HOUSE OF REPRESENTATIVES—*Wednesday, February 18, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is good; His mercy is everlasting; and His truth endureth to all generations.—Psalm 100: 5.

Eternal Father, in the quiet hush of this hallowed moment we turn to the inner shrine of our human spirits lifting our hearts unto Thee in prayer, seeking to become aware of Thy presence and of the eternal truths upon which alone our country can build safely and securely for the good of all.

In this disturbing day, with darkness upon the face of the earth, we are grateful for the verities which cannot be shaken, for the beacon lights which no wind of violence can blow out, and for the steady radiance of truth and love which no wrong can dim, no evil can darken.

Give us open eyes to see the stirring facts of our day. Grant us courage to meet them, confidence to manage them, and the creative faith to master them for the welfare of the youth of our land and for the well-being of all our people.

In Thy holy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment, a bill and concurrent resolution of the House of the following titles:

H.R. 14789. An act to amend title VIII of the Foreign Service Act of 1946, as amended, relating to the Foreign Service Retirement and Disability System, and for other purposes; and

H. Con. Res. 454. Concurrent resolution calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front.

The message also announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 3274. An act to implement the Convention on the Recognition and Enforcement of Foreign Arbitral Awards;

S.J. Res. 127. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., from May 15, 1971, through May 23, 1971; and

S.J. Res. 172. Joint resolution to authorize the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week."

APPOINTMENT AS MEMBERS OF THE U.S. GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Chair appoints as members of the U.S. group of the North Atlantic Assembly the following members on the part of the House: Mr. HAYS of Ohio, Chairman; Mr. RODINO of New Jersey, Mr. RIVERS of South Carolina, Mr. CLARK of Pennsylvania, Mr. BROOKS of Texas, Mr. ARENDS of Illinois, Mr. FINDLEY of Illinois, Mr. QUIE of Minnesota, and Mr. DEVINE of Ohio.

APPOINTMENT AS MEMBERS OF THE U.S. DELEGATION OF THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–420, the Chair appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group the following members on the part of the House: Mr. NIX of Pennsylvania, Chairman; Mr. WRIGHT of Texas; Mr. JOHNSON of California; Mr. GONZALEZ of Texas; Mr. DE LA GARZA of Texas; Mr. FRASER of Minnesota; Mr. SYMINGTON of Missouri; Mr. BUSH of Texas; Mr. STEIGER of Arizona; Mr. LLOYD of Utah; Mr. THOMSON of Wisconsin; and Mr. WIGGINS of California.

APPOINTMENT AS MEMBERS OF THE U.S. DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group the following members on the part of the House: Mr. GALLAGHER of New Jersey, Chairman; Mr. JOHNSON of California, Mr. ST GERMAIN of Rhode Island, Mr. RANDALL of Missouri, Mr. MORGAN of Pennsylvania, Mr. KYROS of Maine, Mr. STRATTON of New York, Mr. ANDREWS of North Dakota, Mr. STAFFORD of Vermont, Mr. BROOMFIELD of Michigan, Mr. LANGEN of Minnesota, and Mr. MAILLIARD of California.

PERMISSION FOR SUBCOMMITTEE ON URBAN AFFAIRS OF SELECT COMMITTEE ON SMALL BUSINESS TO SIT DURING GENERAL DEBATE TODAY

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Subcommittee on Urban Affairs of the Select Committee on Small Business may sit this afternoon during general debate. I might state that this has been cleared with the minority.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LT. GEN. LEWIS BLAINE HERSHEY

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, I have the feeling that we will all miss General Hershey, even his most vehement critics. General Hershey was born and raised in the Fourth Congressional District of Indiana, which I am proud to represent. For 29 years he persevered at the job of being Director of the Selective Service System, and he always used to say there was never a long line of people waiting to take the job. Most of all he performed the job with patience, humor, and a devotion to his country, which we in Indiana like to feel is typical of Hoosiers. Few men have borne up so well in the face of the abuse that has been heaped upon him. Therefore, I wish to take this occasion to wish him Godspeed and many a restful day back in Indiana. He is deserving of the gratitude of our citizens.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I would like to join in the remarks made by the gentleman from Indiana (Mr. ADAIR) and to commend the gentleman for making them.

Mr. Speaker, I certainly believe that General Hershey is a great American, and that he has done a great service for his country.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. ADAIR. Mr. Speaker, I thank the gentleman for his statement.

TIME TO GET TOUGH WITH POLLUTERS

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, it is time to get tough—really tough—with the polluters of America's lakes and streams.

That is the major thrust of the Nixon water pollution control measures being introduced today.

There is a new awareness in the Nation of the need to restore, protect and preserve our most precious natural resource—water. This new awareness must give rise to effective enforcement of our pollution control laws. We must fashion a club that will swing polluters throughout the country into remedial action.

One of the most serious defects in our present system of water pollution control is the delay in taking an individual polluter to court. It now takes 18 months or longer to go through all the procedures involved before court action is possible. The hearing stage is at the root of the delaying action.

President Nixon would eliminate the hearing stage and take a case directly from an enforcement conference to the courts. I applaud this move. I also favor

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the President's attempt to give enforcement more clout by empowering the courts to impose fines of up to $10,000 a day for noncompliance with responsible water quality standards.

In addition, the President has wisely recommended that the Secretary of Interior be authorized to seek court orders halting pollution immediately in emergency situations. These would be situations where severe water pollution constitutes an imminent danger to health or threatens irreversible damage to water quality.

We must protect our waters—and the public—in situations where time does not permit routine enforcement and normal court procedures.

I urge that the Congress give full backing to President Nixon's water pollution control proposals. We must have large-scale action against polluters of our lakes and streams.

AN OPPORTUNITY SELDOM PRESENTED TO A NATION

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, I have joined in sponsorship of the administration's environmental proposals. These bills are an excellent starting point from which the Congress can proceed to prepare broad, coordinated legislation.

I would like to mention some different connotations of this massive fight against pollution on one hand and in the development of a quality environment on the other. I believe the high interest in very basic matters offers us opportunity I would not like to waste.

I believe that here we have a unifying force for our Nation which sorely needs harmony and unification. The motivations and the problems are so broad that the subject captures the interest of all Americans, from the most liberal to the most conservative—from the most demonstrative activist to the most quiet kind of citizen. Indeed, I believe the potential for unified effort is so great that only we can destroy the consummation through injection of partisanship.

Furthermore, if we are to seriously consider the relationship of man and his universe, it is inescapable that we will once again recognize that there are some basic lasting truths, acceptance of which can bring new meaning and new purpose to our lives individually and nationally.

In this context, it may well be that through environmental discussions we will find ways of solving other problems. For instance, my work with problems of narcotics and dangerous drugs leads me to believe that most of the young people involved are highly intelligent and very much "involved." It seems totally incongruous to me that a bright young person can become deeply concerned about the invasion of the human body by chemicals such as DDT, 2, 4, 5-T and similar concoctions, and simultaneously ignore the invasion by LSD, methamphetamines, and so forth.

We have an opportunity seldom presented to a nation. Let us make the most of it.

SETTING EXAMPLES IN RESPONSIBLE CITIZENSHIP

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUYKENDALL. Mr. Speaker, in the President's expressed concern about the quality of our environment, two areas of responsibility are being brought into focus. First, the area of our responsibility here in the Congress where legal action is necessary. And secondly, and maybe more important, is the area of voluntary citizen action.

I am not a dedicated viewer of television commercials, even though I recognize their tremendous importance in our economy, however, I saw one a few days ago which I wish to commend.

McDonald's Hamburgers has a television commercial of a small boy eating its product from a small paper sack. At the end of the commercial, the small boy very naturally folds the sack and puts it in his pocket, obviously refraining from throwing it on the ground.

This commercial was created long before the President's message on our environment and I think it should be an example as to the type of motivation our great American companies can give all of our people with their access to the powerful media of television.

My congratulations to McDonald's and its portrayal of a small boy setting an example in responsible citizenship.

ENDORSING THE CLEAN AIR ACT

(Mr. DEVINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEVINE. Mr. Speaker, because motor vehicles account for such a large share of the Nation's air pollution problem, I am pleased to see that the administration intends to take decisive action to deal with this problem.

First, the Secretary of Health, Education, and Welfare has proposed considerably more stringent motor vehicle emission standards for 1973 and 1975 models than those now in effect. The proposed new standards will sharply lower the limitations on exhaust emissions of carbon monoxide and hydrocarbons. Also, for the first time, standards will be set to limit exhaust emissions of nitrogen oxides and particulate matter.

Second, the President has proposed that the Clean Air Act be amended to give the Secretary additional authority to enforce the motor vehicle pollution control standards. Under present law, testing of manufacturers' prototype vehicles is the principal means of insuring compliance with the standards. This is a poor system. There is little incentive for the manufacturers to assure that emission control performance of production models matches that of the certified prototypes.

The proposed Clean Air Act amendments would rectify this situation by authorizing the Department of Health, Education, and Welfare to test assembly-line vehicles or require the manufacturers to do so and would authorize the Department to revoke certificates of conformity if those tests show that the vehicles are not in conformity with the existing standards.

These proposals, if enacted, would be a major step toward achieving a clean atmosphere by the end of this decade, a goal which is supported by all Americans. I, therefore, endorse the amendments to the Clean Air Act and will work diligently for their adoption.

IMMEDIATE INJUNCTIVE RELIEF IN SEVERE WATER POLLUTION EMERGENCIES

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, a new awareness and attitude toward pollution is emerging throughout the Nation, triggered both by alarming signs on the environmental horizon, and by persistent work on the part of Federal and State enforcement authorities.

But we need to hasten this attitude if water pollution is to be conquered in the 1970's, as President Nixon proposed in his environmental message to the Congress, because we face emergency situations almost daily affecting our waterways.

One of the President's proposals to accelerate enforcement asks that the Secretary of the Interior be authorized to seek immediate injunctive relief in emergency situations in which severe water pollution constitutes an imminent danger to health, or threatens irreversible damage to water quality.

A chemical company, for example, that is about to discharge a surge of toxic wastes into a stream; or a city, in situations such as recently arose in Richmond, Va., and Cleveland, Ohio, could be stopped by a court injunction prohibiting them from carrying out their intended discharges.

This safeguard for emergency situations will protect our waters—and the public—where there is not time for routine enforcement and court procedures.

We should have had such a provision written into the Federal Water Pollution Control Act long before now.

I urge that this Congress give full backing and support to this proposal.

THE NEED FOR COMPREHENSIVE PROGRAM ON WATER POLLUTION

(Mr. ESHLEMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ESHLEMAN. Mr. Speaker, if Congress wills it, this country this year will launch the most comprehensive program for water pollution control in our history.

President Nixon set the goals when he said:

> 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, our land and our water.

The President has proposed the legis-

lative changes that will be needed and he has asked Congress for the money that it will take to do the job—$4 billion during the next 4 years as the Federal Government's share in supporting a $10 billion nationwide water cleanup.

This money, Federal, State, and municipal, will build 1,500 entirely new waste treatment plants at cities throughout our country. Additionally, the money will bring about the modernization, enlarging or upgrading of approximately 2,500 existing waste treatment plants.

Experts in the water pollution control field feel that the $10 billion will bring the entire municipal waste system of the Nation up to standard.

In proposing this new financing program, President Nixon removed the uncertainty and doubt that the States and cities have been operating under in the past years.

Under his plan the full $4 billion of Federal funding will be appropriated in fiscal 1971. Then it will be allocated to municipalities at the rate of $1 billion a year over 4 years.

Thus, cities will know definitely and in advance—this is something they have never had before—how much Federal funds will be available over the entire 4-year period. The level of the Federal authority will not depend on the annual appropriation process.

Mr. Speaker, passage of the President's program will go a long way toward solving our Nation's pollution problems.

THE NEED FOR ENVIRONMENTAL FINANCING AUTHORITY

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAMBERLAIN. Mr. Speaker, the nationwide campaign to clean up ravaged rivers, lakes, and bays seems to be moving a bit—thanks to the efforts of this Congress and the major emphasis the President is placing on this program as exemplified by his recent message to Congress on the environment.

In his budget message—and again in more detail in his environmental message—the President asked for creation of an Environmental Financing Authority as a means of helping finance the waste treatment plant construction so necessary to this program.

Creation of this authority will assure that States and localities will be able to raise their share of sewage treatment plant costs.

Moreover, EFA will be a self-financing operation. Its fees will cover administrative costs and will allow for a reserve buildup.

Mr. Speaker, congressional approval of EFA is vital if we are to assure financing for this program so essential to achievement of a better environment for all our citizens.

IN SUPPORT OF THE PRESIDENT'S BILL ON AIR POLLUTION

(Mr. SHRIVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHRIVER. Mr. Speaker, it gives me great pleasure to take this opportunity to speak in support of the President's bill on air pollution.

I am particularly pleased that the President has called for adoption of national air quality standards.

Every American has the right to clean air, to be protected against the hazards and ravages of air pollution. And this new legislation takes care of that.

The problem of air pollution affects everyone—rich or poor, young or old, male or female, city dweller or farmer, and it cuts across all geographic boundaries.

The present Federal law sets up procedures which are slow and cumbersome. Too much time is taken up just preparing to control the sources of air pollution.

The President's proposals would shorten and streamline this process. This saving of time is very important in dealing with a problem that is constantly growing and worsening.

So I urge every Member of the Congress to support the President on this new legislation. Our support will help protect the Nation's human resources and the natural environment.

WATER POLLUTION CONTROL

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, one of the main elements of an effective water pollution control program is enforcement, and it is high time that we forged a club that will get the immediate attention of America's polluters.

The present Federal-State enforcement program has primarily been a matter of fact gathering and negotiation, even though legal authority has been available to force corrective action, in the public interest.

That is why the principal criticism of the present law has been the slowness of the system. For example, Federal enforcement proceedings involving some of the big meatpacking companies along the Missouri River were started as far back as 1957.

But some of these companies are only now getting around to cleaning up their wastes—wastes that have been polluting this great river for so many years.

In his environmental message, the President proposed a seven-point program of measures we should adopt now to enforce water pollution control. And one which would knife right to the heart of the matter—to the polluter's purse-strings.

As conceived by President Nixon, failure to meet established water quality standards or implementation schedules would subject a polluter to court-imposed fines of up to $10,000 per day.

America's poor record in the past in pollution abatement makes it clear that it will take this sort of club against the country's polluters to "get their attention."

Yes, this is a drastic measure, but it is a badly needed one. This type of penalty has already given emphasis to many of the State water pollution control programs.

These are the kind of attention-getting, get-tough policies America needs to hasten the cleanup of our rivers and waterways. We have seen the slow-moving type of enforcement over the past 14 years.

Let us now see to it that enforcement quickens its pace in the 1970's.

WASTING TIME WITH QUORUM CALLS

(Mr. REES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REES. Mr. Speaker, yesterday afternoon I missed two unimportant and unnecessary quorum calls. These calls came after consideration of an omnibus private claims bill on which final passage was voted at approximately 4 p.m.

The Democratic Study Group, which has a membership of about 150 House Members, had scheduled their monthly meeting after the omnibus claims bill vote to discuss important business pertaining to the next day's caucus of the Democratic membership of the House and also to the Labor-HEW appropriations bill, which is now before the Rules Committee and is expected to be on the floor for debate this next Thursday.

The two quorum calls came during our meeting. Some Members made the calls; others did not. I personally felt that the issues we were discussing were important enough that I should not take 20 or 30 minutes to walk over to the floor, answer to my name, and walk back to the meeting. The quorum calls were not tied to consideration of any active bills, as the Private Calendar was the only matter being considered and the official objectors of both parties were present on the floor.

Mr. Speaker, as one who has been working for 3 years attempting to develop a meaningful congressional reform bill, I object to the manner in which quorum calls are misused. One Member can, for no reason, interrupt the business of 434 other Members of this House, endlessly if he wishes. I hope that there is some possible way to avoid this capricious and senseless use of quorum calls which have little or no relationship to the important matters which this Congress has at hand. Members of Congress have far better ways to utilize their time than by walking back and forth from their offices or meetings to the House to signify their presence on the floor, or only to answer to their names.

Mr. GROSS. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. The Chair observes that there are a few Members who still wish to make unanimous-consent requests. Will the gentleman withhold his point of order?

Mr. GROSS. Yes; I will withhold it, but I would like to accommodate the gentleman from California.

The SPEAKER. The Chair has accommodated him.

Mr. GROSS. In the caucus this morning, Mr. Speaker?

The SPEAKER. The Chair begs pardon?

Mr. GROSS. In the caucus this morning?

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet at 11 a.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, what would be the reason for meeting at 11 a.m., thus ending committee meetings at that time?

Mr. ALBERT. The gentleman realizes that we have a very important appropriation bill which we want to consider and finish this week. We would like to be sure that we can finish it this week.

Mr. GROSS. Does not the distinguished majority leader think that we could dispose of the two bills on the calendar this afternoon rather expeditiously and then go to general debate on the appropriation bill at that time, and obviate the necessity for an 11 o'clock session tomorrow?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. As I understand, the appropriation bill would not be in order until tomorrow. Calling the appropriation bill for consideration would not be in order. Otherwise we would be glad to do so.

Mr. GROSS. It has been suggested, I will say to the majority leader, that unanimous consent might be asked to take it up this afternoon and start general debate.

Mr. ALBERT. I do not see the distinguished chairman of the committee or the ranking member in the Chamber, and I would not want to make that request without consulting them.

Mr. GROSS. The only point I am trying to make—and the gentleman well understands it, I am sure—is that when we come in at 11 o'clock in the morning, that pretty effectively halts action on the part of all committees.

Mr. ALBERT. The gentleman is correct. May I say, for my part, I always hesitate to make these requests. We do have a bill——

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ABUSE OF PASSPORT RESTRICTIONS

(Mr. WYMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, one of the areas in which a change in Supreme Court decision is needed is in the field of passport regulation. It is wrong to deny the U.S. Government power to restrict individual travel to countries deemed by our Government to be unfriendly.

The decision by the High Court that a citizen's right to travel is a liberty under the fifth amendment is clouded in the situation of American young people traveling to Communist Cuba since Castro's government apparently is admitting them without visa.

There should be sanctions against travel contrary to the determinations of the State Department in the matter of delicate foreign relations. Recent accounts of the statements and activities of returnees from Cuba indicate the extent of the problem arising from working alongside delegations from North Vietnam in the sugar fields of Cuba.

One of the unexplained aspects of all this is why Canada persists in flaunting U.S. restrictions by allowing its ports and its customs officials to permit travel prohibited in the United States? Canadian-American relations are generally harmonious, for which we are grateful, but such Canadian policy strains these relations severely.

FOREIGN AFFAIRS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–258)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

In my State of the Union Message to The Congress and on other occasions, I report to The Congress and the American people on specific aspects of foreign affairs. The Secretary of State also frequently makes reports to the appropriate committees of The Congress on foreign affairs, and the Secretary of Defense must deal with such matters as they relate to military programs.

Up to now, however, there has been no comprehensive report on foreign affairs submitted to The Congress on behalf of the Administration as a whole. I am, therefore, transmitting to The Congress this report on my Administration's stewardship of foreign relations. I hope the report will lead to a better understanding by The Congress and the American people of the spirit in which this Administration has sought to guide our foreign affairs, of what has been accomplished so far, and of our new approach to the challenges and opportunities of the world of the 1970s.

RICHARD NIXON.

THE WHITE HOUSE, *February 18, 1970.*

PRESIDENT NIXON'S FOREIGN POLICY

Mr. GERALD R. FORD. Mr. Speaker, in the past we have talked of a "soft line" and a "hard line" in foreign policy. President Nixon's foreign policy for the seventies is a peace line—a realistic strategy for achieving and maintaining world peace.

I firmly believe that the foreign policy guidelines laid down by President Nixon will lead to a safer world. The key to that safer world, as pointed up by President Nixon, is crisis prevention in place of attempts at crisis management around the world.

There will be no return to isolationism under Nixon policy. Neither will there be ratification of bureaucratic decisions in the foreign policy area.

Instead, as the President has stated, the proper course is for the Commander in Chief to be presented with and to fully examine all of the options—and then to make his own decisions.

I say that President Nixon's strategy for peace is a fully realistic foreign policy because it is an extension of his do-it-yourself policy for Asia, it looks to a fashioning of stronger regional groupings as a vehicle for peace through strength, it nurtures no illusions regarding Communist purposes, it views Communist nations individually and in terms of their own special interests rather than as part of a supposed Communist monolith, it contemplates no withdrawal from the world since this would only leave the world open to Communist takeover, and it sensibly scales down our general-purpose forces concept from readiness for two major and one minor war to one major and one minor conflict.

President Nixon's foreign policy for the seventies is a way to stay in the world, not to get out of it.

The underlying theme of it is a willingness to help those who are willing to help themselves. We must not be in the front line of every confrontation. Always there must be a willingness to negotiate and a basis for negotiation.

The President has laid before the Nation and the world a full and concise explanation of his foreign policy block-building. No mysteries. Simply a realistic formula for peace built upon three pillars—partnership among nations, strength, and willingness to negotiate.

The President's action in presenting this foreign policy paper to the Congress and to the Nation is unprecedented. With it, the President has taken the people completely into his confidence. I feel sure they welcome this sharing.

Mr. Speaker, I include the President's U.S. foreign policy for the 1970's:

U.S. FOREIGN POLICY FOR THE 1970'S: A NEW STRATEGY FOR PEACE

(A report by President Richard Nixon to the Congress, February 18, 1970)

INTRODUCTION

"A nation needs many qualities, but it needs faith and confidence above all. Skeptics do not build societies; the idealists are the builders. Only societies that believe in themselves can rise to their challenges. Let us not, then, pose a false choice between meeting our responsibilities abroad and meeting the needs of our people at home. We shall meet both or we shall meet neither." The President's Remarks at the Air Force Academy Commencement, June 4, 1969.

When I took office, the most immediate problem facing our nation was the war in Vietnam. No question has more occupied our thoughts and energies during this past year.

Yet the fundamental task confronting us was more profound. We could see that the whole pattern of international politics was changing. Our challenge was to understand that change, to define America's goals for the next period, and to set in motion policies to achieve them. For all Americans must understand that because of its strength, its history and its concern for human dignity, this nation occupies a special place in the world. Peace and progress are impossible without a major American role.

This first annual report on U.S. foreign policy is more than a record of one year. It is this Administration's statement of a new approach to foreign policy, to match a new era of international relations.

A new era

The postwar period in international relations has ended.

Then, we were the only great power whose society and economy had escaped World War II's massive destruction. Today, the ravages of that war have been overcome. Western Europe and Japan have recovered their economic strength, their political vitality, and their national self-confidence. Once the recipients of American aid, they have now begun to share their growing resources with the developing world. Once almost totally dependent on American military power, our European allies now play a greater role in our common policies, commensurate with their growing strength.

Then, new nations were being born, often in turmoil and uncertainty. Today, these nations have a new spirit and a growing strength of independence. Once, many feared that they would become simply a battleground of cold-war rivalry and fertile ground for Communist penetration. But this fear misjudged their pride in their national identities and their determination to preserve their newly won sovereignty.

Then, we were confronted by a monolithic Communist world. Today, the nature of that world has changed—the power of individual Communist nations has grown, but international Communist unity has been shattered. Once a unified bloc, its solidarity has been broken by the powerful forces of nationalism. The Soviet Union and Communist China, once bound by an alliance of friendship, had become bitter adversaries by the mid-1960's. The only times the Soviet Union has used the Red Army since World War II have been against its own allies—in East Germany in 1953, in Hungary in 1956, and in Czechoslovakia in 1968. The Marxist dream of international Communist unity has disintegrated.

Then, the United States had a monopoly or overwhelming superiority of nuclear weapons. Today, a revolution in the technology of war has altered the nature of the military balance of power. New types of weapons present new dangers. Communist China has acquired thermonuclear weapons. Both the Soviet Union and the United States have acquired the ability to inflict unacceptable damage on the other, no matter which strikes first. There can be no gain and certainly no victory for the power that provokes a thermonuclear exchange. Thus, both sides have recognized a vital mutual interest in halting the dangerous momentum of the nuclear arms race.

Then, the slogans formed in the past century were the ideological accessories of the intellectual debate. Today, the "isms" have lost their vitality—indeed the restlessness of youth on both sides of the dividing line testifies to the need for a new idealism and deeper purposes.

This is the challenge and the opportunity before America as it enters the 1970's.

The framework for a durable peace

In the first postwar decades, American energies were absorbed in coping with a cycle of recurrent crises, whose fundamental origins lay in the destruction of World War II and the tensions attending the emergence of scores of new nations. Our opportunity today—and challenge—is to get at the causes of crises, to take a longer view, and to help build the international relationships that will provide the framework of a durable peace.

I have often reflected on the meaning of "peace," and have reached one certain conclusion: Peace must be far more than the absence of war. Peace must provide a durable structure of international relationships which inhibits or removes the causes of war. Building a lasting peace requires a foreign policy guided by three basic principles:

—Peace requires *partnership*. Its obligations, like its benefits, must be shared. This concept of partnership guides our relations with all friendly nations.

—Peace requires *strength*. So long as there are those who would threaten our vital interests and those of our allies with military force, we must be strong. American weakness could tempt would-be aggressors to make dangerous miscalculations. At the same time, our own strength is important only in relation to the strength of others. We—like others—must place high priority on enhancing our security through cooperative arms control.

—Peace requires a *willingness to negotiate*. All nations—and we are no exception—have important national interests to protect. But the most fundamental interest of all nations lies in building the structure of peace. In partnership with our allies, secure in our own strength, we will seek those areas in which we can agree among ourselves and with others to accommodate conflicts and overcome rivalries. We are working toward the day when *all* nations will have a stake in peace, and will therefore be partners in its maintenance.

Within such a structure, international disputes can be settled and clashes contained. The insecurity of nations, out of which so much conflict arises, will be eased, and the habits of moderation and compromise will be nurtured. Most important, a durable peace will give full opportunity to the powerful forces driving toward economic change and social justice.

This vision of a peace built on partnership, strength and willingness to negotiate is the unifying theme of this report. In the sections that follow, the first steps we have taken during this past year—the policies we have devised and the programs we have initiated to realize this vision—are placed in the context of these three principles.

1. Peace through partnership—The Nixon doctrine

As I said in my address of November 3, "We Americans are a do-it-yourself people—an impatient people. Instead of teaching someone else to do a job, we like to do it ourselves. This trait has been carried over into our foreign policy."

The postwar era of American foreign policy began in this vein in 1947 with the proclamation of the Truman Doctrine and the Marshall Plan, offering American economic and military assistance to countries threatened by aggression. Our policy held that democracy and prosperity, buttressed by American military strength and organized in a worldwide network of American-led alliances, would insure stability and peace. In the formative years of the post-war period, this great effort of international political and economic reconstruction was a triumph of American leadership and imagination, especially in Europe.

For two decades after the end of the Second World War, our foreign policy was guided by such a vision and inspired by its success. The vision was based on the fact that the United States was the richest and most stable country, without whose initiative and resources little security or progress was possible.

This impulse carried us through into the 1960's. The United States conceived programs and ran them. We devised strategies, and proposed them to our allies. We discerned dangers, and acted directly to combat them.

The world has dramatically changed since the days of the Marshall Plan. We deal now with a world of stronger allies, a community of independent developing nations, and a Communist world still hostile but now divided.

Others now have the ability and responsibility to deal with local disputes which once might have required our intervention. Our contribution and success will depend not on the frequency of our involvement in the affairs of others, but on the stamina of our policies. This is the approach which will best encourage other nations to do their part, and will most genuinely enlist the support of the American people.

This is the message of the doctrine I announced at Guam—the "Nixon Doctrine." Its central thesis is that the United States will participate in the defense and development of allies and friends, but that America can not—and will not—conceive all the plans, design all the programs, execute *all* the decisions and undertake *all* the defense of the free nations of the world. We will help where it makes a real difference and is considered in our interest.

America cannot live in isolation if it expects to live in peace. We have no intention of withdrawing from the world. The only issue before us is how we can be most effective in meeting our responsibilities, protecting our interests, and thereby building peace.

A more responsible participation by our foreign friends in their own defense and progress means a more effective common effort toward the goals we all seek. Peace in the world will continue to require us to maintain our commitments—and we will. As I said at the United Nations, "It is not my belief that the way to peace is by giving up our friends or letting down our allies." But a more balanced and realistic American role in the world is essential if American commitments are to be sustained over the long pull. In my State of the Union Address, I affirmed that "to insist that other nations play a role is not a retreat from responsibility; it is a sharing of responsibility." This is not a way for America to withdraw from its indispensable role in the world. It is a way—the only way—we can carry out our responsibilities.

It is misleading, moreover, to pose the fundamental question so largely in terms of commitments. Our objective, in the first instance, is to support our *interests* over the long run with a sound foreign policy. The more that policy is based on a realistic assessment of our and others' interests, the more effective our role in the world can be. We are not involved in the world because we have commitments; we have commitments because we are involved. Our interests must shape our commitments, rather than the other way around.

We will view new commitments in the light of a careful assessment of our own national interests and those of other countries, of the specific threats to those interests, and of our capacity to counter those threats at an acceptable risk and cost.

We have been guided by these concepts during the past year in our dealings with free nations throughout the world.

—In Europe, our policies embody precisely the three principles of a durable peace: partnership, continued strength to defend our common interests when chal-

lenged, and willingness to negotiate differences with adversaries.

—Here in the Western Hemisphere we seek to strengthen our special relationship with our sister republics through a new program of action for progress in which all voices are heard and none predominates.

—In Asia, where the Nixon Doctrine was enunciated, partnership will have special meaning for our policies—as evidenced by our strengthened ties with Japan. Our cooperation with Asian nations will be enhanced as they cooperate with one another and develop regional institutions.

—In Vietnam, we seek a just settlement which all parties to the conflict, and all Americans, can support. We are working closely with the South Vietnamese to strengthen their ability to defend themselves. As South Vietnam grows stronger, the other side will, we hope, soon realize that it becomes ever more in their interest to negotiate a just peace.

—In the Middle East, we shall continue to work with others to establish a possible framework within which the parties to the Arab-Israeli conflict can negotiate the complicated and difficult questions at issue. Others must join us in recognizing that a settlement will require sacrifices and restraints by all concerned.

—Africa, with its historic ties to so many of our own citizens, must always retain a significant place in our partnership with the new nations. Africans will play the major role in fulfilling their just aspirations—an end to racialism, the building of new nations, freedom from outside interference, and cooperative economic development. But we will add our efforts to theirs to help realize Africa's great potential.

—In an ever more interdependent world economy, American foreign policy will emphasize the freer flow of capital and goods between nations. We are proud to have participated in the successful cooperative effort which created Special Drawing Rights, a form of international money which will help insure the stability of the monetary structure on which the continued expansion of trade depends.

—The great effort of economic development must engage the cooperation of all nations. We are carefully studying the specific goals of our economic assistance programs and how most effectively to reach them.

—Unprecedented scientific and technological advances as well as explosions in population, communications, and knowledge require new forms of international cooperation. The United Nations, the symbol of international partnership, will receive our continued strong support as it marks its 25th Anniversary.

2. America's strength

The second element of a durable peace must be America's strength. Peace, we have learned, cannot be gained by good will alone.

In determining the strength of our defenses, we must make precise and crucial judgments. We should spend no more than is necessary. But there is an irreducible minimum of essential military security: for if we are less strong than necessary, and if the worst happens, there will be no domestic society to look after. The magnitude of such a catastrophe, and the reality of the opposing military power that could threaten it, present a risk which requires of any President the most searching and careful attention to the state of our defenses.

The changes in the world since 1945 have altered the context and requirements of our defense policy. In this area, perhaps more than in any other, the need to re-examine our approaches is urgent and constant.

The last 25 years have seen a revolution in the nature of military power. In fact, there has been a series of transformations—from the atomic to the thermonuclear weapon, from the strategic bomber to the intercontinental ballistic missile, from the surface missile to the hardened silo and the missile-carrying submarine, from the single to the multiple warhead, and from air defense to missile defense. We are now entering an era in which the sophistication and destructiveness of weapons present more formidable and complex issues affecting our strategic posture.

