and industrial wastes from our production facilities, our foundries, and even our office complexes are tainting the air we breathe, the water we drink, and the sources of food we eat.

Admittedly, pollution has been with us as long as time itself. The American Indian had little need to be concerned about the polluting effects of his smoke signals. But, as population has increased, as we have become technologically more sophisticated, as consumers have demanded more convenience products in nonreturnable containers, and more powerful engines, and as we have moved together into huge urban areas, man has emerged as a threat to his own environment.

The transportation industry has responded to pollution about as well, but no better, than all of industry. Until just a few years ago, we were not greatly concerned with engine exhaust emissions. The problem was concentrated primarily in a few highly populated industrialized areas.

Then, California's smog problems became so great the State government was forced to issue the first automobile exhaust emission standards. If you will recall, the industry and general public reaction was less than enthusiastic. We protested costs would be too high, the time requirements were too short, and the standards were impossible to achieve. Yet, today, we are rushing ahead, successfully I might add, to meet the latest Federal standards which until recently we also had criticized as too costly, too restrictive in time to achieve, and, yes, even impossible to achieve.

The latest Federal or State of California standard became our next target. And, this is why the transportation industry has not solved its pollution problem. Our goal must become the reduction of engine emissions and noise to the lowest possible level which technology will permit.

Our technical staff at Cummins is confident the technology can be developed and applied within this decade which will eliminate the problems of internal combustion engine emissions and noise in environmental quality. We can achieve this goal if our industry is prepared to commit itself to solving the problem. Dramatic improvements must and will be made in the next two to three years.

The emission control effort will be massively expensive. The many millions already committed to the program by the automotive industry will seem almost insignificant when the total cost is added up.

And, all of us will pay. Increased costs will not stop with the manufacturer. Equipment purchasers and finally the ultimate consumer will feel the cost of the emission

control effort. This is not because manufacturing costs will be passed along in their entirety. It is primarily because high horsepower-to-weight ratios and high engine performance and low emissions are not necessarily compatible according to our present understanding of the state of the art.

Where we have historically emphasized high horsepower engines to pull heavier loads and lighter, smaller engines to permit more freight to be hauled, we now may be talking about bigger engines with lower horsepower. This could require more trucks to haul the same amount of produce; consequently, higher freight charges to keep trucking profitable and, thus, more costs to the consumer. I choose this illustration to point up the inescapable fact that all of us—producers and consumers alike—will share in the added cost of emission controls.

#### WHAT MUST BE DONE?

Somehow out of today's rhetoric must come not just governmental pledges, nor industry programs, but a national commitment to improve environmental quality. Most of us as consumers will have to change our life style. Protection of our environment must become a personal cause of highest magnitude in the everyday lives of tens of millions of Americans. President Nixon in his state of the Union address said, "Each individual must enlist if this fight is to be won . . . it is time for those who make massive demands on society to make some minimal demands on themselves."

In this growing effort Government can provide guidelines and help define priorities, but it is those us in industry who must take on the leadership role and commit, now today, both our human and financial resources to guarantee, as the President has requested, that: "Clean air, clean water, open spaces—these should once again be the birthright of every American." Surely, if we have the brainpower and resources to put a man on the moon in the short span of ten years, we can bring our environmental violations into tolerable limits within a similar time span.

#### INDUSTRY'S ROLE

There is a jarring truth to Newsweek's statement that "until a few years ago, fighting pollution ranked somewhere below giving to charity on the list of corporate priorities." We have this black eye because we have not led in the control of pollution. And, we have not given sufficient attention to the harm our manufacturing plants and products are having on the quality of our environment.

There is, however, a growing movement among responsible industrialists; and, if the effort can be expanded and maintained, I am confident we can have clean air, pure water, and decent living conditions for all people.

As a first step in industry's commitment, all of us must take whatever action is necessary to stop noise, air, water, and waste pollution resulting from our manufacturing processes. The technology is available and it must be put to work. The cost will be enormous and it is likely that some industries will need governmental assistance and incentives. Unfortunately, some enterprises will not survive, but that is a necessary cost.

Second, sociability must become a priority design criterion in planning all new products, plants, and services.

Third, those of us who produce products that pollute must modify present product lines so they are as emission-free as society requires. Products which cannot be modified, must be abandoned and replaced by new ones with a high sociability factor. Cost considerations must be secondary to health and safety.

Fourth, industry-wide cooperation in reducing pollution must override competitive considerations. I am pleased to be able to tell you that cooperative studies to develop meaningful test procedures to measure emissions from diesel engines are underway

through the Engine Manufacturers' Association and in conjunction with the State of California. I will be gratified if the association can go to Washington with a recommendation that stricter standards be applied. This will be the kind of positive leadership our industry should provide.

Fifth, industry must fund more basic research to develop new technologies which go beyond those presently known. We have great faith in the adaptability of the internal combustion engine. It has served man well over the years; and, if we are as creative in making social improvements as we have been in improving its efficiency, we can extend its useful life for years to come.

However, and this is very important, if the technology cannot be found, we must be prepared in fact to bury our old friend (as University of Minnesota students did recently at a campus demonstration when they buried a gasoline automobile engine) and replace it with a new, less offensive power plant. Presidential science adviser Dr. Lee A. DuBridge cautions that "such a power plant, however, has not yet been invented, or at least has not yet proven to be reliable, economical, or capable of the high performance required."

#### GOVERNMENT'S ROLE

Government's primary role is to make pollution a priority public issue of our decade and to provide incentives and, where necessary, requirements for industry to meet its responsibilities to eliminate pollution as a threat to the Nation's survival.

This role should be implemented as follows. First, economic incentives should be devised that encourage all industries, large and small, to accelerate their anti-pollution efforts—the idea being to make normal economic factors provide the Nation with the direction so urgently needed in the conservation task ahead of us.

Second, we would also favor the establishment of a Federal program of penalties for those who pollute, whether it be the producer or the end user, if he is at fault. Income from a pollution tax could be used to fund research, pollution control devices, and purification systems for the good of the entire community. Senator Proxmire has introduced a bill that would levy a Federal "efficiency fee" of 10 cents per pound for industrial wastes emitted into the Nation's rivers. A similar fee system could be developed for engines with emissions measured at the time of annual licensing and a punitive fee schedule used for emissions of various kinds. When the consumer realizes it costs him more to own a product that pollutes or he will be fined if he deactivates the emission control device on his engine, he will demand and maintain a clean product.

Third, we recommend the Government reallocate present funds earmarked for development of low-emission engines into more productive channels. Industry has the proper economic incentives to develop sociable products and industry will get this job done.

More appropriately, Government should be funding studies to determine what levels of pollution we can tolerate and maintain a good environment, thereby determining the standards required. Also, we are not well enough informed on the interactions of various emissions, especially their tolerability as they affect health and living conditions and the rate at which the atmosphere cleanses itself. These studies should lead to specific emission parameters. Industry does not have the facilities for such ecological determinations. These are governmental responsibilities of the highest order.

Government's efforts must be coordinated and not diffused through establishment of inefficient and ineffective offices in a number of Federal bureaus. The effort must be singularly directed and receive the top-level attention the problem demands.

Fourth, while industry should set the pace, Government must make it possible for industry-wide cooperation to be carried out without fear of antitrust violation. In other words, we must be able to "swap information" in the public interest. Cooperation between Government and industry is imperative in setting targets and meeting new standards.

#### CUMMINS' COMMITMENT

Cummins Engine Company's commitment is to eliminate, to the extent technically feasible, the pollutants, noise, and wastes resulting from each of our plant operations and all of our products. We will do this job as quickly as possible. We will take this action, not waiting for an adjustment in Federal requirements or incentives, but in an attempt to fulfill our responsibility to improve the quality of our environment.

Diesel improvement starts with an engine that already has emission characteristics superior to most vehicular engines in use today. The diesel is inherently low in unburned hydrocarbons, a principal contributor to chemical smog, and carbon monoxide, a known poison. Both are major concerns in gasoline engines, although the automobile manufacturers are well along the road to solving these problems.

We are funding an accelerated program for the development of clean and quiet engines, including new power forms. Cummins has adopted emission control standards more severe than any current governmental standards as design criteria for all new products. Our ultimate goal is to produce engines that are completely socially acceptable. By this we mean that engine emissions and noise will no longer cause problems of environmental quality. An immediate target is to reduce smoke substantially below the present Federal smoke standards, thus removing diesel smoke as a nuisance. We will apply this new target across the broad spectrum of our power applications—off-highway uses in construction, industrial, and marine equipment as well as on-highway truck engines. To achieve this further improvement of our engines will require changes ranging from minor modifications and substantial increases in the number of turbocharged engine models to the possible elimination of some engine models and development of new engines to replace them.

Our technical center staff is currently studying promising techniques of emission and noise control and is hard at work exploring new techniques.

These clean engine commitments have been made with the full realization that the risks involved may include:

- Reductions in profitability;
- Increased capital investments;
- Increased initial investment for the customer; and

A massive educational job to sell the new concepts and their importance to customers and operators.

Beyond product research and development, Cummins has placed in the 1970 capital budget substantially increased funding for an accelerated program to begin the clean-up of all of our plant operations. We will cooperate fully with each of our plant communities in the solution of the solid waste disposal problem.

Frankly, we are not in a position to brag about these decisions. We should have made them years ago. But it is important to understand that Cummins has made the basic commitment to go as far as we can in eliminating contamination of our environment, not just meeting federally imposed standards.

We hope others will join us in this commitment because we concur with philosopher Lewis Mumford's observation that: "Any square mile of inhabited earth has more significance for man's future than all of the planets in the solar system."

## TWO STATE-LEVEL OMBUDSMEN ARE WORKING TO HUMANIZE GOVERNMENT

### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, during the January recess and again during this Lincoln Day recess, a problem brought to me often in my visits with constituents is the frustration that a citizen feels when he needs to deal with State and Federal agencies. The need to make our institutions of government more understandable, more accessible—more human—is becoming a very real and urgent problem.

Two States, Hawaii and Oregon, are taking steps that merit our attention. They have followed the urgings of the American Bar Association's House of Delegates, and the 32d American Assembly, and they have each created a State-level ombudsman. This coming July the two ombudsmen—Herman S. Doi in Honolulu, and Marko L. Haggard in Salem—will be completing their first year in office.

The Hawaii and Oregon ombudsmen differ in a number of ways, notably in how they were appointed, and the length of their terms in office. Doi was appointed for 6 years by unanimous vote of the State Legislature of Hawaii. On the other hand, Haggard, who is a Democrat, was appointed by Republican Governor Tom McCall, and serves as part of the Governor's administration.

Because of the urgent need to increase confidence in our Government institutions, I am inserting in the RECORD two enlightening articles on Ombudsmen Doi and Haggard, even though the news articles appeared in the respective newspapers, the Paper in Oshkosh, Wis., and the Oregonian in Portland, as long ago as August 1969.

We need to know more about the ombudsmen's activities, their successes and failures. Unfortunately, I do not know of any followup news stories on the work of Doi and Haggard. I do hope that their first-year reports will receive broad coverage.

The articles follow:

[From the Los Angeles Times]

HAWAII HAS FIRST OMBUDSMAN

HONOLULU.—Herman S. Doi is taking a guinea pig role as the first state-level ombudsman in the United States. He took office July 1.

It's too early, of course, to pass judgment but Doi is bound to be a most closely watched man—especially among the many state legislatures and major city councils which are considering ombudsmen of their own.

As set up in Sweden more than 100 years ago, an ombudsman is an independent official empowered to receive, investigate and recommend appropriate action on citizen complaints against government administration.

Proponents of ombudsmen see them as necessary adjuncts to governments growing in complexity and size, increasingly distant and unresponsive.

Many politicians, however, see it as simply another rung on the bureaucratic ladder. Or, worse, as a possible pre-emption of their traditional duty to respond to constituents' complaints.

Prof. William B. Gwyn of Tulane University, in a recent book, "Ombudsmen for American Government," commented that the "strongest opposition" to ombudsmen comes from legislators "who are fearful of losing what they believe to be an extremely important means for gathering and maintaining electoral support."

Whatever their reasons, politicians have voted down ombudsman bills submitted in more than half of the nation's legislatures since 1963.

The exception was Hawaii. But even here, because of parliamentary snarls, there was more than a year's delay between the bill's passage and its implementation.

Politics aside, it is clear to Gwyn and other authorities that acceptance of the concept will depend primarily on the performance of the first ombudsmen.

Doi, 43, was unanimously named for the post by Hawaii's legislature. He is a lawyer, a student of government, a legislative expert and a third-generation Hawaiian of Japanese ancestry.

"I hope to set a good example for the rest of the states," he said in an interview. "I'm convinced we need something like this."

It was Doi's understanding with the legislature that he would devote most of his first year to plans and organization rather than to investigation complaints.

"But complaints rolled in from the beginning," said Doi, "and I've been responding to them and working on the planning and organization as I go along."

Doi said his office has been averaging more than two complaints a day.

One citizen, Doi recalled, complained that a state office telephone operator was impolite.

Another case involved removal of a tenant from state property to make way for a road. Doi's investigative power does not extend to the legislature and its committees, to the governor and his staff or to federal agencies.

He has no enforcement power. He will simply report his findings to the governor, to the legislature and to the public, through the news media, at his discretion.

"My power," said Doi, "will be in the reasonableness of my recommendations and the acceptance of them by the administrators."

His term of office was fixed at six years, with a maximum of three terms. Salary is the same as a Hawaii circuit judge—\$22,000 a year, soon to be increased to \$27,500.

STATE OMBUDSMAN RELISHES CHANCE TO SERVE PEOPLE: "BUT THE JOB IS REALLY WHAT I MAKE OF IT"

(By Robert Landauer)

Hands clasped behind his head as he leaned back into his "listening position," a floppy bow tie and sporty brown shirt adding to the informal aura, Marko Haggard hardly appeared the personification in state government of a devil's advocate.

But the 45-year-old political science professor is just that, a devil's advocate, the first ombudsman appointed by a governor in the United States (The Hawaii legislature appointed the first ombudsman, Herman T. Doi, in late April. He is responsible to that body rather than to the governor.)

There is a statement of objectives for this post Gov. Tom McCall created July 1, "but the job is really what I make of it," said Haggard, a registered Democrat whose cubicle in the state capitol has direct access to the inner office of Republican McCall.

#### SUCCESSES RELISHED

With obvious relish he related one of his first successes in the three-week-old job:

"A fellow walked in this morning and asked to see the governor. Fortunately, they steered him to me. He had been waiting to get a check from the Vocational Rehabilitation Division since March and now a family emergency in California made the issue especially urgent. He had to get down there. He'd

been over at DVR all morning and got nowhere."

#### CALL SPARKS ACTION

"I phoned there and they had the check ready in 10 minutes."

"That will be atypical," he said, smiling, "but you need a system that lets Joe Doakes get heard . . . even if he isn't in the Rotary Club on Fridays."

Haggard acknowledges he will assume responsibilities traditionally associated with ombudsmen in Sweden, Britain and Japan: Redressing individual grievances, protecting against improper and inefficient administration, helping to deliver more effective state services. Also helping to organize the "system" so the individual has high priority, and recognizing that the job does imply responsible boat-rocking and troubleshooting.

But he also claims his role is to increase confidence in state administration, to reduce citizen alienation from a burgeoning and increasingly remote government and to protect civil servants against unfounded criticism.

#### POTENTIALITY GREAT

He sees the post potentially as a great force for humanizing state government, but does not deny it can become a political hornet's nest.

But the post of ombudsman is not a panacea to all the frictions which accompany government administration.

It has its problems and limitations. Here are some that cause Haggard to agonize:

Government activity is so pervasive—it touches so many people—that frictions are inevitable. It follows, he observed, that reducing the frequency and severity of this stress is socially desirable.

Many who are aggrieved are able to find advocates of their own—power patrons such as legislators, influential clergymen, newspapers, political leaders who may intercede unofficially on their behalf.

#### HOW CAN HE SERVE?

Yet, aside from publicity the media may give the post, how is the ombudsman effectively exposed to those who have problems with government but who are less articulate, less attuned to how the system works? How, in brief, can the ombudsman serve those who need help most?

Another incipient problem, one born of realities of the political process, is how the ombudsman can effectively shield honest, efficient and well-meaning administrators who adhere to reasonable policies which inconvenience the "client" of an influential power patron.

Foreign ombudsmen have learned that influence peddlers tend to be uncritical of their clients' claims. They (particularly legislators) tend to respond to almost all pleas, only incidentally examining the worth of a claim before championing it.

Yet, satisfying every complainant by getting for him what he wants does not necessarily achieve the goals public policy is directed towards fulfilling.

#### PRESSURE DEMORALIZES

Bending an administrator's decision to accommodate a complainant may distort public values, Haggard observed, and unremitting pressure can demoralize and make cynics of administrators.

Thus, with each case Haggard must wonder when he should cease to act as an inquiry agent seeking to ascertain facts and when he should begin to function as advocate for citizen or bureaucrat.

Haggard is sensitive to one criticism of all ombudsmen appointed by an administration in power. The criticism is that the ombudsman serves as an extension of the administration itself, that he exists finally not as a public advocate, but as the chief executive can be informed and can supervise his administration effectively.

The criticism implies there may be slight or substantial disparity between discovery of administrative inefficiency which should be known to the electorate and actual disclosure of such embarrassing problems.

#### POTENTIAL EXPLORED

For the ombudsman himself, it implies he may never be wholly accepted by suspicious legislators or citizenry so long as the potential remains to use the post to veil the mistakes of a particular political administration.

Haggard approached the puzzle directly: "There is too much superficial thinking that the ombudsman post is independent of government and therefore pure.

"What bothers me about the 'pure' view of the ombudsman is that there is a great danger of his being irresponsible. I can picture a totally independent ombudsman becoming the darling of the media.

"But ideally, the ombudsman should have a positive role, a preventive role, so there is not much to disclose."

#### NO PUNCHES PULLED

"However, there will be no punches pulled on disclosure to the governor.

"There are two things you have to understand about this post which may make it unique, difficult to replicate somewhere else.

"The first is the particular personality of the boss (Gov. McCall), his genuine desire to make this post work. Nowhere has a complaint arena been so overtly and consciously placed close to the governor. It's not in his nature to hide things.

"The second factor is me. I am on leave from Portland State where I have tenure and I hope I have too much integrity to be anybody's lackey on this job."

#### PROBLEM RECOGNIZED

Haggard recognizes yet another problem, that an ombudsman can be no better than the information he obtains to form the opinions which lead him to a course of action.

Yet the nature of the grievance process is such that most information on which decisions will be made comes directly from the files of agencies that are parties to the disputes.

Haggard has one independent investigator, Wayne Huffmann, an Oregon state policeman on leave of absence from the state patrol. But Haggard admitted:

"This problem of incestuous data bothers me, but I'm afraid we're going to have to live with it."

#### HOW TO RELATE?

Finally, there remains the problem of how the ombudsman, with no power other than his personal relationship with the governor—at best, a transient himself—will relate to bureaucrats and influence the process of administration.

Again, Haggard's observations appeared candid.

His success, he indicated, may well serve as a sort of litmus paper test of success of the recent reorganization of the Executive Branch of Oregon's government.

Haggard intends to approach major divisional administrator's appointed by the governor directly with queries and problems his office uncovers.

"If these guys truly feel accountable to the governor for their area of administration, they will be responsive (to the ombudsman). If they are not responsive, then the reorganization is a farce."

Haggard anticipates the inclination of the bureaucracy will be "to kind of yawn" at most innovations suggested by the ombudsman.

He added:

"I think in time we will get a line on the operational efficiency of most agencies. Considering the reorganization and the personal relationship of the ombudsman with the

governor—we're the same kind of people—I think a little insecurity now on the part of some administrators would be desirable."

Will the ombudsman significantly reduce the practice of seeking power patrons?

#### REPLY REALISTIC

Haggard realistically replied that most administrators will continue to "weigh with considerable interest" requests from such sources as members of the Joint Ways and Means Committee and the state Emergency Board.

But he added:

"There is really no need for competition. What really matters, the relevant factor, is what happens to the human element in government."

#### DEAR FRIENDS

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

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

(Not at Government expense)

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

JAMES G. FULTON, U.S. Representative in Congress.

Washington Office: House Office Building, Washington, D.C.

Pittsburgh Office: New Federal Building, Pittsburgh, Pa. 15222.

DEAR FRIENDS—

As we are entering the 1970's, it is generally agreed by our US citizens that there must be re-ordering of national priorities for this decade. We must set 10 year goals and work toward new national achievements. The American people and both parties realize this.

These government policies will have great effect on the lives of each of us, our families and friends—even determining the security of the American people and the directions of our national progress.

At the close of the 60's we should not forget, with all our problems and divisions among our people, the tremendous advances that the USA has made. We have learned what we can do when we in the US organize our brains, management, our scientists, engineering and technical skills for the Apollo lunar programs. We Americans did beat the USSR in the moon race—we all should be very proud of our US astronauts and each US citizen for this unbelievable accomplishment of the absolutely perfect Apollo 11 and Apollo 12 missions. What has been learned in systems management through NASA, can now be applied to US domestic problems.

In the 70s, we must work for a sound US economy with everybody sharing in the good things and good life we can provide. Our goal must be real progress without runaway inflation, unemployment, high taxes and more debt. The Vietnam war must be brought to a speedy close, with the thanks of a grateful nation for our US servicemen and women, and their families who have served and sacrificed for our good Country with such unselfish patriotism and devotion. We must work as good citizens of the Free World and must try to avoid future Vietnams.

But how do we accomplish these things? We must order our US priorities to reach these high goals that most of us in our Congressional District are agreed on. Here is your chance to participate! As an added service to our District people, I am writing each

home, asking your advice and considered opinion. The results will be given direct to you, to the President, to our US Congress and to our Pennsylvania legislators and state officials.

Please take the responsibility of making the decision on your priorities on the reverse of this sheet (even lack of answer is counted as little interest for your Ward, Boro or Township).

This is our Country—let's unite and run our Government the right way, for the benefit and opportunity for all of us—and most important, the safety and security of our families and friends, and the fine American people.

I'm proud to be an American!—and deeply appreciate the opportunity you have given me to serve in Washington as Congressman. Your interest will help me and my office give good intelligent representation.

Sincerely—

JIM FULTON.

To favor programs: use a "✓", oppose: "X," or "O."

Friends—For expressing your priority or emphasis: use "1" for highest priority, "2" next, "3," "4," and stop at "5." Use word "low" for lowest priority.

Thank you for your cooperation—

JIM.

Education—  
Inflation—  
Drug Problems—  
More Civil rights legislation—  
Unemployment—  
Tax reduction—  
Federal deficits—  
Mass transit programs  
Crime control—  
Poverty programs—  
Medicare—  
Reduced military spending—  
Population control—  
Increased minimum wage—  
Share federal tax funds with states—  
ABM—2nd Phase (\$40 billion)—  
Conservation—  
Food stamp programs—  
SST program—  
Federal and state student loans—  
Increased Social Security benefits—  
Veterans benefits—  
Increase Federal debt limit—  
High price supports on food (\$3.7 billion)—  
Tobacco Subsidies (\$167 million)—  
Model Cities Program—  
Health research—  
Urban development—  
State income tax—  
Reduced gov't spending—  
Vietnam war—  
Voluntary military service—  
NATO—  
Federal highway program—  
Hospital construction—  
Slum clearance—  
Foreign affairs—  
Prayer in public schools—  
Anti-pollution programs—  
Maintain FBI funds—  
Space program—  
Busing students—  
More atom bombs—  
Vocational training—unemployed—  
Voting for 18 year olds—  
Philadelphia Plan—  
National parks and recreation—  
Federal and state student loans—  
Post Office reform—  
GI Bill for education—  
Increase earning limits—Social Security—  
Cotton subsidies (\$821 million)—  
House of Representatives, U.S.  
Public Document.  
Official Business.  
Postal Patron—local 27th Congressional District, South Hills, Pittsburgh, Penna.  
JAMES G. FULTON,  
Member of Congress.

## ATOMIC ENERGY

### HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. REID of New York. Mr. Speaker, on February 6, my colleague, the gentleman from New York (Mr. WOLFF) and I cosponsored an informal public hearing regarding atomic energy and its effects on the environment. We were particularly interested in the problems of radiation and thermal pollution from nuclear facilities and their possible effect on the Long Island Sound region.

In the course of our 1-day meeting in New York City, we heard testimony from a number of witnesses representing a broad spectrum of opinion. It has since occurred to us that our colleagues in the House might be interested in the material we have gathered on the subject of atomic energy, about which there is increasing public concern.

I am therefore including in today's RECORD the statements of Joseph J. DiNunno, special assistant to the general manager for environmental affairs, Atomic Energy Commission, and Dr. William A. Brungs, chief of the Fish Toxicology Laboratory, Ohio Basin region, Federal Water Pollution Control Administration. Both Congressman WOLFF and I will be providing additional material for the RECORD in the days ahead, and I hope my colleagues will have time to read those portions of particular interest to them.