The last 25 years have also seen an important change in the relative balance of strategic power. From 1945 to 1949, we were the only nation in the world possessing an arsenal of atomic weapons. From 1950 to 1966, we possessed an overwhelming superiority in strategic weapons. From 1967 to 1969, we retained a significant superiority. Today, the Soviet Union possesses a powerful and sophisticated strategic force approaching our own. We must consider, too, that Communist China will deploy its own intercontinental missiles during the coming decade, introducing new and complicating factors for our strategic planning and diplomacy.

In the light of these fateful changes, the Administration undertook a comprehensive and far-reaching reconsideration of the premises and procedures for designing our forces. We sought—and I believe we have achieved—a rational and coherent formulation of our defense strategy and requirements for the 1970's.

The importance of comprehensive planning of policy and objective scrutiny of programs is clear:

—Because of the lead-time in building new strategic systems, the decisions we make today substantially determine our military posture—and thus our security—five years from now. This places a premium on foresight and planning.

—Because the allocation of national resources between defense programs and other national programs is itself an issue of policy, it must be considered on a systematic basis at the early stages of the national security planning process.

—Because we are a leader of the Atlantic Alliance, our doctrine and forces are crucial to the policy and planning of NATO. The mutual confidence that holds the allies together depends on understanding, agreement, and coordination among the 15 sovereign nations of the Treaty.

—Because our security depends not only on our own strategic strength, but also on cooperative efforts to provide greater security for everyone through arms control, planning weapons systems and planning for arms control negotiations must be closely integrated.

For these reasons, this Administration has established procedures for the intensive scrutiny of defense issues in the light of overall national priorities. We have re-examined our strategic forces; we have reassessed our general purpose forces: and we have engaged in the most painstaking preparation ever undertaken by the United States Government for arms control negotiations.

3. Willingness to negotiate—An era of negotiation

Partnership and strength are two of the pillars of the structure of a durable peace. Negotiation is the third. For our commitment to peace is most convincingly demonstrated in our willingness to negotiate our points of difference in a fair and businesslike manner with the Communist countries.

We are under no illusions. We know that there are enduring ideological differences. We are aware of the difficulty in moderating tensions that arise from the clash of national interests. These differences will not be dissipated by changes of atmosphere or dissolved in cordial personal relations between statesmen. They involve strong convictions and contrary philosophies, necessities of national security, and the deep-seated differences of perspectives formed by geography and history.

The United States, like any other nation, has interests of its own, and will defend those interests. But any nation today must define its interests with special concern for the interests of others. If some nations define their security in a manner that means insecurity for other nations, then peace is threatened and the security of all is diminished. This obligation is particularly great for the nuclear superpowers on whose decisions the survival of mankind may well depend.

The United States is confident that tensions can be eased and the danger of war reduced by patient and precise efforts to reconcile conflicting interests on concrete issues. Coexistence demands more than a spirit of good will. It requires the definition of positive goals which can be sought and achieved cooperatively. It requires real progress toward resolution of specific differences. This is our objective.

As the Secretary of State said on December 6:

"We will continue to probe every available opening that offers a prospect for better East-West relations, for the resolution of problems large or small, for greater security for all. In this the United States will continue to play an active role in concert with our allies."

This is the spirit in which the United States ratified the Non-Proliferation Treaty and entered into negotiation with the Soviet Union on control of the military use of the seabeds, on the framework of a settlement in the Middle East, and on limitation of strategic arms. This is the basis on which we and our Atlantic allies have offered to negotiate on concrete issues affecting the security and future of Europe, and on which the United States took steps last year to improve our relations with nations of Eastern Europe. This is also the spirit in which we have resumed formal talks in Warsaw with Communist China. No nation need be our permanent enemy.

America's purpose

These policies were conceived as a result of change, and we know they will be tested by the change that lies ahead. The world of 1970 was not predicted a decade ago, and we can be certain that the world of 1980 will render many current views obsolete.

The source of America's historic greatness has been our ability to see what had to be done, and then to do it. I believe America now has the chance to move the world closer to a durable peace. And I know that Americans working with each other and with other nations can make our vision real.

PART I: THE NATIONAL SECURITY COUNCIL SYSTEM

If we were to establish a new foreign policy for the era to come, we had to begin with a basic restructuring of the process by which policy is made.

Our fresh purposes demanded new methods of planning and a more rigorous and systematic process of policymaking. We required a system which would summon and gather the best ideas, the best analyses and the best information available to the government and the nation.

Efficient procedure does not insure wisdom in the substance of policy. But given the complexity of ocntemporary choices, adequate procedures are an indispensable component of the act of judgment. I have long believed that the most pressing issues are not necessarily the most fundamental ones;

we know that an effective American policy requires clarity of purpose for the future as well as a procedure for dealing with the present. We do not want to exhaust ourselves managing crises; our basic goal is to shape the future.

At the outset, therefore, I directed that the National Security Council be reestablished as the principal forum for Presidential consideration of foreign policy issues. The revitalized Council—composed by statute of the President, the Vice President, the Secretaries of State and Defense, and the Director of the Office of Emergency Preparedness—and its new system of supporting groups are designed to respond to the requirements of leadership in the 1970's:

—Our policy must be *creative:* foreign policy must mean more than reacting to emergencies; we must fashion a new and positive vision of a peaceful world, and design new policies to achieve it.

—Our policymaking must be *systematic:* our actions must be the products of thorough analysis, forward planning, and deliberate decision. We must master problems before they master us.

—We must know the *facts:* intelligent discussions in the National Security Council and wise decisions require the most reliable information available. Disputes in the government have been caused too often by an incomplete awareness or understanding of the facts.

—We must know the *alternatives:* we must know what our real options are and not simply what compromise has found bureaucratic acceptance. Every view and every alternative must have a fair hearing. Presidential leadership is not the same as ratifying bureaucratic consensus.

—We must be prepared if *crises* occur: we must anticipate crises where possible. If they cannot be prevented, we must plan for dealing with them. All the elements of emergency action, political as well as military, must be related to each other.

—Finally, we must have effective *implementation:* it does little good to plan intelligently and imaginatively if our decisions are not well carried out.

Creativity: Above all, a foreign policy for the 1970's demands imaginative thought. In a world of onrushing change, we can no longer rest content with familiar ideas or assume that the future will be a projection of the present. If we are to meet both the peril and the opportunity of change, we require a clear and positive vision of the world we seek—and of America's contribution to bringing it about.

As modern bureaucracy has grown, the understanding of change and the formulation of new purposes have become more difficult. Like men, governments find old ways hard to change and new paths difficult to discover.

The mandate I have given to the National Security Council system, and the overriding objective of every policy review undertaken, is to clarify our view of where we want to be in the next three to five years. Only then can we ask, and answer, the question of how to proceed.

In central areas of policy, we have arranged our procedure of policymaking so as to address the broader questions of long-term objectives first; we define our purposes, and then address the specific operational issues. In this manner, for example, the NSC first addressed the basic questions of the rationale and doctrine of our strategic posture, and then considered—in the light of new criteria of strategic sufficiency—our specific weapons programs and our specific policy for the negotiations on strategic arms limitation. We determined that our relationship with Japan for the 1970's and beyond had to be founded on our mutual and increasingly collaborative concern for peace and security in the Far East; we then addressed the issue of Okinawa's status in the light of this fundamental objective.

Systematic Planning: American foreign policy must not be merely the result of a series of piecemeal tactical decisions forced by the pressures of events. If our policy is to embody a coherent vision of the world and a rational conception of America's interests, our specific actions must be the products of rational and deliberate choice. We need a system which forces consideration of problems before they become emergencies, which enables us to make our basic determinations of purpose before being pressed by events, and to mesh policies.

The National Security Council itself met 37 times in 1969, and considered over a score of different major problems of national security. Each Council meeting was the culmination of an interagency process of systematic and comprehensive review.

This is how the process works: I assign an issue to an Interdepartmental Group—chaired by an Assistant Secretary of State—for intensive study, asking it to formulate the policy choices and to analyze the pros and cons of the different courses of action. This group's report is examined by an interagency Review Group of senior officials—chaired by the Assistant to the President for National Security Affairs—to insure that the issues, options, and views are presented fully and fairly. The paper is then presented to me and the full National Security Council.

Some topics requiring specialized knowledge are handled through different channels before reaching the National Security Council. But the purpose is the same—systematic review and analysis, bringing together all the agencies concerned:

—The major issues of defense policy are treated in systematic and integrated fashion by the NSC Defense Program Review Committee. This group reviews at the Under Secretary level the major defense policy and program issues which have strategic, political, diplomatic, and economic implications in relation to overall national priorities.

—Through other NSC interagency groups, the United States Government has undertaken its first substantial effort to review all its resource programs within certain countries on a systematic and integrated basis, instead of haphazardly and piecemeal.

Determination of the Facts: Intelligent discussions and decisions at the highest level demand the fullest possible information. Too often in the past, the process of policymaking has been impaired or distorted by incomplete information, and by disputes in the government which resulted from the lack of a common appreciation of the facts. It is an essential function of the NSC system, therefore, to bring together all the agencies of the government concerned with foreign affairs to elicit, assess, and present to me and the Council all the pertinent knowledge available.

Normally NSC Interdepartmental Groups are assigned this task. But other interagency groups perform this function for certain special topics. For example:

—The Verification Panel was formed to gather the essential facts relating to a number of important issues of strategic arms limitation, such as Soviet strategic capabilities, and our potential means of verifying compliance with various possible agreements. This Panel was designed not to induce agreement on policy views, but to establish as firmly as possible the *data* on which to base policy discussions. It helped to resolve many major policy differences which might otherwise have been intractable. As the section on Arms Control in this report explains in detail, the Panel played a central part in making our preparation for the Strategic Arms Limitation Talks with the Soviet Union the most thorough in which the U.S. Government has ever engaged.

—The Vietnam Special Studies Group (VSSG) gathers and presents to the highest levels of the United States Government the fullest and most up-to-date information on trends and conditions in the countryside in Vietnam. This group is of key assistance in our major and sustained effort to understand the factors which will determine the course of Vietnamization.

Full Range of Options: I do not believe that Presidential leadership consists merely in ratifying a consensus reached among departments and agencies. The President bears the Constitutional responsibility of making the judgments and decisions that form our policy.

The new NSC system is designed to make certain that clear policy choices reach the top, so that the various positions can be fully debated in the meeting of the Council. Differences of view are identified and defended, rather than muted or buried. I refuse to be confronted with a bureaucratic consensus that leaves me no options but acceptance or rejection, and that gives me no way of knowing that alternatives exist.

The NSC system also insures that all agencies and departments receive a fair hearing before I make my decisions. All Departments concerned with a problem participate on the groups that draft and review the policy papers. They know that their positions and arguments will reach the Council without dilution, along with the other alternatives. Council meetings are not rubberstamp sessions. And as my decisions are reached they are circulated in writing, so that all departments concerned are fully informed of our policy, and so that implementation can be monitored.

Crisis Planning: Some events in the world over which we have little control may produce crises that we cannot prevent, even though our systematized study forewarns us of their possibility. But we can be the masters of events when crises occur, to the extent that we are able to prepare ourselves in advance.

For this purpose, we created within the NSC system a special senior panel known as the Washington Special Actions Group (WSAG). This group drafts contingency plans for possible crises, integrating the political and military requirements of crisis action. The action responsibilities of the departments of the Government are planned in detail, and specific responsibilities assigned in an agreed time sequence in advance. While no one can anticipate exactly the timing and course of a possible crisis, the WSAG's planning helps insure that we have asked the right questions in advance, and thought through the implications of various responses.

Policy Implementation: The variety and complexity of foreign policy issues in today's world places an enormous premium on the effective implementation of policy. Just as our policies are shaped and our programs formed through a constant process of interagency discussion and debate within the NSC framework, so the implementation of our major policies needs review and coordination on a continuing basis. This is done by an interdepartmental committee at the Under Secretary level chaired by the Under Secretary of State.

Conclusions

There is no textbook prescription for organizing the machinery of policymaking, and no procedural formula for making wise decisions. The policies of this Administration will be judged on their results, not on how methodically they were made.

The NSC system is meant to help us address the fundamental issues, clarify our basic purposes, examine all alternatives, and plan intelligent actions. It is meant to promote the thoroughness and deliberation which are essential for an effective American foreign policy. It gives us the means to bring to bear the best foresight and insight of which the nation is capable.

PART II: PARTNERSHIP AND THE NIXON DOCTRINE

Europe

Address by the President to the North Atlantic Council, April 10, 1969: "I believe we must build an alliance strong enough to deter those who would threaten war; close enough to provide for continuous and far-reaching consultation; trusting enough to accept a diversity of views; realistic enough to deal with the world as it is; flexible enough to explore new channels of constructive cooperation."

The peace of Europe is crucial to the peace of the world. This truth, a lesson learned at a terrible cost twice in the Twentieth Century, is a central principle of United States foreign policy. For the foreseeable future, Europe must be the cornerstone of the structure of a durable peace.

Since 1945, the nations of Western Europe and North America have built together an alliance and a mutual respect worthy of the values and heritage we share. Our partnership is founded not merely on a common perception of common dangers but on a shared vision of a better world.

It was essential, therefore, that my first trip abroad as President should be to the capitals of our Western European allies. It was time to reaffirm the importance of those ties, and to strengthen the collaboration with which we shall develop, together, new policies for the new issues of the 1970's.

We must adapt to the conditions created by the past successes of our alliance. European politics are more fluid, and the issues facing the alliance are more subtle and profound, than ever in the past 20 years. These issues challenge our mastery of each of the three elements of a durable peace:

—Genuine *partnership* must increasingly characterize our alliance. For if we cannot maintain and develop further such a relationship with our North Atlantic allies, the prospects for achieving it with our other friends and allies around the world are slim indeed. But the evolution—past and future—of Europe and of European-American relations presents new issues. We must change the pattern of American predominance, appropriate to the postwar era, to match the new circumstances of today. We must extend our joint endeavor into another dimension of common challenges—bringing Twentieth Century man and his environment to terms with one another in modern industrial societies.

—Jointly with our allies we must maintain the *strength* required to defend our common interests against external dangers, so long as those dangers exist. We have learned to integrate our forces; we now need better means of harmonizing our policies. We need a rational alliance defense posture for the longer term. This requires a common understanding of the nature of the dangers today and tomorrow, and on nuclear and non-nuclear strategy and forces. We must fashion common policies for the pursuit of security through arms control, as well as through military strength.

—Together with our allies, we must be prepared to *negotiate*. The problems and dangers of the division of Europe persist. Our association with our friends and allies in Europe is the starting point from which we seek to resolve those problems and cope with those dangers. Our efforts to pursue genuine relaxation of tensions between East and West will be a test of the new trans-Atlantic partnership.

A New and Mature Partnership

I went to Western Europe in February 1969 to reaffirm America's commitment to partnership with Europe.

A reaffirmation was sorely needed. We had to re-establish the principle and practice of consultation. For too long in the past, the United States had led without listening, talked to our allies instead of *with* them, and informed them of new departures instead of deciding with them. Inspired by the success of the Marshall Plan, we had taken such pride in our leadership of the alliance that we forgot how much even the origin and success of the Marshall Plan grew from European ideas and European efforts as well as our own.

After 20 years, the economic prostration, military weakness, and political instability in postwar Europe that had required a predominant American effort were things of the past. Our *common* success in rebuilding Western Europe had restored our allies to their proper strength and status. It was time that our own leadership, in its substance and its manner, took account of this fact. As I stated to the NATO Council in Brussels on my trip in February 1969:

"The nations of NATO are rich in physical resources—but they are even richer in their accumulated wisdom and their experience of the world today. In fashioning America's policies, we need the benefit of that wisdom and that experience."

But the issue we face is not simply improved communication. It is the fundamental question of what shall be the content and purpose of the European-American relationship in the 1970's. In today's world, what kind of an alliance shall we strive to build?

Last April, the North Atlantic Treaty completed its second decade and began its third. I stated on that occasion:

"When NATO was founded, the mere fact of cooperation among the Western nations was of tremendous significance, both symbolically and substantively. Now the symbol is not enough; we need substance. The alliance today will be judged by the content of its cooperation, not merely by its form."

The durability of the alliance itself is a triumph, but also a challenge: It would be unreasonable to imagine that a structure and relationship developed in the late 1940's can remain the same in content and purpose in the 1970's.

The fundamentals of the relationship are not in question. The original aims of the Western Alliance are still our basic purposes: the defense of Western Europe against common challenges, and ultimately the creation of a viable and secure European order.

But what pattern of relations will serve these objectives best today? There is a natural tendency to prefer the status quo and to support established forms and relationships that have served well in the past. But we can see in 1970 that there is no "status quo"—the only constant is the inevitability of change. Evolution within Western Europe has changed the region's position in the world, and therefore its role in the Western Alliance.

Since 1945, West Germany achieved a position of mutual respect and partnership with its Western neighbors. From this reconciliation a larger European entity has developed, with prospects of further growth. Americans have welcomed this transformation and see it as a vindication of the historic choices made twenty years ago. We contributed, not only by insuring the physical safety of Western Europe from outside attack or pressure, and in the early years by providing economic support, but also by giving a powerful impetus to the building of European institutions.

But today, European vitality is more self-sustaining. The preponderant American influence that was a natural consequence of postwar conditions would be self-defeating today. For nations which did not share in the responsibility to make the vital decisions for their own defense and diplomacy could retain neither their self-respect nor their self-assurance.

A more balanced association and a more genuine partnership are in America's interest. As this process advances, the balance of burdens and responsibilities must gradually be adjusted, to reflect the economic and political realities of European progress. Our allies will deserve a voice in the alliance and its decisions commensurate with their growing power and contributions.

As we move from dominance to partnership, there is the possibility that some will see this as a step towards disengagement. But in the third decade of our commitment to Europe, the depth of our relationship is a fact of life. We can no more disengage from Europe than from Alaska.

We recognize that America's contribution will continue to be unique in certain areas, such as in maintaining a nuclear deterrent and a level of involvement sufficient to balance the powerful military position of the USSR in Eastern Europe. But we have no desire to occupy such a position in Europe that European affairs are not the province of the sovereign states that conduct them.

Intra-European institutions are in flux. We favor a definition by Western Europe of a distinct identity, for the sake of its own continued vitality and independence of spirit. Our support for the strengthening and broadening of the European Community has not diminished. We recognize that our interests will necessarily be affected by Europe's evolution, and we may have to make sacrifices in the common interest. We consider that the possible economic price of a truly unified Europe is outweighed by the gain in the political vitality of the West as a whole.

The structure of Western Europe itself—the organization of its unity—is fundamentally the concern of the Europeans. We cannot unify Europe and we do not believe that there is only one road to that goal. When the United States in previous Administrations turned into an ardent advocate, it harmed rather than helped progress.

We believe that we can render support to the process of European coalescence not only by our role in the North Atlantic Alliance and by our relationships with European institutions, but also by our bilateral relations with the several European countries. For many years to come, these relations will provide essential trans-Atlantic bonds; and we will therefore continue to broaden and deepen them.

European Defense and Security

In choosing a strategy for our general purpose forces for the 1970's, we decided to continue our support for the present NATO strategy. And the Secretary of State and the Secretary of Defense announced at the NATO Council meeting in December that we would maintain current U.S. troop levels in Europe at least through mid-1971.

At the same time, we recognized that we must use this time to conduct a thorough study of our strategy for the defense of Western Europe, including a full and candid exchange of views with our allies.

The need for this study is based on several considerations:

First, at the beginning of the last decade the United States possessed overwhelming nuclear superiority over the Soviet Union. However, that superiority has been reduced by the growth in Soviet strategic forces during the 1960's. As I point out elsewhere, the prospect for the 1970's is that the Soviets will possess strategic forces approaching and in some categories exceeding our own.

This fundamental change in the strategic balance raises important questions about the relative role of strategic nuclear forces, conventional forces, and tactical nuclear weapons.

Second, there are several views among Western strategists concerning the answers to several key questions:

—What is a realistic assessment of the military threats to Western Europe that should be used as the basis for Allied strategic and force structure planning?

—For how long could NATO sustain a conventional forward defense against a determined Warsaw Pact attack?

—Beyond their value as a deterrent to war, how should our tactical nuclear weapons in Europe be used to counter specific Warsaw Pact military threats?

—How does the contemplated use of tactical nuclear weapons affect the size, equipment and deployment of Allied conventional forces?

Third, even though the NATO Allies have reached agreement on the strategy of flexible response, there are disagreements about the burdens that should be borne by the several partners in providing the forces and other resources required by that strategy. Further, questions have been raised concerning whether, for example, our logistics support, the disposition of our forces in Europe, and our airlift and sealift capabilities are sufficient to meet the needs of the existing strategy.

These questions must be addressed in full consultation with our allies. This is the process we have followed in the preparations for and conduct of the strategic arms limitation talks with the Soviet Union. We are consulting our allies closely at every stage, not on a take-it-or-leave-it basis but by seeking their advice on the whole range of options we have under consideration.

In assessing our common security, we must not be satisfied with formal agreements which paper over dissimilar views on fundamental issues or with language that is acceptable precisely because it permits widely divergent interpretations. Disagreements must be faced openly and their bases carefully explored. Because our security is inseparable, we can afford the most candid exchange of views.

In the past year, in the NATO Nuclear Planning Group, where the Secretary of Defense represents this government, the allies have taken significant steps to explore the principal problems of defining a common political rationale for the resort to tactical nuclear weapons. The completion of this process in close collaboration with all of our allies, including those possessing national nuclear capabilities, will be a major contribution to the credible defense of Europe.

The forging of a common understanding on basic security issues will materially improve our ability to deal sensibly and realistically with the opportunities and pressures for change that we face, including suggestions in this country for substantial reductions of U.S. troop levels in Europe and the possibility that balanced force reductions could become a subject of East-West discussions.

An Era of Negotiation in Europe

Our association with Western Europe is fundamental to the resolution of the problems caused by the unnatural division of the continent. We recognize that the reunion of Europe will come about not from one spectacular negotiation, but from an extended historical process.

We must be under no illusion about the difficulties. As I remarked last April, addressing the NATO Council in Washington:

"It is not enough to talk of relaxing tension, unless we keep in mind the fact that 20 years of tension were not caused by superficial misunderstandings. A change of mood is useful only if it reflects some change of mind about political purpose.

"It is not enough to talk of European security in the abstract. We must know the elements of insecurity and how to remove them. Conferences are useful if they deal with concrete issues, which means they must, of course, be carefully prepared."

The division of Europe gives rise to a number of interrelated issues—the division of Germany, access to Berlin, the level of military forces on both sides of the line, the barriers to economic and cultural relations, and other issues. We are prepared to negotiate on these issues, in any suitable forum.

We have already joined with the three allies involved—the United Kingdom, France and the Federal Republic of Germany—in suggesting to the Soviet Union that an attempt should be made to improve the situation regarding Berlin. Even if progress on broader issues cannot soon be made, the elimination of recurrent crises around Berlin would be desirable.

Our German ally has also undertaken steps to seek a normalization of its relations with its Eastern neighbors. Since the problem of Germany remains the key to East-West problems in Europe, we would welcome such a normalization. Just as the postwar era has ended in Western Europe, it is our hope that a more satisfactory and enduring order will come into being in the center of the continent.

Within NATO, meanwhile, we have joined with our allies in canvassing other issues that might offer prospects for fruitful negotiation, including the possibility of reciprocal adjustments in the military forces on both sides of the present demarcation line in Europe.

There is no dearth of subjects to negotiate. But there is no one way to go about it or any preferable forum. Relations between East and West must be dealt with on several levels and it would be wrong to believe that one single grand conference can encompass all existing relationships.

High on the agenda of the Western Alliance is the complex responsibility of integrating our individual and collective efforts. Together with our allies we shall seek to answer these questions: Should we consider the relaxation of tensions in terms of an overall settlement between NATO and the Warsaw Pact? Or is there scope for a series of bilateral efforts? What are the limits of bilateral efforts and how can they be related to the NATO system of consultations? What would be the contribution of a unified Western Europe?

Last April 10, in my talk at the Twentieth Anniversary Celebration of NATO, I stated this problem as follows:

"Up to now, our discussions [with NATO] have mainly had to do with tactics—ways and means of carrying out the provisions of a treaty drawn a generation ago. We have discussed clauses in proposed treaties; in the negotiations to come, we must go beyond these to the processes which these future treaties will set in motion. We must shake off our preoccupation with formal structure to bring into focus a common world view."

Without such a general understanding on the issues and our respective roles, we run a risk of failures and frustrations which have nothing to do with the intentions of the principals, but which could result from starting a sequence of events that gets out of control.

In the last analysis, progress does not depend on us and our allies alone. The prospects for durable agreement also involve the attitudes, interests, and policies of the Soviet Union and their allies in Eastern Europe. Ultimately, a workable system of security embracing all of Europe will require a willingness on the part of the Soviet Union to normalize its own relations with Eastern Europe—to recover from its anachronistic fear of Germany, and to recognize that its own security and the stability of Central Europe can best be served by a structure of reconciliation. Only then will an era of negotiation in Europe culminate in an era of peace.

A New Dimension

The common concerns and purposes of the Western allies reach beyond the military and political dimensions of traditional alliances.

Article 2 of the North Atlantic Treaty anticipated these further dimensions of partnership by pledging the allies to "strengthening their free institutions, . . . promoting conditions of stability and well-being," and "encourag[ing] economic collaboration." These are not goals limited to the Treaty area. They go beyond partnership among allies, military security, and negotiations with adversaries. As I said last April, on NATO's twentieth anniversary, the relationship of Europe and the United States "also needs a social dimension to deal with our concern for the quality of life in this last third of the Twentieth Century."

At America's initiative, the alliance created in 1969 a Committee on the Challenges of Modern Society—to pool our skills, our intellects, and our inventiveness in finding new ways to use technology to enhance our environments, and not to destroy them. For as I said last April:

"The Western nations share common ideals and a common heritage. We are all advanced societies, sharing the benefits and the gathering torments of a rapidly advanced industrial technology. The industrial nations share no challenge more urgent than that of bringing 20th century man and his environment to terms with one another—of making the world fit for man and helping man to learn how to remain in harmony with the rapidly changing world."

If this view was not at first uniformly held among the Allied nations, it emerged with increasing strength as the matter was considered—evidence both of the validity of the proposition, and of the lessons learned and skills acquired in the course of two decades of intensive and detailed consultation and cooperation.

Environmental problems are secondary effects of technological change; international environmental cooperation is therefore an essential requirement of our age. This has now begun in the Committee on the Challenges of Modern Society. We have established a procedure whereby individual nations offer to "pilot" studies in a specific area and are responsible for making recommendations for action. Eight projects have been agreed upon. These are road safety, disaster relief, air pollution, sea pollution, inland water pollution, scientific knowledge and governmental decision-making, group and individual motivation, and regional planning. The United States is pilot nation for the first three of these.

A provision of the charter of the Committee on the Challenges of Modern Society looks to expanding the number of nations involved in these efforts, and to the support of similar undertakings in other international organizations such as the Organization for Economic Cooperation and Development, the Economic Commission for Europe, and the United Nations, which is holding a worldwide conference on environmental problems in 1972. We see this new dimension of international cooperation as an urgent and positive area of work. Cooperative research, technological exchange, education, institution building, and international regulatory agreements are all required to reverse the trend toward pollution of our planet's environment within this critical decade.

Agenda for the Future

The agenda for the future of American relations with Europe is implicit in the statement of the issues we face together:

—The evolution of a mature partnership reflecting the vitality and the independence of Western European nations;

—the continuation of genuine consultation with our allies on the nature of the threats to alliance security, on maintenance of a common and credible strategy, and on an appropriate and sustainable level of forces;
—the continuation of genuine consultations with our allies on the mutual interests affected by the U.S.-Soviet talks on strategic arms limitation;
—the development of a European-American understanding on our common purposes and respective roles in seeking a peaceful and stable order in all of Europe;
—the expansion of allied and worldwide cooperation in facing the common social and human challenges of modern societies.

In 1969, the United States and its allies discussed most of these issues—some in the context of new proposals, but most of them in the form of new questions. These questions will not be answered in a year. As I said last February in Brussels, "They deal with the vast sweep of history, they need the most thorough deliberations." The deliberations will continue; we have the chance today to build a tomorrow worthy of our common heritage.

Western Hemisphere

The President's remarks at the Annual Meeting of the Inter-American Press Association, Washington, October 31, 1969: "Understandably, perhaps, a feeling has arisen in many Latin American quarters that the United States 'no longer cares.'

"My answer to that is simple.

"We do care. I care. I have visited most of your countries. I have met most of your leaders. I have talked with your people. I have seen your great needs, as well as your great achievements.

"And I know this, in my heart as well as in my mind: if peace and freedom are to endure in the world, there is no task more urgent than lifting up the hungry and the helpless, and putting flesh on the dreams of those who yearn for a better life."

The Setting

This concern which I expressed last year is central to our policies in the Western Hemisphere. Our relationship with our sister republics has special relevance for this Administration's general approach to foreign relations. We must be able to forge a constructive relationship with nations historically linked to us if we are to do so with nations more removed.

A new spirit and a new approach were needed to pursue this objective in the Americas. It meant recalling our special relationship but changing our attitude to accommodate the forces of change. And it meant translating our new attitude into an action program for progress that offers cooperative action rather than paternal promises and panaceas.

Throughout our history we have accorded the other American nations a special place in our foreign policy. This unique relationship is rooted in geography, in a common Western heritage and in a shared historical experience of independence born through revolution.

This relationship has evolved over time. Our long and close political and economic association, and our articulation of the concept of hemispheric community, have been self-fulfilling: it is now a political and psychological fact that the relations between the United States and Latin America have a special meaning for us both. We share a concept of hemispheric community, as well as a web of treaties, commitments and organizations that deserves the name of an Inter-American System.

But the character of that relationship has not been immune to the upheavals and transformations of past decades. Indeed, the continuing challenge throughout this hemisphere's history has been how to redefine and readjust this special relationship to meet changed circumstances, new settings, different problems.

That challenge is all the more compelling today.

Forces of Change

The powerful tides of change that have transformed the world since the Second World War have also swept through the Western Hemisphere, particularly in the 1960's. They have altered the nature of our relationship, and the expectations and obligations that flow from it.

When this Administration took office, it was evident that United States policies and programs had not kept pace with these fundamental changes. The state of the hemisphere and of our relationship was satisfying neither to North nor South Americans:

—Our power overshadowed the formal relationship of equality and even our restrained use of this power was not wholly reassuring. As a result, tension between us grew.
—Too many of our development programs were made *for* our neighbors instead of *with* them. This directive and tutorial style clashed with the growing self-assertiveness and nationalism of the other Western Hemisphere nations.
—Development problems had become more intense and complex; exploding population growth and accelerating urbanization added to social stress; frustrations were rising as expectations outstripped accomplishments.
—Political and social instability were therefore on the rise. Political radicalism increased, as well as the resort to violence and the temptation to turn to authoritarian methods to handle internal problems.
—Nationalism was taking on anti-U.S. overtones.
—Other Western Hemisphere nations seriously questioned whether our assistance, trade and investment policies would match the realities of the 1970's.

Toward a policy for the 1970's

From the outset, the Administration recognized the need to redefine the special concern of the United States for the nations of the hemisphere. We were determined to reflect the forces of change in our approach and in our actions.

We approached this task in two phases: First, we sought to appraise the state of the hemisphere, to analyze the problems that existed, and to determine fundamental policy objectives; then, we expressed our conclusions in specific policies and programs.

To get a fresh perspective, early in my Administration I asked Governor Nelson A. Rockefeller to undertake a fact-finding mission throughout the region. His conclusions and recommendations, together with other government studies, were intensively reviewed by the NSC during the summer and early fall. This review addressed some of the basic questions: whether we should continue to have a "special relationship;" if so, what its essential purpose and substance ought to be and how best to achieve it.

We concluded that:

—A "special relationship" with Latin America has existed historically, and there are compelling reasons to maintain and strengthen our ties.
—The goal of such a relationship today should be to create a community of independent, self-reliant states linked together in a vital and useful association.
—United States assistance to its neighbors is an essential part of that relationship.
—The United States should contribute, not dominate. We alone cannot assure the responsibility for the economic and social development of other nations. This is a process deeply rooted in each nation's history and evolution. Responsibility has to be shared for progress to be real.
—For the 70's, we therefore had to shape a relationship that would encourage other nations to help themselves. As elsewhere in the world, our basic role is to persuade and supplement, not to prescribe. Each nation must be true to its own character.

On October 31, I proposed a new partnership in the Americas to reflect these concepts, a partnership in which all voices are heard and none is predominant. I outlined the five basic principles governing this new approach:

"First, a firm commitment to the Inter-American system, to the compacts which bind us in that system—as exemplified by the Organization of American States and by the principles so nobly set forth in its charter.

"Second, respect for national identity and national dignity, in a partnership in which rights and responsibilities are shared by a community of independent states.

"Third, a firm commitment to continued United States assistance for hemispheric developments.

"Fourth, a belief that the principal future pattern of this assistance must be U.S. support for Latin American initiatives, and that this can best be achieved on a multilateral basis within the inter-American system.

"Finally, a dedication to improve the quality of life in this new world of ours—to making people the center of our concerns, and to helping meet their economic, social and human needs."

In this speech we also began laying the foundations of an action program for progress. These are actions that reflect our new approach of enabling other Western Hemisphere nations to help themselves. And they are actions that can realistically be implemented. I refused to propose grandiose spending programs that had no prospect of Congressional approval, or to make promises that could not be fulfilled.

A less than realistic approach would have blunted our partners' sense of participation and generated false hopes. The time for dependency and slogans was over. The time for partnership and action was at hand.

ACTION

We are shaping programs together with the other nations of the Western Hemisphere, not devising them on our own. And where we once relied on bilateral exchanges, we are turning more to multilateral groups.

One of the principal cooperative forums is the Inter-American Economic and Social Council, the economic and development channel of the Organization for American States. Shortly after my speech, and again early this year, this body met to consider our proposals and those of our friends. In these continuing meetings and in other multilateral exchanges we are putting forward our suggestions for give-and-take discussions.

We have made realistic action proposals to meet specific objectives:

—*Share Responsibility.* To insure that the shaping of the Western Hemisphere's future reflects the will of the other nations of this hemisphere, I affirmed the need for a fundamental change in the way we manage development assistance. I proposed that the nations of the hemisphere evolve an effective multilateral mechanism for bilateral assistance. The precise form this takes will be worked out with our partners. IA–ECOSOC has directed the Inter-American Committee for the Alliance for Progress (CIAP) and the Inter-American Bank to explore ways to increase their participation in development decisions. The goal is to enable the other Western Hemisphere nations to assume a primary role in setting priorities within the hemisphere,

developing realistic programs and keeping their own performance under critical review. To demonstrate United States interest in improving and strengthening our multilateral institutions, I authorized financial support—totaling $23 million in grant funds—to strengthen the activities of CIAP and the Inter-American Bank. I also authorized our representatives to agree to submit to CIAP, for its review, United States economic and financial programs as they affect the other nations of the hemisphere. Similar reviews are made of the other hemisphere countries' policies, but the United States had not, prior to this decision, opened its policies to such a consultation.

—*Expand Trade.* To help other Western Hemisphere nations to increase their export earnings and thus contribute to balanced development and economic growth, I have committed the United States to a program which would help these countries improve their access to the expanding markets of the industrialized world:

The U.S. will press for a liberal system of generalized tariff preferences for all developing countries. We are working toward a system that would eliminate discriminations against South American exports that exist in other countries. Through the Organization for Economic Cooperation and Development and the United Nations Conference on Trade and Development, we are pressing other developed nations to recognize the need for a genuinely progressive tariff preference system.

I committed the U.S. to lead an effort to reduce non-tariff barriers to trade maintained by nearly all industrialized countries. We seek to lead a concerted multilateral reduction in non-tariff barriers on products of major interest to South America (taking advantage of the work going on in the General Agreement on Tariffs and Trade.

I pledged to support increased technical and financial assistance to promote Latin American trade expansion.

I promised to support the establishment within the inter-American system of regular procedures for advance consultations on all trade matters, and we proposed specific mechanisms for this purpose. In early February, IA–ECOSOC agreed to establish a standing special committee which will meet regularly for consultation on mutual economic problems, including trade and development.

—*Ease AID restrictions.* To make development assistance more helpful and effective, we are taking several actions:

I ordered that from November 1, all loan dollars sent to Latin America under AID be freed to allow purchases not only in the U.S. but anywhere in Latin America. This partial "untying" of our assistance loans removed restrictions that had burdened borrowers and promised to provide an incentive for industrial development in its region.

We have removed a number of other procedural restrictions on the use of AID funds. We eliminated, for example, the requirements under which recipient countries were forced to import U.S. goods they would not have imported under normal trade conditions—the "additionality" provision.

The Peterson Task Force (which is studying our overall assistance Programs) is reviewing other procedural and administrative restrictions. We aim to streamline our lending and make it more effective.

—*Assure Special Representation.* To reflect our special concern for this region, I proposed establishing the position of Under Secretary of State for Western Hemisphere Affairs. The new Under Secretary will be given authority to coordinate all of our activities in this region. On December 20 the Secretary of State submitted implementing legislation to Congress.

—*Support Regionalism.* To encourage regional cooperation we have offered to support economic integration efforts. We have reiterated our offer of financial assistance to the Central American Common Market, the Caribbean Free Trade Area, the Andean Group and to an eventual Latin American Common Market.

—*Ease Debt Burdens.* To help nations heavily burdened by large debts and their servicing we have urged the Inter-American Committee for the Alliance for Progress (CIAP) to join us in approaching other creditor nations and international lending agencies to study these problems. In February the IA–ECOSOC authorized CIAP to proceed along this line. As members of CIAP we have offered our full cooperation and expressed our willingness to join in an approach to other creditor nations.

—*Share Science and Technology.* To help turn science to the service of the hemisphere:

We will contribute to the support and financing of initiatives in these fields, including research and development, regional training centers, and transfer of technology.

We are developing a program for training and orientation of Latin American specialists in the field of scientific and technical information.

The OAS will sponsor a conference next year on the application of science and technology to Latin America.

This is the beginning of action for progress. But it is only a beginning. There is a long way to go.

Agenda for the Future

During the 1970's the nations of this hemisphere will continue to experience profound change in their societies and institutions. Aspirations rise while the intensity and complexity of social and economic problems increase, and most American governments must straddle the widening gap between demands and resources. If these governments cannot find greater resources, their prospects for solving their problems through rational policies will fade. The results will be more instability, more political radicalism, more of the wrong kind of nationalism.

This is the dilemma which the hemisphere faces in the 1970's. It prompted the efforts made by the hemisphere nations to forge new development and trade policies in the series of meetings of the Inter-American Economic and Social Council during the latter half of 1969. Against this backdrop our friends will seek our cooperation, judge the credibility of our words, and measure the value of our actions.

In practical terms, we shall confront increased pressures:

—*For capital resources to finance development and reform.* We shall have to find ways to achieve adequate levels of resources, to use them more effectively and to transfer them through improved institutions and channels. We believe we can meet these needs through partnership, with shared responsibility for development decisions and major efforts by the United States and other developed nations.

—*For growing markets to expand exports.* We shall have to face frankly the contradictions we will find between our broader foreign policy interests and our more particular domestic interests. Unless we can demonstrate to our sister nations evidence of our sincerity and of our help in this area while recognizing practical constraints, we cannot achieve the effective partnership we seek. A liberal trade policy that can support development is necessary to sustain a harmonious hemispheric system.

—*Against foreign investments.* Foreign investments are the most exposed targets of frustration, irrational politics, misguided nationalism. Their potential for mutual benefits will only be realized through mutual perception and tact. The nations of this hemisphere must work out arrangements which can attract the needed technical and financial resources of foreign investment. For their part, investors must recognize the national sensitivities and political needs of the 1970's. There is no more delicate task than finding new modes which permit the flow of needed investment capital without a challenge to national pride and prerogative.

There will be political and diplomatic pressures as well. The Inter-American community will have to consider:

—how to maintain peace in the face of border disputes and neighbors' quarrels;

—how to meet the problems of subversive threats to internal security and order;

—how to handle legitimate desires to modernize security forces without starting arms races;

—how to view internal political instabilities and extra-legal changes of government among us.

In both the development and security sphere we shall have to adapt the formalities of the inter-American system to rapidly changing realities. An amended OAS charter will very soon take effect. We shall need to work to enhance the effectiveness of its constituent organizations. Above all, our special partnership must accommodate the desire of the Latin Americans to consult among themselves and formulate positions which they can then discuss with us.

Within the broad commonality of our relationship, there is great diversity. In a period of such profound social and cultural change, emerging domestic structures will differ by country, reflecting various historical roots, particular contexts, and national priorities. We can anticipate different interpretations of reality, different conceptions of self-interest and different conclusions on how to resolve problems.

The United States must comprehend these phenomena. We must recognize national interests may indeed diverge from ours rather than merge. Our joint task is to construct a community of institutions and interests broad and resilient enough to accommodate our national divergencies. It is in this context that we are giving intensive study to Governor Rockefeller's recommendations for additional actions.

Our concepts of future American relations must thus be grounded in differences as well as similarities. Our mandate is to produce creativity from diversity. Our challenge is the vision I painted in my October 31 speech:

"Today, we share an historic opportunity.

"As we look together down the closing decades of this century, we see tasks that summon the very best that is in us. But those tasks are difficult precisely because they do mean the difference between despair and fulfillment for most of the 600 million people who will live in Latin America by the year 2000. Those lives are our challenge. Those lives are our hope. And we could ask no prouder reward than to have our efforts crowned by peace, prosperity and dignity in the lives of those 600 million human beings, each so precious and each so unique—our children and our legacy."

Asia and the Pacific

Statement by the President at Bangkok, Thailand, July 28, 1969: "What we seek for

Asia is a community of free nations able to go their own way and seek their own destiny with whatever cooperation we can provide—a community of independent Asian countries, each maintaining its own traditions and yet each developing through mutual cooperation. In such an arrangement, we stand ready to play a responsible role in accordance with our commitments and basic interests."

Three times in a single generation, Americans have been called upon to cross the Pacific and fight in Asia. No region of the world has more engaged our energies in the postwar period. No continent has changed more rapidly or with greater complexity since World War II. Nowhere has the failure to create peace been more costly or led to greater sacrifice.

America's Asian policy for the 1970's must be based on the lessons of this sacrifice. Does it mean that the United States should withdraw from Asian affairs? If not, does it mean that we are condemned to a recurring cycle of crisis and war in a changing setting beyond the understanding or influence of outsiders?

Our answers to these questions provide the concepts behind this Administration's approach to Asia.

First, we remain involved in Asia. We are a Pacific power. We have learned that peace for us is much less likely if there is no peace in Asia.

Second, behind the headlines of strife and turmoil, the fact remains that no region contains a greater diversity of vital and gifted peoples, and thus a greater potential for cooperative enterprises. Constructive nationalism and economic progress since World War II have strengthened the new nations of Asia internally. A growing sense of Asian identity and concrete action toward Asian cooperation are creating a new and healthy pattern of international relationships in the region. Our Asian friends, especially Japan, are in a position to shoulder larger responsibilities for the peaceful progress of the area. Thus, despite its troubled past, Asia's future is rich in promise. That promise has been nurtured in part by America's participation.

Third, while we will maintain our interests in Asia and the commitments that flow from them, the changes taking place in that region enable us to change the character of our involvement. The responsibilities once borne by the United States at such great cost can now be shared. America *can* be effective in helping the peoples of Asia harness the forces of change to peaceful progress, and in supporting them as they defend themselves from those who would subvert this process and fling Asia again into conflict.

Our friends in Asia have understood and welcomed our concept of our role in that continent. Those with whom the Vice President, the Secretary of State and I spoke during our visits there agreed that this was the most effective way in which we can work together to meet the military challenges and economic opportunities of the new Asia.

Our new cooperative relationship concerns primarily two areas of challenge—military threats, and the great task of development.

DEFENSE

Our important interests and those of our friends are still threatened by those nations which would exploit change and which proclaim hostility to the United States as one of the fundamental tenets of their policies. We do not assume that these nations will always remain hostile, and will work toward improved relationship wherever possible. But we will not underestimate any threat to us or our allies, nor lightly base our present policies on untested assumptions about the future.

At the beginning of my trip last summer through Asia, I described at Guam the principles that underlie our cooperative approach to the defense of our common interests. In my speech on November 3, I summarized key elements of this approach.

—The United States will keep all its treaty commitments.

—We shall provide a shield if a nuclear power threatens the freedom of a nation allied with us, or of a nation whose survival we consider vital to our security and the security of the region as a whole.

—In cases involving other types of aggression we shall furnish military and economic assistance when requested and as appropriate. But we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense.

This approach requires our commitment to helping our partners develop their own strength. In doing so, we must strike a careful balance If we do too little to help them—and erode their belief in our commitments—they may lose the necessary will to conduct their own self-defense or become disheartened about prospects of development. Yet, if we do too much, and American forces do what local forces can and should be doing, we promote dependence rather than independence.

In providing for a more responsible role for Asian nations in their own defense, the Nixon Doctrine means not only a more effective use of common resources, but also an American policy which can best be sustained over the long run.

ECONOMIC AND POLITICAL PARTNERSHIP

The partnership we seek involves not only defense. Its ultimate goal must be equally close cooperation over a much broader range of concerns—economic as well as political and military. For in that close cooperation with our Asian friends lies our mutual commitment to peace in Asia and the world.

Our goal must be particularly close cooperation for economic development. Here, too, our most effective contribution will be to support Asian initiatives in an Asian framework.

Our partnership will rest on the solid basis of Asia's own wealth of human and material resources. Acting jointly, its peoples offer each other a wide range of energy and genius. Their benefits shared, its land and products can overcome the unmet needs which have often sparked conflict. Already, the Republics of Korea and China, Thailand, Singapore and Malaysia can show a doubling of their gross national product in the last decade. Korea's annual growth rate of 15 per cent may be the highest in the world; the Republic of China, no longer an economic aid recipient, now conducts a technical assistance program of its own in 27 other countries.

Thus, the potential for cooperation among Asian countries is strong, and progress is already apparent. New multi-national organizations are sharing agricultural and technical skills. When the war in Vietnam is ended, reconstruction can be carried out in a regional context. And we look forward to continued cooperation with a regional effort to harness the power of the Mekong River.

The successful start of the Asian Development Bank, of which we are a member, illustrates the potential of Asian initiatives and regionalism. It is an *Asian* institution, with a requirement that the Bank's president, seven of its ten directors, and 60 per cent of its capital come from Asia.

Our hopes for Asia are thus for a continent of strong nations drawing together for their mutual benefit on their own terms, and creating a new relationship with the rest of the international community.

Japan, as one of the great industrial nations of the world, has a unique and essential role to play in the development of the new Asia. Our policy toward Japan during the past year demonstrates our conception of the creative partnership we seek with all Asian nations.

Upon entering office, I faced a pivotal question concerning the future of our relations with Japan: the status of Okinawa. What did we consider more important—the maintenance of American administration of Okinawa with no adjustments in the conditions under which we operate our bases, or the strengthening of our relationship with Japan over the long-term? We chose the second course because our cooperation with Japan will be crucial to our efforts to help other Asian nations develop in peace. Japan's partnership with us will be a key to the success of the Nixon Doctrine in Asia.

In November, I therefore agreed with Prime Minister Sato during his visit to Washington that we would proceed with arrangements for the return of Okinawa in 1972, with our bases remaining after its reversion in the same status as our bases in Japan. This was among the most important decisions I have taken as President.

For his part, Prime Minister Sato expressed the intention of the Japanese Government to expand and improve its aid programs in Asia in keeping with the economic growth of Japan. He agreed with me that attention to the economic needs of the developing countries was essential to the development of international peace and stability. He stated Japan's intention to accelerate the reduction and removal of its restrictions on trade and capital. He also stated that Japan was exploring what it could do to bring about stability and reconstruction in postwar Southeast Asia. The Prime Minister affirmed that it is in Japan's interest that we carry out fully our defensive commitments in East Asia.

We have thereby laid the foundation for U.S.-Japanese cooperation in the 1970's.

Elsewhere, too, we have seen developments encouraging for the future of Asia. In Indonesia—which is virtually half of Southeast Asia—we have participated in multilateral efforts, aimed at achieving economic stability, which have already contributed much to the building of a prospering and peaceful nation.

The United States has a similar long-run interest in cooperation for progress in South Asia. The one-fifth of mankind who live in India and Pakistan can make the difference for the future of Asia. If their nation-building surmounts the centrifugal forces that have historically divided the subcontinent, if their economic growth keeps pace with popular demands, and if they can avert further costly rivalry between themselves, India and Pakistan can contribute their vast energies to the structure of a stable peace. But these are formidable "ifs." We stand ready to help the subcontinent overcome them. These nations' potential contribution to peace is too great for us to do otherwise.

Like the rest of Asia, India and Pakistan have changed significantly over the past decade. They have registered steady economic progress in many areas, and established a hopeful precedent for mutual cooperation in the Indus development scheme. Yet in the same period, each has felt the strains of continuing tension in their relations and their old bitter dispute flared again in brief warfare in 1965.

They have reordered their international relationships with East and West; each remains staunchly independent.

Over the next decade India, Pakistan, and their friends have an opportunity to build substantially on the constructive elements in this record, and above all, to work together to avert further wasteful and dangerous conflict in the area.

While I was in South Asia, I stated our view of the method and purpose of our economic assistance to Asia. These words were spoken in Pakistan, but they express our goals as well for India and all of Asia:

"I wish to communicate my Government's conviction that Asian hands must shape the

Asian future. This is true, for example, with respect to economic aid, for it must be related to the total pattern of a nation's life. It must support the unique aspirations of each people. Its purpose is to encourage self-reliance, not dependence."

Issues for the future

The fostering of self-reliance is the new purpose and direction of American involvement in Asia. But we are only at the beginning of a new road. However clear our conception of where we wish to go, we must be under no illusion that any policy can provide easy answers to the hard, specific issues which will confront us in Asia in coming years.

—While we have established general guidelines on American responses to Asian conflicts, in practice the specific circumstances of each case require careful study. Even with careful planning, we will always have to consider a basic and delicate choice. If we limit our own involvement in the interest of encouraging local self-reliance, and the threat turns out to have been more serious than we had judged, we will only have created still more dangerous choices. On the other hand, if we become unwisely involved, we risk stifling the local contribution which is the key to our long-run commitment to Asia.

—The success of our Asian policy depends not only on the strength of our partnership with our Asian friends, but also on our relations with Mainland China and the Soviet Union. We have no desire to impose our own prescriptions for relationships in Asia. We have described in the Nixon Doctrine our conception of our relations with Asian nations. We hope that other great powers will act in a similar spirit and not seek hegemony.

—Just as we and our allies have an interest in averting great power dominance over Asia, we believe that peace in the world would be endangered by great power conflict there—whether it involves us or not. This characterizes our attitude towards the Sino-Soviet dispute.

—Asian regional cooperation is at its beginning. We will confront subtle decisions as we seek to help maintain its momentum without supplanting Asian direction of the effort.

—A sound relationship with Japan is crucial in our common effort to secure peace, security, and a rising living standard in the Pacific area. We look forward to extending the cooperative relationship we deepened in 1969. But we shall not ask Japan to assume responsibilities inconsistent with the deeply felt concerns of its people.

—In South Asia, our good relations with India and Pakistan should not obscure the concrete dilemmas we will face. How can we bring home to both, for example, our serious concern over the waste of their limited resources in an arms race, yet recognize their legitimate interests in self-defense?

All these issues will confront this Administration with varying intensity over the coming years. We are planning now to meet challenges and anticipate crises. Our purpose in 1969 has been to make sure none was ignored or underestimated. The task ahead—for Asians and Americans—is to address all these issues with the imagination, realism and boldness their solutions demand if lasting peace is to come to Asia.

Vietnam

"The people of Vietnam, North and South alike, have demonstrated heroism enough to last a century. And I speak from personal observation. I have been to North Vietnam, to Hanoi, in 1953, and all over South Vietnam. I have seen the people of the North and the people of the South. The people of Vietnam, North and South, have endured an unspeakable weight of suffering for a generation. And they deserve a better future." The President's Address to the 24th Session of the UN General Assembly, September 18, 1969.

A just peace in Vietnam has been, and remains, our goal.

The real issues are the nature of that peace and how to achieve it. In addressing these issues at the beginning of my Administration, I had to consider the great consequences of our decisions.

I stated the consequences of a precipitate withdrawal in these terms in my speech of May 14:

"When we assumed the burden of helping defend South Vietnam, millions of South Vietnamese men, women and children placed their trust in us. To abandon them now would risk a massacre that would shock and dismay everyone in the world who values human life.

"Abandoning the South Vietnamese people, however, would jeopardize more than lives in South Vietnam. It would threaten our long-term hopes for peace in the world. A great nation cannot renege on its pledges. A great nation must be worthy of trust.

"When it comes to maintaining peace, 'prestige' is not an empty word. I am not speaking of false pride or bravado—they should have no place in our policies. I speak, rather, of the respect that one nation has for another's integrity in defending its principles and meeting its obligations.

"If we simply abandoned our effort in Vietnam, the cause of peace might not survive the damage that would be done to other nations' confidence in our reliability.

"Another reason for not withdrawing unilaterally stems from debates within the Communist world . . . If Hanoi were to succeed in taking over South Vietnam by force—even after the power of the United States had been engaged—it would greatly strengthen those leaders who scorn negotiation, who advocate aggression, who minimize the risks of confrontation with the United States. It would bring peace now but it would enormously increase the danger of a bigger war later."

My trip through Asia last summer made this fact more vivid to me than ever. I did not meet a single Asian leader who urged a precipitate U.S. withdrawal. The closer their nations were to the battlefield, the greater was their concern that America meet its responsibilities in Vietnam.

Less attention had been given to another important consequence of our decisions—within the United States itself. When the Administration took office, Vietnam had already led to a profound national debate. In considering our objectives there, I could only conclude that the peace must not intensify the bitter recrimination and divisions which the war had already inflicted on American society. Were we to purchase peace in Vietnam at the expense of greater suffering later, the American people would inevitably lose confidence in their leaders—not just in the Presidency or in either political party, but in the whole structure of American leadership.

For all these reasons, I resolved to seek a peace which all Americans could support, a peace in which all parties to the conflict would have a stake. I resolved also to be completely candid with the American public and Congress in presenting our policies, except for some details on matters of great sensitivity. I was determined to report the setbacks as well as achievements, the uncertainties as well as the hopeful signs.

To seek a just peace, we pursued two distinct but mutually supporting courses of action: Negotiations and Vietnamization. We want to achieve an early and fair settlement through negotiations. But if the other side refuses, we shall proceed to strengthen the South Vietnamese forces. This will allow us to replace our troops on an orderly timetable. We hope that as Vietnamization proceeds the Government of North Vietnam will realize that it has more to gain in negotiations than in continued fighting.

We do not pretend that our goals in Vietnam have been accomplished, or that the way ahead will be easy.

—In South Vietnam, we have helped the South Vietnamese make progress in increasing their defense capacity, and we have reduced the number of American men and casualties. Yet Vietnamization is still a developing process, and enemy intentions on the battlefield are unclear.

—At the conference table, we have made generous and reasonable proposals for a settlement. Yet the other side still refuses to negotiate seriously.

Despite these uncertainties, I believe that we are on the right road, and that we are moving toward our goals.

Negotiations

In seeking a negotiated settlement of the war, we did not underestimate the difficulties ahead:

—We knew that the basic questions at issue in negotiations—particularly the resolution of political power in such a war—were enormously complex. There could be no rigid formula or strict agenda.

—We were aware that Hanoi's actions and doctrinal statements about "protracted conflict," caused it to view negotiations as a means of pressure, rather than as an avenue to a fair compromise.

—We realize that our opponent had sacrificed heavily; he had demonstrated a tenacious commitment to the war, and obviously harbored a deep mistrust of negotiations as a means of settling disputes. As I wrote to the late President Ho Chi Minh last July in an appeal to him to join us in finding a rapid solution: "It is difficult to communicate meaningfully across the gulf of four years of war."

These were formidable obstacles. But we were equally convinced that negotiations offered the best hope of a rapid settlement of the war. The specific issues were complex but could be resolved, once both sides made the fundamental decision to negotiate in a spirit of good-will. Therefore we and the Government of the Republic of Vietnam moved to demonstrate to a mistrustful adversary our willingness to negotiate seriously and flexibly.

On May 14 I made a number of far-reaching proposals for a settlement. They included a mutual withdrawal of all non-South Vietnamese forces from South Vietnam and internationally-supervised free elections.

I also indicated that we seek no bases in Vietnam and no military ties, that we are willing to agree to neutrality or to unification of Vietnam if that is what the South Vietnamese people choose.

In order to encourage the other side to negotiate, I indicated that our proposals were flexible, and that we were prepared to consider other approaches consistent with our principles. We insisted only on one general proposition for which the Government of North Vietnam itself has claimed to be fighting—that the people of South Vietnam be able to decide their own future free of outside interference.

The proposals I made on May 14 still stand. They offer all parties an opportunity to end the war quickly and on an equitable basis.

In a similar spirit, President Thieu of the Republic of Vietnam on July 11 offered a

comprehensive set of proposals. They include free elections in which all the people and parties of South Vietnam can participate, including the National Liberation Front and its adherents, and a mixed Electoral Commission on which all parties can be represented. We have supported those proposals.

At Midway, in early June, President Thieu and I both publicly pledged to accept *any* outcome of free elections, regardless of what changes they might bring.

Throughout the year, we explored every means of engaging the other side in serious negotiations—in the public talks in Paris, in private conversations, and through reliable third parties.

To demonstrate our willingness to wind down the war, I also ordered a reduction in the level of our military operations in Vietnam. Our tactical air and B–52 operations have been reduced by over 25 per cent. Our combat deaths have dropped by two-thirds.

Nor were our proposals put forward on a take-it-or-leave-it basis. We have repeatedly expresssed our willingness to discuss the other side's ten-point program. But Hanoi has adamantly refused even to discuss our proposals. It has refused to negotiate with the Government of the Republic of Vietnam, although it had agreed to do so as one of the "understanding" that led to the bombing halt. It has insisted that we must unconditionally and totally accept its demands for unilateral U.S. withdrawal and for the removal of the leaders of the Government of South Vietnam. It has demanded these things as conditions for just *beginning* negotiations. If we were to accept these demands, we would have conceded the fundamental points at issue. There would be nothing left to negotiate.

If the other side is interested in genuine negotiations there are many ways they can let us know and there are many channels open to them.

The key to peace lies in Hanoi—in its decision to end the bloodshed and to negotiate in the true sense of the word.

The United States has taken three major steps which we were told repeatedly would lead to serious negotiations. We stopped the bombing of North Vietnam; we began the withdrawal of U.S. forces from Vietnam; and we agreed to negotiate with the National Liberation Front as one of the parties to the negotiation. But none of those moves brought about the response or the reaction which their advocates had claimed. It is time for Hanoi to heed the concern of mankind and turn our negotiations into a serious give-and-take. Hanoi will find us forthcoming and flexible.

Vietnamization

The other course of action we are pursuing—Vietnamization—is a program to strengthen the ability of the South Vietnamese Government and people to defend themselves. It emphasizes progress in providing physical security for the Vietnamese people and in extending the authority of the South Vietnamese Government throughout the countryside.

Vietnamization is not a substitute for negotiations, but a spur to negotiations. In strengthening the capability of the Government and people of South Vietnam to defend themselves, we provide Hanoi with an authentic incentive to negotiate seriously now. Confronted by Vietnamization, Hanoi's alternative to a reasonable settlement is to continue its costly sacrifices while its bargaining power diminishes.

Vietnamization has two principal components. The first is the strengthening of the armed forces of the South Vietnamese in numbers, equipment, leadership and combat skills, and overall capability. The second component is the extension of the pacification program in South Vietnam.

Tangible progress has been made toward strengthening the South Vietnamese armed forces. Their number has grown, particularly the local and territorial forces. For example the numerical strength of the South Vietnamese Regional Forces and Popular Forces—important elements in resisting guerrilla attacks—has grown by more than 75,000 in the last year. The effectiveness of these forces is improving in most areas. In addition, about 400,000 weapons have been supplied to South Vietnamese villagers who have become part of the Peoples' Self Defense Force, a local militia.

Under the Vietnamization program, we have reversed the trend of American military engagement in Vietnam and the South Vietnamese have assumed a greater role in combat operations. We have cut the authorized strength of American forces by 115,500 as of April 15, 1970. American forces will continue to be withdrawn in accordance with an orderly schedule based on three criteria: the level of enemy activity; progress in the negotiations; and the increasing ability of the South Vietnamese people to assume for themselves the task of their own defense.

During this process, we have kept in close consultations with the allied nations—Australia, Korea, New Zealand, and Thailand—which also contribute troops to assist the Vietnamese. Their forces continue to bear a significant burden in this common struggle.

As the Vietnamese government bears the growing cost of these augmented forces, and as U.S. military spending in Vietnam is reduced with the continuing reduction of the U.S. military presence there, there will be additional strains on the Vietnamese economy. The Vietnamese will require assistance in dealing with these economic problems. Although our spending for purely military purposes in Vietnam can be expected to decrease substantially during the process of Vietnamization, some increases in our spending for economic purposes will be required

Vietnamization also involves expansion of the pacification program. Our understanding of the pacification program and the criteria for measuring its success needed improvement. I therefore ordered a comprehensive study of conditions in the countryside by a committee charged with analyzing the statistics of Vietnam and keeping the situation under constant review.

The study has concluded that the most meaningful criteria for South Vietnamese Government success in the countryside are the establishment in each hamlet of (1) an adequate defense, and (2) a fully functioning government resident in the hamlet 24 hours a day. If the Government can achieve these two objectives, it can prevent the enemy from subverting and terrorizing the population or mobilizing it for its own purposes. The enemy will be denied any but the most limited and furtive access to the people, and will encounter increasing hostility or indifference as they seek the assistance they formerly enjoyed. The enemy forces will be isolated and forced to fight as a conventional expeditionary force, being dependent on external sources of supply and reinforcement.

This is very important: Enemy main force activities have in the past relied on active assistance from the population in the countryside for intelligence, food, money and manpower. This has enabled the enemy to use the countryside as a springboard from which to strike at key Vietnamese cities and installations. If they are forced to fight as a conventional army, with their support provided from their own resources rather than from the population, the enemy will lose momentum as they move forward because their supply lines will lengthen and they will encounter increasing opposition.

To date, the pacification program is succeeding.

Enemy forces have suffered heavy casualties, many in the course of their own offensives of 1968 and early 1969. The operations of U.S. and South Vietnamese troops against enemy main force units have prevented those units from moving freely through the populated areas and have more and more forced them back into bases in remote areas and along the borders of South Vietnam.

Since 1967, the percentage of the rural population living in areas with adequate defense and a fully functioning local government—the two criteria for government success mentioned above—has more than doubled. By a similar standard, Viet Cong control over the rural population has dropped sharply to less than ten per cent.

The enemy is facing greater difficulty in recruitment and supply. North Vietnamese fillers are being used to bolster Viet Cong main force and local force units, whose strength appears to be declining in most areas. More of the enemy's time is taken up in gaining strength for new offensives which appear to be progressively less efficient.

Claims of progress in Vietnam have been frequent during the course of our involvement there—and have often proved too optimistic. However careful our planning, and however hopeful we are for the progress of these plans, we are conscious of two basic facts.

—We cannot try to fool the enemy, who knows what is actually happening.

—Nor must we fool ourselves. The American people must have the full truth. We cannot afford a loss of confidence in our judgment and in our leadership.

Because the prospects and the progress of Vietnamization demand the most careful study and thoughtful analysis—by ourselves and our critics alike—we have made major efforts to determine the facts.

At my request, Secretary Laird and the Chairman of the Joint Chiefs of Staff, General Wheeler, have just traveled to Vietnam to look into the situation. Last fall, I asked Sir Robert Thompson, an objective British expert with long experience in the area, to make his own candid and independent appraisal for me.

We have established a Vietnam Special Studies Group whose membership includes my Assistant for National Security Affairs as Chairman, the Under Secretary of State, the Deputy Secretary of Defense, the Director of Central Intelligence, and the Chairman of the Joint Chiefs of Staff. I have directed this group to:

—sponsor and direct on a continuous basis systematic analyses of U.S. programs and activities in Vietnam;

—undertake special analytical studies on a priority basis as required to support broad policy and related program decisions; and

—provide a forum for and encourage systematic interagency analysis of U.S. activities in Vietnam.