The material follows:

STATEMENT BY JOSEPH J. DINUNNO, SPECIAL ASSISTANT TO THE GENERAL MANAGER FOR ENVIRONMENTAL AFFAIRS, PUBLIC HEARING, FEBRUARY 6, 1970, NEW YORK, N.Y.

#### INTRODUCTION

I am pleased to represent the Atomic Energy Commission here today. We welcome the opportunity to help enlarge public understanding of nuclear power. My statement will be relatively brief since the AEC has recently presented considerable information on the subject at JCAE Hearings<sup>1</sup> and this information has been made available for the record of this meeting.

#### ENERGY RESOURCES

Reactor technology as developed under programs of the AEC is now being commercially applied as a new way of generating electric power. This application not only is proving itself competitive with more conventional means but even more importantly, promises to assure our energy needs far into the future. The tapping of this new resource was not by chance but rather the result of planning ahead at the national level with federal support of a concerted development effort to convert the potential of the atom to peaceful uses.

Viewed with respect to the phenomenal growth of energy demand in our country and the rapid consumption of our non-renewable fossil reserves of gas, oil and coal, there are many who believe this new technology is arriving none too soon.<sup>2</sup> I suspect that many in the U.S. who live today in what has been termed a high energy society have not thought much about what our affluence is costing in terms of fuel consumption and the rate we have been going through our resources.

David Freeman, Director of the Energy

Footnotes at end of article.

Policy Staff, Office of Science and Technology (OST), recently presented a brief history of energy use in the U.S.<sup>3</sup> Let me summarize a few of his thought provoking statistics:

From prehistoric times to the year 1700, man's supplemental energy was confined to animal muscles and the energy from wood and other materials used essentially for cooking and heating. The amounts of energy involved was relatively trivial.

Until the early 1800's, coal, oil and gas in the U.S. were virtually untouched. Until 1830, this nation obtained all its energy from renewable sources.

In the 1830's coal came into use but by 1870 wool still provided 75% of the nation's energy.

By 1870 the industrial revolution was in full swing and in 1880's energy became available in its most versatile form—electricity.

Petroleum—first discovered in this country in 1860—did not become a major source of fuel until the early 1900's.

Natural gas is a late comer to the scene—along about 1930.

Oil and gas have now replaced coal as a dominant source of energy—supplying 75% of our energy needs.

All the energy that was consumed in this nation prior to this century would not equal next year's consumption.

With respect to our fossil resources, there is a very real possibility that in a very short span of the next century we could use up nature's work of a hundred million years.

#### POWER GROWTH

Predictions of the demand for energy continue to mount. The rate of growth for the past 30 years has seen a doubling of our capacity every ten years. Part of the demand comes from the increased consumption per home owner and of course the rapidly expanding numbers of homes as our population grows. The average individual in 1950 used approximately 2000 kw-hrs per year. In 1968 this number grew to approximately 6500 kw-hr. For 1980 this is estimated to be 11,500 kw-hr.

Industrial use of power has been growing also. Electrical World recently reported industry's use as measured by the amount consumed per employee. Ten years ago this was approximately 24,800 kw-hr per year. Today the figure is 37,912 kw-hr. Without this industrial growth we obviously would not be enjoying the standards of living we now have. Nor would we be paying the same important leadership role in the free world. Interestingly enough statistics on energy consumption is a sensitive index to the standard of living in various parts of the world. The per capita U.S. consumption is 83 times that of India, for example.

How does one translate the predicted growth in demand into ability to supply? A report sponsored by OST on "Considerations Affecting Steam Power Plant Site Selection" estimated that in the U.S. in the next two decades 255 new power plant sites would be needed for thermal plants of 500 mw capacity and larger. To satisfy such future needs will be a major task. It takes on the order of 5-7 years to get a plant on line. It will involve the investment of billions of dollars in plants and careful planning to have them ready as needed. Power shortages have been experienced in some parts of the country and the reserve capacity of various systems have been reported as being below normal levels.

Briefly stated that is an energy need outlook, but there is another to which we address ourselves principally here today.

#### ENVIRONMENTAL SCENE

In almost any major activity we undertake in our society today, there is represented in some way a conflict of views. It matters not whether it is a new housing development, a new bridge, a new highway, a new recreational facility, or what not. The expansion of the power industry is no exception. Progress towards goals we as a society set for

ourselves requires the resolution of these conflicts, hopefully through democratic processes and for the common good.

Those who are striving to meet the nation's energy needs are more and more finding themselves facing citizen concern about the degradation of the environment—the air they breathe, the water they drink and the landscapes they enjoy. The concern is being translated into action programs at all levels, from the site of new facilities to the national scene. The President, for example, recently signed into law a bill setting forth a national policy on the environment and establishing a Council on the Environment. Other bills are in various stages of consideration in Congress dealing with the matter of pollution abatement and environmental protection.

Power plants per se are not being singled out for criticism but appear caught up in the growing sentiment that the environmental impact of so much that our highly industrialized society is doing has not been adequately considered. The new technology of nuclear power is being introduced into a highly industrialized society severely disturbed about past failures to prevent pollution of air and water and to cope adequately with our mounds of solid wastes.

#### AEC REGULATORY ROLE

We believe that nuclear power can fulfill a large portion of the nation's energy needs with minimum impact on the environment. We say this because this new technology has from the first been developed with full appreciation of the need for careful control of effluent releases to the environment in the interest of public health and safety. This need is deeply reflected in the design, construction and operation of nuclear reactors all of which are the subjects of detailed review by AEC before any reactor facility can be constructed. This review is conducted as a part of the process of licensing.

The licensing and regulation of nuclear reactors was the subject of hearings held before the JCAE several years ago. The record of those hearings<sup>4</sup> provide valuable reference material for those who are interested in the details of the process.

Briefly stated the process for obtaining the construction permit commonly begins by informal discussions between the regulatory staff of the Commission and the utility interested in building. Formal proceedings begin with the submission by the utility of an application describing the design and location of the reactor. Copies of the application are made available to the public and distributed by AEC to various other involved government organizations. The application is analyzed by the regulatory staff of the Commission and discussed with the utility. A staff report is sent to an Advisory Committee on Reactor Safeguards (ACRS), a statutory committee of independent experts. The ACRS reviews the application and discusses the project with the regulatory staff and the utility (commonly supported by the reactor supplier on technical aspects). The ACRS conclusions and recommendations are reported to the AEC and made public. A public hearing is subsequently held, usually near the proposed site. The hearing is held before a three-member Atomic Safety and Licensing Board, appointed by the Commission. After reviewing the testimony and records of the case, including the regulatory staff and ACRS reports, the Board decides for or against granting a construction permit. The Board's decision is subject to review by the five-member Atomic Energy Commission.

When the design details have become finalized and the construction work well advanced, the applicant submits additional information now available on his facility and applies for an operating license. The review

procedure for the construction permit is largely repeated except that no public hearing is mandatory. However, if controversy or significant safety issues existed at the construction permit hearing, the AEC is under obligation to consider holding hearings on the operating license also.

The operating license as issued includes, in the form of technical specifications, a set of operating limits and conditions established in the interest of safety. Under rules of the Commission, these technical specifications serve as a definition of facility features and operating conditions that cannot be changed without prior Commission approval.

The Commission's regulatory staff, through "compliance" inspectors who conduct site visits, and through review of operating experience and plant changes, maintains a continuing surveillance of the licensed reactors in the public safety interest.

In discussing with members of the public the licensing program of the AEC, several basic misunderstandings have become apparent as well as an appreciation on our part of some of the frustration citizen groups face in finding a forum for expressing their views. The AEC can act only within the legal framework established by law. It is important that the public clearly understand what AEC does and does not do under current legislation.

#### The AEC Does Not—

Make any determination that any particular community or region served by a utility requires additional electrical generation capacity.

Impose its views on the decision making process of any municipality or utility in selecting among the alternatives for supplying their power needs.

Choose the site upon which reactor facilities are to be built.

Subsidize the capital investment of commercial nuclear facilities.

Establish rules or standards involving environmental effects of reactor siting, construction and operation other than radiological.

#### The AEC Does—

Provide informal advice to utilities regarding alternate sites they may have under consideration.

Reviews the site selected by an applicant for a license, together with the facility planned for installation at that site. Such reviews have centered largely upon public health and safety issues that arise from radiological considerations of plant operations.

Establish criteria and standards governing aspects of design, construction and operation of the reactors as they pertain to public radiological health and safety.

Conducts a Public Hearing wherein such diversity of views as may exist with respect to safety matters can be expressed.

#### STATE AND LOCAL AUTHORITIES

Since this listing of what AEC does hardly covers the total spectrum of public interests, the question remains as to where do the other aspects of power plant siting get reviewed. This varies considerably from state to state.<sup>5</sup> The following are illustrative of some of the initiatives undertaken by states. In New York a law enacted in May 1968 authorizes the Atomic and Space Development Authority to designate plant sites and then to acquire, develop, prepare and furnish them for sale or lease to electric utilities or to the New York State Power Authority. This gives the initiative in developing sites to the State rather than leaving it up to the utilities. In theory, this places the Authority in a far better position to reconcile the many interests involved in siting. It is understood that the Authority is to cooperate with the State agencies involved in health, safety and conservation of natural resources when choosing and developing sites.

New York requires that anyone in the State intending to construct a nuclear steam-electric plant file an environmental feasibility report with the State Department of Health at the same time it files a Preliminary Safety Analysis Report with the USAEC. The utility must obtain a permit from the Department of Public Health prior to construction of the plant allowing thermal discharge from the facility to the waters of the State.<sup>6</sup>

In Oregon the Governor's Nuclear Development Coordinating Committee has been given the task of balancing the desire for economic development and the need for power with the need to maintain and enhance the quality of the environment. The Committee will attempt to coordinate activities of both the utilities and State agencies involved in conservation and regulatory matters.

Washington State has an eight-member Joint Committee on Nuclear Energy and a Governor's Advisory Council on Atomic Energy Development. They are concerned with establishing siting criteria.

California has established a Resources Agency Power Plant Siting Committee, with the responsibility to facilitate the various approvals needed to construct a power plant. The committee includes representatives from the State Departments of Fish and Game, Parks and Recreation, Water Resources, Harbors and Water Craft, Conservation, State Water Resources Control Board, the Water Quality Control Board and the Department of Public Health. Following review by the Resources Agency Siting Committee, a utility must also obtain a certificate of public convenience and necessity from the Public Utilities Commission (investor owned utilities only) and a permit for liquid discharges from the Regional Water Quality Control Board.

In Maryland<sup>7</sup> legislation was passed in 1969 that requires a permit to be obtained from the Public Utilities Commission before construction of power plants and transmission lines can be started. Water resources laws were also amended so that water use permits must now be obtained before construction begins.

#### ENVIRONMENTAL EFFECTS

In his recent State of the Union address the President predicted growth in our Gross National Product of 500 billion dollars over the next ten years. It is clear that such growth will not occur without some impact upon our surroundings. The challenge we face is one both of growth and the protection of our environment. With respect to both of these goals we believe that objectively evaluated nuclear power will show decided advantages compared to alternatives now available. Although we believe in nuclear power, we would not lead anyone to believe that its application for generation of power, anymore than any other method, will result in no environmental effects. Nuclear plants, like their fossil counterparts, release waste heat to the environment. The nuclear plant operates at temperature and pressure conditions that allow less conversion of heat generated into electrical energy. The end result is to eject more unused heat into the environment. Depending upon the local situation this may require one of several different cooling arrangements, each with its own set of advantages or disadvantages. Possibly in some locations, a more optimum balance between need for power and thermally created effects could lead to selection of alternate siting. Looked at broadly and with the eye to future growth, the matter of optimum locations for power plants may require new regional approaches.

Water quality standards with respect to thermal effects are established by the states under guidelines set by the Department of Interior (Federal Water Pollution Control Agency). Nuclear power plants are being designed and operated within the restrictions

Footnotes at end of article.

set by such standards. In some cases cooling towers have been required to avoid raising cooling water temperatures above allowable limits. Whereas limits on thermal discharge into the cooling waters from nuclear plants have not heretofore been included in the conditions of a license issued by the AEC, the AEC has supported legislation that would require certification by the state that a facility is designed to meet its water quality standards before AEC could grant a license. Enactment of this legislation is still pending.

In the meantime, the AEC includes in its processing of each application for a construction permit a review by the Department of Interior of possible thermal impact of operation of the plant. The comments and recommendations from the Department of Interior are sent back to the utility with an urging that they cooperate with the appropriate federal and state agencies. Copies of such correspondence are similarly sent to the authorities of the state where the plant is to be located.

Nuclear plants do release small amounts of radioactivity to the environment. These are, however, kept well within limits established as safe by competent authorities. These limits are such that persons can live next to such plants without being exposed to but a small fraction of the radiation background level in which they live every day. For example, liquid effluents released from nuclear power plants to public streams or water bodies must meet drinking water tolerances at the point of discharge. One might ask how many industrial establishments and sewage treatment facilities could meet the same test?

#### RADIATION PROTECTION STANDARDS

Let me say a brief word about the radiological standards that are basic to the control exercised over reactors. The standards issued by AEC as regulations are based upon guides developed by the Federal Radiation Council and approved by the President for guidance use by federal agencies. The Federal Radiation Council is made up of members of the President's cabinet and is chaired by the Secretary of HEW. FRC draws upon the best technical expertise in the nation on radiation protection matters and takes into account the recommendations of independent national and international bodies such as the National Council on Radiation Protection and Measurements (NCRP) and the International Commission on Radiation Protection (ICRP). (Note: This subject of standards was discussed extensively in the November JCAE Hearings and more recently in those held January 27-29, 1970. The record of those hearings represents valuable reference material for those interested in more detail.)

#### In summary—

AEC recognizes and shares the concern of people about the environment.

We believe nuclear power is being developed and applied consistent with the growing national need for an energy source other than our non-renewable fuels and the demand for a better environment.

We know of no power source that will eliminate entirely effects on the environment, but of the alternatives available for minimizing the impact, nuclear power has decided merits.

#### FOOTNOTES

<sup>1</sup> Environmental Effects of Producing Electric Power: Hearings before the JCAE October and November 1969, Part 1.

<sup>2</sup> Resources and Man: National Academy of Sciences, National Resources Council Study.

<sup>3</sup> Speech: "Policies Affecting the Energy Needs of Society" by David Freeman, OST at University of Minnesota Symposium, October 11, 1969.

<sup>4</sup> JCAE Hearings: Licensing and Regulation of Nuclear Reactors, Part I and II, April and September 1967.

<sup>5</sup> Report: Considerations Affecting Steam Power Plant Site Selection—Energy Policy Staffs, OST—December 1968.

<sup>6</sup> New York State Senate Committee on Public Utilities Report, September 1969 Amendments to Public Health Law.

<sup>7</sup> Nuclear Power Plants in Maryland: A Report dated December 1969 by Governor's Task Force on Nuclear Power Plants.

REMARKS BY DR. WILLIAM A. BRUNGS, CHIEF, FISH TOXICOLOGY LABORATORY, OHIO BASIN REGION, FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

(NOTE.—Figures referred to are not reproduced in the RECORD.)

For no other type of pollution problem can one find so much divergence of opinion among knowledgeable people than that regarding effects of thermal additions to natural waters. The disagreement becomes somewhat understandable if one realizes that temperature is a necessary component of the life system of all plants and animals and that there cannot be a system without temperatures. For this reason, the selection of permissible temperatures for natural bodies of water is a problem of selecting some intermediate range based on various water uses.

Aquatic life has received more attention than other water uses because the aquatic organisms must remain in the stream continuously and cannot escape the effects of altered temperature patterns. To emphasize, however, the effects that thermal additions may have on other water uses, it is important to recognize some of these other effects and further recognize that the results of thermal addition are not all bad and that each aspect must be considered before making a decision. Krenkel, Thackston and Parker, in 1969, published a paper that discussed the role of impoundments and temperature on the waste assimilative capacity of natural waters. They cited several examples to document their statements, and showed that in the Coosa River to maintain the same dissolved oxygen concentrations, a rise in temperature of 9°F above the existing summer temperature of 77°F results in a reduction of the waste assimilative capacity of the stream by 11,000 pounds per day of oxygen demanding wastes. Other examples can be cited, but this one will illustrate the point that raising the temperature of water does reduce the amount of organic matter that a body of water can accommodate and degrade. Therefore, increased stream temperatures necessitate higher treatment efficiencies by downstream wastes sources and thereby increase treatment costs.

Public health officials and water microbiologists have long recognized that higher temperatures accelerate the rate of bacterial growth. The larger numbers of bacteria in warm waters is well documented and realized. Higher temperatures not only result in higher numbers of indicator bacteria such as the coliforms but they also result in higher numbers of bacteria that are pathogenic to man. As water temperatures rise, therefore, closer attention must be given to bacterial numbers and types.

It is also obvious that as the temperature of water rises, its utility for cooling purposes decreases so that it is in the industry's own good to maintain cool temperatures in natural waters if they are to be used for cooling purposes.

In regard to the problems of aquatic life as they are affected by temperature, many disagreements exist between experts because the experts frequently are talking about different types of aquatic life. Almost everyone recognizes that cool streams provide trout fishing, and almost everyone recognizes that carp are found in warm ponds, lakes and rivers. This is primarily due to temperature, and it illustrates a point which we all understand but fail to remember when temperature standards are discussed. The kind of aquatic life that is to be protected must be identified if meaningful standards for temperature are to be derived. In some cases,

generalizations can be made, as for example, the cool water requirements of nearly all trout and salmon, but for other fisheries, the specific types must be identified.

Figure 1 illustrates the effect of various temperatures on the abundance of different kinds of phytoplankton that will exist, depending on the temperature. In the range from 68 to 75°F, diatoms are predominate type of plankton present. In the range from 86 to 95°F, green algae are most abundant, and above 95°F, blue-green algae predominate. Blue-greens are the least desirable food organisms for aquatic life and are important in regard to taste and odor problems. Sigworth (1957) stated that over 80% of all odor problems from water are associated with algae. They can be responsible for a great variety of odors according to Palmer and Tarzwell (1955), many of which are associated with blue-green algae blooms related to elevated temperatures. Warm water, in addition to contributing to algae blooms, is conducive to volatilization of odoriferous substances arising from algae, decaying vegetation, and industrial wastes. These substances would not be released at lower temperatures. One of the most widespread and troublesome of "natural" odor problems arises from actinomycetes, according to Rosen (1969). The growth of this organism is accelerated at higher temperatures; its optimum temperature is 86°F.

Figure 2 illustrates the effect of maximum temperatures on the number of invertebrate organisms that occurred in a Pennsylvania stream. These data have been taken from Trembley (1961), and the study was financed by the power industry. As the temperature increases, there is a decrease in the number of kinds of organisms. For example, the number decreases by 54% as the temperature increases from 80 to 87°F, and when the temperature increases from 87 to 93°F, there is a 24% loss. Such drastic reductions in the kinds of food organisms must be carefully considered if the production of sport and commercial fishes is to be preserved.

Figure 3 illustrates the effect of sustained constant temperatures on the reproductive potential of a minnow that is widely distributed in the United States and that provides an important food source for sport and commercial fishes. This curve shows that a constant temperature of 79°F as compared to 72°F resulted in a 25% loss in reproductive capacity. (This species does not require a winter chill period.) Note, that at a constant temperature of 86°F, there was almost zero reproduction. This illustrates the sensitivity of the reproductive stage; a temperature of 90°F would cause no immediate mortality but would eliminate the species because reproduction would be inhibited.

Figure 4 shows another experiment in which the effect of temperature on the growth rate of the white sucker was measured. Both beneficial effects of temperature and adverse effects are evident in different temperature ranges. As the temperature is increased from 50°F to 81°F, there is a pronounced increase in the growth of the suckers. As the temperature exceeds 81°F, there is a reduction in growth, and, at 86°F, growth is one-seventh of that occurring at 81°F. Furthermore, a temperature of 90°F will kill this fish in a 96-hour period. The important principal is that the best temperature for growth is very close to the lethal temperature. One, two, or three degrees may determine the difference between high production and complete elimination of a population of fishes.

Figure 5 contains data similar to that of the previous figure, but for three other species of fish. Here again, both the beneficial effect and the adverse effect of temperature on largemouth bass, northern pike and brook trout can be seen. The temperature providing best growth increases from 59°F for the brook trout to 81°F for the largemouth

bass. This figure illustrates two principles. First, the best temperature and the maximum permissible temperature for aquatic life depends on the species that are being considered. If a brook trout stream were warmed to a temperature of 81° F, it would have a temperature suitable as a largemouth bass stream. The trout would be killed, pike would be in an undesirable temperature range, but largemouth bass would be at their optimum temperature.

Figure 6 shows the data plotted in a different manner. Growth increases as the low temperatures are raised to intermediate temperatures and then there is a pronounced decrease in growth as the lethal temperatures are approached.

Figure 7 illustrates the type of annual temperature pattern which is necessary to support yellow perch and largemouth bass. Two curves are plotted; the upper one is for lethal temperatures at various times, and the lower curve represents safe temperatures required during various periods of the year in order to permit normal growth and reproduction. As indicated on the figure, the solid line represents hard data, and the dotted line is based upon data pertaining to other species or inferred from data from field or related laboratory studies. The dotted lines are not figments of imagination, but are based on sound reasoning and principles. During the period when eggs and sperm are developing within the adult, cooler temperatures are necessary. As the stages of the life cycle progress from spawning, to fry to fingerlings and adults, acceptable temperatures become progressively higher. The lethal temperatures differ throughout the year. For example, 70° F is lethal to yellow perch in the winter time.

This is because perch are acclimated, or adjusted, to a much lower temperature during the winter period, and they cannot tolerate the summer temperatures at that time. People experience this, too. A temperature at 50° F is very chilly when it occurs in the summer, and yet it is a very balmy, pleasant temperature when it occurs in the winter time. Lethal temperatures for the eggs are much lower than for adults and, therefore, extreme temperatures during the spawning must not exceed a limit based on the temperatures safe for the eggs. Even though the perch and the largemouth bass are considered warm water fish, the largemouth bass can tolerate and, in fact, thrive in much warmer water than can the yellow perch. The curves shown in this figure are representative of many important fish species that spawn in the springtime. The calendar months are on the horizontal scale and show that the period for developing the sex products is during the winter months and the spawning period is in the spring.

In Figure 8 similar curves are given for the fathead minnow and the brook trout. Brook trout spawning occurs in the fall months and during a declining temperature. The stringent requirements during the reproductive season for the brook trout must exist in the autumn. On the other hand, the fathead minnow is a summer spawner having a long period of spawning and acceptable temperatures for spawning must exist during the summer months; during the winter, this species does not spawn and need be protected only against temperature shock. Chill periods (cooler temperatures during the winter) are not required for this species, but one is needed for other species. These points must be evaluated when developing appropriate standards for a body of water, and curves for all of the important species to be protected must be considered in order to maintain the desired fishes.

Figure 9 shows recommended standards that were derived for the Ohio River to protect a group of species, and are based on curves such as those in Figures 7 and 8 and on existing temperature data for the River.

You can see that, during the months of April through June, the existing temperatures most closely approached the maximum permissible temperatures for reproduction and growth. Therefore, it is during these months that close attention must be given to heat additions. During this period, there is the least margin of safety for heat assimilative capacity. It is obvious that the temperature could be raised more in the winter and summer months than during the spring period.

Figure 10 has the geographic range of the smallmouth bass superimposed on a map of the United States. Natural stream temperatures increase from north to south and certain fish do not live in the South because the water is too warm. The important point is that the amount of heat that can be added above natural stream temperatures is less in the southern than in the northern part of the range. Therefore, in setting temperature criteria, the requirements of the animal and the existing stream conditions must be considered before the amount of heat that can be added without adverse effect, can be determined.

Figure 11 shows a generalized situation in which the effect of a heated effluent does not occur at the point of discharge but, instead at some point many miles downstream. This stream is cooler than it ought to be, considering the climate in which it exists. Many trout and salmon streams would be examples of this type of stream, actually becoming warmwater streams without any artificial heat addition. Usually springs or snow melt waters feed such streams. The lower curve of the graph is the natural temperature pattern that would exist from the headwaters to the mouth of the stream if no heat were added. At mile 100 downstream, the temperature naturally exceeds the limit for trout, and it becomes a warmwater stream. This would happen if no heat were added. If at some point, say at mile 17 below the headwaters, an amount of heat is added that will raise the stream temperatures 2° F, the stream at that point is not harmed for the production of trout, but downstream the temperature reaches the limit for trout sooner, at approximately mile 83. The lower 17 miles of the stream becomes unsuitable for trout production. The heat was added, however, 60 miles upstream. Similarly, if the temperature is increased 5° F at the same point, unacceptable temperatures occur even further upstream; the upper line in the graph shows that there has been a loss of 42 miles of trout waters as a result of heat addition upstream. These curves depict a stream that is cooler than the air equilibrium temperature. The opposite situation is more familiar in which a stream is in equilibrium with the climate, and when heat is added to the stream, the most adverse condition exists near the point of discharge. This reasoning led to the recommendation that no heat should be added to trout streams. It is a rather unusual situation when one must look for the most adverse conditions far downstream from the point at which the effluent enters.