Essentially the purpose of this group is to direct studies of the factual situation in Vietnam. These studies are undertaken by analysts and individuals with experience in Vietnam drawn from throughout the government. Their findings are presented to the Vietnam Special Studies Group and the National Security Council.

As described below, the group has helped us identify problems for the future. It has provoked the most searching questions, as well as measured the progress we have achieved.

Prisoners of war

In human terms, no other aspect of conflict in Vietnam more deeply troubles thousands of American families than the refusal of North Vietnam to agree to humane treatment of prisoners of war or to provide information about men missing in action. Over 1400 Americans are now listed as missing or captured, some as long as five years, most

with no word ever to their families. In the Paris meetings, we have sought repeatedly to raise this subject—to no avail. Far from agreeing to arrangements for the release of prisoners, the other side has failed even to live up to the humane standards of the 1949 Geneva Convention on prisoners of war: the provision of information about all prisoners, the right of all prisoners to correspond with their families and to receive packages, inspection of POW camps by an impartial organization such as the International Red Cross, and the early release of seriously sick and wounded prisoners.

This is not a political or military issue, but a matter of basic humanity. There may be disagreement about other aspects of this conflict, but there can be no disagreement on humane treatment for prisoners of war. I state again our readiness to proceed at once to arrangements for the release of prisoners of war on both sides.

Tasks for the Future

This Administration is carrying out a concerted and coordinated plan for peace in Vietnam. But the following tasks still remain:

—*Negotiations.* One task is to persuade the North Vietnamese Government to join us in genuine negotiations leading toward a compromise settlement which would assure the self-determination of the South Vietnamese people and would also ensure the continued neutrality of Laos. The fact that it has not yet given any indication of doing so does not necessarily mean that such a decision cannot come at any point. While we harbor no undue optimism, the history of negotiations on Vietnam shows that breakthroughs have always come with little warning after long deadlocks.

Hanoi faces serious and complicated issues in making the fundamental decision to seek a genuine settlement. Allied military pressures, uncertainties in its international support, strains within North Vietnam, the recent display of American public support for a just peace, and the strengthening of the South Vietnamese Government under Vietnamization, all argue for seeking a settlement now. On the other hand, Hanoi's mistrust of our intentions before and after a settlement, its hope that American domestic pressures will force us to withdraw rapidly or make major concessions, its hope for political instability and collapse in South Vietnam, its emotional commitment to the struggle, and its own political weakness in the South must weigh heavily against its willingness to negotiate.

We do not know what choice the North Vietnamese Government will make. For our part, we shall continue to try to make clear to that government that its true long-range interests lie in the direction of negotiations. As we have often said, we shall be flexible and generous when serious negotiations start at last.

—*Enemy Intentions.* Another crucial task is to evaluate Hanoi's intentions on the battlefield. We hope that the level of combat can be further reduced, but we must be prepared for new enemy offensives. The Government of North Vietnam could make no greater mistake than to assume that an increase in violence would be to its advantage. As I said on November 3, and have repeated since, if I conclude that increased enemy action jeopardizes our remaining forces in Vietnam, I will not hesitate to take strong and effective measures to deal with that situation.

—*Vietnamization.* A major problem we must face is whether the Vietnamization program will succeed. The enemy is determined and able, and will continue to fight unless he can be persuaded that negotiation is the best solution. The success of Vietnamization is a basic element in Hanoi's assessment of its policies, just as it is in our own.

—We are now attempting to determine the depth and durability of the progress which has been made in Vietnam. We are studying the extent to which it has been dependent on the presence of American combat and support forces as well as on expanded and improved South Vietnamese army and territorial forces. We are asking searching questions:

What is the enemy's capability to mount sustained operations? Could they succeed in undoing our gains?

What is the actual extent of improvement in Allied capabilities? In particular, are the Vietnamese developing the leadership, logistics capabilities, tactical know-how, and sensitivity to the needs of their own people which are indispensable to continued success?

What alternative strategies are open to the enemy in the face of continued allied success? If they choose to conduct a protracted, low-intensity war, could they simply wait out U.S. withdrawals and then, through reinvigorated efforts, seize the initiative again and defeat the South Vietnamese forces?

Most important, what are the attitudes of the Vietnamese people, whose free choice we are fighting to preserve? Are they truly being disaffected from the Viet Cong, or are they indifferent to both sides? What do their attitudes imply about the likelihood that the pacification gains will stick?

These studies are continuing, as are our studies of the enemy situation and options. I have made it clear that I want the Vietnam Special Studies Group and the other agencies of the U.S. Government to provide the fullest possible presentation of the facts, whatever their policy implications might be.

Our task is to continue to proceed carefully in the policy of Vietnamization, and to find the means which will best support our purpose of helping the South Vietnamese to strengthen themselves.

Even as the fighting continues in Vietnam, we must plan for the transition from war to peace. Much has already been done to bring relief to suffering people, to reconstruct war-torn areas and to promote economic rehabilitation. We have been supporting those efforts. We shall continue to support them and we shall count on other nations to help.

I look forward to the day when I shall not have to report on the problems of ending a complex war but rather on the opportunities offered by a stable peace, when the men and nations who have fought so long and so hard will be reconciled.

I expressed my hope for the future of Vietnam when I spoke to the United Nations on September 18:

"When the war ends, the United States will stand ready to help the people of Vietnam—all of them—in their tasks of renewal and reconstruction. And when peace comes at last to Vietnam, it can truly come with healing in its wings."

The Middle East

". . . a peace which speaks not only about the integrity of nations, but also for the integrity of individuals." Letter to the President of American Near East Refugee Aid, October 21, 1969.

" . . . the peace that is not simply one of words but one which both parties will have a vested interest in maintaining." Welcoming remarks to Prime Minister of Israel, September 25, 1969.

These statements reflect some of my thoughts on the nature of the peace which must come to the Middle East. At the same time, this is an area with great resources and prospects for economic progress. It is the first region of developing nations that is near to meeting its capital needs from its own resources.

Yet this area presents one of the sternest tests of our quest for peace through partnership and accommodation of interests. It combines intense local conflict with great power involvement. This combination is all the more dangerous because the outside powers' interests are greater than their control.

Beyond the area of conflict and beyond this era of conflict, the United States is challenged to find new relationships in helping all the people of the area marshal their resources to share in this progress.

The most important of the area's conflicts, between Arabs and Israel, is still far from settlement. It has serious elements of intractability, but its importance requires all concerned to devote their energies to helping to resolve it or make it less dangerous.

Local passions in the Middle East run so deep that the parties in conflict are seldom amenable to outside advice or influence. Each side is convinced that vital interests are at stake which cannot be compromised.

—Israel, having lived so long before on a thin margin of security, sees territories occupied in 1967 as providing physical security more tangible than Arab commitments to live at peace—commitments whose nature would be tested only after Israel had relinquished the buffer of the territories.

—For the Arabs, a settlement negotiated directly with the Israelis would require recognition of Israel as a sovereign state even while Israeli troops still occupy territory taken in 1967 and while Arab refugees remain homeless.

—For both sides and for the international community, Jerusalem is a special problem involving not only the civil and political concerns of two states but the interests of three great world religions.

A powerful legacy of fear and mistrust must be overcome if the parties are to be willing to subject their interests and grievances to the procedure of compromise. Until then, no formula acceptable to both sides, and no neutral definition of "a fair and reasonable settlement," can get very far.

However, a settlement should still be sought.

This Administration continues to believe that the United Nations cease-fire resolutions define the minimal conditions that must prevail on the ground if a settlement is to be achieved. We have persistently urged the parties in the area as well as the other major powers to do all possible to restore observance of the cease-fire.

Once those minimal conditions exist, we believe a settlement can only be achieved through the give and take of negotiation by those involved, in an atmosphere of mutual willingness to compromise. That is why this Administration has pressed this view in a series of consultations with leaders from the Middle East both in Washington and in their capitals, in bilateral discussions with the outside powers most concerned, and in formal talks with the Soviet Union and in the Four Power forum at the United Nations. In the course of these discussions, we have advanced specific proposals—outlined by Secretary Rogers in his speech of December 9—for creating a framework for negotiation in accordance with the United Nations resolution of November 22, 1967. These have been written with the legitimate concerns of all parties firmly in mind. They were made in an effort to try to help begin the process of negotiation under UN Ambassador Jarring's auspices. Observing that the United States maintained friendly ties with both Arabs and Israelis, the Secretary of the State said that to call for Israeli withdrawal as envisaged in the UN resolution without achieving agreement on peace would be partisan toward the Arabs, while calling on the Arabs to

accept peace without Israeli withdrawal would be partisan toward Israel.

But the United States cannot be expected to assume responsibility alone for developing the terms of peace or for guaranteeing them. Others—in the Middle East and among the great powers—must participate in the search for compromise. Each nation concerned must be prepared to subordinate its special interests to the general interest in peace. In the Middle East, especially, everyone must participate in making the peace so all will have an interest in maintaining it.

We have not achieved as much as we had hoped twelve months ago through the discussions with the Soviet Union or the Four Power talks. We have gone as far as we believe useful in making new proposals until there is a response from other parties. But we shall continue to participate in the dialogue so long as we can make a contribution.

If the Arab-Israeli conflict cannot be finally resolved, at least its scope must be contained and the direct engagement of the major powers limited. For this is a second dimension of the conflict in the Middle East—the rivalries and interests of the major powers themselves.

The interests of the great powers are involved in the contests between local forces, but we also have a common interest in avoiding a direct confrontation. One of the lessons of 1967 was that the local events and forces have a momentum of their own, and that conscious and serious effort is required for the major powers to resist being caught up in them.

In its communications to the Soviet Union and others, this Administration has made clear its opposition to steps which could have the effect of drawing the major powers more deeply into the Arab-Israeli conflict—steps that could only increase the dangers without advancing the prospects for peace.

The activity of the Soviet Union in the Middle East and the Mediterranean has increased in recent years. This has consequences that reach far beyond the Arab-Israeli question. The United States has longstanding obligations and relationships with a number of nations in the Middle East and its policy is to help them enhance their own integrity and freedom. This Administration has shown its readiness to work with the Soviet Union for peace and to work alongside the Soviet Union in cooperation with nations in the area in the pursuit of peace. But the United States would view any effort by the Soviet Union to seek predominance in the Middle East as a matter of grave concern.

I believe that the time has passed in which powerful nations can or should dictate the future to less powerful nations. The policy of this Administration is to help strengthen the freedom of other nations to determine their own futures. Any effort by an outside power to exploit local conflict for its own advantage or to seek a special position of its own would be contrary to that goal.

For these reasons, this Administration has not only pressed efforts to restore observance of the cease-fire and to help begin the process of negotiating a genuine peace. It has also urged an agreement to limit the shipment of arms to the Middle East as a step which could help stabilize the situation in the absence of a settlement. In the meantime, however, I now reaffirm our stated intention to maintain careful watch on the balance of military forces and to provide arms to friendly states as the need arises.

This Administration clearly recognizes that the problem of the Middle East, rooted in a long history of local developments, will be solved only when the parties to the conflict—by reason or resignation—come to accommodate each other's basic, long-run interests. They must recognize that to do less will increasingly endanger everyone's basic goals.

Issues for the Future

We shall continue to seek to work together with all the region's nations, respecting their legitimate national interests and expecting that they will have the same regard for ours. But the emphasis must be on the word "together." The day is past when the large powers can or should be expected either to determine their course or to solve their problems for them. As the Secretary of State said on December 9:

"[Peace] is . . . a matter of the attitudes and intentions of the parties. Are they ready to coexist with one another? Can a live-and-let-live attitude replace suspicion, mistrust and hate? A peace agreement between the parties must be based on clear and stated intentions and a willingness to bring about basic changes in the attitudes and conditions which are characteristic of the Middle East today."

The Middle East poses many challenges for the United States. First, of course, is the problem of resolving or containing major causes of conflict. No one should believe that a settlement even of the Arab-Israeli conflict would lead to the complete relaxation of tensions in the area. Other local rivalries and the turmoil accompanying social and economic change will continue to produce possibilities for conflict.

Yet, beyond that, a new problem faces us—the character of a constructive American relationship with an area with large capital resources of its own.

A number of nations in the area are well-launched toward economic modernization. Some of them have substantial revenues to finance this effort, and those that do not will increasingly rely on the efforts of nearby nations to help through regional funds. Large numbers of skilled technicians have been trained, and many of them have crossed borders to help neighbors.

This means that—while the United States will continue to help where it can—the need will decline for capital assistance and for the type of economic assistance which AID and its forerunners have provided. Of course, American technology, investment, education, managerial skills are still much in demand and can offer much in helping break bottlenecks that remain.

The challenge to the United States, therefore, is to find new tools—new programs, new legislation, new policies—that will permit our government and our citizens to relate productivity to the first major area of the developing world to be close to meeting most of its capital needs from its own resources. We want to continue to work together. We must therefore—while persisting in the quest for peace—develop new relationships to meet the circumstances and demands of the 1970's.

Beyond the dangerous conflict of today, our vision of the Middle East is of a common effort by all those—the people of the area and friends outside—whose high purpose is to erase the scars of the past and to build a future consistent with their great heritage and abundant resources.

Africa

"We know you have no easy task in seeking to assure a fair share of Africa's wealth to all her peoples. We know that the realization of equality and human dignity throughout the continent will be long and arduous in coming. But you can be sure as you pursue these difficult goals that the United States shares your hopes and your confidence in the future." President's Message to the Sixth Annual Assembly of the Organization of African Unity, September 6, 1969.

In this greeting last September to the summit meeting of the Organization of African Unity, I expressed America's determination to support our African friends as they work to fulfill their continent's high promise. The unprecedented visit of the Secretary of State to Africa this month is a confirmation of this support.

One of the most dramatic and far-reaching changes of the last decade was the emergence of an independent Africa.

Only ten years ago, 32 countries covering nearly five-sixths of the Continent were still colonies, their voices silent in world affairs. Today, these are all sovereign nations, proudly determined to shape their own future. And contrary to fears so often voiced at their birth, these nations did not succumb to Communist subversion. Africa is one of the world's most striking examples, in fact, of the failure of the appeal of Communism in the new nations. African states now comprise one-third of the membership of the United Nations. African issues have become important moral and political questions. African views justly merit and receive the attention of the world.

But this rebirth of a continent has been hazardous as well as hopeful. Africa was the scene of many of the recurrent crises of the 1960's. There was the factional strife and international rivalry in the Congo, an arms race between Ethiopia and Somalia, the establishment of white minority rule in Southern Rhodesia, and the agonizing human loss in the Nigerian civil war.

The Continent still faces grave problems. The imbalances of economies and institutions once under full external control are only too evident today. Arbitrary boundaries drawn in European chancelleries left many African countries vulnerable to tribal strife; and nowhere is the task of nation-building more taxing. Not least, Africans face the formidable task of strengthening their sense of identity and preserving traditional culture as their societies make the transition to modernity.

Over the last decade, America has not had a clear conception of its relationship with post-colonial Africa and its particular problems. Because of our traditional support of self-determination, and Africa's historic ties with so many of our own citizens, our sympathy and friendship for the new Africa were spontaneous. But without a coherent concept to structure our policies, we allowed ourselves to concentrate more on temporary crises than on their underlying causes. We expressed our support for Africa more by lofty phrases than by candid and constructive dialogue.

Just as we focus our policies elsewhere to meet a new era, we will be clear with ourselves and with our African friends on America's interests and role in the Continent. We have two major concerns regarding the future of Africa:

—That the Continent be free of great power rivalry or conflict in any form. This is even more in Africa's interest than in ours.

—That Africa realize its potential to become a healthy and prosperous region in the international community. Such an Africa would not only be a valuable economic partner for all regions, but would also have a greater stake in the maintenance of a durable world peace.

These interests will guide our policies toward the most demanding challenges facing Africa in the 1970's.

Development

The primary challenge facing the African Continent is economic development.

If the 1960's were years of high hopes and high rhetoric, the 1970's will have to be years of hard work and hard choices. The African nations and those who assist them must decide together on strict priorities in employing the relatively limited development capital available to the Continent. In doing this, Africa and its friends can benefit from several lessons of the past decade.

Certainly development will not always proceed as rapidly as the Africans and their friends hope. In many countries, needs will outrun local and international resources for some time. But solid and steady progress will be made if our common development investment concentrates on those basic if undramatic building blocks of economic growth—health, education, agriculture, transportation and local development. In particular, Africa will realize the full advantage of its own rich material resources only as it nurtures the wealth of its human resources. In close coordination with the Africans' own efforts, the United States will direct our aid at these fundamental building blocks.

Another lesson we have learned from the 1960's is the need for close regional cooperation, in order for Africa to get the most from development resources. The United States will work with other donors and the Africans to help realize the potential for cooperative efforts—by the support which we are giving, for example, to the East African Economic Community and the promising regional groupings in West Africa. We will recognize, however, that regional action is not the only road for African development. In some cases, for geographic or political reasons, it will not work.

Our assistance throughout the Continent will be flexible and imaginative. We will make a particular effort—including programs of technical assistance and new encouragement of private investment—to help those countries not in a position to participate in regional projects.

We have learned that there are no panaceas for African development. Each country faces its own problems and the solutions to them must spring from the national experience of each country. Foreign ideologies have often proven notoriously irrelevant, and even tragically wasteful, as designs for African progress. The most creative conceptual approaches to African development should come, of course, from the Africans themselves. Outsiders cannot prescribe the political framework most conducive to Africa's economic growth. In some countries, progress has depended upon stability. Yet elsewhere, solutions to local problems have been found amid periods of uncertainty or even turmoil.

The United States will measure African progress in terms of long-run social and economic accomplishment, and not in the political flux which is likely to accompany growth.

In Africa, as throughout the developing world, our goal in providing development aid is clear. We want the Africans to build a better life for themselves and their children. We want to see an Africa free of poverty and disease, and free too of economic or political dependence on any outside power. And we want Africans to build this future as *they* think best, because in that way both our help and their efforts will be most relevant to their needs.

As Secretary Rogers said in Ethiopia on February 12:

"As a developed nation, we recognize a special obligation to assist in the economic development of Africa. Our resources and our capacity are not unlimited. We have many demands at home. We will, however, continue to seek the means, both directly and in cooperation with others, to contribute more effectively to economic development in Africa."

Nationhood

Africa's second challenge in the 1970's will be to weather the inevitable strains which will come with the further development of nations which house a great diversity of peoples and cultures.

We have witnessed tragic manifestations of this problem in the civil strife in the Congo and Nigeria. The process of national integration may be stormy elsewhere.

Such turmoil presents a tempting target to forces outside Africa ready to exploit the problems of change to their own advantage. But foreign intervention, whatever its form or source, will not serve the long-run interests of the Africans themselves.

The United States approaches these problems of national integration with a policy which clearly recognizes the limits as well as the obligations of our partnership with Africa:

—We will not intervene in the internal affairs of African nations. We strongly support their right to be independent, and we will observe their right to deal with their own problems independently. We believe that the national integrity of African states must be respected.

—However, we will distinguish between non-interference politically and the humanitarian obligation to help lessen human suffering.

—Finally, consulting our own interests, we will help our friends in Africa to help themselves when they are threatened by outside forces attempting to subvert their independent development. It is another lesson of the 1960's, however, that African defense against subversion, like African development, must be borne most directly by Africans rather than by outsiders.

Southern Africa

The third challenge facing Africa is the deep-seated tension in the southern sixth of the Continent.

Clearly there is no question of the United States condoning, or acquiescing in, the racial policies of the white-ruled regimes. For moral as well as historical reasons, the United States stands firmly for the principles of racial equality and self-determination.

At the same time, the 1960's have shown all of us—Africa and her friends alike—that the racial problems in the southern region of the Continent will not be solved quickly. These tensions are deeply rooted in the history of the region, and thus in the psychology of both black and white.

These problems must be solved. But there remains a real issue in how best to achieve their resolution. Though we abhor the racial policies of the white regimes, we cannot agree that progressive change in Southern Africa is furthered by force. The history of the area shows all too starkly that violence and the counter-violence it inevitably provokes will only make more difficult the task of those on both sides working for progress on the racial question.

The United States warmly welcomes, therefore, the recent Lusaka Manifesto, a declaration by African leaders calling for a peaceful settlement of the tensions in Southern Africa. That statesmanlike document combines a commitment to human dignity with a perceptive understanding of the depth and complexity of the racial problem in the area—a combination which we hope will guide the policies of Africa and her friends as they seek practical policies to deal with this anguishing question.

Issues for the future

American policy toward Africa, then, will illustrate our general approach to building an enduring peace. Our stake in the Continent will not rest on today's crisis, on political maneuvering for passing advantage, or on the strategic priority we assign it. Our goal is to help sustain the process by which Africa will gradually realize economic progress to match its aspirations.

We must understand, however, that this process is only beginning. Its specific course is unclear. Its success depends in part on how we and the Africans move now in the climate as well as the substance of our relations.

—Africa's friends must find a new tone of candor in their essential dialogue with the Continent. All too often over the past decade the United States and others have been guilty of telling proud young nations, in misguided condescension, only what we thought they wanted to hear. But I know from many talks with Africans, including two trips to the Continent in 1957 and 1967, that Africa's new leaders are pragmatic and practical as well as proud, realistic as well as idealistic. It will be a test of diplomacy for all concerned to face squarely common problems and differences of view. The United States will do all it can to establish this new dialogue.

—Most important, there must be new and broader forms of mobilizing the external resources for African development. The pattern of the multilateral consortium which in the past few years has aided Ghana should be employed more widely elsewhere. This will require the closest cooperation between the Africans and those who assist them. There is much to be gained also if we and others can help devise ways in which the more developed African states can share their resources with their African neighbors.

—The United States is firmly committed to noninterference in the Continent, but Africa's future depends also on the restraint of other great powers. No one should seek advantage from Africa's need for assistance, or from future instability. In his speech on February 12, Secretary Rogers affirmed that:

"We have deep respect for the independence of the African nations. We are not involved in their internal affairs. We want our relations with them to be on a basis of mutual respect, mutual trust and equality. We have no desire for any domination of any country or any area and have no desire for any special influence in Africa, except the influences that naturally and mutually develop among friends."

The Africa of the 1970's will need schools rather than sympathy, roads rather than rhetoric, farms rather than formulas, local development rather than lengthy sermons. We will do what we can in a spirit of constructive cooperation rather than by vague declarations of good will. The hard facts must be faced by Africans and their friends, and the hard work in every corner of the Continent must be done. A durable peace cannot be built if the nations of Africa are not true partners in the gathering prosperity and security which fortify that peace.

International economic policy

Peace has an economic dimension. In a world of independent states and interdependent economies, failure to collaborate is costly—in political as well as economic terms. Economic barriers block more than the free flow of goods and capital across national borders; they obstruct a more open world in which ideas and people, as well as goods and machinery, move among nations with maximum freedom.

Good U.S. economic policy is good U.S. foreign policy. The pre-eminent role that we play in the world economy gives us a special responsibility. In the economic sphere, more than in almost any other area, what we do has a tremendous impact on the rest of the world. Steady non-inflationary growth in our domestic economy will promote steady non-inflationary growth in the world as a whole. The stability of our dollar is essential to the stability of the world monetary system. Our continued support of a stronger world monetary system and freer trade is crucial to the expansion of world trade and investment on which the prosperity and development of most other countries depend.

As in other areas of foreign policy, our approach is a sharing of international responsibilities. Our foreign economic policy must be designed to serve our purpose of strengthening the ties that make partnership work.

We have an excellent foundation. In no

other area of our foreign policy has the record of cooperation been so long and so successful. From the 1944 Bretton Woods Conference (which created the International Monetary Fund) and the 1947 General Agreement on Tariffs and Trade (which established a code for the orderly conduct of trade), to the Kennedy Round of tariff negotiations and the recent creation of Special Drawing Rights free nations have worked together to build and strengthen a system of economic relationships. We derive strength from their strength; we collaborate for our common interest.

International monetary policy

International monetary matters pose most sharply the potential tug-of-war between interdependent economies and independent national policies. Each country's balance of payments encompasses the full range of its economic and political relations with other nations—trade, travel, investment, military spending, foreign aid. The international monetary system links these national payments positions, and hence the domestic economies of all countries. It thus lies at the heart of all international economic relations and it must function smoothly if world trade, international investment and political relations among nations are to prosper—particularly since imbalances inevitably arise as some countries temporarily spend more abroad than they earn, while others correspondingly earn more than they spend.

The system must include two elements:

—adequate supplies of internationally acceptable money and credit to finance payments imbalances among countries; and

—effective means through which national economies can adjust to one another to avoid the development of excessive and prolonged imbalances.

The inadequacies of both elements caused the recurring monetary crises of the 1960's.

An *adequate money supply* is needed internationally just as it is domestically. Shortages of internationally acceptable money induce national authorities to take hasty and often restrictive measures to protect their own monetary reserves, or to pull back from liberalization of trade and investment. Such actions clash with the objective of the international economic system, which precisely by freeing trade and capital, has helped promote the unparalleled prosperity of the postwar world. In short, an inadequate world money supply can hinder the pursuit of world prosperity which, in turn, can generate serious political problems among nations.

At the other extreme, excessive levels of world reserves could contribute to world inflation. They could permit countries to finance imbalances indefinitely, delaying too long the actions needed to adjust their own economies to those of their trading partners. Since failure to adjust may permit a country to drain resources away from the rest of the world, excessive levels of reserves can also generate serious political problems.

In 1969, the world took a step of profound importance by creating international money to help provide for adequate—neither too small nor too large—levels of world reserves. Through the International Monetary Fund, the United States joined with the other free nations to create, for an initial three-year period, almost $10 billion of Special Drawing Rights—a truly international money, backed by the entire community of free nations, created in amounts determined jointly by these nations, in recognition of the fact that a steadily growing world economy requires growing reserves.

There exist other types of internationally accepted money, particularly gold and dollars, which the world has previously relied upon and will continue to use. But it is clear that the relative role of gold must diminish. Our critical monetary arrangements must not rest on the vagaries of gold production. Nor should the world be forced to rely more heavily on dollars flowing from a U.S. payments deficit. This would appear to some as representing largely national determination of the international monetary supply, not wholly responsive to international needs. Moreover, prolonged deficits could jeopardize our own international financial position and cause concern about the stability of the dollar.

A truly international money was thus needed to meet a truly international problem. The nations of the world did not shrink from the bold innovation required to meet that need. As a result, the foundations of the world economy, and hence world stability, are far stronger today.

To be sure, the first creation of Special Drawing Rights does not by itself assure an adequate supply of internationally acceptable money. The international community will have to make periodic decisions on how many Special Drawing Rights to create. The relationship among the different types of international money—gold, dollars, and now Special Drawing Rights—could again cause problems. Most important, a steady economic performance by the United States will be necessary to maintain full international confidence in the dollar, whose stability remains crucial to the smooth functioning of the world economy. But we have gone a long way toward meeting the needs of an adequate supply of international money.

The second fundamental requirement of an international monetary system—*the mutual adjustment of national economies*—still calls for improvement. Imbalances among nations can only be financed temporarily. Constructive means must exist by which they can be rectified in an orderly way. Such adjustment should not require countries to resort to prolonged restrictions on international transactions, for this runs counter to the fundamental objective of an open world. Neither should it force countries to adopt internal economic policies, such as excessive rates of inflation or unemployment, which conflict with their national economic and social objectives. Both approaches have been adopted all too frequently in the past.

Improved means of adjustment are thus high on the agenda for the further development of the international monetary system in the 1970's. As economic interdependence accelerates, better coordination among national economies will become even more necessary. Such coordination must rest on a solid base of effective internal policies. For example, we in the United States must squarely face the fact that our inflation of the past five years—left unchecked—would not only undetermine our domestic prosperity but jeopardize the effort to achieve better international equilibrium. We look forward to the results of the international discussions, already under way, examining the means through which exchange rates between national currencies might be adjusted so that such changes, when they become necessary, can take place more promptly and less disruptively.

In this environment, the remaining restrictions on international transactions can be steadily reduced. We will do our share. That intent was plain in the actions we took in 1969 to relax our restraints on capital outflows for U.S. corporations and banks and to eliminate the most onerous restrictions on our aid to developing countries.

Trade Policy

Freer trade among all nations provides greater economic benefits for each nation. It minimizes potential political frictions as well. These conclusions are truer today than ever before, as the growing interdependence of the world economy creates new opportunities for productive exchange.

But growing interdependence also means greater reliance by each nation on all other nations. Each is increasingly exposed to its trading partners. In today's world, all major countries must pursue freer trade if each country is to do so. The principle of true reciprocity must lie at the heart of trade policy—as it lies at the heart of all foreign policy.

In 1969, the United States took a series of steps toward dismantling trade barriers and assuring fair treatment for our own industry and agriculture in world commerce. I submitted new trade legislation which proposed:

—Elimination of the American Selling Price system of tariff valuation for certain chemicals and other products, which would bring us immediate trade concessions in Europe and elsewhere. Because it is seen by many abroad as our most important non-tariff barrier to trade, its elimination might also open the door to further reductions of barriers to U.S. exports.

—Improvement of the means to help U.S. industries, firms and workers adjust to import competition.

—Restoration of Presidential authority to reduce tariffs by a modest amount, when necessary to promote U.S. trade interests.

—New Presidential authority to retaliate against other countries if their trading practices unfairly impede our own exports in world markets.

We called on our trading partners to begin serious discussions on the remaining non-tariff barriers to trade, which have become even more important as tariff levels have been reduced.

We took specific steps toward easing economic relations between the United States and Communist China.

Finally, we proposed a liberal system of tariff preferences for exports of the developing countries.

This proposal is designed to meet one of the world's major economic and political problems—the struggle of the developing countries to achieve a satisfactory rate of economic development. Development can be promoted by aid, but aid cannot and should not be relied on to do the whole job. The low-income countries need increased export earnings to finance the imports they need for development. They need improved access for their products to the massive markets of the industrialized nations. Such export increases must come largely in manufactured goods, since the demand for most primary commodities—their traditional exports—grows relatively slowly. And these countries are at early stages of industrialization, so they face major hurdles in competing with the industrialized countries for sales of manufactured goods.

Against this background, we proposed that all industrialized nations eliminate their tariffs on most manufactured products exported to them by all developing countries. Such preferential treatment would free an important and rapidly growing part of the trade between these two groups of nations. It would therefore provide an important new impetus to world economic development.

The main tasks for the immediate future are to complete the actions started in 1969:

—Passage of this Administration's trade bill.

—Progress in the international discussions on non-tariff barriers and impediments to trade in agricultural products.

—Successful resolution of the negotiations on tariff preferences.

Beyond these steps lie new challenges for U.S. trade policy. I am establishing a Commission on International Trade and Invest-

ment Policy to help develop our approaches to them:

—*Trade and Investment.* Foreign investment, symbolized by the multinational corporation, has become increasingly important in relation to the flows of goods which have been the focus of traditional trade policy. We must explore more fully the relationship between our trade and foreign investment policies.

—*Trade Adjustment.* We must learn how better to adjust our own economy to the dynamic forces of world trade, so that we can pursue our objective of freer trade without unacceptable domestic disruption.

—*East-West Trade.* We look forward to the time when our relations with the Communist countries will have improved to the point where trade relations can increase between us.

—*The European Community.* We will watch with great interest the developing relations between the European Community and other nations, some of which have applied for membership. The Community's trade policies will be of increasing importance to our own trade policy in the years ahead.

International Assistance

The international economic successes of the past have been mainly among the industrial nations. The successes of the future must occur at least equally in the economic relations between the industrial nations and the developing world. These new achievements may not be as dramatic as the creation of the Common Market, or the completion of the Kennedy Round of trade negotiations, or the birth of Special Drawing Rights. But the needs are at least as compelling.

There will be a continued requirement for international assistance to developing countries. First, however, we must be clear about what aid can do and what it cannot do. If aid is to be effective, its function must be understood by both donor and recipient.

Economic assistance is not a panacea for international stability, for political development, or even for economic progress. It is, literally, "assistance." It is a means of helping and supplementing the efforts of nations which are able to mobilize the resources and energies of their own people. There are no shortcuts to economic and social progress.

This is a reality, but also a source of hope. For collaborative effort can achieve much. And it is increasingly understood among developed and developing nations that economic development is an international responsibility.

Many of the frustrations and disappointments of development have come not so much from the failure of programs as from the gap between results and expectations. A new understanding of the scope of the challenge and the capacity of programs will help us set feasible goals, and then achieve them.

What will be America's part in this effort?

When I came into office, it was clear that our present assistance program did not meet the realities or needs of the 1970's. It was time for a searching reassessment of our objectives and the effectiveness of our institutions. I therefore named a Task Force on International Development, chaired by Mr. Rudolph Peterson, to explore the purposes and methods of our foreign assistance. Its report, due shortly, will provide the foundation for a new American policy.

One truth is already clear: a new American purpose and attitude are required, if our economic assistance is to contribute to development in the new environment of the 1970's. As I stated on October 31 in my address on Latin America:

"For years, we in the United States have pursued the illusion that we alone could remake continents. Conscious of our wealth and technology, seized by the force of good intentions, driven by habitual impatience, remembering the dramatic success of the Marshall Plan in postwar Europe, we have sometimes imagined that we knew what was best for everyone else and that we could and should make it happen. Well, experience has taught us better.

"It has taught us that economic and social development is not an achievement of one nation's foreign policy, but something deeply rooted in each nation's own traditions.

"It has taught us that aid that infringes pride is no favor to any nation.

"It has taught us that each nation, and each region, must be true to its own character."

In our reappraisal of the purposes and techniques of foreign assistance, we have already reached several conclusions and we have adopted policies to begin to carry them out:

—*Multilateral institutions must play an increasing role in the provision of aid.* We must enlist the expertise of other countries and of international agencies, thereby minimizing the political and ideological complications which can distort the assistance relationship. We are already contributing to a number of international and regional institutions: the International Development Association, the Inter-American Development Bank, and the Asian Development Bank. I will shortly propose a new U.S. contribution to the Special Funds of the Asian Bank. And I am prepared to respond positively to proposals for replenishment of the resources of the Inter-American Bank and the International Development Association.

—*The developing countries themselves must play a larger part in formulating their own development strategies.* Their own knowledge of the needs must be applied, their own energies mobilized to the tasks. This is the approach I emphasized in my address on Latin America.

—*Our bilateral aid must carry fewer restrictions.* I have therefore eliminated some of the most onerous restrictions on the U.S. aid program and have directed that all remaining restrictions be reviewed with the objective of modifying or eliminating them.

—*Private investment must play a central role in the development process, to whatever extent desired by the developing nations themselves.* I proposed, and Congress has authorized, an Overseas Private Inevstment Corporation to improve our efforts to make effective use of private Investment Corporation to improve attention to the developing countries in our relaxation of restraints on foreign investment by U.S. corporations.

—*Trade policy must recognize the special needs of the developing countries.* Trade is a crucial source of new resources for them. Thus, as already described, I have proposed and am urging a worldwide and comprehensive system of tariff preferences for the products of developing nations.

But these are only first steps. We are already considering the proposals of the Pearson Commission on International Development, sponsored by the World Bank. When the report of the Task Force on International Development becomes available, I will propose a fresh American assistance program, more responsive to the conditions of the 1970's.

Our new foreign aid program must distinguish clearly among the various purposes our assistance is designed to serve. Economic development requires sustained effort by donor and recipient alike. Assistance for this purpose will be wasted if—prompted by political considerations—it is deflected by the recipient or the donor to other ends. Similarly, we shall not be putting our own resources to their most productive use if we are unable to ensure continuity in our support.

We must focus on the achievement of our real objective—effective development—rather than on some arbitrary level of financial transfer. We shall need to see that various policies affecting the development process—trade, aid, investment—are fully coordinated. And new institutions will be needed to meet the realities and the challenges of the 1970's.

Thus, our assistance program, like the rest of our foreign policy, will be changed to serve the future rather than simply continued to reflect the habits of the past. We have already begun that change. I expect a new approach to foreign assistance to be one of our major foreign policy initiatives in the coming years.

United Nations

". . . let us press toward an open world—a world of open doors, open hearts, open minds—a world open to the exchange of ideas and of people, and open to the reach of the human spirit—a world open in the search for truth, and unconcerned with the fate of old dogmas and old isms—a world open at last to the light of justice, and the light of reason, and to the achievement of that true peace which the people of every land carry in their hearts and celebrate in their hopes." The President's Address to the 24th Session of the General Assembly, September 18, 1969.

The United Nations is both a symbol of the worldwide hopes for peace and a reflection of the tensions and conflicts that have frustrated these hopes.

Its friends can now look back with pride on 25 years of accomplishment. They also have a responsibility to study and apply the lessons of those years, to see what the UN can and cannot do. The UN, and its supporters, must match idealism in purpose with realism in expectation.

Some of its accomplishments have been highly visible—particularly the various international peacekeeping efforts that have helped to damp down or control local conflicts. Other accomplishments have been quiet but no less important, and deserve greater recognition—such as its promotion of human rights and its extensive economic, social, and technical assistance programs.

The UN provides a forum for crisis diplomacy and a means for multilateral assistance. It has encouraged arms control and helped nations reach agreements extending the frontiers of international law. And it offers a framework for private discussions between world leaders, free of the inflated expectations of summit meetings.

These achievements are impressive. But we have had to recognize that the UN cannot by itself solve fundamental international disputes, especially among the superpowers. Thus, we can as easily undermine the UN by asking too much of it as too little. We cannot expect it to be a more telling force for peace than its members make it. Peace today still depends on the acts of nations.

Last September 18, in my address to the General Assembly, I said:

"In this great assembly, the desirability of peace needs no affirmation. The methods of achieving it are what so greatly challenge our courage, our intelligence, our discernment.

"And surely if one lesson above all rings resoundingly among the many shattered hopes in this world, it is that good words are not a substitute for hard deeds and noble rhetoric is no guarantee of noble results."

I then suggested some specific tasks for the near future. These included:

—securing the safety of international travelers from airplane hijackings, on which the General Assembly has already acted;

—encouraging international voluntary service, which we stress both at home and in the Peace Corps overseas;

—fostering the interrelated objectives of economic development and population control;
—protecting the planet's threatened environment, a major challenge confronting us all, and to which our own nation and people are already addressing new programs and greater energies; and
—exploring the frontiers of space, an adventure whose excitement and benefits we continue to share with other nations.

In addition, as man's uses of the oceans grow, international law must keep pace. The most pressing issue regarding the law of the sea is the need to achieve agreement on the breadth of the territorial sea, to head off the threat of escalating national claims over the ocean. We also believe it important to make parallel progress toward establishing an internationally agreed boundary between the Continental Shelf and the deep seabeds, and on a regime for exploitation of deep seabed resources.

These are issues that transcend national differences and ideology, and should respond to effective multilateral action.

In an era when man possesses the power both to explore the heavens and desolate the earth, science and technology must be marshalled and shared in the cause of peaceful progress, whatever the political differences among nations. In numerous and varied fields—the peaceful use of atomic energy, the exploration and uses of outer space, the development of the resources of the ocean and the seabeds, the protection of our environment, the uses of satellites, the development of revolutionary transportation systems—we are working with others to channel the products of technological progress to the benefit of mankind.

My speech at the General Assembly underlined this country's continuing support for the organization. My decisions to ask Congress for funds to assist the expansion of the U.N.'s New York Headquarters and to submit to the Senate the U.N. Convention on Diplomatic Privileges and Immunities are examples of this support.

This year's 25th Anniversary of the United Nations is an occasion for more than commemoration. It is a time to acknowledge its realistic possibilities and to devise ways to expand them. It is a time to set goals for the coming years, particularly in such areas as international peacekeeping, the economic and social programs symbolized by the Second Development Decade, and the new environmental challenges posed by man's technological advances.

As the United Nations begins its second quarter century, America reaffirms its strong support for the principles and promise begun at San Francisco in 1945. Our task now—as for all U.N. members—is to help the organization in steady progress toward fulfillment of that promise.

PART III: AMERICA'S STRENGTH

Shaping our military posture

America's strength is the second pillar of the structure of a durable peace.

We aim for a world in which the importance of power is reduced; where peace is secured because the principal countries wish to maintain it. But this era is not yet here. We cannot entrust our future entirely to the self-restraint of countries that have not hesitated to use their power even against their allies. With respect to national defense, any President has two principal obligations: to be certain that our military preparations do not provide an incentive for aggression, but in such a way that they do not provoke an arms race which might threaten the very security we seek to protect.

A basic review of our defense policy was essential.

In January 1969 the need for such a review was compelling. Profound changes in the world called for a fresh approach to defense policy just as they required a new approach to foreign policy. In the past, technology was relatively stable; in the contemporary world a constantly changing technology produces a new element of insecurity. Formerly, any additional strength was strategically significant; today, available power threatens to outstrip rational objectives.

We had to examine the basic premises underlying our military planning and begin shaping a military posture appropriate to the environment of the 1970's.

We launched a thorough re-examination of past concepts and programs and the alternatives we should consider for the future. The review, which is continuing, produced a reform of both national security policies and decision-making processes which was the most far-reaching in almost two decades.

For the first time, the National Security Council has had the opportunity to review a broad and complete range of national strategies for both conventional and strategic forces. This review was undertaken in terms of security and budgetary implications five years into the future. Also for the first time, the relationship of various levels of defense spending to domestic priorities was spelled out in detail for a five-year period.

As a result of this review, our interests, our foreign policy objectives, our strategies and our defense budgets are being brought into balance—with each other and with our overall national priorities.

Four factors have a special relevance to our continuing reappraisal.

—*Military and Arms Control Issues:* First, we need to ask some fundamental questions to establish the premises for our military posture. For example:

In shaping our strategic nuclear posture, to what extent should we seek to maintain our security through the development of our strength? To what extent should we adopt unilateral measures of restraint? The judgment is delicate: the former course runs the risk of an arms race, the latter involves the danger of an unfavorable shift in the balance of power.

How would either course affect the prospects for a meaningful strategic arms limitation agreement with the Soviet Union in the years ahead?

What spectrum of threats can the United States responsibly deal with? Is it reasonable to seek to protect against every contingency from nuclear conflict to guerrilla wars?

—*Forward Planning:* Second, we have to plan ahead. Today's national security decisions must flow from an analysis of their implications well into the future. Many decisions on defense policies and programs will not have operational consequences for several years, in some cases for as much as a decade. Because planning mistakes may not show up for several years, deferral of hard choices is often tempting. But the ultimate penalty may be disastrous. The only responsible course is to face up to our problems and to make decisions in a long-term framework.

—*National Priorities*: Third, we have to weigh our national priorities. We will almost certainly not have the funds to finance the full range of necessary domestic programs in the years ahead if we are to maintain our commitment to non-inflationary economic growth. Defense spending is of course in a special category. It must never fall short of the minimum needed for security. If it does, the problem of domestic programs may become moot. But neither must we let defense spending grow beyond that justified by the defense of our vital interests while domestic needs go unmet.

—*Integrated Planning*: Finally, planning our national security policies and programs in given countries and regions has often been fragmented among agencies. For example, our intelligence analysts, defense planners, economists, and political analysts dealing with a given country may have been using different assumptions about our policy objectives, our expectations about the future, and even the basic facts about our policy choices. There was a need for analyses which would provide a commonly understood set of facts, evaluations and policy and program choices. These would serve as a basis for consideration by the National Security Council of what we should be doing in given countries and regions.

In summary, we asked the central doctrinal questions; we looked as much as a decade ahead; we weighed our national priorities; and we sought ways of integrating the diverse aspects of our planning. In this fashion, we have reviewed the premises of our military policies, discarded those that no longer serve our interests, and adopted new ones suited to the 1970's. The 1971 defense budget reflects the results of our re-examination, the transition from the old strategies and policies to the new.

The process of defense planning

This Administration found a defense planning process which left vague the impact of foreign policy on our military posture and provided an inadequate role for other agencies with a major stake in military issues. And it did little to relate defense and domestic priorities.

We set out to correct these deficiencies.

Insuring balanced decisions

Virtually every major defense issue has complex diplomatic, political, strategic and economic implications. To insure balanced decisions, we see to it that every agency has a full opportunity to contribute. The Director of the Arms Control and Disarmament Agency participates in deliberations on defense policy decisions that affect arms control prospects. In turn, the Secretary of Defense and the Joint Chiefs of Staff participate directly in the evaluation of arms control proposals. The Departments of State and Defense review with the Bureau of the Budget and the Council of Economic Advisers economic conditions that influence the magnitude of defense spending. The Department of State examines with Defense officials issues that affect our relationships with allies.

These interagency exchanges insure that I receive all views on key national security issues. Disagreements are identified and explored, not suppressed or papered over. The full range of choices is presented.

Setting Rational Priorities

Our great wealth and productive capacity still do not enable us to pursue every worthwhile national objective with unlimited means. Choices among defense strategies and budgets have a great impact on the extent to which we can pursue other national goals.

We have no precise way of measuring whether extra dollars spent for defense are more important than extra dollars spent for other needs. But we can and have described the domestic programs that are consistent with various levels of defense expenditures. The National Security Council thus has a basis for making intelligent choices concerning the allocation of available revenue among priority federal programs. I do not believe any previous President has had the benefit of such a comprehensive picture of the interrelationships among the goals he can pursue within the limits of the federal budget.

As a result, I have decided on defense strategy and budget guidelines for the next

five years that are consistent not only with our national security and the maintenance of our commitments but with our national priorities as well. This Administration is now in a position to weigh the impact of future changes in defense policies and programs on the whole fabric of government objectives.

Controlling the Defense Posture—The Defense Program Review Committee

To meet the objectives of balanced decisions and rational priorities, we made a basic addition to the National Security Council system. I directed the formation of the Defense Program Review Committee, consisting of the Assistant to the President for National Security Affairs (Chairman), the Under Secretary of State, the Deputy Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Director of the Bureau of the Budget, the Director of Central Intelligence and the Chairman of the Council of Economic Advisers. The Director of the Arms Control and Disarmament Agency, the President's Science Advisor, and the Chairman of the Atomic Energy Commission participate as appropriate.

This permanent Committee reviews major defense, fiscal, policy and program issues in terms of their strategic, diplomatic, political and economic implications and advises me and the National Security Council on its findings. For example, the Committee analyzed our options for proceeding with ballistic missile defenses on four separate occasions. This year, it will analyze our major strategic and fiscal choices over the next five years, together with the doctrinal, diplomatic and strategic implications of key weapons programs. It will do so while the defense budget for Fiscal Year 1972 is still in the earliest stages of formulation. The participation in this review by the Department of State, the Arms Control and Disarmament Agency, the Council of Economic Advisers, and other agencies insures that careful analysis and balanced evaluations will be available when the National Security Council next fall reviews our choices for 1972 and beyond.

Country and Regional Analysis and Program Budgeting

A major obstacle to the implementation of a consistent and coherent foreign policy is the multitude of U.S agencies and programs involved in activities in any one country or region. In the past it has been difficult for the President or the National Security Council to obtain a picture of the totality of our effort in any one country. Yet a rational foreign policy must start with such a comprehensive view.

To overcome this difficulty we have begun a series of country program analyses which will examine all U.S. programs in key countries and regions and their interrelationships.

The studies for the first time put every U.S. program into one budget framework. The basic tool for this analysis is the program budget, which allocates all of our expenditures in a country on the basis of the purposes served It permits us to make decisions or set guidelines for all of our programs simultaneously; in the past, they were examined largely agency by agency in isolation from one another.

The results of the country analysis studies are presented to the NSC in the form of integrated policy and program options based on alternative statements of interests, threats, and U.S. foreign policy objectives. After the NSC has considered these options, a decision can be made about the course of action to follow over the next several years.

Of course, our efforts start from the clearly understood, fundamental premise that U.S. policies and programs must relate in a logical and meaningful fashion to what our friends and allies wish to do for themselves. We are dealing with sovereign nations each of which has its own interests, its own priorities and its own capabilities. All our country programming is designed to do is to make our actions as effective as they can be consistent with our mutual interests.

I am convinced that such a comprehensive approach to country programs will lead to a decidedly improved foreign policy. We are conscious of the need not only to make sound policy decisions but also to execute them. The country analysis studies will result in both a decision document for all government agencies and firm five-year program guidelines, presented in the form of a program budget. The members of the NSC, as well as the country director in every agency and our ambassadors in the field, then have a means of making sure that our decisions are followed up.

Strategic policy

The Changing Strategic Balance

Following World War II, the U.S. had a monopoly of strategic nuclear weapons. Throughout most of the 1950's, our virtual monopoly of intercontinental nuclear delivery capability, in the form of a large force of Strategic Air Command bombers, gave us an overwhelming deterrent.

This assessment was unchallenged until it became apparent in the late 1950's that the Soviet Union possessed the potential for developing and deploying a force of intercontinental ballistic missiles that could destroy a large part of our strategic bomber force on the ground. The fear that our deterrent to nuclear war was in great jeopardy, though it later proved exaggerated, focused our attention on maintaining our nuclear superiority.

In 1961, the new Administration accelerated our Polaris submarine and Minuteman ICBM programs and put more of our strategic bombers on alert. These measures provided a clear margin of U.S. nuclear superiority for several years. They restored our confidence in our deterrent; we now had two forces, our Polaris submarines and our Minuteman ICBM's, deployed in hardened underground silos, that were virtually invulnerable to attack by the Soviet Union with the then-existing technology.

However, after 1965, the Soviets stepped up their ICBM deployments and began to construct their own force of Polaris-type submarines. And they began to test multiple warheads for their SS–9 ICBM, a weapon which can carry roughly ten times as much as our Minuteman missile.

Once again, U.S. strategic superiority was being challenged. However, this time, the Johnson Administration decided not to step up deployments. This restraint was based on two judgments. First, it was believed that there was relatively little we could do to keep the Soviets from developing over a period of time a strategic posture comparable in capability to our own. Second, it was thought that nuclear superiority of the kind we had previously enjoyed would have little military or political significance because our retaliatory capability was not seriously jeopardized by larger Soviet forces and because their goal was in all likelihood a retaliatory capability similar to ours.

As a result of these developments, an inescapable reality of the 1970's is the Soviet Union's possession of powerful and sophisticated strategic forces approaching, and in some categories, exceeding ours in numbers and capability.

Recent Soviet programs have emphasized both quantitative increases in offensive and defensive forces and qualitative improvements in the capabilities of these forces—such as a new, more accurate warhead and perhaps penetration aids for their Minuteman-type SS–11 missile, continued testing of the multiple warhead for the SS–9, and research and development on improved components for their ABM system, together with improved coverage by their ABM radars. The following table shows the growth in Soviet land- and submarine-based missile forces in the last five years.

OPERATIONAL UNITED STATES AND SOVIET MISSILES

	1965 (Mid-year)	1970 (Projected for year end)
Intercontinental ballistic missiles:		
United States	923	1,054
Soviet	224	1,290
Submarine launched ballistic missiles:		
United States	464	656
Soviet	107	300

The Soviet missile deployments are continuing, whereas ours have leveled off. In the 1970's we must also expect to see Communist China deploy intercontinental ballistic missiles, seriously complicating strategic planning and diplomacy.

The evolution of U.S. and Soviet strategic capabilities during the past two decades was accompanied by intense doctrinal debates over the political and military roles of strategic forces and the appropriate criteria for choosing them.

The strategic doctrine that had gained the greatest acceptance by the time my Administration took office was this: According to the theory of "assured destruction," deterrence was guaranteed if we were sure we could destroy a significant percentage of Soviet population and industry after the worst conceivable Soviet attack on our strategic forces. The previous Administration reasoned that since we had more than enough forces for this purpose, restraint in the build-up of strategic weapons was indicated regardless of Soviet actions. Further, it hoped that U.S. restraint in strategic weapons developments and deployments would provide a strong incentive for similar restraint by the Soviet Union, thus enhancing the likelihood of a stable strategic relationship between the two nuclear superpowers.

A Policy for the 1970's

Once in office, I concluded that this strategic doctrine should be carefully reviewed in the light of the continued growth of Soviet strategic capabilities. Since the Soviets were continuing their ambitious strategic weapons program, we had to ask some basic questions. Why might a nuclear war start or be threatened? In this light, what U.S. strategic capabilities are needed for deterrence?

We sought, in short, a strategic goal that can best be termed "sufficiency."

Our review took full account of two factors that have not existed in the past.

First, the Soviets' present build-up of strategic forces, together with what we know about their development and test programs, raises serious questions about where they are headed and the potential threats we and our allies face. These questions must be faced soberly and realistically.

Second, the growing strategic forces on both sides pose new and disturbing problems. Should a President, in the event of a nuclear attack, be left with the single option of ordering the mass destruction of enemy civilians, in the face of the certainty that it would be followed by the mass slaughter of Americans? Should the concept of assured destruction be narrowly defined and should it be the only measure of our ability to deter the variety of threats we may face?

Our review produced general agreement that the overriding purpose of our strategic posture is political and defensive: to deny other countries the ability to impose their will on the United States and its allies under the weight of strategic military superiority. We must insure that all potential aggressors

see unacceptable risks in contemplating a nuclear attack, or nuclear blackmail, or acts which could escalate to strategic nuclear war, such as a Soviet conventional attack on Europe.

Beyond this general statement, our primary task was to decide on the yardsticks that should be used in evaluating the adequacy of our strategic forces against the projected threats. This issue took on added importance because such yardsticks would be needed for assessing the desirability of possible strategic arms limitation agreements with the Soviet Union.

We reached general agreement within the government on four specific criteria for strategic sufficiency. These represent a significant intellectual advance. They provide for both adequacy and flexibility. They will be constantly reviewed in the light of a changing technology.

Designing Strategic Forces

Having settled on a statement of strategic purposes and criteria, we analyzed possible U.S. strategic force postures for the 1970's and beyond. We reviewed alternatives ranging from "minimum deterrence"—a posture built around ballistic missile submarines and the assured destruction doctrine narrowly interpreted—to attempts at recapturing numerical superiority through accelerated U.S. strategic deployments across the board.

There was general agreement that postures which significantly reduced or increased our strategic programs and deployments involved undesirable risks:

—*Sharp cutbacks would not permit us to satisfy our sufficiency criteria, and might provoke the opposite Soviet reaction.* If the U.S. unilaterally dropped out of the strategic arms competition, the Soviets might well seize the opportunity to step up their programs and achieve a significant margin of strategic superiority. The vigor and breadth of their current strategic weapons programs and deployments, which clearly exceed the requirements of minimum deterrence, make such a possibility seem far from remote. They might also—paradoxically—eliminate any Soviet incentives for an agreement to limit strategic arms, and would raise serious concerns among our allies. This is particularly true for our NATO allies who view the U.S. commitment to deter Soviet aggression as being based mainly on our maintenance of a powerful strategic posture.

—*Sharp increases, on the other hand, might not have any significant political or military benefits.* Many believe that the Soviets would seek to offset our actions, at least in part, and that Soviet political positions would harden, tensions would increase, and the prospect for reaching agreements to limit strategic arms might be irreparably damaged.

What ultimately we must do in between these extremes will depend, of course, on many factors. Will the Soviets continue to expand their strategic forces? What will be their configuration? What understanding might we reach on strategic arms limitations? What weapons systems might be covered by agreements?

I recognize that decisions on shaping our strategic posture are perhaps the most complex and fateful we face. The answers to these questions will largely determine whether we will be forced into increased deployments to offset the Soviet threat to the sufficiency of our deterrent, or whether we and the Soviet Union can together move from an era of confrontation to one of negotiation, whether jointly we can pursue responsible, nonprovocative strategic arms policies based on sufficiency as a mutually shared goal or whether there will be another round of the arms race.

The Role of Ballistic Missile Defense

My decision to continue with the construction of the Safeguard anti-ballistic missile system is fully consistent with our criteria and with our goal of effective arms limitation.

I would like to recall what I said last March about the problem that led us to seek approval of the first phase of the Safeguard program:

"The gravest responsibility which I bear as President of the United States is for the security of the Nation. Our nuclear forces defend not only ourselves but our allies as well. The imperative that our nuclear deterrent remain secure beyond any possible doubt requires that the U.S. must take steps now to insure that our strategic retaliatory forces will not become vulnerable to a Soviet attack."

I believed then, and I am even more convinced today, that there is a serious threat to our retaliatory capability in the form of the growing Soviet forces of ICBM's and ballistic missile submarines, their multiple warhead program for the SS–9 missile, their apparent interest in improving the accuracy of their ICBM warheads, and their development of a semi-orbital nuclear weapon system. That this threat continues to be serious was confirmed by my Foreign Intelligence Advisory Board—an independent, bipartisan group of senior outside advisors—which recently completed its own review of the strategic threats we face.

I pointed out in the same statement that we cannot ignore the potential Chinese threat against the U.S. population, as well as the danger of an accidental or unauthorized attack from any source. Nor can we dismiss the possibility that other countries may in the future acquire the capability to attack the U.S. with nuclear weapons. Today, any nuclear attack—no matter how small; whether accidental, unauthorized or by design; by a superpower or by a country with only a primitive nuclear delivery capability—would be a catastrophe for the U.S., no matter how devastating our ability to retaliate.

No Administration with the responsibility for the lives and security of the American people could fail to provide every possible protection against such eventualities.

Thus on March 14, 1969, I stated the objectives of the Safeguard program:

"This measured deployment is designed to fulfill three objectives:

"1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.

"2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.

"3. Protection against the possibility of accidental attacks."

I further described the system as follows:

"We will provide for local defense of selected Minuteman missile sites and an area defense designed to protect our bomber bases and our command and control authorities. In addition, this system will provide a defense of the Continental United States against an accidental attack and will provide substantial protection against the kind of attack which the Chinese Communists may be capable of launching throughout the 1970's. This deployment will not require us to place missile and radar sites close to our major cities."

Last year, I promised that "each phase of the deployment will be reviewed to insure that we are doing as much as necessary but not more than that required by the threat existing at that time." I further indicated that in strategic arms limitation talks with the Soviet Union, the United States will be fully prepared to discuss limitations on defensive as well as offensive weapons systems.

The further steps I shall propose will be consistent with these pledges. The Secretary of Defense will put forward a minimum program essential for our security. It fully protects our flexibility in discussing limitations on defensive weapons with the Soviet Union. It is my duty as President to make certain that we do no less.

General purpose forces

Premises

When I examined the objectives established for our general purpose forces, I concluded that we must emphasize three fundamental premises of a sound defense policy:

First, while strategic forces must deter *all* threats of general war no matter what the cost, our general purpose forces must be more sensitively related to local situations and particular interests.

Second, while the possession of 95 per cent of the nuclear power of the non-Communist world gives us the primary responsibility for nuclear defense, the planning of general purpose forces must take into account the fact that the manpower of our friends greatly exceeds our own, as well as our heavy expenditures for strategic forces.

Third, we cannot expect U.S. military forces to cope with the entire spectrum of threats facing allies or potential allies throughout the world. This is particularly true of subversion and guerrilla warfare, or "wars of national liberation." Experience has shown that the best means of dealing with insurgencies is to preempt them through economic development and social reform and to control them with police, paramilitary and military action by the threatened government.

We may be able to supplement local efforts with economic and military assistance. However, a direct combat role for U.S. general purpose forces arises primarily when insurgency has shaded into external aggression or when there is an overt conventional attack. In such cases, we shall weigh our interests and our commitments, and we shall consider the efforts of our allies, in determining our response.

The United States has interests in defending certain land areas abroad as well as essential air and sea lines of communication. These derive from:

—the political and economic importance of our alliances;

—our desire to prevent or contain hostilities which could lead to major conflicts and thereby endanger world peace; and

—the strategic value of the threatened area as well as its line of communications.

The military posture review I initiated the day I took office included a thorough examination of our general purpose forces. This study explored in turn our interests, the potential threats to those interests, the capabilities of our allies both with and without our assistance, and the relationship of various strategies to domestic priorities.

The National Security Council examined five different strategies for general purpose forces and related each one to the domestic programs which could be supported simultaneously. Thus, for the first time, national security and domestic priorities were considered together. In fact, two strategies were rejected because they were not considered essential to our security and because they would have thwarted vital domestic programs.

We finally decided on a strategy which represented a significant modification of the doctrine that characterized the 1960's.

The stated basis of our conventional posture in the 1960's was the so-called "2½ war" principle. According to it, U.S. forces would be maintained for a three-month conventional forward defense of NATO, a defense of Korea or Southeast Asia against a full-scale

Chinese attack, and a minor contingency—all simultaneously. These force levels were never reached.

In the effort to harmonize doctrine and capability, we chose what is best described as the "1½ war" strategy. Under it we will maintain in peacetime general purpose forces adequate for simultaneously meeting a major Communist attack in either Europe or Asia, assisting allies against non-Chinese threats in Asia, and contending with a contingency elsewhere.

The choice of this strategy was based on the following considerations:

—the nuclear capability of our strategic and theater nuclear forces serves as a deterrent to full-scale Soviet attack on NATO Europe or Chinese attack on our Asian allies;

—the prospects for a coordinated two-front attack on our allies by Russia and China are low both because of the risks of nuclear war and the improbability of Sino-Soviet cooperation. In any event, we do not believe that such a coordinated attack should be met primarily by U.S. conventional forces;

—the desirability of insuring against greater than expected threats by maintaining more than the forces required to meet conventional threats in one theater—such as NATO Europe;

—weakness on our part would be more provocative than continued U.S. strength, for it might encourage others to take dangerous risks, to resort to the illusion that military adventurism could succeed.

To meet the requirements for the strategy we adopted, we will maintain the required ground and supporting tactical air forces in Europe and Asia, together with naval and air forces. At the same time, we will retain adequate active forces in addition to a full complement of reserve forces based in the United States. These force levels will be spelled out in greater detail in the program and budget statement of the Secretary of Defense.

PART IV: AN ERA OF NEGOTIATION

An era of negotiation

The President's Inaugural Address: "We cannot expect to make every one our friend but we can try to make no one our enemy."

Twenty years ago the United States and what was then the Communist bloc could be resigned to the mutual hostility that flowed from deep-seated differences of ideology and national purpose. Many of those differences remain today. But the changes of two decades have brought new conditions and magnified the risks of intractable hostility.

—For us as well as our adversaries, in the nuclear age the perils of using force are simply not in reasonable porportion to most of the objectives sought in many cases. The balance of nuclear power has placed a premium on negotiation rather than confrontation.

—We both have learned too that great powers may find their interests deeply involved in local conflict—risking confrontation—yet have precariously little influence over the direction taken by local forces.

—The nuclear age has also posed for the United States and the Communist countries the common dangers of accident or miscalculation. Both sides are threatened, for example, when any power seeks tactical advantage from a crisis and risks provoking a strategic response.

—Reality has proved different from expectation for both sides. The Communist world in particular has had to learn that the spread of Communism may magnify international tensions rather than usher in a period of reconciliation as Marx taught.

Thus, in a changing world, building peace requires patient and continuing communication. Our first task in that dialogue is fundamental—to avert war. Beyond that, the United States and the Communist countries must negotiate on the issues that divide them if we are to build a durable peace. Since these issues were not caused by personal disagreements, they cannot be removed by mere atmospherics. We do not delude ourselves that a change of tone represents a change of policy. We are prepared to deal seriously, concretely and precisely with outstanding issues.

The lessons of the post-war period in negotiations with the Communist states—a record of some success, though much more of frustration—point to three clear principles which this Administration will observe in approachng negotiations in the 1970's.

First: We will deal with the Communist countries on the basis of a precise understanding of what they are about in the world, and thus of what we can reasonably expect of them and ourselves. Let us make no mistake about it—leaders of the Communist nations are serious and determined. Because we do take them seriously, we will not underestimate the depth of ideological disagreement or the disparity between their interests and ours. Nor will we pretend that agreement is imminent by fostering the illusion that they have already given up their beliefs or are just about to do so in the process of negotiations.

It is precisely these differences which require creation of objective conditions—negotiation by negotiation—from which peace can develop despite a history of mistrust and rivalry. We may hope that the passage of time and the emergence of a new generation in the Communist countries will bring some change in Communist purposes. But failing that, we must seek in the most practical way to influence Communist action.

It will be the policy of the United States, therefore, not to employ negotiations as a forum for cold-war invective, or ideological debate. We will regard our Communist adversaries first and foremost as nations pursuing their own interests as *they* perceive these interests, just as we follow our own interests as we see them. We will judge them by their actions as we expect to be judged by our own. Specific agreements, and the structure of peace they help build, will come from a realistic accommodation of conflicting interests.