To summarize the important points, Figure 12 lists the beneficial effects of thermal addition. Within certain limits, thermal additions will promote fish growth, and they can warm water and make it more suitable for swimming. Thermal additions can keep harbors open in the winter and reduce ice damage to piling, docks, and other structures. If ice cover is prevented, the oxygen content of the water is less likely to be depleted since there can be re-aeration at the surface and light can penetrate the surface, making photosynthesis possible.

Figure 13 lists some adverse effects of thermal addition. The types or kinds of species present are likely to change. Thermal plumes displace fish from local areas and reduce the habitat available and suitable for growth and reproduction. Thermal plumes have retarded or blocked migrations of anad-

romous fishes. Since fish are attracted to warm effluent discharges in the winter (thus accounting for the many reports of good fishing in power plant effluents) there is danger of fish kills when fish leave the heated effluent and enter the cold or surrounding waters, or when planned or unplanned plant shutdowns occur and no warm water is available. One to two weeks are required for fish to adjust to cold temperatures, and so the most likely time for thermal shock is in the winter months. In the summer, when the thermal effluent exceeds an acceptable temperature, the fishes avoid the discharge area and seek other locations if other locations are available. Many organisms require a particular combination of day length and temperature in order to initiate or terminate necessary biological processes. Unless care is exercised, this relationship can be disrupted. Warmer temperatures result in faster growth and reproduction of pathogenic bacteria. Taste and odors in domestic water supplies increase with increased temperatures. The ability of streams to assimilate and degrade organic wastes such as effluents from municipal and industrial treatment plants is reduced by increased temperatures (if D.O. is maintained). The toxicity of pollutants and the disease hazard to fish is increased by a rise in temperature.

Finally, Figure 14 lists some of the items that must be considered when establishing temperature standards. The complete life cycle must be protected; it is not sufficient to merely prevent fish kills. For some species, cooler winter temperatures are needed in order to initiate the reproductive cycle. In many species, the optimum temperature is very near the lethal temperature. The specified desired species must be considered rather than aquatic life as a group. The specification of a single temperature is not enough to insure suitable conditions for aquatic life. The effects of temperature on aquatic life are not "all or none" and may be positive or negative. There is no temperature above which everything is bad and below which everything is good. The application of a prescribed rise above existing temperatures will lead to problems in some areas and will not be sufficient to protect organisms in one place while being over protective in another. Finally, the area devoted to a mixing zone where temperatures or other conditions are adverse will be proportional to the damage inflicted, and, for that reason, these areas should be kept as small as practicable. Proper siting of discharges is important in this regard.

If the beneficial effects, the adverse effects, and the types of aquatic life and water uses to be protected are kept in mind, many conflicts of opinion can be avoided and equitable conditions can be developed for all concerned.

CELEBRATION OF 72D ANNIVERSARY OF FRATERNAL ORDER OF EAGLES IN 1970

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, with real pleasure I congratulate the officers and members of the fine Fraternal Order of Eagles on the 72d anniversary of its founding.

This excellent fraternal organization has given outstanding service to its members, and to our people in our communities, States, and Nation. We give our grateful thanks and hearty congratulations.

Mr. Speaker, I insert a brief history of the Eagles:

**HISTORICAL SKETCH OF THE FRATERNAL ORDER OF EAGLES**

(Compiled by Dan Splain)

Nine days before the explosion of the battleship Maine in Havana Harbor touched off the Spanish-American War, six lonely vaudeville troupers strolled to Moran's Shipyard on the tideslats of Seattle to form the Order of Good Things on February 6, 1898. The purpose of the organization, as its first President, John Cort later related was "to make human life more desirable by lessening its ills and promoting peace, prosperity, gladness and hope."

In February, 1970, in a new wonder age of atoms, missiles and moon walks, the far-flung Organization that sprouted from the Seattle seedling—the Fraternal Order of Eagles—celebrates today the 72nd Anniversary of its founding, changelessly devoted to the small ideals proclaimed by its founders. Today the Order embraces over 1600 Aeries in the continental United States, Alaska, Hawaii, the Philippines and the Dominion of Canada.

Possibly not in their fondest predictions did the pioneers of the Fraternity envision such tremendous growth. But the universal hunger for friendship and brotherhood struck a responsive chord as the theatrical men played in other cities throughout the nation. New Aeries were formed rapidly in the Pacific Northwest. Cort was elected the first Grand Worthy President of the Order.

The Order was, and remains to this day the Fraternity of the Common Man. From mill, mine and factory mainly, from the professions, and from public life, from America's melting pot, the Eagles derived their strength, a typical cross-section of the Nation. Several years ago, Collier's Magazine, in preparing an article about the Eagles sent their writer to the local Aerie in Cedar Rapids, Iowa. He asked a spokesman to define the Eagles. He struck this response: "You want to know who the Eagles are—I'll tell you. We're the crowd everybody else gets lost in."

However, not all Eagles are 'lost in the crowd.' Five Presidents of the United States were Eagles: Theodore Roosevelt, Warren G. Harding, Franklin Delano Roosevelt, Harry Truman and John F. Kennedy. Former Chief Justice of the Supreme Court Earl Warren is a brother Eagle. Monsignor Flanagan of Boys' Town was a Past President of the Omaha Aerie of the Eagles. Former Governor Lawrence of Pennsylvania founded the Pennsylvania State Aerie in 1912 along with Congressman John Morin who himself served the Order as Grand Worthy President. World War II and Korean air ace Francis Gabreski (Col., Ret. USAF) is a life member of Oil City Aerie 283. J. Edgar Hoover, the FBI Chief, is a brother too. The list is infinite. Eagles are people, famous and obscure, mighty and humble, great and small.

Among those who have stood out from the crowd are the career Eagles themselves. There was Con Mann, the hearty Dutchman from Milwaukee, who piloted the Fraternity to a position of national prominence in the early part of this century. Then there was Frank Hering, silver haired orator from Notre Dame University, who made the first known plea for the observance of mother's day, who later served the Eagle Magazine as its editor for many years. Among contemporary leaders are Wisconsin Supreme Court Justice Robert W. Hansen, who served the Order twice as its International President; Steven V. Thomas, present International President, who travels the crossroads of the Nation garnering support for Eagle programs, and Maurice Splain, Jr., National Membership Department leader who cares for the membership growth of the Fighting Fraternity.

In the three decades, from 1910 to 1940, the burgeoning Order acquired a new title, "the Fighting Fraternity." In those years, the Eagles were in the vanguard in social legislative progress, moving courageously fighting for changes to insure a more secure life for the people of America. In 1911, in Missouri, led by an Eagle Jurist, Edward Everett Porterfield, the Order sponsored the first mothers' pension act. A year later, in Wisconsin, Eagles rallied 'round a young Eagle and labor lawyer, Daniel Webster Hoan, later mayor of Milwaukee, to enact the first workmen's compensation act. A few years later, the Eagles began to demand elimination of a national scourge—the poorhouse. The Rubicon was crossed in 1923, when the Montana legislature passed the first old age pension law in the nation, sponsored by prominent Eagle legislator Lester Loble, who later became the Order's Grand Worthy President. The Order successfully campaigned for similar laws in the majority of the states. On the national front, the Eagles launched a historic campaign for a national social security act, and spent more than a million dollars for printed materials to publicize and popularize the measure. In signing the act, President Roosevelt invited an Eagle delegation to the White House and presented them with the pen used to sign the Act into law. In so doing Roosevelt stated, "The pen I am presenting to the Order, one used to sign the Social Security Act, is a symbol of my approval of the Fraternity's vision and courage."

High in the achievements of the Order is the national Mother's Day observance. Back in 1904, on February 7, Frank Hering a Notre Dame professor and football coach, gave the first public plea for a mother's day observance at an Indianapolis Aerie meeting. Inspired by Hering's address, Eagle Aeries began sponsoring Mother's Day programs annually long before Congress set aside the second Sunday in May as a day reserved for that tribute, yearly.

The Eagle story reserves a prominent chapter for the youth of America. With youth programs, junior sports, teen-age dances, youth centers sponsored by hundreds of Aeries, the building of the citizens of tomorrow is an ever paramount project of the Order. The crowning effort in this field came in April, 1941, when the fraternity dedicated the Eagle Dormitory at Father Flanagan's Boys Town in Nebraska.

Then World War II arrived, the Eagles conceived their famed Memorial Foundation, a trust fund created by donations of Aeries and their Auxiliaries to provide physical welfare services and college educations for the children of the Eagle War dead. This foundation was later expanded to include survivors of Korean and Vietnam War dead, and Eagle police and firemen killed in the line of duty.

While significant national campaigns have always characterized Eagle activity, the 'grass roots' strength lies in the local Aeries and Auxiliaries. Their civic and benevolent contributions have been generous and frequent. Blood banks to save lives, an iron lung purchased for a young polio victim, Aerie quarters provided for a teen-age center, a Christmas Party for the underprivileged kids in the community, funds for a city youth playground; donations to the Red Cross, the Community Chest, etc. is but a part of the magnificent benevolence of the Fraternal Order of Eagles. No accurate accounting of the total spent by local Aeries and Auxiliaries for charitable purposes has ever been kept, but no doubt, over the years it would run in to staggering millions. And in terms of human happiness and betterment, the amount is above the monetary realm, and measured only in terms of the human heart.

In the 1950's the Eagles set their sights on new goals to 'make human life more desirable'. During that decade the Eagles raised over one million dollars for the Damon

Runyon Cancer Fund, prompting the fund's founder Walter Winchell to write in his nationally syndicated column that the Eagles are "the Santa Claus of the Damon Runyon Cancer Fund." The Eagle donation of \$25,000.00 for the entrance to the Chapel of the Four Chaplains at Philadelphia, memorializing the four chaplains of three faiths who gave their lives in WWII aboard the U.S.S. Dorchester bespeaks the Order's zeal for brotherhood and inter-faith unity. Distribution of thousands of scrolls of the Ten Commandments to schools and courts, and presentation of Ten Commandment granite monoliths to many American cities stresses the Eagles' concern for moral and spiritual values.

In cooperation with CARE, the international relief organization the Eagles have constructed over 20 Eagles-CARE Houses throughout the world.

In the decade just passed, the Eagles founded the Max Baer Heart Fund, named after the late Eagle Heavyweight Champ, which has donated over \$1,000,000.00 for heart research, in the ten years of its existence. The Eagles have now founded the Eagles Cancer Fund which has raised a million dollars supplementing the amount contributed to the Damon Runyon Cancer Fund. Just three years ago, the Eagles founded the Jimmy Durante Children's Fund to contribute funds for research into the catastrophic diseases of childhood. Durante, for whom the fund is named, has long been an active supporter of Eagle programs.

The Eagles are also responsible for legislation protecting the over 40 worker from job discrimination because of his age.

The latest Eagle program is "Hometown, U.S.A."—a campaign to make our hometowns of America just a little bit better for you and me. Seventy-two years young, the Fraternal Order of Eagles, with virility and vision, is just beginning to flex its muscles.

**AUTOS, BOTTLES, AND SOLID WASTE POLLUTION**

**HON. ABNER J. MIKVA**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MIKVA. Mr. Speaker, it is evident by now that environmental pollution will be one of the crucial issues of this decade and perhaps of the next several decades. Unfortunately, the discussion of environmental pollution has tended to center almost exclusively on the two kinds of pollution which are best known and for which programs of control already exist—air and water pollution. Granting that air and water are perhaps our two most vital resources, we cannot afford to ignore the other threats to our environment, threats like noise pollution, and solid waste pollution.

Because solid waste pollution may in time come to rival air and water pollution as a problem demanding the attention of concerned citizens, I take pleasure in joining with my colleague, the gentleman from New York (Mr. SCHEUER) in sponsoring a bill which will make a significant contribution to controlling solid waste pollution. What is more, unlike many of the programs which are currently being discussed for control of air and water pollution, these proposals for solid waste management will operate

at practically no net cost to the Government. These bills should, in short, be invaluable aids in combating two of the worst sources of solid waste pollution—abandoned automobiles and nonbiodegradable bottles and containers.

The first bill, the Abandoned Automobile Act, will require a \$30 refundable deposit to be made on all new cars sold in the United States. The deposit will be paid by the car's original purchaser and will be repaid to the last owner when the car is properly junked at the end of its useful life. The existence of this refundable deposit will eliminate the situation which presently exists in many areas when the cost of towing away an abandoned vehicle exceeds its salvage value. When such a situation obtains, it is impossible to convince the car's last owner to have the vehicle hauled away and the local authorities must do so—if they have the means and if a local authority will take the responsibility. All too often, there are either insufficient means or insufficient responsibility to deal with abandoned automobiles, which become part of the American landscape.

The bill contemplates licensing of automobile disposal agents who will be able to dispose of abandoned cars in a manner consistent with sound environmental practice. Such agents will be paid on a per auto basis for their salvage activities. The \$30 deposits will be placed in an automobile environmental quality trust fund which will be managed by a four-man board of directors appointed by the President. Interest from the fund will be used to defray costs of administering the program and for funding programs of salvage and disposal. Violations of the disposal requirement provisions of the act can result in fines of up to \$5,000.

A second source of solid waste pollution are nonreturnable bottles and other containers which are now strewn so liberally along roads and city streets throughout America. So numerous are these nonbiodegradable containers—material which will not decompose as part of the normal organic process of decay—that many of us look back with nostalgia to the "good old days" when bottles carried a deposit and were worth returning to the store. Apparently many manufacturers found that it was cheaper for them to put out their products in nonreturnable containers. The problem is that this policy was costly for the rest of us—costly in terms of its effects on our environment and human safety.

The bottle bill which we are introducing today will take a step toward returning to the "good old days." The bill will encourage bottlers to package his product in "deposit" containers which are returnable to the bottler or to fill bottles upon which a tax is paid, which tax is refundable upon return of the bottle. In either case—whether the bottler chooses to pass the cost on to the consumer or to pay it himself—the effect will be to put a premium on returning bottles to their source, rather than throwing them into a lake, beside a road, or out the window. An exception is made for containers of products with potential health or medical uses. In addition, nonrefundable taxes will be levied on certain types of plastic containers which have proven extremely

difficult to destroy in order to discourage their use by manufacturers. The tax will be lifted only if the Secretary of Health, Education, and Welfare, and Secretary of the Interior certify that an easy method of disposability has been developed for that material. Retailers will be compensated for the extra costs they incur in handling returned bottles. Violations of the bottling and tax requirements of the act will be subject to fines of up to \$1,000.

Mr. Speaker, these bills are only a start. We are only beginning to understand the complex nature of relationships between man and the environment in which he lives. But they are a start. They make a real effort to deal with two aspects of the problem of solid waste disposal which most plague our Nation. I believe we all owe a debt of gratitude to my colleague from New York for taking the initiative in moving to deal forthrightly and effectively with the environmental problems caused by abandoned automobiles and discarded bottles and containers. I am happy to join in co-sponsoring these bills which open the fight against solid waste pollution.

**INDEPENDENT BOYS' CLUBS  
SHOULD BE ELIGIBLE TO PARTICIPATE  
IN THE DONATED FEDERAL SURPLUS PROPERTY PROGRAM**

**HON. JOSHUA EILBERG**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. EILBERG. Mr. Speaker, today I have sponsored a bill which is neither long nor complicated. It does nothing more or less than make independent boys' and girls' clubs across this Nation eligible to participate in the donated Federal surplus property program by adding a new category of eligible participants, "organizations which provide for the education and recreation of boys and girls."

Early this year, I was contacted by one of the 150 independent boys and girls clubs in the city of Philadelphia, the Torresdale Boys Club, one of the major recreational organizations in my district, and asked if they were eligible to participate in the donated Federal surplus property program. When I talked with the General Services Administration, which administers a portion of the program, I was advised that the Torresdale Club and others like it were not eligible because they do not qualify under the definition of "school" contained in the Federal Personal Property and Administrative Services Act of 1949, as amended. The Department of Health, Education, and Welfare also advised me that organizations like the Torresdale Club do not qualify to participate in their portion of the program as well. The Department of Defense advised me that independent boys clubs were not considered service educational activities and hence were ineligible to participate in the portion of the program which they administer.

Eligible recipients of the assistance which is provided under the donated

Federal surplus property program under the current wording of the 1949 act are tax-supported and tax-exempt colleges and universities, service educational organizations, the American Red Cross, the Boy Scouts of America, the Girl Scouts of America, and so forth. Independent boys and girls clubs such as the Torresdale Club are ineligible. In view of the tremendous work which the Torresdale Club has done in the past and will do in the future, I think this club and the thousands of others like it across the Nation are being discriminated against arbitrarily by not being able to take advantage of the donated Federal surplus property program. My bill will remedy this situation by adding a new category of eligible participants in the program. Independent clubs such as the Torresdale Club provide essential educational and recreational services to the boys and girls of the Nation. The new category of participants which my bill will allow to participate in the donated Federal surplus property program includes these clubs.

My congressional district and many, many areas like it have been faced with a situation where the population has moved from center city to the suburbs. Then these suburbs have been developed in a "helter skelter" fashion without any meaningful planning for recreational facilities. Not until this year, for example, has the Philadelphia Planning Commission developed a master plan for recreational areas for the area of my congressional district. It has been the same across the Nation—too little planning too late.

Because of this lack of planning, local citizens have joined together and formed clubs paid for with their own money, staffed by their own people to assure their children of meaningful recreation opportunities. I believe it is time to stop penalizing these independent organizations because they are locally rather than nationally oriented. They should be allowed to take advantage of whatever governmental assistance is available, since in reality they have moved into the breach left by lack of adequate governmental planning. My bill will help bring this to pass.

The text of my bill is as follows:

H.R. 15942

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 203(j)(3) of the Federal Property and Administrative Services Act of 1949 is amended by inserting after "schools for the physically handicapped," each time it appears the following: "organizations which provide for the education and recreation of young boys and girls."*

The Torresdale Boys Club is now engaged in a "building program" designed to improve the recreational, cultural, and educational facilities for the residents of the Torresdale section of my congressional district. Negotiations with the city of Philadelphia have resulted in a long term lease on a city-owned plot of ground adjacent to the Jacob's playground at Linden and Jackson Streets. It is the club's plan to build on this ground in the very near future. If my bill is passed, the club will be able to participate in the

donated Federal surplus property program and this will help in a limited way to cut down on the building and furnishing costs of the project. I believe that this building project will be for the overall betterment of the Northeast in that it will allow the Torresdale Club to increase its service to area residents.

Unaffiliated organizations such as the Torresdale Boys Club and the 150 like it in the Philadelphia area represent approximately 25 million boys and this total is about 85 percent of the young people of the Nation. These 150 Philadelphia area clubs represent about 50,000 boys and 20,000 girls. But, because of the wording of the 1949 Federal Property and Administrative Services Act these clubs are not eligible to reap the benefits of the donated Federal surplus property program. The major reason why they are ineligible is because they are locally rather than nationally controlled. In my view, while I certainly support the objectives of the national organizations, I believe that locally supported and operated clubs offer many advantages to our boys and girls which the national clubs cannot.

Organizations like the Torresdale Boys Club are financed, manned, and supported completely on a voluntary basis. They do not receive the support of the United Fund as do the national organizations. Typical methods by which these organizations in the Philadelphia area raise money are through Christmas tree sales, Easter plant sales, ad books, candy and coke sales, and carnivals and other legitimate means which are devised by club members.

The Torresdale Club is typical of the thousands of independent boys and girls clubs across the country. In a recent survey the Torresdale Club found:

First. A minimum of \$12,000 net income is required to austere finance club activities serving 800 boys and girls.

Second. The 125 adult coaches are needed during the year for the various athletic teams and these coaches devote about 55,000 hours of their valuable time to coaching.

As I indicated previously, I do not condemn or criticize the national boys club organizations. Both their clubs and independent groups like the Torresdale Club serve a particular need and, in fact, complement each other. Both types of clubs are staffed by dedicated men and women whose primary goal is to guide and assist the youth of the Nation during that turbulent period between childhood and maturity. Passage of my bill will help independent clubs achieve this goal by allowing them to participate in the donated Federal surplus personal property program.

#### THE CONTAMINATED HUMAN

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. PUCINSKI. Mr. Speaker, "Second Sunday," NBC's award-winning documen-

CXVI—233—Part 3

tary series, recently presented "The Contaminated Human."

Participating in this excellent documentary were prominent scientists, reporters, and students. They discussed in a very cogent fashion how the environmental effects of chemicals, pollutants, and so on, have contributed to the contamination of humans.

This important documentary, produced and written by Harry Mantel and directed by Albert Reyes, places into proper perspective the whole question of environmental effects on humans instead of isolated examples.

Because the matters discussed in this documentary affect humans the world over, I highly recommend this thought-provoking and brilliant series to my colleagues.

Mr. Speaker, the NBC documentary follows:

#### SECOND SUNDAY

[Feb. 8, 1970, 9:05 p.m. WNBC/TV and NBC Television Network, New York]

INTERVIEWER. Does air, or water, or pesticides, or any other pollution affect you?

MAN. You're damn right it does. I can see it falling all around us right now. I can taste it in my teeth. And I've got to go to the hospital regularly because of this damn problem. And believe me, believe me, it's like acid in my throat.

WOMAN. Oh, my eyes get sore and red, and tears all over the place.

MAN. The brain lives from oxygen, so if you don't have enough oxygen in your brain, your brain is going to die, your body's going to die.

MAN. It affects your lungs. And I've seen it in hospitals, these people have that emphysema. Of course, I don't have it yet, but I'm lucky I don't. I'm seventy-three. But I'm afraid that it'll affect elderly people very rapidly if this keeps on.

MAN. We are literally being put to death. It may take twenty years, but it's going to kill us all. It'll kill us in ways that, really, you won't be able to detect. And as far as we know, it may even hurt our children.

President RICHARD NIXON. The great question of the seventies is: shall we surrender to our surroundings? Or shall we make our peace with nature, and begin to make reparations for the damage we have done to our air, to our land, and to our water?

ANNOUNCER. Second Sunday, NBC's award-winning documentary series, presents The Contaminated Human. Your host, Bill Ryan.

BILL RYAN. Pollution is not a new phenomenon in the history of the world. Large cities of the nineteenth century were very badly polluted. But in the nineteenth century pollution meant dirt in the streets and microbes in the water. Today pollution means chiefly chemicals in the air that we breathe, and chemicals in the water that we drink, the food we eat.

The average American who thought about air and water pollution a few years ago is now overwhelmed by the proliferation of bad pollution news. Some of it is based on hard scientific evidence, some of it is based on the warnings of a few iconoclast scientists, some on ordinary common sense.

There is belching black smoke in our skies, the noxious stink of auto exhausts hangs over our roads. Pesticides, preservatives, enzymes, food additives, radiation, asbestos, fertilizers and metals accumulate in our bodies. Their combined presence in our bodies, and their accumulated effects on our bodies are not yet understood in the laboratory. Scientists have given them a relatively new phrase in the field of environmental medicine; they call them the total

body burden. Our Second Sunday report will take a look at The Contaminated Human.

Dr. IRVING SELKOFF. New things are beginning to appear, things that were never in our environment, that our bodies hardly know what to do with. Things like new chemicals, peroxyacetyl nitrate, minerals like asbestos, that usually in the past have been in the bowels of the earth, and now are brought to the surface of the earth and are put into the air.

RYAN. Dr. Irving Selkoff, professor and chairman of the Division of Environmental Medicine, and director of Environmental Laboratories at New York's Mt. Sinai School of Medicine, is one of the world's foremost authorities in this field.

SELKOFF. I got up this morning, after sleeping all night on a pillowcase that had been washed with one of these new detergent enzymes. And even after it has been rinsed there is still a very tiny amount of the enzyme left on the pillowcase. We have no knowledge whatsoever that this very small amount will ever affect any mouse in any laboratory test—now that's true. Then I got up and I had my breakfast. The water that went into the coffee was not the water that my great-great-grandfather drank. Now it was treated with chemicals, and there are some traces left in this water. Well, no one has ever been harmed, so far as we know yet, with this tiny trace of chemical left in the water. Now that's true. And as I went downtown to get here, I inhaled very small amounts of lead, of peroxyacetyl nitrate, of carbon monoxide, of benzpyrene, and a host of other substances, including many hardly identified aromatic hydrocarbons. But not one of them in an amount that has ever yet caused, let's say, lead poisoning, or asphyxiation. Now that's true.

These substances, when they got into my body, met in my body fat the DDT that's there, dieldrin that's there, and the normal enzymes in my liver, in my blood, in my heart, in my lungs.

Well, no explosion occurred. And I wasn't even aware of any reaction. Perhaps that's because the cells in my bone marrow had never met these molecules before, and just didn't know what to make out of them. But still, the sandwich that I had for lunch had residual hormones, had residual antibiotics with which the chicken was treated, and there were preservatives in the bread. But only in tiny amounts, amounts that had never made any guinea pig keel over yet. And I had the rest of the day still to go.

Well, you know, when cock robin died, now who killed cock robin? Now the enzyme says, "Not me," and the lead says, "Not me," and the dozen other new chemicals say, "Certainly it's not us." And the probability is they're right. No one killed cock robin. I guess we'll have to call him a technological casualty.

So it's this total body burden that we're concerned with.

RYAN. Dr. Selkoff's warning was restated in somewhat different language by another eminent scientist, Dr. Paul Kotin, director of the National Institute of Environmental Health Sciences of the National Institutes of Health.

Dr. PAUL KOTIN. The human body was never meant to have to handle those things. But we handle them well. But we pay a price. We're essentially using up a certain amount of built-in reserve in meeting our daily insults from the environment. So in terms of disease what we're doing is not creating new diseases, but we're making diseases which shouldn't have their peak appearance until the eightieth or ninetieth decades of life now beginning to appear in the seventieth, in the sixtieth, in the fiftieth.

See, we've all got to die of something some time. But what environmental injury is doing is not only changing the pattern of

disease, but accelerating the onset of disease. And this is why it's so difficult to study. Why appropriate answers haven't come out as quickly as one would hope.

RYAN. A pathologist and world authority on cancer research, Dr. Kotin admits that much of the contamination of humans by pollutants still has to be determined.

Up until World War II, the environmental health problem was primarily that of infectious diseases caused by microbes and germs, in which it was easy to establish a cause and effect relationship. For example, the bacillus that caused diphtheria and the virus that caused smallpox took only a few weeks to bring on the disease. But chemical agents of today may take years, decades to produce environmental diseases like cancer, emphysema, bronchitis and heart trouble.

Obviously you can't vaccinate against these diseases, as you can for tetanus or whooping cough. Dr. Kotin predicts the causes of death in decades ahead will be characterized by their chronic, untreatable, incurable and costly nature. There is no way yet to soften hardened arteries, or replace scarred kidney or heart tissue, or degenerated brains.

We are not only fouled up by a complex environment, says Dr. Kotin, but we have no tests yet to determine our susceptibility to environmental disease.

KOTIN. A pure environment is an impossibility, unless we're willing to go back to the year 1880. Since you can't get everything out of the environment, we have to determine at what level we can be exposed to these agents with minimal harm. There is a level of these agents which the body can handle and throw off without any long term ill effects to itself. We call this the threshold. And this is what we must concern ourselves with, because it is this that will let us know what the standards are, how much in the way of lead we can allow in the air, or hydrocarbons, or how many asbestos fibers we can tolerate.

We have another problem, and that is many of the agents that are in the environment get into the body and are stored there. We call this body burden. We have to ask ourselves, does the accumulation of a body burden increase our susceptibility to further exposure to the same agent? We really don't know that. For some agents we do, for others we don't. There's a great hue and cry about the storage of DDT in the body. It's bad for you. But scientifically we don't know that body storage of DDT is, in and of itself, a potentially disastrous thing.

I suspect that it is; my research some day may prove that it is. But as of this moment, neither I nor anybody else can say that.

Dr. RENE DuBos. The concentration of certain pesticides in the milk of a normal, healthy American woman is very much higher than the concentration that is permitted in foodstuffs by the Food and Drug Administration. In other words, it would not be legal for a lactating woman to cross state borders, because that would go against the law. She contains more pesticides than is allowed in the food that one sells.

RYAN. That was Dr. Rene DuBos, winner of a Pulitzer prize for non-fiction, known throughout the science world as a great microbiologist, a professor at Rockefeller University, where he's engaged in pesticide research.

By now most of us know that DDT, which was first intended to control typhus and malaria, has been carried by winds, oceans, and rains to nearly every inch of the planet, and into the fat of all animals. In his research, Dr. DuBos discovered that while pesticides stored in human body fat may not be toxic in small amounts, there is still a danger from something else.

Suppose the amount of pesticide kept accumulating in body fat. Then suppose a per-

son began losing weight, either from a diet or an illness. Dr. DuBos describes the danger.

DuBos. Losing weight means, of course, that much of the fat of the body is being utilized. And when the fat is first being metabolized, destroyed, then all of a sudden the pesticide that was stored in it is released suddenly into the body. So that in reality it amounts to injecting an enormous amount of pesticide at a critical period in the life of the person. And this is where I believe the danger is going to be. Not from the effect of the day to day exposure, but from the storage and the sudden release, under traumatic, stressful conditions, of the stuff that has been stored away.

RYAN. For years some scientists have been sounding warnings about another body burden, lead. We asked Dr. Kotin, who three years ago became the first director of the newly formed Institute of Environmental Health Sciences, to discuss the dangers of lead. You will note, he distinguishes acute lead poisoning, which comes to a crisis quickly and violently, from chronic lead poisoning, which lingers for a long period. We should also note that the essential mission of Dr. Kotin's Institute is to establish a scientific base, criteria upon which other governmental agencies, the Food and Drug Administration, and those concerned with water and air pollution, can plan control programs.

KOTIN. Now you see, lead is an element that is present naturally in the environment. But we also get it from very many, many sources. Many of our consumer products contain lead. We're getting lead out of the exhaust of vehicles that use leaded gasoline.

Now the idea that lead was an acute poison in high concentrations has been known for a long time. Acute lead toxicity is recognized. In fact, when children's toys were made out of lead, I as a pathologist autopsied several kids who died with acute lead brain damage because they sucked on their lead toys.

When Clare Booth Luce was in Rome, and she got this illness that was finally diagnosed as chronic lead poisoning, because the paint was peeling off of her apartment, when she was the Ambassador, and she was inhaling inordinate amounts of lead.

Well, our problem is this: how does lead affect the body in chronic ways, if it does? We want to determine if there is a level of lead exposure which is harmless. Because if there is no level of lead that's safe, that the body can handle and dispose of, then this has grave implications for regulatory agencies within government. And this is where we are in lead now.

Now the diseases that acute lead poisoning can cause are well known. It can injure the kidneys, it can injure the blood, it can injure the brain, the peripheral nerves, you can get a neuritis, and so on. We don't know that these things can be caused from chronic lead poisoning as yet. This is what we're trying to find out.

RYAN. If auto exhaust is one cause of traces of lead that accumulate in our bodies, we should expect more of this body burden in cities, which depend on the automobile for mass transportation.

Dr. John Goldsmith is a leading environmental epidemiologist. He directs research of health effects of air pollution for California's State Health Department. Dr. Goldsmith says his work is a new kind of occupation. He says it's the study of what environmental exposures do to the health of population groups. He, too, is concerned about lead, but is frustrated by a lack of research.

Dr. JOHN GOLDSMITH. We are concerned about lead levels in Southern California, because the atmospheric measured data for Los Angeles is about twice as high as the other metropolitan areas in the United States, and several times more above the rural levels.

And we've been trying to get the federal government to do adequate studies on this ever since 1959. They finally did, under considerable pressure, a fairly good study. And they were able to show that, sure enough, if you included the people who had occupational exposures to motor vehicle exhaust, there's a pretty clear gradient between the exposure level and the blood level. And the blood level is a fair indicator of the body burden of lead.

We subsequently did another study which showed that the people who lived along the coastal strip in Los Angeles had a statistically significant lower blood lead level than the people who lived inland.

Now as far as our department is concerned, and as far as I as a scientist am concerned, the evidence concerning the effect of these community exposures to increased storage of lead is settled. There is increased storage as a result of motor vehicle exhaust. The effect of this on the body depends on the determination of some biochemical changes which we know lead can do, which specifically interferes with important enzymes in the body, enzymes that are associated with the production of hemoglobin, the blood pigment.

And we have several times, and repeatedly, requested that the federal government give us some assistance in studying this problem. Since we've defined its dimensions, we know where to study it, we know how to study it, we have laboratory capacity. But the field work is a fairly costly matter. And to our dismay they have referred this problem to the lead producing industries, to decide whether those industries will support this research. And I think this is evidence of the effect of the lead lobby on the federal policy on this matter. And I find it quite objectionable.

RYAN. Another body burden, insidious in nature, is carbon monoxide, a colorless, odorless gas formed by the incomplete oxidation of carbon. We usually think of carbon monoxide as a poison that asphyxiates a motorist in a closed car or garage while the engine is running. It's more than that.

Recently the New York Academy of Sciences held a symposium on carbon monoxide, and some scientists pointed out a possible relation of carbon monoxide to coronary heart disease. They asked, do excess coronary deaths associated with cigarette smoking, for people from forty to sixty years of age, have any connection with the carbon monoxide from the cigarettes?

It's known that people in the older age group who smoke have the greatest frequency of lung cancer. But the younger people, scientists speculate, possibly die of heart attacks associated with carbon monoxide from cigarettes, or from three other common sources of this poison gas. Carbon monoxide can increase the deposits of fatty material in the big blood vessels of the human body, can also impair the flow of oxygen in blood vessels during a heart attack or stroke. Dr. Goldsmith comments.

GOLDSMITH. We also suspect that carbon monoxide may be a factor in the survival of people who get heart attacks. It's an inference from what we know about carbon monoxide's effects. Its effects are primarily to interfere with the transport of oxygen from the environment, from the air that we breathe into our lungs, to the tissues of the body. Now if a heart attack occurs, or for that matter any other vascular accident, such as a stroke, it's pretty obvious that the survival of the organ that's affected, in this case mostly the heart, depends on the auxiliary transport of oxygen by vessels that aren't obstructed.

Now if that oxygen transport is impaired, as carbon monoxide quite specifically can do, it stands to reason that there may very well be a lesser probability of survival of people who have such exposure.

RYAN. It may seem strange that only a few cities regulate the carbon monoxide levels in public parking garages. Yet a person with diabetes who is also overweight might possibly increase his risk of coronary disease if he were to park his car in a public garage, where the carbon monoxide was present in a large amount.

But the parking garage is not the only place of danger.

GOLDSMITH. Here in New York City apartment houses still continue to be built in the air rights over very large traffic arteries producing what I can't help but assume are some risks of carbon monoxide exposure to people who live there. One of the things that most appalls me about the carbon monoxide problem is that the evaluation of it is very, very simple, where we've developed and we've demonstrated, based on the work of a number of other people, how terribly easy it is to estimate the body burden of carbon monoxide. It takes a minute or so to get a specimen of air after breath-holding from the lungs. And it takes a minute or so to run it on an instrument. And the results are very precise, and they're very dependable. This has been shown over, and over, and over again.

And I understand that some studies are beginning to be done using this method. But when you ask yourself the question, where are the sources of carbon monoxide exposure, there are four, and they are cigarette smoking, for which there's virtually no support of research on carbon monoxide exposure; there are occupational exposures, for which there have been in general some regulations, but very little research, and very little careful evaluation of the body burden produced by occupation; they are community air pollution, for which we have fairly elaborate monitoring systems in some places; and finally there are household heating and cooking, which is responsible for a number of fatalities each year, which doesn't seem to be of the slightest bit of interest to any of the specific environmental management agencies, for which there are no studies, there is no monitoring, and virtually no regulation.

I'm appalled at what's happened to our proposal for getting more data concerning the effects of community air pollution. We have submitted it to the National Air Pollution Control Administration, which has turned it over to a consortium representing the motor vehicle and petroleum industries for decision as to whether the project ought to be supported. And this is rather distressing to us, because we feel that there should be within government the independent capacity to investigate crucial problems.

RYAN. A major mission of the National Institute of Environmental Health Sciences is to study contaminating agents of different types, from different sources, all acting at the same time. This is called synergism, the multi-factor way in which environmental diseases can be produced, in which one plus one, says Dr. Kotin, equals three.

KOTIN. A person can contribute to his getting emphysema by smoking, by breathing dirty air, and working in a dusty factory. The three different environments, with three different groups of chemicals can react with one another and add, pile up on one another.

And the same thing goes for a food additive, or a chemical, or a preservative. Sure, it's safe for the Food and Drug Administration to say that this much of a food additive is safe. And when they say that, they're absolutely true. But what they haven't taken into account—and they can't—is the possibility that the same agent, or similar agents, are entering the same person from five different sources. So that it really isn't safe any more.

Well this is again a major role, a major component of the mission of the Institute. Synergism, combined effects, multi-factorial

effects. And this really may be the clue to the whole business. Because some of the things we're seeing are not explainable.

For instance, in the London fog there wasn't a single chemical measured at a concentration alone to produce the deaths and disabilities. But when you took the many, many agents that were measured and added one on top of the other, then it began to make sense. And this is the problem now.

ANNOUNCER. Second Sunday, The Contaminated Human, will continue after a ten second pause for station identification.

RYAN. As we wonder just how much we are contaminated by pollutants, or why American scientists don't have complete answers to that question, just remember that we're only beginning to learn that pollution is also altering weather patterns, and this process is also not yet fully understood.

Has pollution gotten so bad, or are we just waking up to its effects? Or are the alarms sounded somewhat false, not by design, but by lack of facts?

On January 10th NBC News assembled some of the best environmental scientists from Great Britain, Canada and the United States at a special symposium that was held at the New York Academy of Science. Perhaps it was the first of its kind to thrash at the subject of total body burden, and thrash it did.

Also attending were many concerned college students and young doctors, sort of a prelude to the national environmental teach-in which will be held on college campuses April 22nd. The panel chairman, Dr. Selkoff, answered the first question from a medical student.

STUDENT. I was wondering if a member of this panel would like to comment on how scientists study the effects of various agents, and how it's determined what levels are needed to produce disease.

SELKOFF. Well, you've asked a very embarrassing question. Because the question that you ask is the question that our political leaders ask of us: what should we allow in the atmosphere, or what should we allow in the water? How much of this should we allow? How much carbon monoxide should we allow? How much nitrous oxide should this company be allowed to put out of its smokestack? How many bacteria per cubic centimeter of water should we allow this effluent to have, etc. And we have to give these answers.

In the past, I'm not sure that we have been able to give these answers, because we have been looking for the specific effect of one pollutant. And this may not have been the right thing to do.

RYAN. Also on the panel was Dr. Patrick J. Lawther, director of Air Pollution Research Laboratories for the British Medical Research Council. Dr. Lawther has been very much concerned with a single, specific air pollutant. He fielded a question by pointing to some successes of his efforts, and by raising some questions of his own.

SAM BEARD. My name is Sam Beard, chairman of a citizens' group called City Venture. And I wanted to ask Dr. Lawther, to what extent is it a medical problem, whether these pollutants are really causing respiratory problems, or other direct diseases?

Dr. PATRICK J. LAWATHER. Of course, I'm glad you asked that, because this is where we're all going haywire. I mean, this, I suppose, is called—I don't know whether it's world-wide—but in our country it's called Environmental Pollution Year, and it'll bring out every Jeremiah from under every stone in the country prophesying imminent asphyxiation. People are running around like a bee in a bottle, abolishing this and abolishing that, and abolishing cyclamates, without realizing that sugar is a very severe poison to a diabetic or to an obese person. And what on earth are we playing at?

I have an idea that, you know, sir, that we've faced with maxi-problems, we're making ourselves little mini-problems, and with pseudo-mature action we're writing off this toxic thing, and writing off that toxic thing, because a few rats have keeled over. Of course we've got to be vigilant. But, of course, I think that in order to make any sort of impression here, we've got to tackle the things which are immediately tackleable.

We tackled smoke. Smoke was always an indication of inefficient combustion, was indefensible, represented an economic loss. The other day I quoted the Beaver Report from 1954, which led to our Clean Air Act, in effect where we said to hell with all these odds and so-and-so's lying around, smoke is a thing which has got to be got out first, let the research workers get on with the job, and in the meantime clear the air up.

But when one talks about acquiring medical knowledge on which to formulate laws, don't let's forget that science and common sense are not two distinct things. As far as I'm concerned, it's utterly irrelevant what is put out. It's what goes in that matters to me.

Now if you're a town planner, or if you're a designer of a power station, or if you're an engineer, then you tell me about the emissions, and I'll find you a man who'll tell you how high to build the stack, and all the rest of it. But the amount of time, and temper and thought that has been wasted in confusing emissions with ground level concentrations, when one is looking at pinnacle effects, is enormous.

The whole point about it is that emissions are only relevant as far as they're connected with ground level concentrations. We frequently get this put out, do we realize that—I think the motor cars in London put out twelve thousand tons of carbon monoxide a day, or per hour, or per year—it doesn't matter which, the figure isn't even worth remembering. It's what the chap at the curbside breathes for how long, under what circumstances.

STEVE LAWRENCE. I'm Steve Lawrence from Columbia University. It would take a lot of guts to go up against industry, who have hard economics behind them, with subtleties. For instance, one of the problems with the Santa Barbara oil slick thing was that when a lot of the people wanted to file suits and get expert testimony against the oil companies, they couldn't find any experts who weren't employed by the oil companies, you know. And they complained in the press that none of the scientific experts on oil pollution were willing to come forward in court and testify against their employers.

And you very well may have the same situation in a lot of fields, with environmental problems. How is the scientific community directing itself against this? I mean, you people perhaps may have a crisis of conscience also.

LAWATHER. I wonder if I could just make a very, probably a superficial comment on this. But in going around the world looking at this problem, I'm always struck how glibly one assumes that industry is our enemy. Industry is part of our society. Industry certainly—all right, there are big, bad wolves, and there are people making lots of money out of the poor citizenry. But I was struck by this in several—well, I won't go into detail about where I was struck with it—but this common assumption that if you beat industry with a big enough stick, you'll benefit mankind.

The hard questions which are being asked now by industry, if you like, is: all right, how clean do you want your air? We will now tell you how much it'll cost you. And if you delude yourself into thinking that this is the other side of the coin, or the other side of society, I think the effect will be disastrous. Because there comes a time when

the firm goes out of business. And this happens time and again, because the burden put on it renders it uneconomic.

Now you are swapping here a very dubious risk of say oxide fume on the health of some people for a very real risk—you've created three thousand unemployed. And I think that this is—whereas one, of course, has got to realize that there are vested interests, and all the rest. But for pity's sake don't let's go on thinking that industry is necessarily our enemy. It's part of our society. We don't get these things for nothing.

RYAN. Another member of the panel was Dr. Merrill Eisenbud, New York City's Environmental Control Administrator, who told the symposium he found no solid evidence from which to get frightened over the effects of pollutants.

Dr. MERRILL EISENBUD. Here's one point of view, and yet this is where the emphasis is. Now the President came out with a statement setting up this Council of Environmental Advisors, with what I think was very imprudent language coming from the White House, and which—He said something to the effect, that we must move fast, because the air of the cities will soon be unbreathable.

And a reporter called me up, and he wanted to know, and he asked me in dead seriousness, when was the air of New York City going to become unbreathable? And how do you explain to a person like that that the air of New York City, like many cities in this country, has been getting better, not for just three years, four years, but for thirty or forty years.

SELKOFF. I don't know if I agree with you, Merrill. I don't know if President Nixon was all that wrong in the expression of his concern. He certainly reflected a similar concern among very many scientists. They're thinking now of what happens to a crowded population with peculiar nutrition, with a great deal of emphysema present, with stress, etc., and the combined effect of all of these factors, the total body burden of these.

Now in New York City, for example, you people have spent hundreds of millions of dollars very wisely, and have been able to control the sulphur dioxide. Now why did you spend hundreds of millions of dollars controlling sulphur dioxide? We have no real knowledge that it does any harm. But that's what we know how to control. Therefore we control that.

It's a very difficult question. But by the same token we have to go at all positives. Because at this point in time we suspect that the addition of these various factors adds up to more than the sum of the individual parts.

RYAN. Will man always be able to adapt to his environment? If the contamination of man won't be fatal, then that might be the answer to the pollution puzzle. Well, Dr. E. Cuyler Hammond, vice president of the American Cancer Society, is a distinguished expert at bio-statistics and genetics. The question of adaptation was answered by both Dr. Hammond and Dr. Selkoff.

Dr. E. CUYLER HAMMOND. By evolution, physical evolution, we were adapted to certain things which were in the environment as we developed as a species. When new things are added to which we haven't been adapted, it's a question as to how the genetic makeup of our bodies is going to react to them. And I think we only know a little bit about that at the present time.

SELKOFF. Well over the centuries we have adapted to many things. And this is often quoted as a reason for optimism at this time, that we will be able to meet the problems of the twentieth century as well, and the diseases of civilization will also be met and conquered by the great adaptability of man.

RYAN. Again on adaptability. A few days ago a New York University chemist announced that he had discovered that sulphur dioxide, the major air pollutant and

food additive, may cause what he termed a drastic change in the basic structure of the chemicals of heredity. And, he said, that could cause mutations and cancer in humans and other living organisms.

Since formation twelve years ago of the Committee for Environmental Information, a non-profit St. Louis corporation, there's been a steady growth of similar groups in other cities. Their aim is to provide unbiased scientific information relevant to public issues.

February's issue of the Committee's magazine, Environment, features an article about a University of Kansas scientist, Dr. Ernest Angino, reporting he has detected and confirmed arsenic at the level of ten to seventy parts per million in nine common pre-soaks and household detergents. Such arsenic, says Dr. Angino, is a potential water pollutant and a danger to humans. His report was passed on to the government's Consumer Protection and Environmental Health Service.

Environment magazine has been doing this sort of public service for a long time. In the fifties the Committee did a nationwide survey that proved Strontium 90 had lodged in the teeth of American babies. So many, many articles with hard conclusive data, although sometimes controversial and premature for the halls of science, are published by Environment magazine.

NBC News interviewed its editor and author, Sheldon Novick, and the topic was: the contaminated human.

SHELDON NOVICK. It's terrifying just to look at the list of things that people inhale and eat every day. If you take the Public Health Service market basket survey, they analyze a number of chemicals that people are exposed to in their food. And Kevin has just handed me this list, which looks to be about fourteen chemicals, including arsenic, and cadmium, and DDT, and dieldrin, and a number of other things which are less well known. And these are things which people take into their bodies in concentrations on the order of a few parts per million, and which are probably present in their bodies in the same kinds of concentrations as these appear in their food.

If you look at the air of a city, here is a list of what looks like about fifty chemicals with the most appalling names. Many of them are known to be carcinogenic; others are toxic metals, like arsenic, and vanadium, and cadmium, and lead. The levels of lead in urban atmospheres are quite high, as we know. Carbon monoxide. These things accumulate in the body. And their effects are probably not separate, they probably all act together. And they act on people who are already debilitated from malnutrition or disease.

And I believe that we are beginning to acknowledge the fact that some of our most critical health problems—and some of them are really scandalous—are a result, at least in part, of exposures to this catalogue of poisons that we eat and drink and breathe.

In the United States it's become clear in recent years that the improvement in life span that we had seen for the last fifty years, or hundred years, has stopped. Whether or not you can establish a direct cause and effect between one chemical and one disease, you know that living in an environment of toxic chemicals, loud noises, and inadequate air is going to make you sick.

RYAN. Insurance companies are not frightened by thoughts of impending doom. A world authority on actuary research, Edward Lew, vice president of Metropolitan Life Insurance, says that life expectancy in the United States has remained substantially the same during the past fifteen years. Lew has specialized in studies of medical conditions, occupational hazards, and population statistics in making judgments about human longevity.

EDWARD LEW. I'm certainly not alarmed about the threats to health arising from air, water, or other pollution of the environment. The point is that we have been able to deal with this kind of problem in the past. In the 1920s we did a pretty good job of cleaning up the air around Pittsburgh. More recently in England it has been shown that the kind of atmospheric pollution which was responsible for the traditional London fogs can be drastically reduced.

We know from the insurance business that the accomplishments of industrial hygiene have been very significant in eliminating dust and chemical hazards in industry. And this shows you what modern safety engineering can do.

With this kind of know-how in our technology, there's no reason to believe that the technical problems of environmental contamination shouldn't be solved in not too long a period of time.

RYAN. Mr. Lew has many years of experience in medical statistics, and says that continued environmental contamination may have its most pronounced effects in making worse the health problems of the older people. But we must bear in mind, he adds, that young people and adults in good health have a tremendous capacity to adapt themselves to the environment.

A specialist in public health, Charles C. Johnson, Jr., the Administrator of the government's Consumer Protection and Health Service, says there is cause for alarm. Johnson's department was budgeted for two hundred twenty-five million dollars, spends about one hundred million dollars for research. Johnson says we've reached the point in time that we can no longer continue to develop technology without determining the consequences. He, too, talked about the contaminated human.

CHARLES C. JOHNSON. I think you're in an area where, when you're talking about total body burdens of insults that reach us from our environment, this is a virgin area. Because people have not thought about the total environment as a system, because they've only talked about it in terms of certain categorical entities, food for instance. You can get a lot of people that will talk about the amount of lead, of pesticide, or radiation that you have to absorb through a particular categorical entity.