A second principle we shall observe in negotiating with the Communist countries relates to how these negotiations should be conducted—how they should be judged by peoples on both sides anxious for an easing of tensions. All too often in the past, whether at the summit or lower levels, we have come to the conference table with more attention to psychological effect than to substance. Naive enthusiasm and even exaltation about the fact that a negotiation will be held only tends to obscure the real issues on whose resolution the success of the talks depends. Then, since the results are almost always less dramatic than expected, the false euphoria gives way to equally false hopelessness.

Negotiations must be, above all, the result of careful preparation and an authentic give-and-take on the issues which have given rise to them. They are served by neither bluff abroad nor bluster at home.

We will not become psychologically dependent on rapid or extravagant progress. Nor will we be discouraged by frustration or seeming failure. The stakes are too high, and the task too great, to judge our effort in any temporary perspective. We shall match our purpose with perseverance.

The third essential in successful negotiations is an appreciation of the context in which issues are addressed. The central fact here is the inter-relationship of international events. We did not invent the interrelationship; it is not a negotiating tactic. It is a fact of life. This Administration recognizes that international developments are entwined in many complex ways: political issues relate to strategic questions, political events in one area of the world may have a far-reaching effect on political developments in other parts of the globe.

These principles emphasize a realistic approach to seeking peace through negotiations. They are a guide to a gradual and practical process of building agreement on agreement. They rest upon the basic reality which underlies this Administration's dealings with the Communist states: We will not trade principles for promises, or vital interests for atmosphere. We shall always be ready to talk seriously and purposefully about the building of a stable peace.

The Soviet Union

The general principles outlined above apply fully to our approach to issues between the United States and the Soviet Union.

The Soviet Union shares with other countries the overwhelming temptation to continue to base its policies at home and abroad on old and familiar concepts. But perceptions framed in the Nineteenth Century are hardly relevant to the new era we are now entering.

If we have had to learn the limitations of our own power, the lessons of the last two decades must have left their imprint on the leadership in the Kremlin—in the recognition that Marxist ideology is not the surest guide to the problems of a changing industrial society, the worldwide decline in the appeal of ideology, and most of all in the foreign policy dilemmas repeatedly posed by the spread of Communism to states which refuse to endure permanent submission to Soviet authority—a development illustrated vividly by the Soviet schism with China.

The central problem of Soviet-American relations, then, is whether our two countries can transcend the past and work together to build a lasting peace.

In 1969, we made a good beginning. In this first year of my Administration we ratified the Non-Proliferation Treaty; we made progress in negotiating arms control on the seabed; we took steps to further the prospects of agreement regarding chemical and biological methods of warfare; we engaged in talks on a Middle Eastern settlement; and we began negotiations on the limitation of strategic arms—the most important arms control negotiations this country has ever entered. In concert with our allies, we have also offered to negotiate on specific issues in Europe: history has taught us that if crises arise in Europe, the world at large cannot long expect to remain unaffected.

But while certain successes have been registered in negotiations and there is cause for cautious optimism that others will follow, our overall relationship with the USSR remains far from satisfactory. To the detriment of the cause of peace, the Soviet leadership has failed to exert a helpful influence on the North Vietnamese in Paris. The overwhelming majority of the war materiel that reaches North Vietnam comes from the USSR, which thereby bears a heavy responsibility for the continuation of the war. This cannot help but cloud the rest of our relationship with the Soviet Union.

In the Middle East talks, too, we have not seen on the Soviet side that practical and constructive flexibility which is necessary for a successful outcome, and without which the responsibility of the great powers in the search for a settlement cannot be met. We see evidence, moreover, that the Soviet Union seeks a position in the area as a whole which would make great power rivalry more likely.

We hope that the coming year will bring evidence that the Soviets have decided to seek a durable peace rather than continue along the roads of the past.

It will not be the sincerity or purpose of the Soviet leadership that will be at issue. The tensions between us are not generated by personal misunderstandings, and neither side does anyone a service by so suggesting. Peace does not come simply with statesmen's smiles. At issue are basic questions of long conflicting purposes in a world where no one's interests are furthered by conflict. Only a straightforward recognition of that reality—and an equally direct effort to deal with it—will bring us to the genuine cooperation which we seek and which the peace of the world requires.

Eastern Europe

The nations of Eastern Europe have a history with many tragic aspects. Astride the traditional invasion routes of the Continent, they have suffered long periods of foreign occupation and cultural suppression. And even when they gained independence—many of them following World War I—they remained the prey of powerful neighbors.

We are aware that the Soviet Union sees its own security as directly affected by developments in this region. Several times, over the centuries, Russia has been invaded through Central Europe; so this sensitivity is not novel, or purely the product of Communist dogma.

It is not the intention of the United States to undermine the legitimate security interests of the Soviet Union. The time is certainly past, with the development of modern technology, when any power would seek to exploit Eastern Europe to obtain strategic advantage against the Soviet Union. It is clearly no part of our policy. Our pursuit of negotiation and detente is meant to reduce existing tensions, not to stir up new ones.

By the same token, the United States views the countries of Eastern Europe as sovereign, not as parts of a monolith. And we can accept no doctrine that abridges their right to seek reciprocal improvement of relations with us or others.

We are prepared to enter into negotiations with the nations of Eastern Europe, looking to a gradual normalization of relations. We will adjust ourselves to whatever pace and extent of normalization these countries are willing to sustain.

Progress in this direction has already been achieved in our relations with Romania. My visit to that country last summer—which will remain unforgettable for me in human terms—set in motion a series of cooperative programs in the economic, technical, scientific and cultural fields. We intend to pursue these with vigor. My talks with President Ceausescu also began the process of exchanging views on broader questions of mutual concern which, in our view, will contribute to a general improvement of the communication between West and East. A similar relationship is open to any Communist country that wishes to enter it.

Stability and peace in Europe will be enhanced once its division is healed. The United States, and the nations of Western Europe, have historic ties with the peoples and nations of Eastern Europe, which we wish to maintain and renew.

As I said in my toast to President Ceausescu during my visit to Romania last August:

"We seek, in sum, a peace not of hegemonies, and not of artificial uniformity, but a peace in which the legitimate interests of each are respected and all are safeguarded."

Communist China

The Chinese are a great and vital people who should not remain isolated from the international community. In the long run, no stable and enduring international order is conceivable without the contribution of this nation of more than 700 million people.

Chinese foreign policy reflects the complexity of China's historical relationships with the outside world. While China has the longest unbroken history of self-government in the world, it has little experience in dealing with other nations on a basis of equal sovereignty. Predominant in Asia for many centuries, these gifted and cultured people saw their society as the center of the world. Their tradition of self-imposed cultural isolation ended abruptly in the Nineteenth Century, however, when an internally weak China fell prey to exploitation by technologically superior foreign powers.

The history inherited by the Chinese Communists, therefore, was a complicated mixture of isolation and incursion, of pride and humiliation. We must recall this unique past when we attempt to define a new relationship for the future.

Nor can we underestimate the gulf of ideology between us, or the apparent differences in interests and how we interpret world events. While America has historic ties of friendship with the Chinese people, and many of our basic interests are not in conflict, we must recognize the profound gulf of suspicion and ideology.

The principles underlying our relations with Communist China are similar to those governing our policies toward the USSR. United States policy is not likely soon to have much impact on China's behavior, let alone its ideological outlook. But it is certainly in our interest, and in the interest of peace and stability in Asia and the world, that we take what steps we can toward improved practical relations with Peking.

The key to our relations will be the actions each side takes regarding the other and its allies. We will not ignore hostile acts. We intend to maintain our treaty commitment to the defense of the Republic of China. But we will seek to promote understandings which can establish a new pattern of mutually beneficial actions.

I made these points to the leaders I met throughout my trip to Asia, and they were welcomed as constructive and realistic.

We have avoided dramatic gestures which might invite dramatic rebuffs. We have taken specific steps that did not require Chinese agreement but which underlined our willingness to have a more normal and constructive relationship. During the year, we have:

—made it possible for American tourists, museums, and others to make non-commercial purchases of Chinese goods without special authorization;

—broadened the categories of Americans whose passports may be automatically for travel in Communist China, to include members of Congress, journalists, teachers, post-graduate scholars and college students, scientists, medical doctors and representatives of the American Red Cross;

—permitted subsidiaries of American firms abroad to engage in commerce between Communist China and third countries.

The resumption of talks with the Chinese in Warsaw may indicate that our approach will prove useful. These first steps may not lead to major results at once, but sooner or later Communist China will be ready to re-enter the international community.

Our desire for improved relations is not a tactical means of exploiting the clash between China and the Soviet Union. We see no benefit to us in the intensification of that conflict, and we have no intention of taking sides. Nor is the United States interested in joining any condominium or hostile coalition of great powers against either of the large Communist countries. Our attitude is clearcut—a lasting peace will be impossible so long as some nations consider themselves the permanent enemies of others.

Arms control

There are no areas in which we and the Soviet Union—as well as others—have a greater common interest than in reaching agreement with regard to arms control.

The traditional course of seeking security primarily through military strength raises several problems in a world of multiplying strategic weapons.

—Modern technology makes any balance precarious and prompts new efforts at ever higher levels of complexity.

—Such an arms race absorbs resources, talents and energies.

—The more intense the competition, the greater the uncertainty about the other side's intentions.

—The higher the level of armaments, the greater the violence and devastation should deterrence fail.

For these reasons I decided early in the Administration that we should seek to maintain our security whenever possible through cooperative efforts with other nations at the lowest possible level of uncertainty, cost, and potential violence.

Our careful preparations for the Strategic Arms Limitation Talks (SALT) with the Soviet Union were designed to achieve this objective.

Preparations for SALT

Our immediate problem was to determine what measures would be most practical in slowing the momentum of armament and work out a procedure most likely to yield useful discussions.

In preparing for these negotiations, we were tempted to follow the traditional pattern of settling on one agreed position and launching discussions with the other side on this basis. We could have adopted the specific package proposal developed by the previous Administration or we could have quickly formulated an alternative plan. In my judgment there were two major problems with this approach.

First, I was convinced that we lacked the comprehensive and detailed body of facts and analyses to take account of the most recent developments in Soviet and U.S. strategic programs.

Second, we would have been engaged in a negotiating process—with the inevitable investment of prestige—before either side had defined its purposes. There was a danger of turning SALT into a tactical exercise or even more the kind of propaganda battle characteristic of some previous disarmament conferences.

Too much depended on these talks, for our nation and all mankind, to rush into them partially prepared. We decided that a clarification of objectives and factual data would allow us to discuss proposals in a coherent framework, and ultimately speed up negotiations. We assumed further that if the other side had a serious interest in exploring the possibilities of strategic arms limitations they would have a joint interest with us to analyze the issues which would have to be resolved before a satisfactory agreement could be reached. For an agreement to limit strategic arms can be lasting only if it enhances the sense of security of *both* sides. It is in the mutual interest therefore to clarify each other's intentions.

Therefore, instead of attempting to hammer out an agreed government position or a simple proposal, we chose a different course.

We first laid out preliminary models of possible strategic arms limitation agreements. We compared these both with each other and with the situation most likely to prevail in the absence of an agreement. This process greatly improved our understanding of the types of agreements we should consider and pointed up some of the fundamental issues. In order to resolve these issues, I directed the formation of a Verification Panel to examine the verification aspects and strategic implications of curbs on individual weapons systems and then combinations of them.

The Panel took each strategic weapons system in isolation (e.g., ICBM's or ABM's) and explored all the issues that would be involved

in its limitation. We knew that any agreement had to be verified and we knew too the reluctance of the Soviet Union to accept on-site inspection. The Verification Panel therefore analyzed in detail what we could do unilaterally. Specifically, it surveyed our intelligence capability to monitor the other side's compliance with a curb for each weapon system; the precise activities that would have to be restricted to ensure confidence in the effectiveness of the limitation; and the impact of the limitation on U.S. and Soviet strategic weapons programs.

The analysis of our capability to verify individual weapons systems provided the building blocks for analyzing various combinations of limitations. These building blocks were combined in various positions which can be grouped in three general categories. This will enable us to respond to a broad range of Soviet proposals. These categories are:

1. *Limitation on numbers of missiles.* A ceiling would be placed on numbers of missiles without an attempt to restrain qualitative improvements like MIRV (multiple independently targeted re-entry vehicles). In general, these options would stop the growth of some or all strategic missile forces. They would not change the qualitative race.

2. *Limitations on numbers and capabilities of missiles.* These options would not only limit the numbers of missiles but also their capabilities, including qualitative controls over such weapons as MIRV's. The hard issues here center around verification since the determination of quality requires a more intensive inspection than quantity.

3. *Reduce offensive forces.* This approach would attempt to reduce the number of offensive forces without qualitative restrictions on the theory that at fixed and lower levels of armaments the risks of technological surprise would be reduced.

Each of these options was analyzed in relation to various levels of strategic defensive missiles, ABM's.

The manner in which these studies were carried out contributed to their scope and their success. Discussions explored substantive issues rather than exchanging rigidly defined bureaucratic positions. Consistent with the overall philosophy of the NSC system, we focused on comprehensive assessments of the issues and alternatives rather than on attainable compromises. This presented me with clear choices, clear disagreements, and clear rationales. In the process we established a comprehensive inventory of the possibilities of a wide range of limitations. This should greatly enhance our flexibility in the forthcoming negotiations.

The SALT negotiations involve fundamental security issues for our NATO allies, as well as Japan. We have fully consulted them, engaging their views and expertise at every stage of the process. In July we discussed in great detail the relationship of SALT to the overall strategic balance with our allies and we presented the various options as we saw them then. In early November we consulted in greater detail on our approach to the first phase of SALT. We intend to continue to work closely with our allies as the negotiations continue. We consider our security inseparable from theirs.

This process involved the most intensive study of strategic arms problems ever made by this or any other government. And this process had several advantages. We were not tied to a single position; instead we had building blocks for several different positions depending on our decisions and what might prove negotiable. Opening talks with the Soviets could concentrate on the principles and objectives underlying *any* type of strategic arms agreement.

Preliminary talks in Helsinki opened November 17 and continued until December 22. Our experience there confirmed the validity of our approach. The discussions were serious and businesslike. The Soviet representatives demonstrated considerable preparation. They also seemed to welcome the "building block" approach. We were able to develop an agreed work program for further discussions without acrimony and in full awareness of the likely nature of such discussions. Above all, we could explore each other's purposes without getting bogged down in negotiating details.

From a discussion of basic principles and objectives we plan to move in April in Vienna to more specific positions. We enter this next phase with a well-developed body of technical analysis and evaluations, which is being continuously expanded and improved by the Verification Panel and the NSC process. And we will make a determined effort throughout these negotiations to reach agreements that will not only protect our national security but actually enhance it.

Chemical and Biological Weapons

We are prepared to take any unilateral arms control action that will not compromise our security and will minimize the danger that certain weapons will ever be developed or used by any nation. A good example is the field of chemical and biological weapons. After extensive study, I determined that a new American policy would strengthen ongoing multilateral efforts to restrict the use of these weapons by international law. We hope that other nations will follow our example and restrict their own programs unilaterally.

When I took office, the chemical and biological defense programs of the United States had gone unexamined and unanalyzed by policymakers for 15 years. I directed a comprehensive NSC system review of the premises, issues, and technical details involved. This major six-month study was the first thorough reassessment of this subject that had ever taken place at the Presidential level. After a National Security Council meeting in early November, I announced my specific decisions on November 25:

—*Chemical Warfare:* First, I reaffirmed the longstanding policy that the United States will never be the first to use lethal chemicals in any conflict. Second, I extended this policy to include incapacitating chemical weapons. Third, I am submitting the 1925 Geneva Protocol—which prohibits the use of chemical and biological weapons in warfare—to the Senate for its advice and consent to ratification.

—*Biological Research:* I declared that the United States is renouncing biological warfare, since biological warfare would have massive, unpredictable, and potentially uncontrollable consequences. The United States will not engage in the development, procurement, or stockpiling of biological weapons. We shall restrict our biological program to research for defensive purposes, strictly defined—such as techniques of immunization, safety measures, and the control and prevention of the spread of disease. The United States has associated itself with the objectives of the United Kingdom draft convention banning the use of biological weapons, submitted to the Conference of the Committee on Disarmament at Geneva in 1969.

In addition, on February 14, 1970, the United States renounced offensive preparations for the use of toxins as a method of warfare. We declared that we will confine our military programs for toxins to research for defensive purposes only, and announced that all existing toxin weapons and stocks of toxins which are not required for this research would be destroyed. Although the U.N. Secretary General and World Health Organization have declared that toxins are chemicals, they produce effects commonly decribed as disease, and are produced by facilities similar to those needed for the production of biological agents. Hence we decided to remove any ambiguity in the interest of progress toward arms control.

As I stated on November 25, "Mankind already carries in its own hands too many of the seeds of its own destruction." By the examples we set, we hope to lead the way toward the day when other nations adopt the same principles.

Seabeds—Multilateral Arms Control

The responsibility for the control of armaments is multilateral as well as bilateral. The spread of technological skills knows no national boundaries; and innovation in weaponry is no monopoly of the superpowers. The danger of competitive armament is universal. Without international constraints, the planet would be menaced by the spread of weapons of mass destruction to regions newly explored.

Collaborative efforts to avert these dangers have already produced a series of international agreements:

—to prohibit the testing of nuclear weapons in the atmosphere, in outer space, and under water.

—to prohibit the proliferation of nuclear weaponry.

—to prohibit the use of Antarctica, or of outer space and its celestial bodies, for military purposes.

The United States has supported the efforts of the Conference of the Committee on Disarmament at Geneva to reach an international agreement prohibiting the emplacement of weapons of mass destruction on the bed of the sea. It is to the advantage of all to bring arms control, instead of strategic arms, to the ocean floor. The spread of weapons of mass destruction to this new realm would complicate the security problem of all nations, and would be to no nation's advantage.

Conclusion

The first year of this Administration saw significant progress in three areas of arms control.

—Unilaterally, we announced the comprehensive chemical and biological policy designed to set an example and encourage multilateral arms control in this field.

—Bilaterally, with the Soviet Union, we launched what could be the most important arms control discussions ever undertaken.

—Multilaterally, we made substantial progress toward reserving the vast ocean floors for peaceful purposes.

In all three instances we see our actions as protecting America's strength and enhancing her security. It is the biggest responsibility of this generation to avoid becoming the victim of its own technology.

Issues for the future

The issues before us are ample proof of the challenge we face. The agenda requires not only fateful re-examinations of some of our old positions but also judgments about trends in the Communist world and the effect of our negotiations on our relationship with our friends. These questions include:

1. Strategic Arms Limitations

—Our approach to these negotiations has been described in detail above.

2. Limiting the Flow of Weapons to Regions in Conflict

—When peace is in everyone's interest, we must find a way to control conflict everywhere. We must not be drawn into conflicts by local rivalries. The great powers should try to damp down rather than fan local passions by showing restraint in their sale of arms to regions in conflict. We stand ready to discuss practical arrangements to this end.

3. Resolve the Great East-West Political Issues

—We continue to be prepared to discuss the issues that divide us from the Communist countries. Whether in addressing the cruel division of Europe or the future security of

Asia we shall try to deepen the dialogue with the Communist powers. But we will not permit negotiations to be used to sacrifice the interests of our friends. We are committed to the closest consultation with our NATO allies, and we will maintain the closest contact with our friends and allies in Asia.

4. Closer Cooperation in Potential Crises —We must give practical expression to the common interest we have with the Soviet Union in identifying or limiting conflict in various areas of the world. Our choice is to find a way to share more information with our adversaries to head off conflict *without* affecting either our own security interests or those of our friends.

These are all difficult choices. Our careful consideration of the issues involved in negotiations with the Communist world will take full account of them, as we proceed to build a lasting peace without sacrificing the interests of our allies and friends.

Conclusion

A New Definition of Peace

Few ideas have been so often or so loosely invoked as that of "Peace." But if peace is among the most overworked and often-abused staples of mankind's vocabulary, one of the reasons is that it is embedded so deeply in man's aspirations.

Skeptical and estranged, many of our young people today look out on a world they never made. They survey its conflicts with apprehension. Graduated into the impersonal routine of a bureaucratic, technological society, many of them see life as lonely conformity lacking the lift of a driving dream.

Yet there is no greater idealism, no higher adventure than taking a realistic road for peace. It is an adventure realized not in the exhilaration of a single moment, but in the lasting rewards of patient, detailed and specific efforts—a step at a time.

—Peace requires confidence—it needs the cement of trust among friends.

—Peace requires partnership—or else we will exhaust our resources, both physical and moral, in a futile effort to dominate our friends and forever isolate our enemies.

—Peace must be just. It must answer man's dream of human dignity.

—Peace requires strength. It cannot be based on good will alone.

—Peace must be generous. No issue can be truly settled unless the solution brings mutual advantage.

—Peace must be shared. Other nations must feel that it is *their* peace just as we must feel that it is *ours*.

—And peace must be practical. It can only be found when nations resolve real issues, and accommodate each other's real interests. This requires not high rhetoric, but hard work.

These principles apply to our opponents as well as to our allies, to the less developed as well as the economically advanced nations. The peace we seek must be the work of all nations.

For peace will endure only when every nation has a greater stake in preserving than in breaking it.

I expressed these thoughts in my toast to the Acting President of India at New Delhi on July 31, 1969. I repeat it now:

"The concept of peace is as old as civilization, but the requirements of peace change with a changing world. Today we need a new definition of peace, one which recognizes not only the many threats of peace but also the many dimensions of peace.

"Peace is much more than the absence of war; and as Gandhi's life reminds us, peace is not the absence of change. Gandhi was a disciple of peace. He also was an architect of profound and far-reaching change. He stood for the achievement of change through peaceful methods, for belief in the power of conscience, for faith in the dignity and grace of the human spirit and in the rights of man.

"In today's rapidly changing world there is no such thing as a static peace or a stagnant order. To stand still is to build pressures that are bound to explode the peace; and more fundamentally, to stand still is to deny the universal aspirations of mankind. Peace today must be a creative force, a dynamic process, that embraces both the satisfaction of man's material needs and the fulfillment of his spiritual needs.

"The pursuit of peace means building a structure of stability within which the rights of each nation are respected: the rights of national independence, of self-determination, the right to be secure within its own borders and to be free from intimidation.

"This structure of stability can take many forms. Some may choose to join in formal alliances; some may choose to go their own independent way. We respect India's policy of non-alignment and its determination to play its role in the search of peace in its own way. What matters is not how peace is preserved, but that it be preserved; not the formal structure of treaties, but the informal network of common ideals and common purposes that together become a fabric of peace. What matters is not whether the principles of international behavior these represent are written or unwritten principles, but rather that they are accepted principles.

"Peace demands restraint. The truest peace expresses itself in self-restraint, in the voluntary acceptance, whether by men or by nations, of those basic rules of behavior that are rooted in mutual respect and demonstrated in mutual forbearance.

"When one nation claims the right to dictate the internal affairs of another, there is no peace.

"When nations arm for the purpose of threatening their weaker neighbors, there is no peace.

"There is true peace only when the weak are as safe as the strong, only when the poor can share the benefits of progress with the rich, and only when those who cherish freedom can exercise freedom.

"Gandhi touched something deep in the spirit of man. He forced the world to confront its conscience, and the world is better for having done so. Yet we still hear other cries, other appeals to our collective conscience as a community of man.

"The process of peace is one of answering those cries, yet doing so in a manner that preserves the right of each people to seek its own destiny in its own way and strengthens the principles of national sovereignty and national integrity, on which the structure of peace among nations depends.

"However fervently we believe in our own ideals, we cannot impose those ideals on others and still call ourselves men of peace. But we can assist others who share those ideals and who seek to give them life. As fellow members of the world community, we can assist the people of India in their heroic struggle to make the world's most populous democracy a model of orderly development and progress.

"There is a relationship between peace and freedom. Because man yearns for peace, when the people are free to choose their choice is more likely to be peace among nations; and because man yearns for freedom, when peace is secure the thrust of social evolution is toward greater freedom within nations.

"Essentially, peace is rooted in a sense of community: in a recognition of the common destiny of mankind, in a respect for the common dignity of mankind, and in the patterns of cooperation that make common enterprises possible. This is why the new patterns of regional cooperation emerging in Asia can be bulwarks of peace.

"In the final analysis, however, peace is a spiritual condition. All religions pray for it. Man must build it by reason and patience.

"On the moon, now, is a plaque bearing these simple words: "We came in peace for all mankind."

"Mahatma Gandhi came in peace to all mankind.

"In this spirit, then, let us all together commit ourselves to a new concept of peace:

—A concept that combines continuity and change, stability and progress, tradition and innovation;

—A peace that turns the wonders of science to the service of man;

—A peace that is both a condition and a process, a state of being and a pattern of change, a renunciation of war and a constructive alternative to revolution;

—A peace that values diversity and respects the right of different peoples to live by different systems—and freely to choose the systems they live by;

—A peace that rests on the determination of those who value it to preserve it but that looks forward to the reduction of arms and the ascendancy of reason;

—A peace responsive to the human spirit, respectful of the divinely inspired dignity of man, one that lifts the eyes of all to what man in brotherhood can accomplish and that now, as man crosses the threshold of the heavens, is more necessary than ever."

RICHARD NIXON.

THE WHITE HOUSE, *February 18, 1970.*

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. MONTGOMERY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. SISK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 21]

Alexander	Gibbons	Pelly
Anderson, Tenn.	Green, Pa.	Pepper
Ayres	Gubser	Pettis
Berry	Hagan	Pollock
Blanton	Hébert	Powell
Blatnik	Henderson	Price, Ill.
Bray	Keith	Purcell
Brown, Calif.	King	Reifel
Burton, Calif.	Kirwan	Rosenthal
Bush	Kleppe	Roudebush
Carey	Long, Md.	Scheuer
Celler	McDade	Springer
Clark	McDonald, Mich.	Stephens
Clay	Madden	Taft
Corman	Martin	Teague, Calif.
Cramer	Monagan	Teague, Tex.
Dawson	Moorhead	Tunney
Dent	Morse	Ullman
Dorn	Moss	Waldie
Esch	Myers	Yates
Gallagher	Ottinger	

The SPEAKER. On this rollcall 369 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORT ON H.R. 2, TO AMEND THE FEDERAL CREDIT UNION ACT

Mr. PATMAN submitted the following conference report and statement on the bill (H.R. 2), to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 91-841)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2) to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SECTION 1. Section 2 of the Federal Credit Union Act (12 U.S.C. 1752) is amended by striking out paragraphs (2) and (3) thereof and inserting:

"(2) the term 'Administrator' means the Administrator of the National Credit Union Administration;

"(3) the term 'Administration' means the National Credit Union Administration; and

"(4) the term 'Board' means the National Credit Union Board."

SEC. 2. The Federal Credit Union Act is further amended (1) by changing "Director" to read "Administrator" each place it appears therein; (2) by changing "Bureau of Federal Credit Unions" to read "National Credit Union Administration" each place it appears therein; and (3) by changing "Bureau", each remaining place it appears, to read "Administration".

SEC. 3. Section 3 of the Federal Credit Union Act (12 U.S.C. 1752a) is amended to read:

"CREATION OF ADMINISTRATION

"SEC. 3. (a) There is hereby established in the executive branch of the Government an independent agency to be known as the National Credit Union Administration (hereinafter referred to as the 'Administration'). The Administration shall consist of a National Credit Union Board (hereinafter referred to as the 'Board'), and an Administrator of the National Credit Union Administration (hereinafter referred to as the 'Administrator').

"(b) The Administrator shall be appointed by the President, by and with the advice and consent of the Senate. He shall be the chief executive officer of the Administration and shall serve at the pleasure of the President.

"(c) The Board shall consist of a Chairman and one member from each of the Federal credit union regions to be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall be appointed from the country at large and shall serve at the pleasure of the President. In making appointments to the Board, the President shall appoint persons of tested credit union experience.

"(d) The term of office of each member of the Board, other than the Chairman, shall be six years. However, the initial terms of the members first taking office shall expire as follows: one on December 31, 1970, and one at the end of each succeeding calendar year thereafter. Of the members so appointed, the President shall designate one to serve as Vice Chairman for a term expiring upon the expiration of his term as a member, or upon the expiration of the then current term of the Chairman, whichever is earlier. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman. Any member of the Board may continue to serve as such after the expiration of his term of office until his successor has been appointed and has qualified.

"(e) The President shall call the first meeting of the Board, and thereafter the Board shall meet on a quarterly basis, and at such other times as the Chairman or the Administrator may request, or whenever one-third of the members so request. The Board shall adopt such rules as it may see fit for the transaction of its business and shall keep permanent and complete records and minutes of its acts and proceedings. A majority of the voting members of the Board shall constitute a quorum. The Administrator shall seek the advice, counsel, and guidance of the Board with respect to matters of policy relating to the activities and functions of the Administration under this Act. The Administrator shall make an annual report to the President for submission to the Congress summarizing the activities of the Administration and making such recommendations as he deems appropriate. Such report shall be made after full consultation with the Board and shall contain any recommendations or comments submitted by the Board for inclusion in the report. The members of the Board shall be entitled to receive compensation at the rate of $75 for each day engaged in the business of the Administration pursuant to authorization by the Chairman, and shall be allowed travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"(f) The financial transactions of the Administration shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the Administration are kept."

SEC. 4. Section 21 of the Federal Credit Union Act (12 U.S.C. 1766) is amended by adding at the end thereof a new subsection as follows:

"(i) In addition to the authority conferred upon him by other sections of this Act, the Administrator is authorized in carrying out his functions under this Act—

"(1) to appoint such personnel as may be necessary to enable the Administration to carry out its functions;

"(2) to expend such funds, enter into such contracts with public and private organizations and persons, make such payments in advance or by way of reimbursement, and perform such other functions or acts as he may deem necessary or appropriate to carry out the provisions of this Act; and

"(3) to pay stipends, including allowances for travel to and from the place of residence, to any individual to study in a program assisted under this Act upon a determination by the Administrator that assistance to such individual in such studies will be in furtherance of the purposes of this Act."

SEC. 5. (a) Section 5108(a) of title 5, United States Code, is amended by striking out "2,727" and inserting in lieu thereof "2,734".

(b) Section 5315 of title 5 of the United States Code (relating to positions at level IV of the Executive Schedule) is amended by adding at the end thereof the following:

"(92) Administrator of the National Credit Union Administration."

SEC. 6. (a) All functions, property, records, and personnel of the Bureau of Federal Credit Unions are transferred to the National Credit Union Administration created by this Act.

(b) The Director of the Bureau of Federal Credit Unions in office on the date of enactment of this Act shall serve as acting Administrator of the National Credit Union Administration pending the appointment of an Administrator in accordance with section 3 of the Federal Credit Union Act as amended by this Act.

And the Senate agree to the same.

WRIGHT PATMAN,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY S. REUSS,
WILLIAM B. WIDNALL,
ALBERT W. JOHNSON,
CHESTER L. MIZE,
Managers on the Part of the House.

JOHN SPARKMAN,
WILLIAM PROXMIRE,
WALLACE F. BENNETT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2) to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report. Except for technical, clarifying, and conforming changes, the following analysis explains the differences between the House-passed bill and the conference substitute.

Operation of the Administration

The House bill provided for an Administrator and a Board of Governors of the National Credit Union Administration. The Senate bill provided for an Administrator and a National Credit Union Advisory Council. The conferees accepted a compromise provision calling for an Administrator and a National Credit Union Board, with the understanding that the Administrator would be the chief executive officer of the Administration but would function in close and constant cooperation with the National Credit Union Administration Board.

COMPOSITION OF THE BOARD

The House bill provided for a Board consisting of 9 members including a Chairman and Vice Chairman and 1 member from each of the federal credit union regions. It further provided that the President shall receive and give special consideration to the nominations submitted by credit union organizations which are representative of a majority of the credit unions located in the region for which a Board member is to be appointed. The persons so appointed as members of the Board were to be "selected on the basis of established records of distinguished service in the credit union movement." The Senate bill called for an Advisory Board consisting of a Chairman and 1 member from each of the federal credit union regions, with the Chairman appointed at large and a Vice Chairman appointed from the remaining Board members. The Senate bill further provided that in making appointments to the Board, the President should consider, along with other relevant criteria, the experience of the person to be appointed in the credit union movement.