I think now people are beginning to talk about, we don't just get our total body burden from food, we don't just get it from air, but we get it from water, and we also get it from the immediate environment of home work or school.

And up until recently, you haven't had the people thinking about the environment as a system that impinges on us from all aspects. And I daresay that there are not very many people that can tell you at this point in time what the total body impact is. Now some people have tried to say they think they know what the total body burden is. This, certainly, is something we have to define, and we have to discuss, and we have to get.

But until such time as we have a national surveillance network that tells us to some degree of accuracy what the impact is from all of these insults, it's going to be very hard to define, to establish a total body burden for any one independently, that says this is safe for people to expose themselves to.

Like in all things, I think you would find most anyone saying that there ought to be more research, there ought to be more research in most of the things that we're talking about, in terms of the total environment.

You know, at one time it was very easy, in terms of the communicable diseases, such as typhoid and diphtheria, and so forth, to cite a cause and effect relationship between man and his environment. Now, with all the multiplicity of impacts from all their sources, it's not quite so easy to show these cause/effect relationships.

But we know that as man has exposed himself to the diseases of modern civilization—that's heart, cancer, stroke and mental illnesses—that they have to come from the environment. We need to have more research to show us in which ways do these diseases relate to the environment, and how can we change this relationship so that it works to the benefit of man.

RYAN. We have spent the better part of an hour listening to contaminated humans talk about contaminated humans. Some sort of summation is called for. So let me try this.

The snows which accumulate on New York City's streets now grow more black more quickly than they did thirty to thirty-five years ago, when I used it to pack snowballs on those same streets. The waters around the city are filthier than they were in the 1930s, when I swam in them. To be transfixed at the sight of a stream on a Pocono Mountain golf course, so clear that there seemed to be nothing between its shimmering surface and its bed, is a pleasant experience, made emotional because it is now so rare.

I do not know if my chemical laden food, drink and clothing are poisoning me or not. It's important that I learn, if only for the sake of my children.

At the time I went through high school, the quoted price for the chemical contents of the human body was about ninety-eight cents. Well, clearly, inflation has raised that price. So, too, I would imagine has the addition of pollutants, then not dreamed of. I wonder if the increased dollar value is worth the price I am paying, and would very much like to know.

Bill Ryan, NBC News.

ANNOUNCER. You've been listening to Second Sunday, The Contaminated Human, produced and written by Harry Mantel, and directed by Albert Reyes. Technical supervision, Raphael Weiss. Reporters, Roy Neal and Jim Harriott. Second Sunday is produced under the supervision and control of NBC News.

#### LITHUANIA

### HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. LUKENS. Mr. Speaker, February 16 marked the 52d anniversary of a small, brave nation, Lithuania. I am pleased during this anniversary period to extend my best wishes to Americans of Lithuanian descent and those Lithuanians under Communist domination who are still struggling for freedom.

When I first came to Congress, I was proud to introduce a resolution to establish a Special Committee on Captive Nations which would work toward restoring the freedom for captive nations such as Lithuania and her enslaved neighbors, Estonia and Latvia. Since that time, I have continued to speak out for the basic freedom for those people to determine their own future.

The hard-won independence that came to Lithuanians 52 years ago was short-lived. In merciless fashion the Soviet Union annexed the country and crushed the proud Lithuanians into subjugation. Yet the spirit of freedom has not been forgotten by the Lithuanians in this country or their native land. There is a strong sense of lost liberty

in the motherland of Lithuania. A close friend had a recent personal experience of witnessing Lithuanian aspirations for freedom. Visiting Vilnius, the capital of Lithuania, this friend encountered dedicated Lithuanian nationalists who are working to restore a sense of Lithuanian history and culture which the Soviets are slowly and thoroughly eliminating from the annals of Lithuanian history. The Lithuanians are subject to pressures to speak Russian, give up their culture and their religion. Over half of the churches in Lithuania, a historically Roman Catholic country, are closed and the others are delapidating.

The Russians would like the world to believe that the Lithuanians are free, just as they would like us to believe that the Czechoslovakians invited the Russians into their country last summer.

I sympathize deeply with the Lithuanians in their struggle for freedom and I am proud that our Government has continued to adhere to its policy of non-recognition of the Soviet Union's forcible incorporation of Lithuania.

#### "POLITICAL COURAGE" AT LIBRARIES' EXPENSE

### HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. FOLEY. Mr. Speaker, by vetoing the Health, Education, and Welfare appropriations, President Nixon has made it clear that he is more concerned about saving money than he is in the education of the children of America. One of the items that prompted the veto was funds for school and public libraries. If these funds are not returned to the budget, new library services and construction will severely suffer, as will school libraries throughout the country.

I commend to the attention of my colleagues an editorial which appeared on February 1, 1970, in the *Wenatchee Daily World*, *Wenatchee, Wash.*:

#### "POLITICAL COURAGE" AT LIBRARIES' EXPENSE

President Nixon has been praised for his "political courage" in vetoing the Health and Education measure out of the Federal budget because he believed the 1½ billion more dollars it contained than he thought it should would be inflationary.

The action must have been wise, because it was easily upheld by the House.

But one would hope that some of the items that had been added by Congress over the President's objections will find their way back into the bill which must be redrawn now.

Praise for the President's political courage in vetoing the measure must stem from the fact that "health and education" is sort of a mother-home-and-heaven proposition. The President claimed that many of the items contained in the budget were unnecessary, and not having heard the justification each item must have received from some agency, it would be impossible for a layman to say whether Mr. Nixon was right or wrong.

It's easy to think, though, that out of the \$198 billion the Federal government will

spend this year, many items will be of less importance to humanity than the money for health and education that he objected to.

One of the items that prompted President Nixon's veto was money for school and public libraries. The Nixon budget contained virtually nothing for them. Congress wanted to appropriate \$49 million for public library services and construction, and \$50 million for school libraries.

If these items aren't returned to the budget that will replace the one the President vetoed, the very excellent program of finally bringing school libraries up to some standard will be ended. Thanks to Federal aid in recent years, school libraries now have up-to-date reference books (instead of trying to teach 1970 science from the knowledge of the 1950s), and librarians capable of assembling and distributing them.

These are programs that hard-pressed school districts seldom find sufficient money to finance from local funds.

Library service and construction funds were responsible for the demonstration that resulted in formation of the North Central Regional library district. Those are the funds that financed the Douglas County experiment with mail order library service from a home-distributed book catalogue. It has been so successful, the mail order catalogue idea may become a permanent part of library service all over the country.

Those funds helped build new libraries in Peshastin, Soap Lake, Omak, and Pateros, and helped furnish the new Moses Lake library.

Those are the kinds of funds President Nixon objected to in the budget he vetoed.

They may not be as important as the other items that make up the \$198 billion the government will spend this year. But in the name of continued education of children and adults alike, it is hoped they can be included in the new budget that President Nixon will approve.

#### DRUG ABUSE AND DRUG CONTROL—WHAT THE EXPERTS SAY

### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. RODINO. Mr. Speaker, the subject of drug abuse and drug control is of paramount concern to all Americans. National legislation revising drug abuse and control statutes must be a priority item for this session of Congress.

Recently a "committee for effective drug abuse legislation" was formed by a large group of eminent physicians, pharmacologists, and scientists. Their recent statement, along with an article in the *Medical Tribune*, should interest us all:

#### COMMITTEE FOR EFFECTIVE DRUG ABUSE LEGISLATION

A committee of prominent professionals—including Nobel laureates, medical school deans, legal authorities, eminent scientists and leading experts in drug abuse throughout the country—announced today in Washington that it will speak out on "serious and tragic flaws" in drug abuse legislation now pending before the Congress.

Including such members as Dana Farnsworth, M.D., Director of Harvard University Health Services; Nobel Laureates Joshua Lederberg and Salvador Luria; Karl Menninger, M.D.; F. C. Redlich, Dean of the Yale Medical

School; and members of the National Academy of Sciences, the rapidly expanding group known as the Committee for Effective Drug Abuse Legislation, will offer Congress the "full cooperation and counsel" of leading medical and legal specialists who are deeply involved in drug abuse prevention.

The chief spokesman for the group is Neil L. Chayet, Lexington, Mass., a Boston attorney and Lecturer in Legal Medicine at Boston and Tufts Universities. Chayet is a member of the Scientific Review Committee of the Center for Narcotics and Drug Abuse of the National Institute of Mental Health.

According to Mr. Chayet, the group is extremely concerned about "the adverse impact of the bill on the practice of medicine, and, more particularly, on research and education in the area of drug abuse."

"The movement marks the first time that so many leading professionals have joined together to help shape national legislation in the field of drug abuse," he added. He listed a series of objections to the Senate-passed bill, now being heard before the House Interstate and Foreign Commerce Committee.

1. The bill places immense burdens on the day-to-day practice of medicine and attempts to regulate substances properly used by millions of law abiding citizens and their physicians. The bill misses the mark of dealing effectively with the epidemic of drug abuse which is of such great public concern.

2. The initial and final judgment as to whether to restrict an old, current or new compound lies solely in the hands of the Attorney General, regardless of the information provided by the scientific and medical community, which is relegated to a weak, advisory position.

3. The criteria for placing restrictions and controls on drugs are stated in terms of "medical usefulness" and "potential for abuse," rather than dangerousness of the substance as far as the individual and society are concerned. The result is that once again, marijuana is classified in the same schedule as heroin; minor tranquilizers are classified along with truly dangerous substances; and very dangerous drugs, such as the amphetamines and short-acting barbiturates are classified as mild substances.

4. The bill calls for mandatory federal registration of all persons and institutions dispensing drugs, whether for research or General, rather than a representative of the scientific community, has the final say on whether a researcher who wants to do bona fide research with methadone, for example, can proceed.

5. The record-keeping and inspection provisions of the bill place an enormous burden on the hundreds of thousands of physicians, researchers and scientists who must use these drugs daily in both treatment and research, and the bill gives broad regulatory power to the Attorney General relative to inspecting the private and confidential patient records of physicians throughout the United States.

6. The bill gives broad research and education responsibilities to the Attorney General and the Department of Justice in areas other than law enforcement. This represents a serious potential dilution of the research and education effort, and the distinct possibility that the role of the health and education agencies will be lessened and confused.

7. The bill sets up machinery which permits a law enforcement officer to enter a private dwelling, laboratory, or physician's office or home without warning, a provision which could endanger the innocent.

Chayet added that the group has joined together to call attention to the generally overlooked facts of the legislation and to express concern over its sweeping implications.

The chairman of the group is Dr. Jonathan O. Cole, former chief of the Psychopharmacology Research Branch of the National Institute of Mental Health, and presently superintendent of the Boston State Hospital. Dr. Cole called attention to the fact that law enforcement agencies can perform extremely valuable services in the area of drug abuse, but they should not be in "a position of absolute power when it comes to making such sensitive decisions as registering researchers and classifying dangerous substances.

"The bill as presently drafted will hamper research and retard the development of valuable new treatment modalities at a time when they are so obviously badly needed," he added.

Dr. Daniel X. Freedman, Chairman of the Department of Psychiatry at the University of Chicago and Chairman of the American Psychiatric Task Force on Drug Abuse, stated:

"It is tragic that this legislation is politicizing an area so important to our entire society. Affected by such legislation would be those seeking sorely needed knowledge about drugs and their abuse, and the victims of illicit drug use. Also affected are perhaps a third of all useful drugs which patients require from their physicians.

"The effect will be to create a huge and cumbersome bureaucracy within the Department of Justice with the capacity of exerting serious and unwarranted controls over research and the legitimate practice of medicine."

Dr. Freedman concluded: "This package has been labeled a law enforcement and crime bill, but it emerges as the total regulation of a major segment of the nation's health care."

Members of the group as of February 13 are as follows:

James A. Baine, Ph. D., President, American Society of Pharmacology and Experimental Therapeutics.

Larry Alan Baer, M.D., Commission Addiction Services Agency, New York City.

Walter Barton, M.D., Medical Director, American Psychiatric Association.

Paul H. Blatchly, M.D., Professor of Psychiatry, University of Oregon.

Henry Brill, M.D., Director, Pilgrim State Hospital.

Richard Brotman, Ph. D., Professor of Psychiatry, New York Medical College.

Joseph Cochran, M.D., Ph. D., Boston University, Chairman, Scientific Review Committee, Center for Studies of Narcotics and Drug Abuse, National Institute of Mental Health.

Jonathan O. Cole, M.D., Superintendent, Boston State Hospital, Former Chief, Psychopharmacology, Research Branch of The National Institute of Mental Health.

Vincent P. Dole, M.D., Professor, Rockefeller University.

Edward F. Domino, M.D., Professor of Pharmacology, University of Michigan.

Joel Elkes, M.D., Professor and Chairman of Psychiatry, Johns Hopkins Medical School.

Sydney Ellis, Ph. D., Professor and Chairman, Department of Pharmacology and Toxicology, University of Texas, Galveston.

Dana Farnsworth, M.D., Director, Harvard University Health Services.

Daniel X. Freedman, M.D., Professor of Biological Sciences, University of Chicago, President-Elect, American College of Neuro-psychopharmacology.

Bernard Glueck, M.D., Director of Research, Institute of Living, Hartford, Connecticut.

Louis Goodman, M.D., Professor and Chairman, Department of Pharmacology, University of Utah, Member of National Academy of Sciences.

John D. Griffith, M.D., Associate Professor of Psychiatry, Vanderbilt University, Nashville, Tennessee.

Mike Gorman, Executive Director, National Committee Against Mental Illness, Washington, D.C.

David Hamburg, M.D., Executive Head, Department of Psychiatry, Stanford University.

Jerome H. Jaffe, M.D., Director, Drug Abuse Program, University of Chicago.

Herbert D. Kleber, M.D., Director, Drug Dependent Unit, Connecticut Mental Health Center.

Nathan Kline, M.D., Director, Research Center, Rockland State Hospital, New York.

Conan Kornetsky, Ph. D., Member, Council of Psychopharmacology Division, American Psychological Association.

Harry Kalven, Professor of Law, University of Chicago.

Joshua Lederberg, Ph. D. (Nobel Laureate), Director, Kennedy Laboratories for Molecular Medicine, Stanford University.

Robert B. Livingston, M.D., Professor and Chairman, Department of Neurosciences, University of California, San Diego.

Salvador Luria, M.D. (Nobel Laureate), Sedgwick Professor of Biology, Massachusetts Institute of Technology.

Arnold Mandell, M.D., Professor and Head of Department of Psychiatry, University of California, San Diego.

Francis de Mayneffe, M.D., Director, McLean Hospital, Belmont, Massachusetts.

Karl Menninger, M.D., Menninger Clinic, Topeka, Kansas.

Roger E. Meyer, M.D., Boston University, Former Chief, Center for Studies of Narcotics and Drug Abuse, National Institute of Mental Health.

Neil Miller, M.D., Member, National Academy of Sciences, and Professor, Rockefeller University.

Norval R. Morris, J.D., Professor and Co-Director, Center for Studies in Criminal Law, University of Chicago.

William McIsaac, M.D., Ph. D., Director, Texas Research Institute for Mental Sciences, Houston.

Helen Nowlis, Ph. D., Research Consultant for Student Affairs, University of Rochester, New York.

John A. Oates, M.D., Professor of Pharmacology and Medicine, Vanderbilt University.

John A. O'Donnell, Chief, Social Science Section, Addiction Research Center, Lexington, Ky.

Carl C. Pfeiffer, M.D., Ph. D., Deputy Director, Bureau of Research in Neurology and Psychiatry, State of New Jersey.

Dr. Henry K. Oliver, Professor of Hygiene, Harvard University.

Herbert A. Raskin, M.D., Adjunct Associate Professor of Psychiatry, Wayne State University, Detroit.

F. C. Redlich, M.D., Dean, Yale Medical School.

Howard P. Rome, M.D., Professor, Mayo Graduate School of Medicine, Mayo Clinic.

Michael Rosenthal, Professor of Law, University of Texas and Former Consultant, President's Commission of Law Enforcement and the Administration of Justice.

Parkhurst A. Shore, Ph. D., Professor of Pharmacology, University of Texas, Dallas.

Louis Jolyon West, M.D., Chairman, Department of Psychiatry, UCLA.

Harry L. Williams, M.D., Professor of Pharmacology, Emory University, Atlanta, Georgia.

Stewart Wolf, M.D., Regents Professor of Medicine, University of Oklahoma.

Lauren A. Woods, M.D., Ph. D., Professor of Pharmacology, University of Iowa.

Arnold Ludwig, M.D., Member, Wisconsin Department of Justice Advisory Committee on Drug Abuse.

[From the Medical Tribune, Feb. 5, 1970]

MEDICAL DISSATISFACTION WITH PROPOSED DRUG-CONTROL BILL MOUNTS

NEW YORK.—The medical community's displeasure with the proposed new drug-control bill continued to mount as the draft measure passed the Senate and moved towards action in the House.

Internationally recognized experts in psychiatry and pharmacology joined former top

health officials in warning that the proposed measure, which gives the Attorney General vast authority over psychotropic agents, would substitute concepts of law-enforcement for principles of medical management in areas of drug abuse.

They called for reassessment of what constitutes effective drug control and for a return to medical jurisdiction to the nation's health and science agencies. Passage of the bill, some predicted, could lead to further reduction of research in fear "inhibited" by the presence of "an invisible police line."

"One of the reasons we are so far behind in the treatment of hard-core drug addiction is that it has always been viewed as a law-enforcement rather than a medical problem," said Dr. Sidney Malitz, chief of psychiatric research at the New York Psychiatric Institute, Columbia University. "The proposed bill repeats the mistakes of the past in a number of essential ways."

#### DEPARTMENT COULD END RESEARCH

"The Justice Department can put an end to research with the powers given it by the bill," said Dr. Francis Braceland, editor of the *American Journal of Psychiatry*. "The Department personnel need only decide that some compound doesn't conform to their view of what constitutes a safe drug, and that's the end of that. The right of decision has been taken out of the hands of the medical scientist."

With the American Medical Association already on record in opposition to some of the bill's major features, the latest statements by these and other leading investigators added fuel to the growing controversy over the measure.

The bill, as reported out by the Senate Judiciary Committee, vests in the Justice Department the sole right to determine what constitutes a drug "liable to abuse." The Attorney General is empowered to add to the list of controlled substances any new compounds that, in his view, have a "potential" for abuse. He may, under some circumstances, withhold research certification from a qualified scientist if, in his opinion, the scientist may abuse his trust in working with a controlled substance. The proposed act further empowers narcotics agents to regularly "inspect" a physician's records if the physician uses, prescribes, or "dispenses" any drug on the controlled list, including such widely used compounds as tranquilizing agents.

"This snooping is going to cause trouble and we won't be able to practice medicine properly," Dr. Braceland declared. "A physician in practice cannot know every single substance that is on the Attorney General's list. That is not his job. Yet some Justice Department agent will be empowered to come into his office and hit him with the full force of the law."

Dr. Malitz, who is Clinical Professor of Psychiatry at Columbia, commented: "Many reliable and competent investigators in pharmacology even now hesitate to undertake investigations of drugs because of the inhibitions imposed in their own minds by the thought of possible obstacles. If you are working with marijuana, for example, you are concerned about how much dosage to administer, lest you cross an invisible police line."

"Just the other day, we wanted to do some research with marijuana and we were required, even now, to fill out some 12 pages of paper work. An atmosphere can be inhibitory even in the absence of actual sanctions."

Like other experts, Dr. Malitz voiced sharp reservations about the draft measure's inclusion of chlordiazepoxide, diazepam, and meprobamate in the category of controlled substances.

"There are virtually no drugs that are not

capable of abuse if they have a pleasure potential and the patient is predisposed. On this principle, you immediately and severely limit the physician's right to prescribe," he declared.

"It seems to me," Dr. Malitz continued, "that the proposed bill simply repeats many of the mistakes that used to characterize narcotics control when it was in the hands of the Treasury Department."

The issue of placing tranquilizing agents in the category of controlled drugs brought a sharp attack from one of the world's most widely recognized pharmacologists.

Alfred Gilman, Ph.D., chairman of the Department of Pharmacology at Albert Einstein College of Medicine, Bronx, challenged the Justice Department to produce "evidence and documentation" for listing tranquilizers in a drug-control bill.

"Drugs vary enormously in their abuse potential," he commented. "Large numbers of drugs are CNS depressants and are capable of being abused, but they don't have the actions that addicts seek. Merely to put them on the controlled substances list makes no sense."

"Chlordiazepoxide, diazepam, and meprobamate have medical values far beyond their tranquilizing effects. If you look for significant evidence of their abuse, it's missing. You don't find these agents being 'pushed.'"

Dr. Gilman, who is the author or coauthor of standard texts in pharmacology, noted that the concept of abuse potential in the draft bill "fits every definition: it can be made to cover everything."

He added: "Even a law enforcement agency should be required to produce evidence and documentation for its actions. Mere assertions are not enough. The jurisdiction over psychotropic compounds should be with the health and scientific agencies, not with the Justice Department."

#### SCIENCE ADVISER ASKS RETURN

In a dramatic development, a member of the Attorney General's own scientific advisory committee, joined others in calling for the return of jurisdiction over medical affairs to the Department of Health, Education, and Welfare.

He was Dr. Walter Modell, Professor of Pharmacology at Cornell University, who said: "It is not conceivable that in the Department of Justice you can get away from police attitudes. I can't disagree with anyone who believes that HEW should have jurisdiction over medical matters."

Dr. Modell emphasized that he believed the proposed measure has "some forward-looking provisions." He cited the existence of the Scientific Advisory Committee, as one instance, and the provision for a two-year study of marijuana as another.

"These are useful things," Dr. Modell declared, "but I think that the whole function of drug control should be in HEW. There is something about the atmosphere of the Justice Department that is wrong for scientific judgments."

At the same time, Dr. Modell criticized what he saw as belated alertness to the dangers of moving drug-abuse control to the Justice Department.

"After all, the Food and Drug Administration's Bureau of Drug Abuse Control was taken away from FDA some two years ago and given, first, to Treasury and then to Justice. The time to act was then," he stated. "A mobilization of interested people could have stopped those transfers. Where were the people who are concerned now? Those moves were consummated by default."

Dr. Modell added that he saw at least one virtue in the transfer of drug authority to the Justice Department. "It takes it away from the Treasury Department. I'll admit that Justice is not the most progressive place

in the world," Dr. Modell said. "But nothing could have been worse than having Treasury exert continued authority over drug-abuse control."

Dr. Modell recalled that he had been a member of the scientific advisory committee of the FDA's Drug Abuse Control Bureau and had "just moved along" with the bureau in its transfers. "I myself," he concluded "would prefer to see some such bill as the Yarborough as against the Senate Judiciary Committee's proposals." [The Yarborough measure, still in committee, would take authority over medical affairs away from Justice and give it to HEW.]

Dr. Fredrik C. Redlich, dean of Yale University School of Medicine, also called attention to what he felt are the proposed bill's useful features; among these, he cited the two-year marijuana study and the elimination of mandatory minimum jail sentences for drug users.

But several features of the bill, he added, "do not seem desirable additions to our drug-control laws." The transfer of medical jurisdiction in the area of drug abuse to Justice, he declared, "comes just when many persons in the drug field are coming to realize that drug abuse is a health problem—a problem of sickness and rehabilitation—as much as, or even more than, it is a legal problem. This may be a step backward, just as more physicians are becoming active in drug treatment programs."

As for the addition of meprobamate, chlordiazepoxide, and diazepam to the list of controlled drugs, Dr. Redlich said: "If it can be conclusively demonstrated that there is significant abuse of these drugs and substantial diversion into illegal channels, then they should be so regulated. If not, however, we may be merely adding one more round of paperwork to the practicing physicians' desk."

#### IMPROVEMENT IN BARGE PRODUCTIVITY

#### HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. FRIEDEL. Mr. Speaker, for some time we have had before us a useful modernization of section 303(b) of the Interstate Commerce Act which would legalize a major improvement in barge productivity. Late last year, my committee voted out a compromise measure, H.R. 8298, which would not give the barge lines everything they wanted but was satisfactory to them. At the same time, it incorporated a provision that went a long way to satisfy complaints of the railroads that they are unfairly treated under regulation.

We are most hopeful that this bill will be passed by the House in the coming few weeks. I would like to share with my colleagues a story in the *Journal of Commerce* for January 30 describing the present status of the bill. I therefore insert a copy of the story in the RECORD:

#### "NO MIXING" RULE LEGISLATION

Barge industry executives expect that the "no-mixing" rule legislation will be unblocked and passed by the Congress in 1970, finally legalizing a major improvement in barge productivity which began to be effective 15 years ago.

Some final minor compromises may be necessary, but the legislation is expected to

survive with mixing of regulated and non-regulated commodities approved for a single towload of barges and authorization given to require the publication of rates on all dry-bulk commodities shipped by barge, industry sources said.

"This is an idea whose time has come," J. W. Hershey, of Houston, chairman of American Commercial Lines and a principal barge line spokesman said last week. "There is no controversy over eliminating the 'no mixing' rule. The only argument that remains is over the provision for publication of rates. When the Congress balances the public's right to know the rates that are charged against the potential for discrimination by shippers involved in secret rates, I believe they will come out for the public's right to know what the rates are."

#### TECHNOLOGICAL BREAK-THROUGH

The problem arose out of three technological break-throughs in barge transportation. Improvements in reduction gearing enabled the barge lines to buy faster running, lighter and more powerful diesel engines.

At the same time, according to L. P. Struble, executive vice president of Dravo Corporation of Pittsburgh, a pioneer designer of shallow draft equipment, the barge lines began taking full advantage of the Kort nozzle, a metal shroud around the propeller which concentrated the water against the propeller blades and added some 25 per cent to the effective push or thrust of the towboat wheel under way.

A third break-through occurred, Mr. Struble said, in the steering control of a barge tow: "By strategically locating rudders forward and aft of the nozzles, the naval architects developed a towboat which had absolute steering control, forward and backward."

#### ECONOMIC IMPACT

The economic impact was to triple the productivity of the towboat and enable the barge industry to maintain the same approximate level of rates they were charging in the 1920's. Indeed, as Mr. Hershey testified, average barge rates actually declined about 10 per cent between 1960 and 1969.

The barge industry hired the Stanford University Graduate School of Business to make a study of the economic impact of separating the regulated and unregulated traffic and breaking up 40,000 ton tows. The conclusion of Dr. Karl Ruppenthal of Stanford was that barge lines' total costs per ton mile would have to go up 47 per cent and that there therefore would be a significant change in the rates charged by the certificated barge lines.

Asked at the hearings before the House Subcommittee on Transportation and Aeronautics to translate these predictions of cost increases into possible rate increases, Mr. Hershey testified that shippers could expect a 10 to 15 per cent rate increase if the legislation fails.

Since nothing could be more in the public interest and particularly the consumer's interest than continuation of low freight rates, the barge industry's proposal for an amendment of the bulk exempt section of the Interstate Commerce Act, section 303(b), is highly popular. The bill went through the Senate Commerce Committee unanimously in 1967, but stuck fast in the House Interstate and Foreign Commerce Committee for reasons having nothing to do with its merit.

#### NOT ENOUGH VOTES

Congressmen told the Water Transport Association, sponsors of the bill, that there were not enough votes to get the bill out unless there could be some sort of accommodation of the railroad opposition.

The railroad industry had long sought either the complete regulation of the barge lines or the deregulation of railroads on bulk commodities. After years of struggle, they had failed to achieve either objective and testified that as a result they were under

an unfair handicap in competing for dry-bulk traffic of the barge lines. They particularly objected to the fact that the barge rates were secret.

One leading railroad marketing specialist said that if he had a year's run of the rates actually charged by barge he would be able to design rate proposals to compete for the traffic. Without that knowledge, he was hopeless. Thus, the actual regulation of barge rates was not an essential to increased competition; knowledge of the charges made, however, was crucial.

Under the leadership of Representative Samuel N. Friedel, chairman of the House Transportation and Aeronautics Subcommittee, the committee put together the two main issues, the need to cure the "no mixing" problem and the need to equalize, to some degree, the competition between railroads and water carriers.

The railroads didn't get everything they wanted out of the compromise. Neither did the barge lines. They had originally sought a broadening of the bulk exemption. This had been opposed as too radical by both the ICC and the truckers.

But the consumer certainly came out ahead. As a published statement by the Water Transport Association pointed out, the compromise had six basic public benefits:

"1. Continued low river rates derived from low unit costs resulting from large tows.

"2. More equitable rail-water competition and therefore additional stimulus to improved efficiencies and lower rates by both rail and water.

"3. More intelligence on what is going on in the barge transport market place. The more intelligence there is, the more effectively competition works.

"4. Less discrimination in transportation rates. Discrimination inevitably results from secret rates.

"5. A report by the ICC, based on facts never before available, which can serve as a foundation for future policy-making by the Congress after the two-year trial period provided for in the bill.

"6. Satisfaction of the public's right to know transport rates."

#### DOT ENTERS BATTLE

Some big shippers working through American Waterways Operators were opposed to the publication of rates and fears were expressed that small operators would find publication burdensome.

The Department of Transportation entered the battle with the announcement that the mixing rule bill seemed likely to go through and they intended to use it as a vehicle for amending the rule of rate-making to give more freedom in rate-making to the railroads, although the railroads said they had no interest in joining the two issues together.

The Department, however, said late last year that it intended to offer a bill to give the railroads more rate-making freedom. Dr. Paul Cherington, Assistant Secretary for Policy and International Affairs said, "If these two bills are considered as a package, we have an exercise in good old-fashioned log-rolling."

In actual fact the barge industry thinks the compromise will be much more modest in nature. The first estimate by AWO that 1,700 barge operators would be affected has been scaled back to 600.

This total is disputed by the Water Transport Association which believes the actual number affected would be less than 200, and probably less than 100.

By amendment, the harbor and terminal operators have been exempted and by ICC rule-making the number of carriers required to publish rates could be much further restricted so that short haul carriers could be virtually eliminated.

Another important suggestion has been

made that would cut down the burden of filing rates for the small operator.

The idea is that the carriers required to file rates with the ICC could be authorized to join together in an agency tariff so that there could be one tariff agreed to by everybody.

All carriers would, of course, retain the right of independent action if they desired.

But an agency tariff would eliminate the necessity of having each small barge line publish his own tariff.

Also likely is the re-instatement of the provision in the original mixing rule bill which eliminates the requirement that the exemption applies only to commodities in bulk carried "in accordance with the custom of the trade in the handling and transportation of such commodities as of June 1, 1939."

#### ONLY EXCEPTION

The so-called "magic" date has been a dead letter for some time. Tests before the Commission have resulted in a policy that in effect states that dry bulk is dry bulk, regardless of whether it was carried in barges before the "magic" date or not.

The only exception is sugar in bulk which would be deregulated by elimination of the date. Again deregulation of sugar would intensify competition for the sugar traffic. Rates would be published, but no economic regulation would be possible and the traffic would not be restricted to the regulated barge lines.

The Department of Transportation succeeded in holding up the legislation before the Rules Committee last year. The vote was a narrow seven to six. If the DOT can be persuaded to separate out the very large issue of amendment to the rule of rate-making, bound to be highly controversial with the railroads, shippers, truckers, and water carriers, the main objection will remain those who want secret rates.

#### CASE FOR SECRET RATES

The case for secret rates is not believed to be a strong one. It does permit large shippers to negotiate advantageous rates on a spot basis. But, as other shippers point out, one shipper's advantage is another shipper's disadvantage. Shippers generally would be better off without discrimination in rates, they say. For example, very low back haul rates can often be negotiated. The barge operator is glad to get any rate that will help him return the barge to the origin point. But this means, barge operators point out, that one shipper is subsidizing the other. If there is two-way traffic, the first shipper has a right to share in the economies of the two-way operation.

After the Rules Committee votes out the bill, amendments can be made on the floor and the bill then goes to the Senate, where it is well and favorably known.

The barge operators believe their 15-year struggle is near the end. If, by some mischance, the legislation fails, there is sentiment in the barge industry for letting the axe fall and raising the rates. "How simple our life would be," the argument runs, "if we raised the rates 15 per cent and let the shippers do all the work of getting them down again by passing the bill."

#### MYLAI IN INDIANA?

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. JACOBS. Mr. Speaker, I insert in the RECORD an editorial from the St. Louis Post-Dispatch and three articles by Mr. Bryce Nelson, a most able staff

writer for the Los Angeles Times concerning the shootings of several prisoners at the Pendleton Reformatory in Indiana:

MYLAI IN INDIANA?

On the morning of Sept. 26, a dozen white prison guards at the Indiana State Reformatory at Pendleton opened fire on a crowd of young black inmates who were lying on their abdomens in the belief that the officers would not shoot them in the back. One was killed and 46 were wounded. The details of this shocking incident, which appear to have been suppressed, have been pieced together by the *Los Angeles Times*. That newspaper's account, if accurate, constitutes a terrible indictment of brutality and callousness carried out by prison authorities and condoned by a number of state officials including Governor Edgar D. Whitcomb.

According to a dispatch from a *Times* correspondent, Bryce Nelson, the shooting occurred after the blacks had demonstrated in behalf of a list of demands calling for the right to wear Afro hair styles and to read "black literature" and for the release of four Negro prisoners who were being held in isolation. When the blacks were ordered to disperse from a recreation area, they lay down; whereupon, Mr. Nelson reported, the guards, who were standing beyond a chain link fence, fired volley after volley from their shotguns.

Mr. Nelson's efforts to visit the reformatory, which is the largest in the country, were unsuccessful. He was told by the state corrections commissioner that "we want to keep out people who only do negative reporting." A county grand jury, which received evidence that as many as 90 shots were fired, concluded "there is insufficient evidence to place criminal responsibility" on any prison officers. Even before the grand jury investigation, Governor Whitcomb said that no reformatory employe would be suspended or dismissed for his part in the incident.

Reading Mr. Nelson's account, we found ourselves thinking of the Massacre at My Lai, where Americans also allegedly shot down helpless people in cold blood. But there is no war in Indiana, except insofar as that state shares with the general population our dreadful and devious internal conflict. Despite the admonition that unspeakable things always happen in war, we were incredulous when we learned about My Lai. And we were incredulous when we read about Pendleton; the long official secrecy that surrounded both incidents (and the public indifference to the Indiana episode) speak of a people's humanity that no longer seems operative.

Pendleton, of course, shares with most of our penal institutions conditions that so easily lead to violence: overcrowding, increasingly militant inmates, untrained and underpaid prison personnel. The shooting ought to compel Indiana legislators to address themselves to these problems. But more importantly, the *Times* report of the shooting cries out for a thorough, impartial and public investigation of what appears to be a shameful incident.

[From the Los Angeles Times, Jan. 30, 1970]

HANDLING OF PROTEST IN INDIANA PRISON DEcriED; PENAL EXPERT URGES SPECIAL SESSION OF LEGISLATURE TO END "SHOTGUN" APPROACH

(By Bryce Nelson)

CHICAGO.—A national prison study group has called for a special session of the Indiana Legislature to remedy what it calls the "substandard, inefficient, partisan approach" that determines the state's penal appointments.

This approach, the study group feels, was a major cause of the shooting of prisoners at the Indiana State Reformatory at Pendleton last autumn.

The report of the John Howard Assn., which has its headquarters in Chicago, was

prompted by this shotgunning of blacks by white guards Sept. 26 in which one man was killed and 46 were wounded.

The report, which was prepared by the group's executive director, Joseph R. Rowan, said that "without question, this incident could have been avoided with the use of just some common sense."

REFORMATORY STAFF

Rowan, a penal expert who has had more access to the Indiana State Reformatory than other outside observers, pointed out that the reformatory staff had "used the last and most serious recourse first," had failed to employ either discussion or fire hoses and gas to persuade the inmates to leave the recreational area where they were demonstrating for the redress of alleged grievances.

The report stated that one of the top reformatory administrators had said sometime before the demonstration, "If those niggers don't settle down, some are going to get shot."

One white reformatory staff member told Rowan that "the atmosphere was like a turkey shoot." White staff members and inmates said that the guards who were doing the shooting were characterized by an "atmosphere of glee." When some of the inmates tried to surrender when they were being fired at through a fence, some of the guards firing said that "you niggers aren't going to give up this early."

One officer on the scene reported that another officer had said "he's mine" about an inmate who remained standing. Then the prisoner was shot down.

The report said that it was most disturbing that staff members had said after the shooting that "we would handle it the same way."

Indiana state administrators from Gov. Edgar D. Whitcomb on down have supported the guards' shooting of the prisoners. A county grand jury refused to indict any of those who had done the shooting on the grounds that it could not determine criminal responsibility.

"Gun shooting incidents have been a rather common occurrence inside the Indiana reformatory contrary to all standard practices in existence in this field," the report states. "The rather common practice of staff using guns inside the prison, contrary to standard practices, should be discontinued."

The report said that a state cannot run an effective penal system on patronage and that politics determine the selection of the prison officials.

The report also called for increasing the size of the staff of the Indiana reformatory, increasing the wages of prison personnel, reducing the size of the prison population, developing a rule book for inmates and ending the harassment of certain prison staff members by prison authorities.

BEAUTY, VIOLENCE: A LOOK AT THE AMERICA OF THE 1970's

(By Bryce Nelson)

CLARKSVILLE, PA.—This is the kind of country I would like to have grown up in, the kind of country I would like my children to see and savor.

Old-style America, forests full of deer, hills now covered with snow, well-kept houses with dripping icicles. This is the kind of country where people have natural access to healthy outdoor activities.

Ten Mile Creek here was known as one of America's great fishing streams; people would come from miles around and quickly catch the limit.

Now, the people come up the road along the creek to see the house where United Mine Workers dissident Joseph (Jock) Yablonski, his wife and daughter were murdered in their beds. The house still lies peaceful in its winter wonderland setting; the only strange note is the upstairs windows—open to let out the smell of death.

Citizens here attribute the murders to Yablonski's political activity and appear to wonder only about the murders of the wife and daughter. One resident's comment is representative: "I can understand why someone might want to rap Jock but I can't understand why they needed to kill the women."

It seems that now we have reached the incredible state in this country where people are no longer surprised when a man is murdered because of his political activity. We seem to have forgotten that other countries carry on quite well without adopting assassination as a mode of political expression.

Yesterday I drove west from Clarksville on U.S. 40. The radio disc jockey called our attention to "a great hit for you out in music land"; the singer moaned about whether he had "strength to use the gun, strength to use the gun."

Along the road stood a marker which stated that U.S. 40 was the first national road. Albert Gallatin helped establish it 160 years ago. The founder probably had great hopes for what the westward movement would do for America. The highway eventually went a long way—the whole distance to California.

A few weeks ago, I was driving on U.S. 40 several hundred miles west of here in Indiana. James Whitcomb Riley's "frost is on the punkin and the fodder's in the shock" country. It was very nice to look at.

I didn't spend much time looking. At that time, I was too incredulous that this peaceful country could produce men who could shoot down unarmed convicts through a fence with volley after volley of double-ought buckshot. They killed one, wounded 46.

No high official of Indiana has condemned the act or publicly reprimanded those who did the shooting. There are reports from reliable sources that the reformatory guards considered themselves heroes and that the guards who didn't participate were envious of those who participated. Much of the public reaction in the surrounding towns seemed to be, "Should have killed more of them."

It seems that I have spent all too much of my time lately driving through beautiful countryside trying to reconcile the idyllic American landscape with the actions of the people who live here on this soil.

The reader may protest that I have a warped view because of my profession, that as a journalist I have to spend too much of my time on murder and violence. Indeed, the argument sometimes runs, journalists positively revel in reporting bloodletting.

Not me. In my private life, I diligently avoid the scene of catastrophe when I can. But as a citizen, I believe it is important that I face squarely in the man-caused destruction in our midst.

We must confront these realities and then gather the resolution to turn ourselves and our society against murder. If we cannot summon that resolution, we will be caught in a spiral of murder and assassination that will surely destroy what basis we have left to live with each other.

In my early 20s, I spent three years living abroad and came to bitterly resent what I regarded as unfair generalizations about my country. Although I believe in the need for internationalism and all that, there is a great deal of the flag-waving nationalist in me. It is very, very difficult for me to bring myself to make an unfavorable generalization about this country.

From my admittedly limited perspective, it seems that America has greeted the new decade with another highly disruptive murder.

I talked the other day to Elmer Brown, a plain-spoken West Virginia miner who was Yablonski's running mate for the leadership of the United Mine Workers in last month's election.

Brown, who himself has received anonymous threats in recent days, indicated that

he and his fellow miners are not so much angered by the murders as shocked by what they revealed.

"It's just starting to dawn on us what kind of country we're living in," he said, "and what could happen to all of us."

Like Elmer Brown, I am being forced to a conclusion which fills me with the most profound depression these days I travel through the beautiful heartland of America. I see more clearly that America has a violent heart.

**ONE DEAD, 46 WOUNDED: GUARDS SHOTGUN PRISONERS AND NO ONE SEEMS TO CARE**  
(By Bryce Nelson)

PENDLETON, IND.—On a warm, idyllic autumn day near this sleepy rural town, 12 white men fired repeated volleys of buckshot through a fence at young black men who were lying on their stomachs. They killed one and wounded 46. Few persons around the country seemed to notice.

The young blacks, unarmed convicts, the great majority of whom are 15 to 30 years old, had been demonstrating at the Indiana State Reformatory against alleged anti-black discrimination. They had lain down on cement in the belief that the guards would never shoot them in the back.

The fact that this shooting has attracted so little national attention could be an indication of the public's seeming indifference to the treatment of prisoners.

Many persons in this area, however, regard the shooting neither as a striking indictment of the penal system nor, on the other hand, as a starkly symbolic precursor of a racial Armageddon which may sweep the nation's prisons and the rest of our society.

Pendleton, which is located about 30 miles northeast of Indianapolis in central Indiana, is the nation's largest "reformatory." In the opinion of several experts, it is also one of the country's poorer penal institutions.

Nevertheless, the conditions which helped produce the shooting here—overcrowding, increasingly militant black inmates, and untrained, underpaid prison personnel—are representative of the problem faced by prisons in many other states.

This account of the shooting and its aftermath is based on interviews with several men who work at the Indiana State Reformatory, including eyewitnesses to the shooting, interviews with many knowledgeable persons around Indianapolis and other parts of Indiana, and an examination of the relevant reports and affidavits of witnesses.

**REFUSED PERMISSION**

This reporter did not visit the Indiana State Reformatory. On two separate occasions in the past two weeks, the Indiana Corrections Commissioner, Robert P. Heyne, refused me permission to talk to reformatory officials. All interviews with reformatory staff members had to be conducted in private away from the reformatory.

The reformatory sources asked not to be identified by name so that they would not lose their jobs. Some staff members who are unsympathetic to the shooting have been harassed by prison authorities, they claim.

Although Heyne asserted he had "nothing to hide," he added he was excluding reporters from Indiana's prisons because "we want to keep out people who only do negative reporting." The press has only been admitted to Pendleton on two carefully supervised visits since the shooting.

**SEVERAL DEMANDS**

On the day of the shooting, Sept. 26, several hundred inmates congregated in a fenced-in recreation area. They had several demands, including the right to read black literature and to wear their hair in the "Afro" style.

One demand was for the release of four black inmates who had been isolated from

the rest of the prison population. In discussions on the previous day, the black inmates had thought they had received assurances that the four would be released.

However, on the morning of Sept. 26, they saw two of the four inmates being taken out of the prison for transfer to the Indiana State Prison at Michigan City.

At one point in the morning's hectic activities, inmates started fires in a furniture factory in the reformatory, but these fires were soon extinguished. At one point, an altercation with inmates resulted in knocking off the hat of the captain of the guard, but no guard is said to have been injured during the day.

The guards told the inmates in the recreation area to leave. Many, including all the white inmates, did so. The black inmates asked to present their grievances to Supt. George Phend who was not at the scene of the confrontation either that day or on the preceding day. Although he was said to have been in the reformatory, Phend refused to talk to the inmates.

**ELEVEN WHITE GUARDS**

On the other side of a chain-link fence were 11 white guards and at least one vocational teacher, dressed in riot helmets and carrying shotguns loaded with double ought (.00) buckshot, the largest shot made for their weapons. The general procedure in most prisons is to carry much smaller and less damaging shot.

The confrontation between the guards and the inmates continued for a period estimated by some at about 10 to 15 minutes. No attempt was made to disperse the crowd with tear gas, smoke bombs, or with nearby fire equipment.

It is believed the inmates reasoned that if they lay down, they would force the guards to shoot them in the back if they shot at all. However, according to several sources, the inmates were confident the guards would only fire warning shots into the air if they fired at all.

The inmates were wrong.

**WARNING SHOTS**

The guards fired warning shots. Then, at the command of the captain of the guard, Jason Huceby, the guards began firing through the fence either at or around the inmates.

One inmate who was standing with his back to the guards (some say he was giving the black power salute) was knocked to the ground after two shots which hit first one leg and then the other.

According to several witnesses, the guards continued to fire volley after volley at the inmates. At least one guard is said to have reloaded his shotgun and continued firing after reloading. The county grand jury which investigated the shooting reported it had received varying estimates of the number of shots fired from 15 to 90. According to another account, 57 shell casings were picked up from the scene.

**"HAD YOUR CHANCE"**

One witness said some of the men were trying to rise from the ground raising their hands in the air but were told by the guards "you've had your chance" and were shot down.

After the shooting was over, the men were told to leave the blood-splattered court, which they did, carrying the wounded. Two men were left lying on the pavement.

One of the two, James E. Durr of Gary, was dead with a piece of buckshot in his head. Durr was serving a 1-to-10-year sentence for robbery.

In the group of 46 wounded inmates, estimates of those seriously injured run from eight to 20. Two are said to have had colostomy operations, one is thought to have lost the use of his legs, and several are said to have received shots through the genitals.

There are inmates still hospitalized in Indianapolis, almost three months after the shooting.

One observer at the reformatory commented, "It isn't surprising that one man was killed; what is surprising is that the shots didn't kill 10 or 15 of them."

For weeks after the shooting, many of the inmates who participated, including some of the wounded, were put either into "isolation" or administrative segregation.

There are many reports of more than a dozen men being placed in cells which measure only five by eight feet for days on end. Only in the past few weeks have some of the isolated inmates been allowed to return to the regular prison population.

Those who watched the shooting emphasized that the guards were in no physical danger from the inmates, that there was no riot situation at the time of the shooting, and that the guards did not fire in the heat of panic, but rather waited for several minutes between the time they lined up at the fence and were ordered to fire.

The inmates were clearly refusing the orders of the guards to leave the area, but some observers believe that the group would have dispersed after either serious consultations with prison leaders or if guards used non-lethal physical force.

**NO REPRIMAND**

In the 12 weeks since the shooting there has been no public reprimand of any of the prison people involved. From the governor of Indiana on down, the attitude of relevant public officials has been to support the shooting as necessary.

Soon after the shooting, reformatory Supt. Phend was quoted as saying he backed the actions of the squad "100%." Gov. Edgar D. Whitcomb, before the grand jury investigation, wrote that no reformatory employee would be suspended or released.

Indiana prison authorities have not talked much publicly about the reasons why the shooting was necessary, but one of the official explanations seems to be that the shots were fired to prevent the inmates' disturbance from developing into a riot that could have caused damage and deaths.

Several persons in close touch with the reformatory indicate that prison authorities believe they were stopping a conspiracy which was inspired by outside agitators.

Several sources said Supt. Phend had linked the shooting to the need to take a stand against appeasement.

One contention of the prison authorities is that the guards only fired shots around the inmates and that the prisoners were hit by ricocheting shots. This statement is disputed by witnesses and by those who have talked to wounded inmates.

One witness said it never occurred to him as he watched the shooting that the guards were doing anything but firing directly into the group of men.

The all-white county grand jury investigating the shooting reported that all shots removed from the bodies of inmates and submitted to the grand jury (except for three shots which were too badly mutilated to identify) had hit intermediate objects before striking individuals.

The grand jury concluded that "there is insufficient evidence to place criminal responsibility on any of the reformatory personnel involved."

It was indicated by several sources that a demonstration by black inmates at the reformatory on the preceding day, Sept. 25, had been cooled off by reformatory staff members, including a black teacher. On that day, according to these sources, the riot squad had also been armed with shotguns and was ready to come on the scene.

**"DEVOUT RACISTS"**

"They look like they were slobbering at the mouth, ready to get at them to shoot them,"

one witness said. "These people are very devout racists."

Although more than a third of the reformatory's inmates are black, about 90% of the guards are white.

"One of the main troubles," one observer commented, "is that they have rural white Southern guards dealing with urban prisoners—white and black. These guards don't even understand urban whites, much less urban blacks. These guys have been brought up to hate blacks, just like I was."

Staff members and inmates, both black and white, agree that blacks have an even worse position in the Indiana State Reformatory than the admittedly poor position the white inmates occupy.

Institutional bias is manifested in the assignment of the most menial jobs to black inmates and in continued harassment by guards.

One inmate indicates that "Hey boy!" is a common form used by white guards to address black inmates, and that black inmates have been put in isolation by guards for wearing "Afro" hair styles or for reading books by black authors such as Eldridge Cleaver, Malcolm X and Claude Brown.

There are guards at Pendleton who are said to be first-rate custodians and human beings. The attitudes of many of the other guards, however, serve to poison the atmosphere for the inmates, it is said.

The Indiana situation is further complicated by the fact that the penal system is a patronage operation, with continual disruptive change in leadership positions. There have been six superintendents at the Indiana State Reformatory in six years and three corrections commissioners in less than two years.