The conferees agreed to substitute language which called for the make-up of a Board as in the Senate bill with the exception of the addition of new language providing that "in making appointments to the Board, the President shall appoint persons of tested credit union experience." The substitution of this language is not designed to preclude persons from serving on the Board who have not actively operated a credit union, but is intended rather to embrace as well persons who have shown dedication to credit union principles and philosophies.

TERM OF SERVICE

The House language provided that members of the Board shall serve 6 years with appointments terminated on a staggered basis. The Senate language also provided for a 6 year term ending on a staggered basis but set a date of December 31, 1970, for the expiration of the first term. The Managers on the Part of the Senate insisted upon and prevailed in their position.

FUNCTIONS OF THE ADMINISTRATION

Although both bills contain descriptions of the functions of the Administration, the conferees, in order to make certain that the Board and the Administrator work in close cooperation, added the following:

"The Administrator shall seek the advice, counsel and guidance of the Board with respect to matters of policy relating to the activities and functions of the Administration under this Act."

ANNUAL REPORT

The House bill provided for an annual report by the Board, including legislative recommendations. There was no comparable provision in the Senate language. The conference substitute provides—

The Administrator shall make an annual report to the President for submission to the Congress summarizing the activities of the Administration and making such recommendations as he deems appropriate. Such report shall be made after full consultation with the Board and shall contain any recommendations or comments submitted by the Board for inclusion in the report.

Once again, this language is intended to make certain that the Administrator and the Board cooperate in the operations of the Administration.

AUDIT BY THE GENERAL ACCOUNTING OFFICE

The Managers on the Part of the Senate insisted upon and prevailed in their position that the financial transactions of the Administration should be audited by the General Accounting Office.

APPOINTMENT OF CLASSIFIED EMPLOYEES

The Senate language outlined technical functions of the Administrator and provided a total of 6 positions in the grades of GS–16 and 1 in GS–17 for placement in the National Credit Union Administration. The Managers on the Part of the House agreed to the Senate provision outlining the technical functions of the Administrator and the Senate offered a substitute for the classified position section which was agreed to by the House. The amendment would increase the number of supergrades within the Federal service from 2,727 to 2,734. The Managers on the part of the House agreed to the substitute with the clear and distinct understanding of all the conferees that the increased number of positions, 6 in the grade of GS–16 and 1 in GS–17, will be allotted to the National Credit Union Administration immediately upon its creation.

WRIGHT PATMAN,
WILLIAM A. BARRETT,
LEONOR K. SULLIVAN,
HENRY REUSS,
WILLIAM B. WIDNALL,
ALBERT W. JOHNSON,
CHESTER L. MIZE,
Managers on the Part of the House.

THE SCHOOL BUSING SITUATION IN OKLAHOMA CITY

(Mr. JARMAN asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. JARMAN. Mr. Speaker, I take the floor today to bring to the attention of the Members of this House a very unfortunate situation in my home city—the school busing situation that exists as a result of a Federal court decision. Many families in Oklahoma City have felt the disruptive impact of the busing problem. Students are being denied the basic American right to attend the schools closest to their homes and are being forced against their will to attend schools more distant. This is a tragic situation in the land of the free. The right to freedom from force is as important as freedom of speech.

Mr. Speaker, I am today introducing an antibusing bill. I urge the Education and Labor Committee to hold immediate hearings on this bill to the end that Congress pass legislation to protect families from the busing of students and to preserve our neighborhood school system.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO SIT DURING GENERAL DEBATE TODAY

Mr. SISK. Mr. Speaker, on behalf of the distinguished gentleman from South Carolina (Mr. MCMILLAN) I ask unanimous consent that the Committee on the District of Columbia be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON RESEARCH AND DEVELOPMENT, COMMITTEE ON SCIENCE AND ASTRONAUTICS, TO SIT DURING GENERAL DEBATE TODAY

Mr. SISK. Mr. Speaker, on behalf of the distinguished gentleman from California (Mr. MILLER) I ask unanimous consent that the Subcommittee on Research and Development of the Committee on Science and Astronautics be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 14810, PREHARVEST RESEARCH

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 816 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 816

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14810) to amend section 602(3) and section 608c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 816 provides an open rule with 1 hour of general debate for consideration of H.R. 14810 to amend section 602(3) and section 608c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs.

The purpose of H.R. 14810 is to authorize research relating to the production of commodities essentially on the same basis that authority for marketing research is now provided with respect to all commodities for which marketing orders are authorized, other than milk and its products.

Preharvest research would be financed by levying assessments directly on the commodity concerned and would give growers and handlers an opportunity to study harvesting methods and techniques, variety improvement, and other factors. Heretofore, growers have had to rely upon research conducted by the Department of Agriculture or, in isolated instances, private individuals. Enactment of this legislation would enable growers and handlers to attempt to solve their problems in a more timely fashion.

The Department of Agriculture estimates that the cost of an amendment proceeding solely for the purpose of enabling ongoing programs to create a production fund to be $7,500; present indications are that not more than five orders would seek the amendment.

Mr. Speaker, I urge the adoption of House Resolution 816 in order that H.R. 14810 may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, the purpose of the bill is to authorize preharvest research relating to the production of commodities similar to that research now permitted under the Marketing Agreement Act of 1937.

Current law allows producers to assess themselves to provide research funds into better marketing techniques on all commodities covered by Federal marketing orders except milk and milk products. This legislation will permit, under similar regulations, research into preharvest projects on these same commodities.

The Department of Agriculture sup-

ports the bill and estimates the costs of amending existing marketing orders to include the new authority at $7,500 each. Present indications are that about five marketing orders would be so amended.

There are no minority views.

Mr. Speaker, I have no requests for time and reserve the balance of my time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 15165, COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 819 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 819

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15165) to establish a Commission on Population Growth and the American Future. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 15165, the Committee on Government Operations shall be discharged from the further consideration of the bill S. 2701, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 15165 as passed by the House.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 819 provides an open rule with 1 hour of general debate for consideration of H.R. 15165 to establish a Commission on Population Growth and the American Future. The resolution also provides that, after passage of H.R. 15165, the Committee on Government Operations shall be discharged from the further consideration of S. 2701 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The purpose of H.R. 15165 is to establish a commission to conduct studies and research and make necessary recommendations regarding a broad range of problems associated with population growth.

The Commission will be composed of two Members of the Senate and two of the House, representing both parties; and up to 20 members to be appointed by the President, who will also designate the Chairman and Vice Chairman. Members who are not Government employees will be paid at the rate of $100 per day and shall be allowed travel expenses, as authorized for persons in the Government service employed intermittently.

The Commission shall appoint an Executive Director and other personnel, who shall not be entitled to compensation in excess of grade GS–18.

The Commission will be directed to inquire into all aspects of population growth in the United States and its foreseeable consequences.

It is to make an interim report to the President and the Congress 1 year after it is established and a final report 2 years after it is established. It shall cease to exist 60 days after the submission of its final report.

There is no specific amount of funds authorized in the bill; however, the President has recommended an appropriation of $1,443,000 for the 2-year life of the Commission.

Mr. Speaker, I urge the adoption of House Resolution 819 in order that H.R. 15165 may be considered.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I wish to compliment the Rules Committee on the offering of two rules in succession which are wide open for the consideration of legislation.

Mr. SISK. I thank my good friend from Iowa. We try usually to do a good job. Sometimes we do and sometimes we do not. I thank the gentleman, anyway.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of the bill is to establish a Commission on Population Growth and the American Future which will conduct studies and research regarding a broad range of problems connected with population growth and its implications. It is authorized to make recommendations to the President and the Congress based on these studies.

The Commission membership is to be two Members from the Senate and two from the House representing both political parties, and up to 20 members to be appointed by the President, who will designate a Chairman and Vice Chairman. Those not Government employees will receive $100 per day. An Executive Director and other personnel is to be hired and outside experts and consultants may be retained.

Five areas of inquiry are set forth as the mandate of the Commission:

First, the probable course of population growth and related demographic developments between 1970 and the year 2000;

Second, the public resources required to deal with the anticipated growth;

Third, the effect of developments on the activities of local, State, and Federal Governments;

Fourth, the impact of population on our environment; and

Fifth, the means by which we can achieve a population level best suited for the Nation, consistent with our ethical values and principles.

The Commission will have a 2-year life. An interim report is required after 1 year; a final report after 2.

The authorization is for "such sums as may be necessary." The President has recommended an appropriation of $1,443,000 for the 2-year life of the Commission.

The establishment of the Commission was recommended by President Nixon in a message last July 18. A similar recommendation was made in late 1968 by President Johnson's Committee on Population and Family Planning. Both Presidents believe that the first step to insuring management of these developing problems is to determine the facts and to formulate systematic recommendations to combat them.

The bill is supported by all Federal agencies and departments which are involved, as evidenced by a number of letters contained in the report. There are no minority views and the bill has bipartisan sponsorship.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PREHARVEST RESEARCH

Mr. FOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14810) to amend section 602(3) and section 608c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs.

The SPEAKER pro tempore (Mr. HOLIFIELD). The question is on the motion offered by the gentleman from Washington.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14810, with Mr. BURKE of Massachusetts in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Washington (Mr. FOLEY) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. GOODLING) will be recognized for 30 minutes.

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume. I rise in support of H.R. 14810 and wish to associate myself with the views of the distinguished gentleman from Washington (Mr. FOLEY).

I would commend to my colleagues the following features of the measure now under consideration. H.R. 14810 would authorize producers of agricultural products, subject to marketing orders, to vote to impose upon themselves an assessment for conducting preharvest research on a self-help basis. This is as it should be, research on specialized problems affecting a very limited geographic area—

such as the mysterious rust affecting certain olive producing areas in California.

An unidentified disease has also attacked peach trees in certain areas causing great loss. The cause of the disease is unknown and there is no known treatment.

Research on diseases of this nature can be conducted on a private basis.

All growers subject to an order will have an opportunity to vote on the imposition of any assessment prior to the initiation of any such work.

Finally, I would point out that the measure will enable farmer-producers to begin research irrespective of USDA recommendation or approval. In short, it gives the farmer the right to do what he feels is needed for the improvement of his crop.

Mr. FOLEY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Chairman, in supporting H.R. 14810, which would provide that marketing orders and agreements for agricultural commodities, other than milk, will contain terms to establish and provide for production research. I was one of the original sponsors of the legislation which was referred to the House Agriculture Committee for consideration.

The addition of production research authority to the Marketing Agreement Act will make this self-help legislation even more effective and successful in the future. At present, research in marketing is authorized under the act and is working exceedingly well, but the need for production research is becoming more and more evident.

Marketing and production are so closely tied together that one cannot function properly without the other. The marketing system is becoming even more demanding, insisting on adequate and orderly supplies, standardized products of dependable quality evenly spread as to time of production and delivery. Production and marketing research are both needed in large quantities to meet the American consumer's ever-changing demands.

The proposed legislation will provide a method that will be orderly and equitable for collection of production research funds that will prorate costs of such research over all segments of any participating industry in a fair and equitable manner. Voluntary methods of collecting funds for research are now being used with some success, but nearly always a few end up carrying the umbrella for the industry. Equitable and adequate collections on this basis are impossible.

I believe production research is in the public interest and such research is essential for the maintenance of efficient agricultural production, adequate food supplies, high quality of food production, and reasonable and fair consumer prices. For these reasons, I certainly urge passage of this needed legislation.

Mr. GOODLING. Mr. Chairman, I have no further requests for time.

Mr. FOLEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 14810

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 674; 50 Stat. 249), is further amended as follows:

(1) Section 602(3) of the Act is further amended by inserting the words "such production research, marketing research, and development projects provided in section 608c(6)(I)," immediately after the words "establish and maintain".

(2) Subsection (I) of section 608c(6) is further amended by (a) inserting the words "production research," immediately after the phrase "Establishing or providing for the establishment of"; (b) inserting the words "or efficient production" after the word "consumption"; and (c) striking the period at the end of subsection (I) and adding a second provision reading ": *Provided further,* That the inclusion in a Federal marketing order of provisions for research shall not be deemed to preclude, preempt or supersede research provisions in any State program covering the same commodity.".

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HOLIFIELD) having resumed the chair, Mr. BURKE of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 14810) to amend section 602(3) and section 608c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs, pursuant to House Resolution 816, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15165) to establish a Commission on Population Growth and the American Future.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15165, with Mr. KEE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Minnesota (Mr. BLATNIK) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. ERLENBORN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. BLATNIK).

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 15165 will establish a Commission on Population Growth and the American Future to: First, conduct and sponsor studies and research; and, second, make recommendations regarding a broad range of problems associated with population growth and distribution and their implications for America's future. This bill was reported from the Committee on Government Operations without a dissenting vote. Twenty-six members of our committee joined in sponsoring the bill. Other members of the House have filed similar or related measures.

COMPOSITIONS OF THE COMMISSION

The Commission will be composed of two Members of the Senate and two of the House of Representatives, representing both political parties; and up to 20 members to be appointed by the President, who will also designate the Chairman and Vice Chairman.

ORIGIN OF THE PROPOSAL

The establishment of a Commission on Population Growth and the American Future was proposed by President Richard M. Nixon in a message to Congress dated July 18, 1969. A similar recommendation was made to Congress by the President's Committee on Population and Family Planning, appointed by President Lyndon B. Johnson, which issued its report on November 18, 1968.

In his message, President Nixon pointed out that the population of the United States was expected to increase to 300 million in the next 30 years. More spectacular increases are anticipated in the world population during this period. How to provide such elementary needs as food, shelter, clothing, and transportation for this large number of people is indeed perplexing. There is no doubt that one of the most serious challenges in the last third of this century will be our so-called population explosion.

THE COMMISSION'S TASK

The Commission's job will be to conduct an inquiry into the following aspects of population growth in the United States and its foreseeable consequences—as listed in section 4 of the bill:

First, the probable course of population growth, internal migration, and related demographic developments between now and the year 2000;

Second, the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

Third, the ways in which population growth may affect the activities of Federal, State, and local government;

Fourth, the impact of population growth on environmental pollution and on the depletion of natural resources; and

Fifth, the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level best suited for its environmental, natural resources and other needs. The latter two aspects just read were added by our committee and we believe they are necessary for a well-rounded study of this serious problem.

OPERATION OF THE COMMISSION

The Commission will have an executive director and a limited staff of experts. It may contract out research to universities and other institutions and can obtain the assistance of Federal departments and agencies. Its administrative services will be provided by the General Services Administration on a reimbursable basis. The Commission is to make an interim report after 1 year and submit its final report within 2 years after this law is enacted. The Commission will cease to exist 2 months after the final report has been filed. We see no reason why this deadline cannot be met. I assure my colleagues that there is no intention to give birth to another bureaucracy.

In his budget message, the President requested an appropriation of about $700,000 for each of the 2 years of the Commission's operation. This, of course, is a matter for the Appropriations Committee, but the sum seems to be a modest one for the job that is being undertaken.

CHANGES WE MADE IN ORIGINAL ADMINISTRATION PROPOSAL (S. 2701) AND NOW REFLECTED IN H.R. 15165, AS AMENDED

First. The compensation of members of the Commission was reduced from $150 per day to $100 per day. This is more in line with present practice.—Section 3(b), page 3.

Second. The inquiry to be made by the Commission was enlarged to include "the impact of population growth on environmental pollution and on the depletion of natural resources." This could result in one of the most significant findings of the Commission and possibly add a new dimension to the many studies already completed.—Section 4(4), page 3.

Third. The inquiry was expanded to include "the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources, and other needs." The Commission should at least explore the question of what is an "optimum" number of people that can be sustained in the United States and the means by which this number can be held in bounds. No undue implications should be read into this aspect of the study. We are confident that the Commission will be broadly representative of all major points of view and should make its findings and recommendations as objectively and scientifically as possible.—Section 4(5), page 3.

Fourth. We inserted the language:

In order that the President and the Congress may be kept advised of the progress of its work, the Commission shall, from time to time, report to the President and the Congress such significant findings and recommendations as it deems advisable.

This means the submission of interim reports or findings during the course of its work rather than wait until the end. A much greater impact on the public mind would be likely—Section 8, page 5.

HEARINGS

Our subcommittee hearings were on a range of bills, all related to the population problem and the action our Government should take to meet it. Some of these bills sought reorganizations of existing departments and agencies and also the creation of new agencies. The authors of these measures such as the gentleman from Arizona (Mr. UDALL), the gentleman from Connecticut (Mr. DADDARIO), with the gentleman from Ohio (Mr. MOSHER) put forth persuasive arguments for these structural changes.

The administration's witnesses and other Members including the gentlewoman from New Jersey (Mrs. DWYER) presented cogent reasons for the establishment of the Commission at this time, particularly in view of the pendency of the 1970 census and the important bearing its results will have on the Commission's findings. They were buttressed by the testimony of representatives of several major national organizations in the population field. These included: the Population Crisis Committee, Planned Parenthood—World Population, the United Methodist Church and the Sierra Club.

We were highly impressed by the remarks of John D. Rockefeller III, cochairman of President Johnson's Committee on Population and Family Planning, who said:

In my opinion there is no problem facing mankind today more important than the population problem. It is not unreasonable to say that to a very considerable extent it underlies most other major problems and their solution to a considerable extent depends on its solution.

Quite frequently one hears a comparison between the dangers of the atomic bomb and the population explosion. We somehow hope to avoid the former, but we can see the latter coming down the road right at us. Yet there is very little being done anywhere in the world that is commensurate with the magnitude and seriousness of the problem.

WE NEED THIS COMMISSION

Mr. Chairman, the President recently sent to the Congress a lengthy message on the environment. Many of us have been concerned with this problem for a long time and have attempted to bring our Government to a point where the attack on air and water pollution and on other aspects of the problem will be commensurate with the need. I hope we have reached that point and that both the Congress, the executive, and the public will be infused with the energy and enthusiasm to overcome the contamination and destruction of nature's great gift to mankind.

But population growth is as closely related to protection of the environment as fingers to the hand. Meeting the needs of population growth in one sense has been a direct cause of our environmental difficulty. It took us 300 years to reach our first 100 million people. It took only 50 years to reach our second hundred million. Current projections show that our third 100 million will be reached in only 30 years—by the end of this century. This country has been blessed with abundant resources and a superb technology that has given the majority of our people a remarkably high standard of living. But will our resources and our know-how be sufficient to withstand the onslaught of this population explosion? We need the most accurate estimates we can obtain. We need the answers to all of the questions this bill asks the Commission to consider. We need to know what reordering of our governmental operations will be necessary. We need the work of this Commission on Population Growth and the American Future.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I am pleased to yield to my friend and neighbor, the gentleman from Iowa.

Mr. GROSS. What is there that this Commission can do that the Department of Commerce, as an example, cannot already do with respect to information and statistics concerning population growth, and so on and so forth? What is there that this Commission is going to do that is so earth shaking? We all realize we need to know all we can about population growth, but what can this Commission do?

Mr. BLATNIK. It is not only the Department of Commerce but there are several other agencies like the Department of Health, Education, and Welfare and the Department of the Interior and the Department of Agriculture and a few other Government agencies that are engaged in the process of accumulating figures on population growth, and obviously these are available from Commerce and particularly from the Census Bureau. But what we do not have is in one package the full story of where we have come from and where we are today and we need some projection into the future as to what will happen within the next 10 or 20 years at least and perhaps even 30 years from now. What will be its impact upon our whole society and its impact in terms of determining our natural resources and in terms of our public facilities which are always further and further behind in catching up to the public needs?

It seems that many of the problems we are dealing with today stem not only from population growth but from the lopsided and disproportionate concentration of people in small areas. For example, in the last decade, I think approximately 90 percent of the population increase took place in about 3 percent of our land surface. Of course, we are going to have traffic congestion and also air pollution and water pollution and problems of garbage and waste disposal and problems of mass transit, parking and all of these problems. But you are not going to solve these problems by permitting these people to continue to pile up these already crowded spaces.

If I may try to explain it better, we would certainly try to get the best judgment, the best experience and brains in this field to evaluate, interpret and collate this information and put it together into one package.

Mr. GROSS. If the gentleman will yield further, if you went to the Department of Commerce today and other agencies and departments of the Government, I am sure they would tell you that they have the best brains in existence on this subject right now. I just do not understand what this commission can do. Certainly there ought to be the in-house availabilty and capability to pull information together from the various departments and agencies without creating still another commission to spend a lot of the taxpayers' money.

I do not believe you conform to public law with respect to information on the staffing of this new commission. I think the report contravenes the public law on that subject. How much of a staff do you expect to finance through this authorization?

Mr. BLATNIK. In the report the committee has shown the request for the appropriation, and we have from the Bureau of the Budget back-up information to support the request. The estimated staff is 21 full-time positions and 6 part-time experts, a total of 27 positions, which will last for 2 years and will then automatically expire 2 months after the terminal date.

Mr. GROSS. That is 2 years; is that correct?

Mr. BLATNIK. Yes.

Mr. GROSS. Under paragraph (c) of section 5, are you saying that they are limited to six consultants at $100 a day?

Mr. BLATNIK. Yes. There will be six part-time experts and consultants who, when they are used, their per diem will be limited to $100 per day.

Mr. GROSS. The report accompanying the bill puts no numerical value on the staff at all. I refer to paragraph (c) of section 5 on page 6.

Mr. BLATNIK. The gentleman is correct. We do not have that detailed information in the committee report. It will be made available, if necessary, and we will put it in the RECORD. We do have the budget back-up for this request. In the total life of the Commission on Population Growth we would have for salaries alone for the permanent staff of 21, about $663,000.

Mr. GROSS. That is a pretty good start in the number of employees, is it not? Does the gentleman expect to see that increase in the second year of the life of the Commission? And that does not include anything, so far as I know, for office equipment or for office space. You gave me a figure for employees only, did you not?

Mr. BLATNIK. That is correct. That is just for personnel. The total would be $1,443,000 for the 2 years. The salaries for personnel, for the part-time experts and consultants, the office expense, travel, and whatever else is involved, the total would be a little over $700,000 a year.

Mr. GROSS. I wish somewhere along the line we could abolish a few commissions instead of creating more of them all the time. For the life of me I cannot believe that there is not already in-house availability in the Federal Government to provide the information that this commission supposedly will provide, John Rockefeller III notwithstanding.

Mr. BLATNIK. I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ERLENBORN).

Mr. ERLENBORN. Mr. Chairman, I yield myself 5 minutes.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I would like to commend the gentleman in the well, the gentleman from Illinois (Mr. ERLENBORN), and the gentleman from Minnesota (Mr. BLATNIK), chairman of the subcommittee, for reporting this bill out. I was one of the cosponsors of the bill. I feel that the proposed commission is very important. I know it will be very effective in its study and will give us some recommendations with regard to this tremendous problem we face.

Mr. Chairman, we have beauty, fullness, and richness in our country. Despite our present abundance, we no longer can assume that our land, air, water, and resources will support a limitless population.

We are no longer a frontier nation.

As a member of the Task Force on Earth Resources and Population, I have heard experts testify that we are coming to the end of our natural resources, that our seemingly limitless supply of the needs of America is limited.

We can and must act to prevent a vicious spiral of unchecked growth, poverty, and depleted resources.

Through my membership on the task force and on the Government Operations Committee, I have come to the conclusion that we have a definite Federal responsibility to improve the quality of life.

Sir Julian Huxley put it very well when he asked about the aim of prosperity. He wrote:

> It isn't just mere quantity of possessions or mere quantity of people . . . I would assert that it must be to hold in trust, to conserve and to cultivate the resources of the earth and the resources of our own nature. And so our aim should be to increase the richness of life and enhance its quality.

We now have an opportunity to demonstrate the Nation's concern with population growth by acting on the President's bill, H.R. 15165, to create the Commission. In my judgment, the amendments added by the Government Operations Committee improve an already excellent measure.

By directing the Commission to examine the consequences of population growth for environmental pollution and natural resources, and estimating the resources that will be required to deal with the anticipated growth, we will strengthen the Commission's ability to address itself to one of the most urgent and timely topics of national concern—one that the President himself discussed so vividly in his state of the Union message.

Mr. Chairman, the President has honored the Congress by asking that two Members of each House serve as members of the Commission on Population Growth and the American Future. The Commission is but a piece of a comprehensive effort to control and improve our environment. The Commission itself, by involving Congressmen directly and by reporting regularly will promote additional action. And we can count on it to enrich such action with the knowledge and wisdom that it accumulates.

Mr. Chairman, I took the opportunity of the Lincoln Day recess to tour one portion of my district. One of the major concerns expressed by youngsters and adults alike was how we are abusing our environment.

Ecology is becoming an "in thing." We cannot let it die like most fads. It is imperative that we treat this problem seriously because the life and future of mankind depends on our meeting this challenge.

I urge the prompt passage of this bill.

Mr. ERLENBORN. Mr. Chairman, I rise in support of H.R. 15165 to establish a Commission on Population Growth and the American Future. This legislation was recommended to the Congress by President Nixon on July 21 of last year in a message to the Congress. The other body has already acted in response to the President's request and has passed a bill similar to the bill now under consideration.

Mr. Chairman, I commend the chairman of our subcommittee, the gentleman from Minnesota (Mr. BLATNIK), for his prompt action on the President's request and the thorough hearings we had in our subcommittee on executive and legislative reorganization of the Committee on Government Operations. I also commend the gentleman from California (Mr. HOLIFIELD) for the fine work he has done on this bill and the help he has given us.

Mr. Chairman, this bill has broad bipartisan support.

The bill under consideration is cosponsored by all the members of our subcommittee. The bill is responsive to the President's request. It would create the Commission on Population Growth and the American Future. I think it has been fairly well described by the chairman of our subcommittee as to its composition, which will include two Members of this body, one from each party, and two Members from the other body, one from each party, and up to 20 members to be appointed by the President.

I understand, Mr. Chairman, it is the intention of the President to appoint members to this Commission from various walks of life with expertise in the kinds of problems that will be created by the growth in the population of the United States.

Mr. Chairman, to answer the gentleman from Iowa, at least partially, as to the reason why we should have a commission rather than to have this done with in-house capability, we might have gone to the Census Bureau or to the Department of Commerce, but the question of anticipating what should be done to meet the problems of growth in the United States is one that cuts across the

jurisdictional lines of many of the departments and agencies, probably of all the departments and agencies of the executive branch of our Government.

Yes, we can call the Census Bureau, which we did today, and we can get facts such as the fact that since this bill was reported on December 10, 1969, and today when the bill is under consideration the population of the United States has increased by 365,000 people. That is a great many people in that period of time. That is an interesting fact. We can contact the Department of Commerce and get other facts, but we have to relate these facts to what is the Department of Transportation going to do in the field of seeing that we make plans so that our transportation system will be adequate. We have to consider what the Department of Agriculture is going to do to anticipate the growth in this country and the growth in demand for edible food. What will the other departments and agencies do to accommodate themselves to the problems we see arising in the immediate future as a result of the population growth?

It is for this purpose that the President has asked that the Commission be formed, that it spend 2 years examining this problem, and that it come up with recommendations as to what we should be anticipating in the way of problems and what we should be doing to formulate plans to solve these problems as they arise.

Mr. Chairman, I think the legislation is meritorious. It has almost unanimous support, bipartisan support from our Committee on Government Operations. As I mentioned, it already has passed the other body. I hope this body adopts the bill overwhelmingly here today.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, will this Commission go into interest rates as they relate to housing and that whole ball of wax?

Mr. ERLENBORN. I would answer the gentleman that I think this would not be outside the scope of the inquiry of the Commission. The question of adequate housing for the population growth will be affected by many factors, one of them the availability of skilled labor and another the question of proper financing. I think the Commission could legitimately inquire into this question.

Mr. GROSS. The gentleman from Texas (Mr. PATMAN) has wanted to abolish the Federal Reserve Board. Since this Commission is apparently going to be involved in everything, including interest rates, perhaps it could take over the functions of the Federal Reserve.

Mr. ERLENBORN. The gentleman may anticipate what might be done by the gentleman from Texas. I would not doubt the gentleman from Texas might again make that recommendation.

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of H.R. 15165 which would establish a Commission on Population Growth and the American Future. As you know, this was one of the major recommendations made by President Nixon in his population message of July 18, 1969. In that message, the President eloquently stated the need for such a commission in the following manner:

> One of the most serious challenges to human destiny in the last third of this century will be the growth of the population. Whether man's response to that challenge will be a cause for pride or for despair in the year 2000 will depend very much on what we do today. If we begin our work in an appropriate manner, and if we continue to devote a considerable amount of attention and energy to this problem, then mankind will be able to surmount this challenge as it has surmounted so many during the long march of civilization.

In his state of the Union address, the President again raised the question of how we will deal with the 100 million increase in population expected in the next 30 years and he called on the Congress to join with him in developing a "national growth policy." Such a policy would include Government decisions on buying and selling land, building highways, airports, and other public facilities "with the clear objective of aiding a balanced growth for America;" building new cities and rehabilitating old ones; and seeking to "create a new rural environment which would not only stem the migration to urban centers but reverse it." These are all areas which will be dealt with by the proposed Population Growth Commission which we are considering today.

Commenting on the President's proposed "national growth policy," Washington Post columnist David S. Broder put it this way:

> If we are at all serious about improving the environment in which the next generations of Americans will live, no cause is more compelling than the one to which the President summoned Congress last week.

The bill before us today would charge the new Commission with five specific responsibilities: First, to chart the probable course of population growth, internal migration, and related demographic developments in the next 30 years; second, to determine the resources required from the public sector of the economy to deal with the anticipated population growth; third, to determine the ways in which the population growth may affect the activities of Federal, State, and local government; fourth, to study the impact of population growth on environmental pollution and resource depletion; and, fifth, to study the relationship between our society's ethical values and principles and the need to achieve a population level properly suited for its environment, natural resources, and other needs.

Mr. Speaker, these are all questions which we in the Congress must have answers for if we are to effectively meet the challenge of population growth and all of its far-reaching implications. Hopefully, the Commission which we are authorizing today will be of great value to us in meeting that challenge.

Richard D. Lamm, writing in the January 1970 issue of the American Bar Association Journal, states:

> The changes brought by the Reproductive Revolution, both in the law and our other institutions, will be as large as the changes brought by the Industrial Revolution.

Mr. Lamm goes on to warn of the social and economic costs of the "population explosion":

> More than 40 percent of America's population lives in twenty-eight metropolitan areas that contain more than one million inhabitants each. Seventy per cent lives on 2 per cent of the land, and the resulting problems of transportation, housing, recreation and overlapping government units add enormously to the costs and size of government.

And James L. Sundquist of the Brookings Institution, in a recent issue of the Public Interest, claims that by the turn of the century 187 million of our 300 million population will be living in "four huge urban agglomerations" facing the Atlantic, the Pacific, the Gulf of Mexico, and the Great Lakes. The rest of our country will continue to lose population as in the 1960's when a third of our Nations' counties actually lost population to the already overcrowded metropolitan areas beset by a widening gap between problems and solutions.

Mr. Speaker, I think all this points to the priority which we must give to a "national growth policy" for the future, one which will give us some hope that we actually do have a future. The Commission which we are establishing today will not be a panacea, nor can it begin to answer all the questions which must be answered. But it is an encouraging and necessary first step and I therefore strongly urge the passage of H.R. 15165.

At this point in the RECORD I would like to include certain extraneous material relating to the foregoing remarks. The items follow:

[From the American Bar Association Journal, January 1970]

THE REPRODUCTIVE REVOLUTION

(By Richard D. Lamm)

(NOTE.—Just as the Industrial Revolution drastically altered the structure of society, so the Reproductive Revolution, unless brought under control, will change our environment and our lives. After centuries of encouraging human fertility, man must now face the necessity of forging a new ethic of fertility forbearance. The development of laws to this end will be the job of lawyers and lawmakers.)

Man and his institutions are having to deal more and more with the problems resulting from fertility. After eons during which man structured his institutions to promote fertility in line with the Biblical injunction to "Be fruitful, and multiply and replenish the earth", man is forging a new ethic, "Be fruitful, but multiply cautiously."

The evidence is everywhere. The last three Presidents of the United States have warned about the dangers of overpopulation,[1] and politicians, who historically have avoided the subject of birth control, have voted funds for both foreign and domestic family planning. Recently sixty-four Representatives and twenty-four Senators co-sponsored a proposed Family Planning and Population Act.[2]

Twenty-six states in their last legislative session had proposals for drastic liberalization of abortion laws,[3] and ten states within the last two years have substantially liberalized their laws on therapeutic abortion.[4] In

Footnotes at end of article.