#### PATRONAGE COMMON

Instability and patronage characterize lower level positions as well. Guards are expected to contribute heavily out of their meager salaries to support political candidates and promotions are made in accordance with a man's political activities. Most analysts, including the current commissioner of corrections and the county grand jury, have demanded an end to this patronage system.

Like prisons in many other states, Indiana state prisons are understaffed and underfunded. In an institution built for 1,200 to 1,300 persons, reformatory population has gone to 2,300, while economy drives have necessitated reductions in staff.

The Indiana State Reformatory is supposed to provide "rehabilitation" for the 15-to-30-year-old inmates, but the staff is so deficient that inmates do not have access to adequate counseling or vocational training.

Prison officials receive the feeling that the public does not care what happens to inmates. They feel that a "law and order" mood is dominant in the country and the public will support stiff disciplinary actions taken against inmates.

But what happens in prisons has its effect on those who live outside. The shooting at Pendleton has been another factor to increase racial tension in Indiana, especially in Gary, the home of many of those who were shot.

"It was murder, plain murder," says Retha Bliss of Gary, whose son is an inmate at Pendleton. "Some of them were shot six and seven times."

Mari Evans, a soft-spoken black poet who is also a college teacher in Indianapolis, says, "There's nothing else you can regard the Pendleton shooting as except racial warfare against black people."

Bernard Dolnick, a former Indiana corrections commissioner, says, "No reform will do much in this overcrowded, ill-trained situation; we need a complete overhaul of the institution. Anything could tip it off again."

## YOUNGSTERS PUBLICIZE HUNGER PROBLEM IN WALKS FOR DEVELOPMENT

### HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HANNA. Mr. Speaker, one of the most effective groups in a cause I have long staunchly supported is the American Freedom From Hunger Foundation. This group must be commended for its high aims and its many efforts toward their realization.

The most impressive undertaking of its youthful supporters, most teenagers, is their Walks for Development. They collect money for antihunger projects by soliciting paying sponsors for every mile they walk. Two summers ago, I participated in such a walk in my district, in the town of Garden Grove, and was most impressed by the number of participants and their unequalled enthusiasm and endurance.

The hunger problem deserves their publicity effort because of its scope and the apathy with which most people regard it. Today, two-thirds of the world's population is hungry. The pessimists say that the food shortage will result in large-scale starvation in the next decade, bringing the death rate in line with the birth rate. The optimists say that, at best, it will take many years to reduce the birth rate and to increase the food production rate sufficiently to have enough food with the proper nourishment to eliminate starvation.

According to the United Nations Food and Agriculture Organization's recently released annual report, some headway is being made in increasing the supply of certain kinds of foods. The growth in world grain production exceeded the population growth last year, it reported. It attributes the increased food output to improving agricultural technology, especially the increased use of new strains of crops, fertilizers, irrigation, and pesticides.

The report sounds an optimistic note, which must be tempered with a great deal of caution. Modern agricultural technology has certainly enabled the advanced countries to increase their agricultural production many fold, but they have also paid a price for that productivity, namely, in environmental pollution. Pesticides provide the prime example. In our own country, DDT has come to be such a threat that its use has been banned in many areas. It has been found in the remotest parts of the world, so that no place is immune from its effects, since it poisons men as well as insects.

Irrigation in some parts of our country is causing water tables to rise to surface level, bringing with that rise salts which then salinate the soil, killing plant life. Fertilizers, too, have their drawbacks. Fertilized soil loses its ability to fix nitrogen, and thus becomes dependent on the fertilizer.

Granted the underdeveloped countries do not yet face such problems, but they

eventually may. Extensive dependence on artificial agricultural technology may eventually have environmentally damaging results and necessitate a retrenchment in agricultural production. These countries must do all in their power to limit their dependence on environmentally harmful agricultural aids. Conversely, they must also limit the number of mouths they have to feed through broad family planning programs.

Our agricultural scientists must devote their efforts to studying the rhythms and cycles of the soil and plants in order to find the best natural ways to fertilize the soil and minimize insect damage. The effects of irrigation also need to be foreseen and planned for. In other words, the ecological ramifications of artificial fertilizers and insecticides and excessive water must be taken into account and every effort must be made to eliminate these frequently ecologically violent artificial means of controlling the agricultural environment.

Increasing grain productivity alone will not solve the world food and malnutrition problems. Many people suffer from a lack of protein, reflecting the quality rather than the quantity of their diet. Technology needs to concentrate on ways to increase protein production. Some protein additives made from fish and grains have been developed, but not on a sufficient scale to make a dent in the problem.

The systematic and ecologically wise fishing of the sea is far from realization at the present time. Aquaculture needs to become a science and an art fully supported and regulated by all nations of the world if the productivity of the seas is to be preserved, let alone augmented.

Another monumental part of the problem is the uneven distribution of food throughout the world. Only eight countries have an overall export surplus in food. Many difficulties stem from the necessity to transport food over long distances requiring long periods of time. Perishable foods may not arrive quickly enough, or may be damaged in shipment. The weight of heavy foods increases transportation costs and makes them relatively more expensive. Scientists are developing new methods of preserving food and reducing its weight, such as freeze drying, but we need to make much faster and more widespread progress along these lines if such solutions are to help in the current crisis.

The most encouraging aspect of the agricultural production advances was that they resulted from the realization by the affected countries of the serious and imminent nature of the danger to their people. These countries do have the will and concern effectively to do something about their own food problems.

These few observations indicate the dimensions of the hunger problem. They thus trace the outline of the challenge facing the Freedom from Hunger Foundation. This small foundation is devoting itself to a cause of tremendous moment and scale. It must be commended for its energy and vision in pur-

suing that cause. That the Freedom From Hunger Foundation will have worthwhile hunger projects for which to provide funding for the indefinite future goes without saying. What should be said is that more people must recognize the importance and enormity of the task and make no less a commitment to its ultimate solution.

BARNEE BRESKIN

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. WOLFF. Mr. Speaker, for many years I have had the good fortune of friendship with a man well known and certainly well loved here in Washington. His name is Barnee Breeskin.

This exuberant gentleman first graced Washington in the thirties as the talented bandleader in the Blue Room of the Shoreham Hotel. For 26 years, I might point out, he offered good music and good company to the hotel's patrons and won a wide variety of appreciative friends in the process.

Although his everyday work is quite time-consuming, he still finds the time to dedicate his efforts to the Civil Air Patrol. As a colonel in the CAP his interest and enthusiasm cannot be overlooked. Every year he arranges an international exchange for cadets from 26 countries to tour Washington, meet dignitaries and learn a little of the American way of life, and participate in an annual cadet exchange banquet—an event which proves most memorable for all involved.

Mr. Speaker, in light of Barnee Breeskin's service to the youth of our Nation, I would like to take this opportunity to include a recent newspaper article which I feel tells a little bit more about this talented and delightful man.

The article follows:

MUSIC OR PR—EVERYONE KNOWS BARNEE  
(By Donald Saltz)

His name is Barnee Breeskin and he is undoubtedly one of the best-known, and liked, people in Washington—from top government officials to waiters of restaurants he frequents.

Walk with Barnee along bustling Connecticut Ave. and odds favor his being stopped several times to receive a greeting or say hello to friends he may not have seen for months. But they never forget him, or he them.

Mr. Breeskin, a bubbling personality who makes it a point to remember the little details about his friends' lives—niceties such as little going-away gifts or congratulatory notes—is a former bandleader who now has his own public relations firm.

His recognition of the individual has stood him in good stead thruout both careers.

#### MUSICAL BACKGROUND

Barnee came from a musical family—his father led the old Metropolitan Theatre orchestra—and he caught on to the violin at age six when he learned to play "My Country 'Tis of Thee." Also a pianist, Barnee reigned as bandleader at the Shoreham from 1930-56. A night at the famed Blue Room during those years very often brought the customer

recognition from the effervescent bandleader with a favorite melody or dedication.

When Barnee left the Shoreham, it was with an eye toward the field of public relations—another people-to-people business. Why the switch?

"If I wanted to keep my wife, I thought I'd better," he recalled. I found myself putting in 18-hour days, with work in the office, rehearsal and playing in the Blue Room evenings.

He met his wife, former opera singer Dolores DiMinni, when she appeared at the Shoreham. They have two sons—David, 23, and Steven, 21, a junior at Maryland. Mrs. Breeskin is now an antique dealer.

Nothing about Barnee would be even partially complete without mention of his writing the music of "Hail to the Redskins," in 1940. Corinne Griffith, wife of Redskin's owner, George Preston Marshall, wrote the words. From 1940-53, Barnee led the 'Skins' band at Griffith Stadium. And Barnee and his Singing Violins were on Ed Sullivan's Sunday night TV show.

Altho Barnee hasn't played a musical instrumental for more than a decade, his enthusiasm isn't lost—it's merely being aimed in another direction.

### SELF-DETERMINATION FOR AMERICAN INDIANS

### HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. KASTENMEIER. Mr. Speaker, the Washington Post on February 1 carried an article by Dr. Sol Tax, professor of anthropology at the University of Chicago, and Dr. Sam Stanley, program coordinator of the Smithsonian Institution's Center for the Study of Man, on the Federal Government's relationship with the American Indian.

The authors are critical of the vacillating Government policies of previous years and condemn the present policy of "nauseating paternalism." Drs. Tax and Stanley call for a new approach to the Indian problem, and present a powerful and convincing argument for allowing our Indian citizens to determine their own destiny. This policy of self-determination is one which I strongly espouse, and I would urge that my colleagues pay particular attention to this article:

[From the Washington Post, Feb. 1, 1970]  
"SINK OR SWIM" POLICIES CAN NEVER HELP INDIANS

(By Sol Tax and Sam Stanley)

The basic law concerning American Indians requires that we return to the original definition of a special relation between the United States government and Indian communities. American Indians have never lost this conception because, unlike most Americans, Indians do not conceive of themselves except first as members of communities.

American Indians live in "kinship societies." It is "unnatural," perhaps impossible, for Indians to be isolated from their communities. Traditionally, the communities banded into larger political units called "tribes" or nations, which were recognized by European nations as sovereign. But the smaller communities, whether "sovereign" or not, were indispensable and valid units.

These "communities," recognized by their Indian members, must also be recognized as

the units with which governmental Indian policy must deal. Individual families and persons have rights guaranteed to every citizen, and legislation need not concern them. Indian communities are recipients of what special rights tradition, treaties and the needs of Indians require.

Legislation for American Indians has in the past been unsuccessful both because communities have been forced to operate in terms of our culture rather than their own and because they had no ultimate authority over internal management, being subject to veto power—hence constant surveillance—from outside. What is required, therefore, is a legislative program which provides maximum internal autonomy and authority for Indian communities.

American Indian communities require funds for education, health, welfare and economic development. The general society provides such funds to replace the resource base which—if restored—would provide independence. Since the resource base (the continent which Europeans occupied) cannot be restored to Indian communities, money must be substituted. Just as Indian communities managed their resources independently before, for the money to be useful they must manage it independently now.

The legislation required must, therefore, be drafted in such a way that each of the many hundreds of American Indian communities, however they are defined and bounded by Indians—from the small bands and subtribes to recreated urban "Indian center" communities—can each in its own way autonomously manage the resources that must be provided.

#### THEY WILL NOT GET LOST

Through all of our history, states as well as the federal government have been frustrated with respect to solving the problems of the American Indians.

We have vacillated between (1) a policy of starving the Indians into throwing in the sponge and "getting lost" in the general population, and (2) a kinder policy of helping them to get themselves ready to leave Indian ways and get lost in the general population. In either case, they would then be off our consciences, and finally out of our pocketbooks. Both policies have failed.

When we have followed the first policy, and thrown them into the water to "sink or swim," we have found that the Indians neither sink nor swim; they just float, and remain the same problem. When we have followed the second, kinder policy, we have found that Indians do not, in fact, do the things that will lead to their disappearance. They do not want to get lost.

The "kind" policy will work only if we have the patience to continue to use our resources to help Indian communities to adjust to the national economy freely and in their own way. But their own way might not be to get lost at all.

Every man and woman has the personal problem of deciding what sort of person he wants to be. Some Indians may want to become white men in their allegiance and their ways; this ought to be their right. But many Indians want to maintain their Indian values and allegiance, and many Indian communities want to maintain for their posterity an identity and heritage that were given to them. They too have this right.

It is not for any white man, or Congress or the Indian Service bureaucracy, to demand that Indians stop being Indians.

It is a challenge which has never been met in the United States to help the Indians to adjust economically and socially to American life so that they actually become financially independent. We cannot begin to solve the problem unless we first recognize that Indians have a right to make this adjustment as Indians.

Leaving them free to make their own

choices removes the great block to constructive change. What folly it has been to demand that Indians cooperate in plans for making them something other than they want to be! What an interesting experiment, on the other hand, once the block is removed, to develop with them ways toward that greatest freedom which comes with economic independence!

The Indian policy that has most recently been with us has been the sink or swim policy, the less moral way that has never worked and never can. It does not get Indians out of our pocketbooks—indeed, this un-Christian policy (as Gen. Eisenhower once called it) requires more money rather than less—and it certainly does not get them off the conscience of the nation.

The present policy, aimed at the disappearance of the Indians, is a double-edged sword. On the one side, there is a nauseating paternalism. Indians get help from the government because, since we destroyed their means of livelihood, they need it, and it is our moral obligation to continue this help until we and they are wise enough to make them once again independent. But meanwhile the Indian Bureau, like any overprotective parent, demands that the Indians manage their own affairs; but, on the grounds that they do not know how, never lets them try, and becomes sure, more than ever, that they are incompetent to do so.

They say, in effect, that as long as we pay the bills, we shall manage your communities. If you think you are competent to manage your own affairs, then cut yourselves off from the financial assistance as well. Money to live on, or freedom; you can't have both, so take your choice.

But the Indians have not the resources for the medical, educational and developmental needs of their communities. So they must choose the continued interference in their local affairs. This satisfies nobody and gets nowhere. Congress, frustrated, then attempts to use force or bribery to induce Indian communities to make the other choice.

#### SPENDING FOR THEMSELVES

We need an entirely new approach. We need to separate the two problems of the money which the Indians need for their community services from the way the money is used.

Nobody should ever again interpret our policy as one which is importantly influenced by a desire to save money to the detriment of Indians and in violation of our traditional and moral obligations. It has been and should be our policy to make it unnecessary to provide special services, hence to make Indians independent. But until this is accomplished, the money should be provided because it is needed and because it is right.

Therefore, the first plank of our policy is to assure Indians that we shall continue to provide in the federal budget the money needed to continue Indian services. For the time being, we suggest that the same budget now provided be continued.

But this money should be spent by the Indians, for themselves, rather than for the Indians by bureaucrats. Just as a government might provide a subsidy to a hospital or a university without taking over the functions of administering the hospital or university, so the funds available to Indians should be looked upon as subsidies to assist them to provide their own community services—health, welfare, public order, education, development.

But whatever changes occur from one system of administration to another or from one allocation to another, they should be entirely voluntary on the part of the Indians who are now recipients of the services for which the funds are provided. If Indians prefer to have the federal government

agencies continue to administer their services, no change need be made. Whenever, however, an Indian community, or the recipients of services, wish to seek changes in administration, these changes should be provided at once.

Funds for services should be continued for the same services. Funds for administration should be made flexible so that as much as necessary can be used by tribes with which to hire nongovernmental help for administration of their affairs, when they wish to make a change; and to pay the expenses of a panel of volunteer advisers set up independent of the Department of Interior from which Indian communities may obtain general advice in planning changes in how their affairs may be administered.

If the Bureau of Indian Affairs withers away, it will be because Indians will find other ways, which they prefer, to have their funds administered. There will be no "termination" with respect to provision of services as long as they are needed by Indians. "Withdrawal" will occur not as the government withdraws from its obligations but as the Indians withdraw from government interference in the administration of their services.

#### PREVENTIVE DETENTION V: NEW YORK CITY BAR SAYS "NO"

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. MIKVA. Mr. Speaker, one continues to feel pressure to pass legislation to quell the public alarm about crime. In its haste to do so, Congress may pacify the public without stopping the rise in criminal activity.

One ill-advised measure for dealing with crime is preventive detention. I have previously expressed my own profound disagreement with such legislation. I continue to oppose vigorously any efforts to abandon constitutional guarantees of due process.

The association of the bar of the city of New York has apparently reached the same conclusion. Its committees on Federal legislation and civil rights recently issued a report on the administration's bill, S. 12806. I insert at this point the text of that report and commend it to the attention of my colleagues. I particularly invite their attention to the committees' finding:

We have found that the Administration proposal does not solve the problems which we saw in the earlier proposals and indeed that it contains several objectionable features which were not present in the other bills. Accordingly, we disapprove of it.

#### The report follows:

##### PROPOSED FEDERAL LEGISLATION ON PREVENTIVE DETENTION—SUPPLEMENTAL REPORT ON THE ADMINISTRATION BILL

The Nixon Administration has introduced a bill, S. 12806, to provide a system within the Federal courts for holding in preventive detention persons accused of committing certain criminal offenses. The Administration bill is similar in many respects to preventive detention proposals which had previously been considered by this Association through its Committee on Civil Rights and which we have disapproved. Committee on Civil Rights, "Proposed Federal Legislation on Pre-

ventive Detention," THE RECORD of The Association of the Bar of the City of New York, Volume 24, Number 7, October 1969. The bills previously considered were S. 546 and S. 547, introduced by Senator Tydings, and S. 288 and S. 289, introduced by Senator Byrd. We have found that the Administration proposal does not solve the problems which we saw in the earlier proposals and indeed that it contains several objectionable features which were not present in the other bills. Accordingly, we disapprove it.

In particular, the Administration bill fails to provide a system which affords due process to those who are to be thus confined. It is also not limited legislation, strictly tailored to meet the problem while minimizing the impact on individual liberties. The list of offenses in connection with which preventive detention is to be authorized, many of which are cognizable in only those Federal courts which sit in the District of Columbia, increases our skepticism that these proposals are appropriate for national legislation. We also see insufficient reason to undercut the Ball Reform Act of 1966, as this proposal would do, and thus to sacrifice the social benefits which the ball procedures of that Act are designed to provide in minimizing undesirable collateral consequences of arrest, such as loss of jobs while in jail awaiting trial. On balance we are impelled to repeat our earlier conclusion, which appears applicable to the Administration bill:

"We disapprove all present proposals for legislation authorizing preventive detention. These bills we believe to be unconstitutional because the procedure which they provide are lacking in due process. Even if these procedures should pass a constitutional minimum standard, they are unwise. They go too far, bypassing alternative methods of dealing with alleged problems, when these alternatives may not only be less drastic but better suited to deal more precisely with the problems. Nor are we persuaded that the underlying problems to which proponents point have been adequately demonstrated to exist nationally. Nevertheless, such subterfuges as have developed in practice are also undesirable, and we consider the present debate to be both healthy and constructive. From it we hope to see emerge specific limited legislation to deal with such problems as shall be demonstrated."

#### DESCRIPTION OF THE ADMINISTRATION BILL

H.R. 12806 amends 18 U.S.C. 3146 to authorize the judicial officer making the threshold determination of release pending trial to decide not only whether a danger of flight exists but whether "the safety of any other person or the community" would be jeopardized by such release. In making the determination, the judicial officer is to consider the "past conduct" of the defendant as well as criteria set forth under existing law.

If such judicial officer determines that "no condition or combination of conditions of release," presently contained in Section 3146, "will reasonably assure the safety of any other person or the community" he may, after conducting a pre-trial detention hearing,<sup>1</sup> order pre-trial detention of any person coming within one of the four following categories:

- (1) A defendant charged with a "dangerous crime,"<sup>2</sup>
- (2) A defendant charged with a "crime of violence,"<sup>3</sup> allegedly committed while on bail or other release, from a prior charge of a "crime of violence" or if the defendant was convicted of such a crime within the preceding ten (10) year period;
- (3) A narcotics addict<sup>4</sup> charged with a "crime of violence";
- (4) A defendant who, irrespective of the offense charged, for the purpose of obstruct-

Footnotes at end of article.

ing justice threatens, injures or intimidates a prospective witness or juror, or attempts to do so.

At the hearing, the judicial officer must find that (1) there is "clear and convincing evidence" that the defendant comes within one of the four categories; (2) "there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community," and (3) there is a "substantial probability" that the person committed the offense presently charged.<sup>5</sup> Upon making such findings, an order of detention is issued, accompanied by written findings of fact and the reasons for its entry.<sup>6</sup>

It is contemplated that the hearing be held immediately upon the person being brought before the judicial officer unless a continuance is requested by him (up to five days) or the United States Attorney (up to three days). During such continuance, the person may be detained.

At the hearing, the person is entitled to representation by counsel, to present information, to testify and to present and cross-examine witnesses, but the information offered in such a proceeding need not conform to the rules of evidence. The defendant's testimony is not admissible on the issue of guilt in other proceedings, but the Bill provides that such testimony may be used to impeach the defendant in any subsequent proceedings and that it is admissible, apparently for all purposes, in proceedings under present law for bail jumping, in those proceedings proposed under the Bill for the commission of crimes while released on bail, in proceedings for revocation of release or contempt and in proceedings for perjury.

Where a person is ordered detained, the Bill provides that "to the extent practicable" he be incarcerated separately from convicted prisoners; for "good cause shown" he be released in the Marshall's custody for limited periods of time to prepare defenses; "to the extent practicable," he be given an expedited trial; and that he be released after sixty (60) days, unless the trial is in progress or the trial is delayed at the request of defendant; and he be released whenever a judicial officer finds that a subsequent event has eliminated the basis for such detention.

With respect to persons falling within the third category enumerated above, i.e., the apparent addict charged with a crime of violence,<sup>7</sup> the Bill provides especially that, upon motion of the United States Attorney, the judicial officer may order him detained for three days. This period of detention, under medical supervision, is to be used to determine whether the person is an addict as defined in the Bill. Upon expiration of the three day period, the person and the results of said determination are to be presented to the judicial officer. The judicial officer is then to treat the person in accordance with the standards enumerated in Section 3146 [conditions of release], or, upon motion of the United States Attorney, may either hold a pre-trial detention hearing as described above, or order the person "detained in custody under medical supervision." The latter order may be entered if the judicial officer holds a pre-trial detention hearing, making the requisite findings with respect to the individual's dangerous propensities and the substantial probability of his guilt and, in addition, finds that there is "clear and convincing evidence that the person is an addict."

The remainder of the proposed Bill deals with newly created penalties for bail jumping and for the commission of offenses while on bail. It also provides sanctions for violations of conditions of release.

The Bill amends 18 U.S.C. 3150 by eliminat-

ing the requirement that the Government, in a prosecution of a defendant for failure to appear, establish as part of its affirmative case that such failure was wilful. Any failure to appear, after notice, would be *prima facie* evidence of wilfulness. Proof of notice is dispensed with, if reasonable efforts to notify are established and there is proof that defendant "frustrated" receipt thereof by his own actions. The existing terms of imprisonment for violation of this section, up to five years for a felony charge and up to one year for a misdemeanor, are changed to provide mandatory minimums of one year and 90 days, respectively, and such sentences are to be imposed consecutively to any other sentence of imprisonment.

The Bill would add a new subsection to Section 3150 to provide for the automatic imposition of similar consecutive mandatory minimum prison sentences for a person convicted of a felony or a misdemeanor while released pursuant to Section 3146.

Finally, a new section would be added to establish a procedure for the imposition of sanctions against a person violating release conditions of Section 3146. Such a person would be subject to (a) revocation of release and an order of detention, and (b) prosecution for contempt.<sup>8</sup>

#### DISCUSSION

##### *Constitutional issues*

We start with the constitutional issues, whether such a system is consistent with the requirements in (a) the Eighth Amendment that "[e]xcessive bail not be required" and (b) the Fifth Amendment, that no person shall "be deprived of . . . liberty . . . without due process of law."

In our earlier report we examined the Supreme Court and other cases which have been decided under the Eighth Amendment and concluded that the answer remains unclear. We stated then: "[s]ince we have concluded that the current legislation is unconstitutional on due process grounds, it is not necessary to take a position on the difficult and murky Eighth Amendment issue, which for present purposes we pass." We take the same position here.

Turning to the due process issues, we are presented with the provisions for a hearing to justify preventive detention. One comes first to the question of what are to be the issues at the hearing and then to the question of whether they can be meaningfully adjudicated under the conditions proposed by the Bill.

The main issue at the hearing is whether "there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community." Essentially this involves a prediction of behavior. To satisfy due process, proof should be based on "objectively reviewable evidence." When the issue to be determined is one of the past conduct, the court may be presented with eye witness testimony, confessions, photographs and the like, all of which constitutes reliable evidence of the fact to be proved. Here however one is cast adrift in speculation. Does the judge rely on criminal records, psychiatric prognoses, reputation of the accused among the police? If not, on what does he rely? The Bill provides that the rules of evidence do not apply. Even if such a suspension of the rules were desirable—a point we need not reach now—that proviso simply eliminates a measure by which the inadequacies of the evidence would become visible; it does not by itself create an appropriate basis of objectively reviewable evidence on which the issue of the accused's future conduct can be satisfactorily adjudicated.

One suspects that the closest approach to satisfactory predictive evidence would be a meticulous assemblage of circumstantial evi-

dence relating to intent. Yet experience in analogous kinds of criminal trials shows that months or even years may be needed to gather such evidence, where it is the only or principal evidence against the accused, and the trials are likely to be long. Such proof would not appear to be feasible in the context of proceedings which are envisioned as taking place within a few days of arrest, to be followed by prompt trials.

In short the issues proposed to be adjudicated would not seem capable of minimally satisfactory adjudication on objectively reviewable evidence, and the proposed proceeding must be characterized as lacking in due process. Though some restraints may be justified on the basis of such proceedings as in the setting of bail, the total restraint involved in preventive detention would not be.

##### *Trial delays*

Turning to more practical considerations, one asks whether the judicial resources which would have to be devoted to such hearings would not, at least for the foreseeable future, be better devoted to affording speedier trials on the merits. Court congestion has been regularly cited as a cause of the alleged problems which preventive detention is designed to cure. We believe that the judicial resources required for hearings on preventive detention would better be applied, at least in the first instance, to reduction of backlogs on criminal trial calendars.

##### *Limitation of offenses with respect to which preventive detention is authorized*

The Administration Bill provides substantially looser standards than the Tydings bill for determining which persons are to be subject to preventive detention. Under the Tydings bill, the defendant must either be charged with (1) a felony involving infliction or threat of serious bodily harm while released pending trial or appeal, (2) a felony involving the threat to inflict serious bodily harm on another and a sworn allegation by the government that if released the person poses a substantial physical danger to others of the community because of his prior pattern of behavior or (3) armed robbery or similar offenses under Chapter 103, Title 18, U.S.C. At the preventive detention hearing it must be shown that there is "clear and convincing" evidence that if released the defendant will intimidate witnesses or interfere with the administration of justice, cause death or serious bodily harm, or participate in armed robbery or Chapter 103 offenses.

The Administration Bill reaches out to encompass a much broader range of common law offenses, most of which are of no federal concern outside the District of Columbia. The long list of crimes for which an arrest may trigger preventive detention is in general much too inclusive, and constitutes an invitation to abuse. It must be remembered that any preventive detention would be undertaken without prior legislative experience or empirical investigation. If the concept were to be tried at all it should be treated as the experiment which it is.

The Administration bill, moreover, under Section 3146A(b)(2), limits its standard of proof to the finding of "substantial probability" of guilt of the offense charged. Thus it does not require as much proof of a causal nexus between the initial commission of such crimes, and the probable danger to others if the accused were released pending trial, in contrast to the more narrowly drawn provisions of the Tydings Bill.

This Bill's inclusion of the sale or distribution of a narcotic or depressant or stimulant as a "dangerous crime," for which preventive detention is permitted on an initial arrest, appears especially excessive. Large numbers of college students, among others, today engage in the distribution of marijuana, if not its sale. Viewed against the background of

Footnotes at end of article.

present unrest among the young, this provision could be used as a vehicle to stifle dissent of the more vocal by imprisonment for a two month period on the mere substantial probability of distributing marijuana. We do not suggest that such abuse will occur, but the possibility should be eliminated.

#### Other procedural considerations

The Administration Bill does contain one improvement over the Tydings bill. Section 3146A(b) (3) provides for written findings of fact following the pretrial detention hearing. Such written findings are desirable and indeed necessary to effect meaningful appellate review of the order of detention. However, the findings actually required to be made by the judicial officer are wanting in substance. Under 3146A(b) (2), the judicial officer must find by "clear and convincing evidence" that the person falls within one of the four categories. The reference to "clear and convincing" evidence is somewhat illusory, since the question of whether a person, for example, is charged with a "dangerous crime" and is free on parole or bail, turns on objective facts about which there would normally not be a vigorously disputed issue of fact. The important factual determination is whether the condition of release of the person "will reasonably assure the safety of any other person or the community." Yet, on this crucial point, clear and convincing evidence is apparently not required (see 3146A(b) (2)), and indeed, this is the very same threshold determination the judicial officer must make before a pretrial detention hearing can even be instituted (see 3146A(a)). Thus, this post-hearing written finding is no more than a reiteration of such initial determination phrased in the requisite statutory language.

The Administration bill also provides that the judicial officer must find that there is a "substantial probability" that the person to be detained committed the offense charged. We had previously recommended such an added safeguard, in contrast to the present procedure for preliminary hearings before a Federal magistrate or U.S. commissioner, which has become a dead letter. Improvement of this procedure, however, should not warrant preventive detention, for such determination has always been viewed as a method of judicially verifying decisions by prosecutors to hold an accused on bail, not to hold him without bail. "Substantial probability" may be a test stricter than "probable cause," but in practice they are likely to amount to much the same thing, given the difficulty of adducing and testing proof at such an early stage.

This Bill places some stress on insuring, in the first instance, that the judicial officer explore all possibilities of imposing conditions of release presently provided for in Section 3146 before imposing preventive detention. But upon analysis it appears that like the Tydings bill it provides that the rather amorphous test of measuring the "safety of any person or the community" be included as part of such determination. Thus the judicial officer is confronted with the same basic problem, and the thought that he may choose other remedies provided under present law adds little, for he always has had that option.

We also question the advisability of permitting the hearing to be brought on simply by the filing of an *ex parte* motion of the United States Attorney where the accused has already been released. More fully articulated standards are advisable, and defense counsel should have an opportunity to argue in opposition wherever that is feasible.

The permitted use of the defendant's testimony in other proceedings raises substantial problems. The Supreme Court has condemned subsequent use of a defendant's pretrial testimony as an inhibition on the exercise of

constitutional rights. *Simmons v. United States*, 390 U.S. 377 (1968). Such an effect would seem to be expected here. Where defense counsel has not had adequate time to investigate the case, a preventive detention hearing may put him in the intolerable dilemma of risking subsequent impeachment on the basis of poorly prepared testimony at the preventive detention hearing, or of risking an order that would hold his client in jail without bail. This provision would probably not withstand Supreme Court scrutiny.

This Bill, unlike the Tydings bill, also fails to supply the defendant with a free transcript of the hearing. This omission may be particularly hard on an indigent not only if appellate review is sought, but if his testimony may be used at trial.

The proposed bill improves on the Tydings bill in specifically allowing periods of freedom during preventive detention upon a showing of good cause to prepare defenses and the like. We have reservations however as to whether, in practice, this will prove meaningful in view of the fact that a court would be extremely reluctant to release a person whose pretrial release has already been found to be inconsistent with the "safety of any other person or the community." It is also doubtful that the Office of the U.S. Marshal has the available manpower to handle such situations. Similarly, the provision that a person subject to a pretrial detention order be confined "to the extent practicable" in facilities separate from convicted persons evidences a commendable intention, but the lack of such facilities in fact renders this provision at best academic.

The bill increases the maximum term of preventive detention from 30 days as provided in the Tydings bill to 60 days. Such enlargement is probably a tacit recognition of the crowded state of the courts' criminal calendars, and the fact that under present conditions it would prove to be extremely difficult to bring a person in preventive detention to trial within thirty (30) days. As suggested in our previous report, it appears that a more direct and less drastic alternative approach to the problem lies in reducing the time between indictment and trial rather than increasing the length of the term of pretrial detention.

#### Narcotics addicts

The Administration bill authorizes preventive detention of the narcotic addict charged with a "crime of violence" for the first time. This is permitted if there is clear and convincing evidence, based on a three day medical examination, that he is an addict; a determination that no condition of release will reasonably assure another person's or the community's safety; and a finding of substantial probability of guilt of the crime charged. Such an addict would be imprisoned "under medical supervision," not hospitalized.

There is probably validity to the proposition that an addict who turns to violent crime is likely to continue this course of conduct if released pending trial. Moreover, this provision would have an impact throughout the federal system—at least in urban areas—and not merely in the District of Columbia. However, the definition of "crime of violence" is far too broad for this purpose, if the addict alone is to be subject to pretrial detention on his initial appearance before the court on such a charge. It is also unclear whether an addict, "detained in custody under medical supervision" is subject to release at the end of sixty (60) days as is a person otherwise ordered detained pending trial.

#### Revision of parole and sentencing procedures

In our earlier report we had noted: "The usual deterrent to crime is reduced in the case of an accused free on bail as a result of sentencing and parole practices. A

second offense, committed while the accused is free on bail pending trial of another charge, is likely to draw a concurrent sentence if the first charge leads to a conviction. To make the second sentence consecutive, at least under the rules in the federal system, would eliminate the chances of parole on the first sentence, so that such sentences are rare. Thus the accused may often feel that there is less risk if he commits another crime while free on bail. In addition, the forthcoming trial, with its legal expenses, itself creates a need for money which may foster criminal activity. Yet the problem here seems to call for adjustment of sentencing and parole procedures rather than for preventive detention." P. 447.

The Administration bill does provide for an adjustment of sentencing and parole procedures, in addition to rather than instead of preventive detention. It provides for mandatory consecutive sentences upon conviction of such crimes.

Though the Bill recognizes the problem, we strongly disagree with its proposed solution. Mandatory consecutive sentences interfere with the wise use of judicial discretion in individual cases. Any destruction of parole possibilities engenders a sense of hopelessness in prisoners which impedes rehabilitation. We would be prepared to consider a proposal for adding additional time to a sentence for crimes committed while free on bail, but this should be done so as not to paralyze the discretion of parole boards or sentencing judges.

#### Failure to appear

We also question the necessity or justification for amending the present Section 3150, pertaining to penalties for failure to appear, so as to make any such failure *prima facie* evidence for willfulness. No reason appears for transferring the burden of going forward on this issue from the government to the defendant. This change is all the more severe in light of the parallel amendment of Section 3150 requiring the imposition of consecutive mandatory minimum sentences upon conviction of such offense.

#### CONCLUSION

The Administration bill is disapproved.

#### FOOTNOTES

<sup>1</sup> Such hearing may be initiated upon oral motion of the United States Attorney, or, if the person has previously been released under Section 3146, and it subsequently appears that he may be subject to pre-trial detention, a hearing may be initiated upon *ex parte* written motion of the United States Attorney. Upon such motion, the judicial officer may issue a warrant for the arrest of such person.

<sup>2</sup> A "dangerous crime" is defined as "(1) taking or attempting to take property from another by force or threat of force, (2) unlawfully breaking and entering or attempting to break and enter any premises adapted for overnight accommodation of persons or for carrying on business with the intent to commit an offense therein, (3) arson or attempted arson of any premises adapted for overnight accommodation of persons or for carrying on business, (4) rape, carnal knowledge of a female under the age of sixteen years, assault with intent to commit either of the foregoing offenses, or taking or attempting to take immoral, improper or indecent liberties with a child under the age of sixteen years, or (5) unlawful sale or distribution of a narcotic or depressant or stimulant drug, as defined by any Act of Congress and if the offense is punishable by imprisonment for more than one year."

<sup>3</sup> A "crime of violence" is defined as "murder, rape, carnal knowledge of a female under the age of sixteen, taking or attempting to take immoral, improper or indecent liberties with a child under the age of sixteen years, mayhem, kidnapping, robbery, bur-

glary, voluntary manslaughter, extortion or blackmail accompanied by threats of violence, arson, assault with intent to commit any offense, assault with a dangerous weapon, or an attempt or conspiracy to commit any of the foregoing offenses, as defined by any Act of Congress of any State law, if the offense is punishable by imprisonment for more than one year."

"An 'addict' is defined as 'any individual who habitually uses any narcotic drug' as otherwise defined by the Internal Revenue Code.

"No finding of substantial probability of guilt is necessary if the person falls within the fourth category, i.e., is charged with an offense involving obstruction of justice.

"The existing appellate procedures of Section 3147 are made applicable to persons ordered detained.

"Note, that unlike a person falling within the second category, the Bill provides for a pre-trial detention of the addict on his initial charge of a 'crime of violence.'

"The contempt procedure is probably available under existing law for such violations. See 18 U.S.C. Section 3151. The Bill specifically provides for the imposition of such sanctions in an expedited non-jury trial in the case of an 'intentional' violation of a release condition.

### THE COST OF HEALTH

## HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. RAILSBACK. Mr. Speaker, with more and more attention being called to the high cost of being ill, I would like to offer for the consideration of my colleagues an editorial from the Bucks County, Pa., Courier Times commending Congressman EDWARD BIESTER, Republican, of Pennsylvania, on his efforts to provide some Federal assistance for people who are afflicted with diseases. The treatment of few diseases is cheap, but the treatment of kidney ailments is fantastically expensive. The following editorial discusses this in some detail, and I think merits the serious attention of us all:

#### THE COST OF HEALTH

If you can afford to spend \$12,000 out of your salary or savings right now, plus \$5,000 each and every year hereafter, you can afford kidney trouble.

Most of us just don't have that kind of money and what those figures mean, therefore, is that if our kidneys go back on us we are going to die.

This is one of the major problems in health care today and it is not minor. One person dies each day in Pennsylvania for this reason alone—his kidneys have gone back on him and he doesn't have enough money.

Bucks County Congressman Edward G. Biester Jr. believes that he has an answer to this shameful situation and he has proposed it to his fellow congressmen in House Bill 15108.

Doctors take care of kidney patients by pumping their blood through a dialyzer (kidney machine), where it is purified in a fashion similar to the way the kidney does it, and then pumping it back in.

Each such treatment costs about \$200 in a hospital today and sometimes three are needed every week—that comes to \$30,000 a year. Kidney machines can be purchased for private use, at close to \$12,000. But someone in the home then must be trained in its

use and the cost of the training is close to \$4,000. Maintenance of the machine and replacement of the filters is involved in the \$5,000 per year figure.

Rep. Biester's bill would provide immediately \$8 million in federal money, with the total growing to \$20 million by 1974, for grants to hospitals, medical schools and similar agencies for relief of kidney problems. The money could be used to purchase and have available the dialyzers, trained personnel and any and all ancillary facilities in regional centers. A patient could go to such a center for treatment and the exorbitant cost would be reduced to something he could afford.

There is a bill before the Pennsylvania Senate now which would set aside \$1 million annually to help those whose kidneys do not function properly. It is stalled in the Commonwealth's impasse over tax revenues however, and at best that \$1 million would provide for only 83 patients per year; there are more than 350 in this state alone. Federal help is needed and Mr. Biester's proposal would provide it.

Congressman Biester's bill has won such support that it now has more than 100 co-sponsors, from both political parties. Senator Jacob Javits of New York is helping, too, and has introduced similar legislation in the Senate.

The House bill is now before the Committee on Interstate Commerce where it is being held pending hearings on proposals for medical funds into other diseases such as heart trouble, stroke and cancer.

The sooner it moves out of committee to the floor, the better. Each day it languishes, another person dies unnecessarily in Pennsylvania alone.

### SETTING PRIORITIES FOR SPENDING AVAILABLE FUNDS

## HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 17, 1970

Mr. HELSTOSKI. Mr. Speaker, at long last it appears that seemingly reluctant administrative officials at all levels of government are moving toward the goal of setting priorities on how available funds should be spent to correct the ills of our society and to build a better United States of America.

They are slowly learning that you cannot be all things to all people at one time even though it might hurt votewise. It is an encouraging development. However, in arriving at priority decisions some officials get turned around as to what is most important and pressing. In effect, they end up with an upside down list of priorities.

In the following column taken from the Washington Daily News of February 9, 1970, former Vice President Hubert Humphrey clearly explains how one official has his priorities upside down. In placing the column in the RECORD, I do so with the fervent hope that the Congress will restructure the President's priorities and set the course for doing the things that must be done first.

The article follows:

VETO OF HEW FUNDS INDICATES NIXON HAS HIS PRIORITIES UPSIDE DOWN

(By Hubert Humphrey)

Four days after President Nixon vetoed the Department of Health, Education and Welfare's appropriations bill, he announced he

wanted to go ahead with Phase Two of the Safeguard missile system.

The HEW veto was aimed at cutting \$1.2 billion in health and education funds from the \$19.7 billion voted by Congress. The President said the veto was necessary to hold down government spending and control inflation.

The Nixon administration estimates that Phase Two of the Safeguard ABM system will cost \$1 billion. Many defense planners think this is a conservative estimate, that Phase Two more likely will cost about \$20 billion. Senator Mike Mansfield, D-Mont., forecasts the final Safeguard bill at over \$50 billion.

The veto of health and education funds followed by the ABM decision indicates President Nixon has his priorities upside down.

I think it is time to stop the Pentagon from expanding every weapons system, no matter what the cost or the shifting rationale, and to start a real war on crime, pollution and poverty.

The security of the United States is not the issue. We all agree—Democrats and Republicans—that a strong defense is needed to prevent war.

A year ago, President Nixon sold Congress on the Safeguard ABM system by claiming it would protect our missile sites from an attack by Russia.

He now says the Safeguard ABM system is needed to protect our cities from an attack by China.

I disagree with President Nixon a year ago. I disagree with him now.

We can retaliate against any Soviet attack. By hardening our land-based missile sites and by continued use of Polaris submarines, our second strike capacity is protected. The Russians know it, and we know it.

The Nixon administration says that, while Russia understands that an attack on the United States will bring massive retaliation, the Chinese can't be relied on to be deterred by such nuclear logic. In the Pentagon, this is known as the "Crazy Chinese Theory."

There are good reasons to be concerned about China. That huge nation of 800 million people is too isolated, and its leadership often seems erratic.

But the best military and diplomatic minds I have talked with do not think it is now time to start preparing for a nuclear attack from China.

They think it is possible to bring China into the community of nations. They think there is still time to work out agreements to stop the arms race. They think China will not commit national suicide by senseless attacks on other nations.

What is at issue between President Nixon and me is the direction this nation should go in the 1970s.

I do not think we can continue to spend \$70 billion or \$80 billion a year on new weapons systems and a huge defense establishment while paying only lip service to the real needs of this nation.

I do not think we should now spend billions of dollars to ring our cities with missiles while they are being destroyed from within by crime, pollution and a poverty cycle of hopelessness and despair.

It will cost billions of dollars to fight a real war on crime. We need more policemen, better trained policemen, better equipped policemen. We need more judges and a more modern court system. We need correctional systems that rehabilitate people instead of preparing them for a life of crime.

It will cost billions of dollars to fight a real war on pollution. We have to get smog-producing cars off the road by building better public transportation systems. We need more effective treatment of sewage and industrial wastes. We need new systems for disposing of solid wastes. We have to invest more money in pollution research and facilities.

It will cost billions of dollars to rebuild our cities. We need 25 million units of new hous-

ing in this decade. We need new schools, more efficient systems of health care, more job training programs, and the complete overhaul of our welfare system.

President Nixon, in his campaign and during his first year in office, talked about the need to improve the quality of life in this country.

In his State of the Union speech three weeks ago, he spoke eloquently about the need to protect our environment.

Talk must be backed up by performance.

The pollution issue is nothing new. Five years ago the federal government began in earnest to improve the quality of our air

and water. The programs must be improved and more money must be invested.

The crime issue is nothing new. For years we have recognized that significant investments will have to be made in our police-courts-correctional system. Let's do it before this becomes a nation of fear and lawlessness.

The cities issue is nothing new. We can all see the slum housing, the inadequate schools, the rising cost of health care, the ineffective welfare system.

It is time to stop playing on our fears. It is time to stop promising and to start coming up with programs and money.

The priorities of the America of the 1970s are not the ABM and a continued arms race. We can cut the Pentagon budget to as low as \$50 billion a year and still have real security for the United States.

We can clear up our air and water and rebuild our cities. Our streets can be made safe. We can give every American a chance to lead a decent life. These are our priorities of the 1970s.

Judging by his actions of recent weeks, President Nixon has other priorities.

I think he is wrong. I think he is pursuing policies of the 1950s as America enters the 1970s.

## SENATE—Wednesday, February 18, 1970

The Senate met at 11 o'clock a.m. and was called to order by the President pro tempore (Mr. RUSSELL).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, who has set us in this place at this time and given us work to do for others, teach us not to waste precious moments by crowding Thee out. Help us, however pressing our duties, to linger for a moment in communion with Thee, to know Thee and to be known by Thee. Teach us to number our days that we may apply our hearts to wisdom, to lengthen life by intensity of living, to fill swift hours with mighty deeds, to lay up treasures which are unseen and imperishable, where neither moth nor rust doth corrupt.

So may the very stress and strain of daily toil keep us close to Thee.

Through Jesus Christ our Lord. Amen.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, February 17, 1970, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### SENATOR METCALF OF MONTANA

Mr. MANSFIELD. Mr. President, I am sure all Senators are aware that my distinguished colleague (Mr. METCALF

met with an accident on an icy road in Montana and is confined to the hospital in Butte at the present time.

We expect him to be back with us shortly. He is recovering nicely.

### POLLUTION AND ITS CONTROL

Mr. MANSFIELD. Mr. President, I take this opportunity to join the distinguished minority leader in noting that once again the Federal Water Pollution Control Administration's Office of Public Information has received well deserved recognition for professional excellence.

As the Senator from Pennsylvania (Mr. SCOTT) pointed out on February 9, the Washington chapter of the Public Relations Society of America has, for the second consecutive year, presented its Thoth Award to the office.

The letter of award to Mr. Charles M. Rogers, director of the Public Information Office, said the judges were "greatly impressed with the very effective public relations program your office has fashioned to present facts about water pollution, prevention and control."

I think this will be at the core of our battle for environmental quality in the years ahead—give the facts to the public and the public will do the rest.

We are all aware that public opinion is, and will continue to be, the decisive element which will mean success or failure in our efforts to clean up our environment. The awesome power of public opinion must be marshaled and then directed against the polluters—if we are to clean up our air and waters.

I am happy to note that the Federal Water Pollution Control Administration is carrying its fight for clean water to the people and apparently is achieving excellent results.

I ask unanimous consent that a letter from the Public Relations Society to Mr. Rogers, and pertinent articles on the effective campaign he has directed, be printed at this point in the RECORD.

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

PUBLIC RELATIONS SOCIETY  
OF AMERICA, INC.,  
Washington D.C. December 1, 1969.

Mr. CHARLES M. ROGERS,  
Director, Office of Public Information, Federal Water Pollution Control Administration, Washington, D.C.

DEAR MR. ROGERS: It is my pleasure to inform you that your entry in the Washington

Chapter, PRSA Annual Awards Program, has been awarded first place in the government category.

The judges, members of the Richmond (Va) Public Relations Society were greatly impressed with the very effective public relations program your office has fashioned to present facts about water pollution, prevention and control.

The Thoth Award, The Washington Chapter's symbol of professional excellence, will be presented at the annual Awards Banquet on Friday, December 5 at the National Press Club. We hope you or a representative of your office will be on hand to receive it.

Congratulations on an excellent job.

Sincerely,

BERNARD A. GOODRICH,  
PRSA Awards Chairman.

[From Variety, Aug. 9, 1967]

### SIX BLURBS ON A SHOESTRING

It's enough to make Madison Ave. shiver and shake. The Federal Water Pollution Control Administration division of the U.S. Dept. of the Interior (bureaucrats, right?) has distributed three one-minute blurbs and three 20-second blurbs—all in glorious tint—for pubservice slotting by networks and stations. The chiller is that the FWPCA division of the USD—of I did it on a production budget totaling \$31,000, without an ad agency—and with a producer who had never turned out a blurb before.

Previously, the Administration had been making its video pitch via an "animated little man." But officials decided, with acceptable logic, that so serious a subject required something other than the light touch. They got it.

Out of nine producer bids, the Administration picked Bill Jersey's Quest Productions. Jersey was producer of the critically acclaimed telementary, "No Time for Burning," aired last season as a "NET Journal" seg on the NET web, but had never produced a blurb. Jersey, with Don Buxbaum as producer and Michael David scripting, managed to bring off the project sans ad agency creative help or production supervision.

The blurbs feature Hudson River and Hamburg, N.Y., locations and such diverse performers as folk singer Tom Paxton and a professional (AFTRA?) rat. Paxton wrote and sings a moody ode to a river, while the camera pictures it as it should be and how man and industry have really fouled it up. Another blurb features children's voices over, seemingly headed for a beach—but the water is polluted and the only sun bather turns out to be the rat. A sign reading, "This water unsafe for bathing," is a main prop in this one.

Third blurb is interior, with a happy guy humming and mixing lemonade in the kitchen. The lemonade is fouled by a montage of the various industrial gooks that are ruining the waterways. Very effective in tint.

There's brief voice-over on all blurbs, and an invitation to write to Clean Water, U.S. Department of the Interior, Washington, D.C.

The three 20-second blurbs are edited out