1969 in the state legislatures there were introduced thirteen bills that would have repealed all grounds for abortion and left the decision to the woman and her physician,[5] and the Colorado legislature seriously considered an amendment that after 1972 would have limited income tax exemptions to three to a family.

The courts also are feeling the thrust for change. The United States Supreme Court has held unconstitutional laws that restrict medical advice concerning means of contraception,[6] and state laws on abortion are under attack.[7]

The current conflict in the law over problems arising from fertility will increase, not decrease; the subject serves as a microcosm to study the law in transition. If "a page of history is worth a volume of logic" it would seem that the relentless geometry of population will have much more to do with the law than *stare decisis* and that the changes brought by the Reproductive Revolution, both in the law and our other institutions, will be as large as the changes brought by the Industrial Revolution.

JUST SERIOUS, OR ALREADY A CAUSE FOR DESPAIR?

The world's population is 3.5 billion, with 70 million added annually. The average annual growth rate experienced by man in the last one-half million years has been .000005, while today he grows at a rate exceeding 2 per cent. At the current rate of 2.1 per cent, the world's present population will double within thirty-three years. Few, if any, economists or demographers argue that there is no danger from the population explosion. The argument seems to be between those who think it is "serious" and those more despairing who contend that population growth means certain disaster, with predictions ranging from starvation to social disorder.

The mere arithmetic of population suggests concern. As Robert S. McNamara, President of the World Bank, pointed out last year, "A child born today, living on into his seventies, would know a world of 15 billion. His grandson would share the planet with 60 billion." The figure of 60 billion is beyond responsible projections as to the carrying capacity of the earth. Whatever that capacity is, an increasing number of people are suggesting that this and the next generations will have to devise their institutions so as to bring about population stability.[8]

BIRTH RATE MUST DROP OR DEATH RATE MUST RISE

Numerous other solutions to overpopulation have been considered by experts and rejected. New kinds of grains and other food will bring temporary relief but will do little to alleviate the long-term pressures of population. Other solutions fail to provide relief, and most demographers are agreed that either the birth rate must go down or the death rate must go up. Many experts suggest that it is already too late to prevent large-scale famine; C. P. Snow, the distinguished British scientist and novelist, recently stated that in the view of men of sober judgment "many millions of people in poor countries are going to starve to death before our eyes."

Population stabilization is such an unprecedented objective that none can fully project what it may require. In India the parliament recently debated a proposal that would require mandatory sterilization after three children. One official stated to me in response to criticism of his proposal, "If the law says a man can have only one wife, why can't we say he can only have three children?"

Mankind is heading into a massive struggle with his own fertility, and there is already an indication that coercion and involuntary controls may be necessary.[9] Despite this grim background, we find that our institutions, legal and nonlegal, still encourage fertility. Birth control, abortion and sterilization are restricted in varying degrees by law.[10] We find our historic legal structure promoting fertility rather than being neutral. The tax laws discriminate in favor of married people and subsidize children through deductions. The courts in some states have held that a spouse who does not wish to have children violates the obligations of marriage,[11] and various laws have prohibited or restricted the sale or use of contraceptives.[12]

2.7 BILLION PEOPLE PER SQUARE FOOT

America cannot claim immunity to problems of population. While our growth rate is only 1.1 per cent a year, it is becoming increasingly clear that even this rate cannot be sustained world-wide. A 1 per cent growth rate over the last 5,000 years would have produced a contemporary population of 2.7 billion people for each square foot of land.[13] On a more short-term projection, an increasing number of people are suggesting dire consequences from American population growth in the immediate future. The United States at present accounts for approximately 6 per cent of the world's population, yet it consumes more than 50 per cent of the world resources, and the percentage of consumption is increasing. Taking the entire world's known reserves of lead, zinc, copper, oil and iron ore and doubling them for undiscovered amounts of each mineral (an exceedingly optimistic calculation), we find that it is impossible to support all the 3.3 billion people now on earth at a standard of living equal to that of an average American.[14] We must start asking ourselves, as did *The New York Times*, "How long we may be an island of plenty in a sea of misery?"

It has been suggested that to admit to a world population problem but deny a domestic population problem is like a fisherman saying to his companion, "Your end of the boat is sinking." [15] It is becoming increasingly obvious that the United States has a population problem without regard to the world situation.

The demands on our recreational resources, the problems of pollution and congestion, the inevitable growth of government and the increase in restrictions on human action suggest drastic changes in the life pattern of an average American.[16]

The amount of capital for public purposes to meet a 1 percent population growth is estimated to be $50 billion a year. For every 1,000 new Americans we need an additional 36.5 million gallons of water a year, plus sewers and treatment plants to handle an additional 62,000 pounds of organic water pollutants a year.[17]

Census projections for 1985 range from a high of 275 million to a low of 242 million. The difference between these two represents an extra 20 million school children at an education cost of a minimum of $300 billion. It is the view of many that this investment should be made in more urban development rather than more children. Whichever of the census figures proves correct, the children will find a vastly more crowded world. For instance, while their parents shared the national parks with 33 million visitors in 1950, 79 million in 1960 and 140 million in 1967, by 1985 they will have to share the national parks with an estimated 280 million fellow visitors.

ADD THE "POPULATION IMPLOSION"

To this add the social and economic costs of the "population implosion." More than 40 per cent of America's population lives in twenty-eight metropolitan areas that contain more than one million inhabitants each. Seventy per cent lives on 2 per cent of the land, and the resulting problems of transportation, housing, recreation and overlapping government units add enormously to the costs and size of government. Whether because of the population explosion or the population implosion or both, crowding more Americans into 3,628,150 square miles of land will mean at a minimum more restrictions, more regimentation and a higher per capita cost of government.

The historic reasons for forcing fertility were valid when man had to fill an empty earth, but we must now change our institutions to reflect the changed circumstances of a finite earth. The reasons behind forcing motherhood on a woman in an empty continent with a frontier are missing in 1970 America when our federally financed public assistance programs cost $7.8 billion a year and one of twenty children are on relief. Studies show today that if ADC mothers were permitted to have only the number of children they wanted, the United States would save $600 million a year on ADC costs alone.[18]

The decision of *Griswold* v. *Connecticut*, 381 U.S. 479 (1965), and the recent movement toward removal of restrictions on abortion show some trend in our legal institutions to meet the problem of fertility. The new-found "right of privacy" announced in *Griswold* would seem to apply with equal force to laws that restrict the availability of sterilization or abortion. Restricting a woman's right to abortion, no less than to contraception, (1) is at war with accepted standards of medical practice, (2) invades the sacred realm of marital privacy by denying married couples the right to plan the future of their family, (3) forces the birth of deformed children, or leaves abstinence as the alternative, (4) is largely unenforced, yet hangs like a cloud over the medical profession, (5) results in discrimination against people in lower economic brackets, (6) is in conflict with one of the world's most critical problems today, the population explosion, and (7) involves the imposition of a religious principle on the entire community by government sanction.[19]

FAMILY PLANNING IS A HUMAN RIGHT

The Supreme Court, if it does extend *Griswold* to abortion, cannot be faulted for being too far ahead of society. Generally, other representative institutions of society have indicated a belief that it is a woman's personal right to decide whether to bear children. The American Public Health Association in 1968 declared that a couple have "an accepted right to determine freely the number and spacing of their children." The Citizen's Advisory Council on the Status of Women, appointed by the President of the United States, stated that the "right of a woman to determine her own reproductive life is a basic human right . . .". The Family Law Section of the American Bar Association has concluded, "The changes in our decisional and statutory law express a general recognition that the right to limit family size is a basic human right—that the individual has a right to free choice and self-determination in regard to procreation."

Despite the claim by the Supreme Court in *Griswold* that "We deal with a right of privacy older than the Bill of Rights—older than our political parties, older than our school system", there was at the time of the passage of the Fourteenth Amendment no fundamental right not to bear children. In fact, it has taken the women's suffrage amendment, equal opportunities laws and the various married woman's property acts—all since the adoption of the Fourteenth Amendment—to give women even the more generally recognized property rights.

The new doctrine of *Griswold* would seem instead to be more reflective of how the law changes to meet the "felt necessities" of society, rather than the clarification of a right "older than the Bill of Rights". It is becoming recognized throughout the nation that it is both bad political science and poor social science to force unwilling women to bear unwanted children.

Footnotes at end of article.

The law has already formed a foundation from which it can and, I suggest, will strike down all restrictions on a couple's right to determine the number and spacing of their children.

Is this enough to deal adequately with the pressures of population? Demographers and other scientists are suggesting that even if everyone had the complete right to determine his family's size, with contraception and abortion freely available, there would be little effect on the population explosion.[20] A true "free market" will not stop population growth in time to save our present freedoms and emenities, and the question really is not "How many children can we as a family afford?", but "How many children can we as a nation afford?"

FERTILITY CONTROL MUST BE BOTH PERMITTED AND INDUCED

Statistics available at present suggest that making complete fertility control available, while the first step, is no more than that—the first step. The demographic effect of removing all restrictions on contraception and abortion probably varies from culture to culture but seems to be inadequate to achieve population stability.[21] Accepting then, if for no more than argument, the necessity for population stability, it appears that society must devise something more than the free availability of contraception and abortion. Society at large may have to discourage the raising of children.

At this point, all the case law so useful in giving couples the right to control their child raising turns around and protects them against government action that would directly restrict childbearing. As early as *Meyer* v. *Nebraska*, 262 U.S. 390 (1923), the Supreme Court was affirming that the due process clause included the right "to marry, establish a home and bring up children." *Skinner* v. *Oklahoma*, 316 U.S. 535 (1942), recognized "the right to have offspring" as a constitutionally protected "human right," and *Loving* v. *Virginia*, 388 U.S. 1 (1967), recently affirmed the "freedom to marry" as one of the "vital rights essential to the orderly pursuit of happiness by free men." *Griswold*, which prevents government from restricting contraceptive practice, also would seem conversely to prevent government from encouraging or inducing contraception.

Yet, any lawyer with a sense of history recognizes that if the time ever comes when this country's survival or even welfare demands restrictions on fertility, the "felt necessities" will outweigh "precedent." As the demographer Lincoln Day recently observed, "Reproduction is a private act but it is not a private affair, it has today far-reaching social consequences." Those social consequences are increasing geometrically with the geometric increase in population; like other new social problems, they probably will have to be solved by law. The development of law, strong enough to be effective, wise enough to be acceptable, will be the challenge of the new generation of lawyers and lawmakers.

FOOTNOTES

[1] Richard Nixon: "One of the most serious challenges to human destiny in the last third of this century will be the growth of the population. Whether man's response to that challenge will be a cause for pride or for despair in the year 2000 will depend very much on what we do today." Lyndon Johnson: "Next to the pursuit of peace, the really great challenge to the human family is the race between food supply and population increase." John F. Kennedy: "The magnitude of the problem is staggering. In Latin America, for example, population growth is already threatening to outpace economic growth—and in some parts of the continent, living standards are actually declining."

[2] H.R. 11902 and S. 2108, 91st Cong., 1st Sess. (1969).

[3] Arizona, Arkansas, Connecticut, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington and Wisconsin.

[4] In order of passage: Colorado, North Carolina, California, Maryland, New Mexico, Arkansas, Oregon and Delaware.

[5] Hawaii, Illinois, Kansas, Michigan, Minnesota, Nevada (two), New York (two), Oregon (two), Washington and Wisconsin.

[6] *Griswold* v. *Connecticut*, 381 U.S. 479 (1965).

[7] *Gleitman* v. *Cosgrove*, 227 A. 2d 689 (N.J. 1967).

[8] In January of 1969 a Gallup poll sponsored by the National Wildlife Federation found that 44 per cent of those polled thought it would be necessary to limit our population at some time in order to maintain our present living standards.

[9] For an excellent and thoughtful criticism of the concept of making every child a "wanted child" as an answer to the population explosion, see Davis, *Population Policy: Will Our Current Programs Succeed?*, 158 Science 730 (1967).

[10] Voluntary sterilization is legal in all states. Formerly Kansas, Utah and Connecticut limited it to "medical necessity". Kansas and Connecticut repealed their restrictions during their last legislative sessions, and while the attempt to repeal Utah's law failed, the law would appear to be unconstitutional under *Griswold*, *supra* note 6.

[11] *Kreyling* v. *Kreyling*, 23 A. 2d 800 (Ct. Chan. N.J. 1942); *Baretta* v. *Baretta*, 46 N.Y.S. 2d 261 (Sup. Ct. Queens 1944).

[12] Annot., 96 A.L.R. 2d 955 (1964).

[13] McElroy, *Biomedical Aspects of Population Control*, 19 BioScience 22 (1969).

[14] Cheney, *Mineral Resources in National and International Affairs*, 19 Mining Engineering 67 (1967).

[15] Ehrlich, *The Population Explosion: Facts and Fiction*, Sierra Club Bulletin, November, 1968, page 13.

[16] Day & Day, Too Many Americans (1964).

[17] Conservation Foundation Newsletter, April 30, 1967, page 2.

[18] *Effects of Family Planning on Poverty in the United States*, report by Harold L. Sheppard for the Subcommittee on Employment, Manpower and Poverty of the Senate Committee on Labor and Public Welfare.

[19] Levy & Kummer, *Abortion and the Population Crisis*, 27 Ohio L.J. 647 (1966). The California Supreme Court recently relied on *Griswold* v. *Connecticut*, 381 U.S. 479 (1965), in invalidating the pre-1967 California abortion statute. *California* v. *Belous* 458 P. 2d 194 (1969).

[20] Davis, *supra* note 9; Hardin, *The Tragedy of the Commons*, 162 Science 1243 (1968).

[21] Frederiksen, *Demographic Effects of Abortion*, Public Health Reports, December, 1968, page 999.

[From the Washington Post, Jan. 27, 1970]

PRESIDENT TAKES MAJOR STEP IN URGING POPULATION DISPERSAL

(By David S. Broder)

CAMBRIDGE, MASS.—In a generally overlooked section of his State of the Union address, President Nixon called on Congress to join him in developing "a national growth policy" aimed at channeling the 100 million additional Americans who will join the population by the end of this century away from our overcrowded big cities and into more habitable sections of the country.

Now celebration of the joys and virtues of small town and rural life has been a presidential tradition since Jefferson's time. But if administration officials are right in saying that this passage of the President's address was no casual bit of rhetoric, it could signal as significant a development in the national policy as any recent President has initiated.

There is no lack of evidence of what awaits us if we continue to let population trends continue as they have for the past three decades. But, as James L. Sundquist of the Brookings Institution points out in an article in the current issue of The Public Interest, it has been very difficult to engage the federal government in serious planning to change this trend.

Now the Nixon administration—so unlike the stereotype of a Republican laissez faire government in its penchant for long-range planning—appears ready to launch the first serious effort in this direction.

About time, too. For as Sundquist notes, if current trends continue to the end of the century, 77 per cent of the predicted 300 million Americans will then be jammed into just 11 percent of our continental land area. Only 36 million citizens will live outside urban areas of at least 100,000 population, and 187 million persons (equal to our total population only eight years ago) will be concentrated in "four huge urban agglomerations" facing the Atlantic, the Pacific, the Gulf of Mexico and the Great Lakes.

It is this grim prospect that Mr. Nixon seeks to avert by consciously using governmental policy to change the trend that saw "a third of our counties lose population in the '60s," as he said, while "the violent and decayed central cities of our great metropolitan complexes (became) the most conspicuous area of failure in American life today."

The President suggested that the federal government:

Make its future decisions on buying and selling land, building highways, airports and other public facilities "with the clear objective of aiding a balanced growth for America."

Assist in the building of new cities, as well as rehabilitating old ones.

Seek to "create a new rural environment which would not only stem the migration to urban centers but reverse it."

These prescriptions in themselves are neither novel nor specific nor adequate. What is important is simply the fact that the President chose to highlight the problem of population balance and has committed his administration to action on it.

As Sundquist, himself an able official of the Kennedy and Johnson administrations, noted in his article, the problem, though evident to scholars, never won a place on the national agenda in the 1960s. Orville Freeman, as Secretary of Agriculture, made a lot of speeches on rural development but President Johnson offered little more than moral support. The only major outline of a substantive program for population distribution came in a 1968 report from the Advisory Commission on Intergovernmental Relations, called "Urban and Rural America: Policies for Future Growth." Unfortunately, like many other studies done by that useful group, it received virtually no attention from the press and the policy-makers.

Now Mr. Nixon, who last year gave the most comprehensive message any American President has delivered on the general problem of population growth, has put this matter near the top of the national agenda and has instructed his Urban Affairs Council staff to make it the major area of study for the coming year.

That by itself will help mobilize the research capacity of government in the academic community, and, as Sundquist notes, research is the first and most obvious requirement for developing a population distribution policy.

But if action is to follow from research, it will take a commitment from Congress as well as the President. An earnest Congress' awareness of the need would be a move by the House Democratic leadership to bring

to a vote the measure creating a Commission on Population Growth and the American Future. This legislation, requested by the President in his population message last summer and approved by the Senate, has been languishing in the House Rules Committee. The Democratic Party and House Speaker John W. McCormack have a clear obligation to speed its passage.

Redirecting policy on population growth will not be easy, for, as Sundquist notes, there will be strong political pressures against a policy that is avowedly designed to halt the further concentration of people in the big cities. The real estate and commercial interests of those cities, influential in both parties, have a large stake in their continued growth, whether or not such growth is desirable for anyone else.

But if we are at all serious about improving the environment in which the next generations of Americans will live, no cause is more compelling than the one to which the President summoned Congress last week.

[From the Washington Post, Feb. 8, 1970]

IT IS HIGH TIME FOR AMERICANS TO DISPERSE

(By James L. Sundquist)

(NOTE.—Former Deputy Undersecretary of Agriculture, Sundquist is now a senior fellow at the Brookings Institution. His article is excerpted by permission from the winter issue of The Public Interest.)

By the end of this century, 100 million people will be added to the population of the United States. That is as many people as now live in Britain and France combined. Where shall they live?

If present trends continue—if they are allowed, that is, to continue—most of the 300 million Americans of the year 2000 will be concentrated on a very small proportion of the nation's land area. Projections of the Urban Land Institute place 60 per cent of the country's population—or 187 million persons—in just four huge urban agglomerations.

One continuous strip of cities, containing 68 million people, will extend 500 miles down the Atlantic Seaboard from north of Boston to south of Washington. Another, with 61 million, will run from Utica, N.Y., along the base of the Great Lakes as far as Green Bay, Wis. Some 44 million persons will live on a Pacific strip between the San Francisco Bay area and the Mexican border. A fourth agglomeration, with 14 million, will extend along the Florida East Coast from Jacksonville to Miami and across the peninsula to Tampa and St. Petersburg.

Most of the remaining 40 per cent of Americans will live in urban concentrations, too—and big ones. In this decade, the larger concentrations have been growing fastest; metropolitan areas over 150,000 grew faster than the national average of 9.8 per cent between 1960 and 1965 while the smaller areas grew more slowly.

These trends, continued for the next three decades, would place 77 per cent of the coming 300 million Americans on 11 per cent of the land (excluding Alaska and Hawaii). Only 12 per cent of the population would be outside urban areas of 100,000 or more population. Is this the way we want to live?

Two questions are presented. The first pertains to regional balance. Is it desirable that population be massed in a few enormous "megalopolises" along the seacoasts and lakeshores? The second relates to rural-urban balance (or, more accurately, the balance between metropolitan and nonmetropolitan areas). Is it in the best interest of the country, and its people, to continue indefinitely the depopulation of rural and small-town America and the building of ever bigger metropolitan complexes, in whatever region?

FORCED MIGRATION

In short, the 300 million can be highly concentrated in a few "megalopolises," or they can be distributed more evenly as among regions and dispersed in a more nearly balanced way among large metropolitan areas, middle-sized cities and thriving small towns and villages. Which do we want?

How each family lives is profoundly influenced, even controlled, by the size of the population cluster in which it is embedded. The degree to which population is massed determines the amenity and congeniality of the whole environment in which adults and children live and grow and work. It affects their personal efficiency, their sense of community, their feelings about the relationship between man and nature, their individual and collective outlooks on the world.

The impact of size is most emphatic on the lives of the ghetto dwellers of the great cities, of course, but no one in a megalopolis is immune. The resident of Scarsdale or Winnetka is not wholly spared the stresses of big city life; the larger the metropolitan area, the greater the strains and irritations of commuting and the more inevitable that the environmental pollution that arises from population concentration will affect the most idyllic suburbs, too.

In any case, the desirability of population concentration must be measured by its consequences for the majority of families who live at near-average or below-average levels, not upon the few who can insulate themselves in political and social enclaves.

So the question is, what kind of environment do we want to build? The nation, through its government, has established policies on matters of far less crucial import, yet the extent to which the country's population will be concentrated remains essentially laissez-faire.

That would be all right, perhaps, if by laissez-faire one meant free choice by the individuals and the families that make up the population. But it is far from that. The movement of people from smaller to larger places is, to a large extent though no one knows the exact proportions, involuntary, forced migration.

Young people going freely to the cities in search of adventure and opportunity make up part of the migrant flow, but only part; among the rest are millions of uprooted, displaced families who have little desire, and less preparation, for life in large cities and whose destination is often inevitably the city slums. These displaced families are simply forced into the migration stream by economic forces they cannot control.

The spatial distribution of population is determined, of course, by the distribution of jobs. With the exception of the limited numbers of the self-employed and the retired, people are not in reality free to live just anywhere. The vast majority are employees who must live where there are jobs and the location of jobs is not their choice. The concentration of the country's population is the result of employer-created job patterns that the people have had to follow.

For the most part, employers have not been free to create jobs just anywhere, either. They have been bound by considerations of economic efficiency—the location of raw materials and markets, the transportation cost differentials of alternative locations, etc. As a result, the basic pattern of population distribution has been designed by the play of economic forces, not by men acting rationally as environmental architects; events have been in the saddle once again.

Even in the absence of quantified evidence, it seems reasonably clear that our largest urban concentrations have grown well beyond the point at which diseconomies of scale begin to show. The costs of moving people and things within large metropolitan areas are demonstrably greater than the costs of moving them in smaller population centers. Commuting distances are obviously longer, the time loss greater, the costs higher. The flight of industry from central cities to the suburbs is a reflection, in part, of the cost of transportation to and within congested areas.

The cost of urban freeway construction varies directly with the population density of the area affected, and subway systems are an enormous expense that only the larger metropolitan areas require. Such municipal functions as water supply and sewage and solid waste disposal are probably also subject to diseconomies of scale, for the simple reason that the water and the waste must be carried over longer distances. San Francisco, for example, had contemplated dispatching a 70-car train daily to carry its solid waste over 300 miles into the mountains on the Nevada-California border.

COSTLY CRUELTIES

The diseconomies are ultimately measurable, at least in theory, in dollars and cents. Other disadvantages of scale are less measurable but no less real. Air pollution, for example, is a function of the dense concentration of automobiles. Similarly, water pollution is more amenable to control in areas where population is dispersed; there, given the will, the way is at least available.

One other factor that must be considered in any calculation of costs and benefits of urbanization is the social and economic cost of migration itself. To decide which new plant location is really most efficient, it is not enough to measure only the building and operating costs of the plant, although that has been the sole criterion of our laissez-faire philosophy.

There are enormous costs, as well as appalling cruelties, in the forced displacement and migration of populations, whether it be Negroes from the South, mountaineers from Appalachia or small businessmen from the declining regions of the Great Plains and the Midwest. (In the 1950s, more than half of America's counties suffered a net loss of population.)

Families lose their homes and savings and equities and property values along with their most deeply cherished associations; communities lose their tax base for public services; community institutions wither. Some of the migrants are too ill-prepared, too sick or too poor to adjust to city life successfully; many of them wind up on welfare, and they burden every kind of institution.

Yet these costs and losses are not borne by the industry locating the plant, but by people and communities, thereby entering no one's cost-benefit equation, no one's computations of efficiency. If they did so enter, then calculations of simple efficiency would no doubt show that, as a general rule, it is far more economical from the standpoint of the whole society to create new economic opportunities where the people are rather than allow existing communities to die while building other whole communities from the ground up in the name of "economic efficiency."

Moving from the physical to the social environment, hard data on disadvantages of scale are even more difficult to come by. Yet we know that as population in general is concentrated, so is poverty (large ghettos exist only in large urban concentrations) and crime, drug addiction, family breakdown and every other form of social pathology. It may be specious to argue that rural poverty is better than urban poverty when both are bad enough, yet the fact remains that the social evils associated with poverty tend to be mutually reinforcing when the poor are herded together in concentrated masses—as

studies of public housing populations, for example, have clearly shown.

Racial tension and rioting are not limited to big cities, to be sure, but in their most terrifying aspects they seem to be. Perhaps most important of all, the problem of unemployment and underemployment of the urban poor appears all but insoluble in the largest urban complexes because transportation systems just cannot economically link the inner cities where the poor live with the scattered suburban sites where the new jobs are being created. In smaller places, by contrast, people can even walk to work.

For all these reasons, it is not hard to accept as a hypothesis, at least, that our largest metropolitan agglomerations are less governable, less livable and economically less sound than smaller urban centers. Moreover, what little evidence is available suggests that people do not like to live in unlivable places; they are there, in substantial proportion, against their will. A Gallup poll in 1968 showed that 56 per cent of Americans would choose a rural life, if they were free to choose, only 18 per cent a city and 25 per cent a suburb.

FRUSTRATED FREEMAN

Over the last decade, only one leading figure in public life has made it his mission to sound the alarm on the question of population distribution policy. That was the recent Secretary of Agriculture, Orville L. Freeman. For the whole of his eight years in office, he led a personal crusade for what he initially called "rural areas development" and later came to call "rural-urban balance."

Before a House subcommittee in 1967, he said, "I say it is folly to stack up three-quarters of our people in the suffocating steel and concrete storage bins of the city while a figurative handful of our fellow citizens rattle tapped resources and empty dreams." And then he got carried away: "The whiplash of economic necessity which today relentlessly drives desperate people into our huge cities must be lifted from the bleeding back of rural America."

Freeman's metaphors could be excused; no one listened to all his years of sober pleas and reasoned argument. True, President Johnson gave him moral support and himself made a speech or two on rural development and sent Congress some minor measures, but the subject remained low on the President's priority list.

As for the congressional committees on agriculture, which might have been expected to take some leadership, Freeman could not even get them to set up active subcommittees to consider rural development.

The nation's intellectual community, insofar as it was aware of the Freeman thesis, treated it with a disdain that blended into outright hostility. A composite view of the urban intelligentsia toward rural America can be portrayed, with a touch of caricature, something like this:

Culturally, the cities have a monopoly, and have had since the Age of Pericles. Urban means urbane; rural means rustic. The theater, the concert hall, the museum are exclusively urban institutions; the countryside cannot produce the higher culture, and those who insist on living there are, by definition, both culturally unrefined and, what is worse, content to remain so.

Economically, rural America is destined for decay; the economic forces that built the cities are too powerful to be reversed, even if it were desirable to do so. Freeman's "back to the farm" movement (which, for the record, is not what it was) is romantic nonsense that flies in the face of every economic reality.

Sociologically, rural America is a backwater populated by misshapen characters out of Faulkner, given to choosing as their leaders men like George Wallace and Lester Maddox and to hunting down civil rights workers and interring them on the banks of the Tallahoga River. Politically, it is time that rural America got its comeuppance; the farmers have been exploiting the cities far too long through outrageous programs that pay them enormous subsidies to cut production while the urban poor—and the rural poor as well—go hungry.

Let the land-grant colleges—the "cow colleges," that is—worry about the Podunks and the hicks and hayseeds who live there; we are an urban nation now.

INTELLECTUALS RECONSIDERING

This picture of the rural areas is not, unfortunately, wholly unrelated to reality. The fact is that the rural areas of the country *are* disadvantaged in many ways: they *are* culturally isolated (although their isolation has been drastically reduced by television and good roads); they *have* declined economically; their governmental and social institutions *are* often primitive and backward; racial exploitation *is* rife.

But the cities are not all that superior. There is truth, too, in Freeman's counterportrait of big cities as places of "congestion and confusion, crime and chaos, polluted air and dirty water, overcrowded schools and jobless ghettos, racial unrest . . . and riots in the streets."

But there are signs now that the intellectual world may at last be rediscovering rural and small town America and looking with fresh eyes upon the problem of rural-urban balance. Like so many other trends of current history, this one was set in motion in August, 1965—in Watts.

The analysts of that explosion, and those which followed, suddenly discovered that the problems they called urban had rural roots. "We're being overwhelmed!" cried the urbanists. "Stop the migration. Get these people off our backs!"

So the rural and the urban interest may have converged, finally, and it is out of such convergence that effective political coalitions are born and problems attain their place on the national agenda. The prospects for such a coalition are expressed most sharply in, of all places, the 1968 Republican platform.

"Success with urban problems requiries acceleration of rural development in order to stem the flow of people from the countryside to the city," reads the GOP's plank. The language is not without irony for the party of small town America and the party that enacted the Homestead Act. The subject is treated under the heading "Crisis in the Cities"; rural development should be accelerated because the problems of the big cities, where the Democrats live, must be solved.

The leadership for a rural development coalition, also ironically, will have to come from those very cities. Groups with names like the Urban Coalition, the Urban Institute and the Urban League will have to assume the burden of worrying about rural America because there is no rural coalition, no rural institute, no rural league.

Nobody has ever organized to speak for rural and small town people in the nation's councils as the United States Conference of Mayors, say, and the Urban Coalition speak for city people. Farm groups exist, to be sure, but their interest is the economic interest of farmers as producers, and most rural Americans—whatever the definition of the word "rural"—are not farmers but small town and small city dwellers. And they are not organized at all.

When rural America is saved, it is clear, it will be for the wrong reasons and under the wrong leadership. But that is better than not being saved at all.

We can begin by defining one objective—to bring to a halt, as nearly as possible, all involuntary migration. The purpose of governmental policy, then, would be to permit people to live and work where they want to live and work; if they prefer to move to the big city, well and good, but if they want to remain where they are, the objective should be to bring the jobs to them.

This proposal will be confronted at once by the objection that some rural areas are too remote, too backward to be salvageable in any circumstances—that no matter how much they are subsidized, they are beyond the reach of economic opportunity. I hide behind the qualifying phrase; forced migration should be brought "as nearly as possible" to a halt, and where a rural community lies beyond the possibility of redevelopment (the Appalachian "head of the hollow" communities come to mind) then it is by definition impossible to help.

However, the number of people living in such communities is far smaller than is usually believed, if one understands that the jobs to be provided need only be *near*, not *at*, the community concerned. Commutation is a fact of life in this automobile age in rural areas as well as on Long Island, and rural people commonly travel daily to jobs within a radius of 25 to 50 miles. Circles with 25-mile radii drawn around small cities that have a proven economic potential—proven by the fact that they are growing now—cover the vast majority of the country's rural population east of the high plains, and if the circles are extended to 50-mile radii, they blanket almost the whole country but for a few sparsely settled sections of the western mountains and the plains.

A population distribution policy, then, would seek to encourage an accelerated rate of growth in the smaller natural economic centers of the country's less densely populated regions. To effectuate such a policy, the present approaches would have to be extended in both breadth and depth.

First, they would need to be expanded beyond Appalachia and the other presently recognized redevelopment areas to cover all areas that are sources of out-migration. Second, they would need to be greatly improved in potency so that they have a decisive impact upon the migration stream.

Present federal programs are limited to public investment—roads, hospitals, vocational training schools and so on—to strengthen the "infrastructure" of the nonmetropolitan areas, and loans and loan guarantees to encourage private investment. To these would have to be added the policy instrument of tax incentives that has proved so effective in stimulating and channeling investment both for war production and for peacetime economic growth. If an extra investment tax credit were available for defined types of new industry located in the places where the national population distribution policy called for it to be located, then jobs would be created where the people are rather than in places to which they have to migrate.

WRITING THE LANGUAGE

The rub will come, of course, when Congress begins to write the language defining exactly the places eligible for benefits. Growth centers that serve areas of out-migration would have to be included among the beneficiaries even though the centers themselves were areas of in-migration. But only up to a certain point. A cutoff population figure would have to be established at the point where a growth center is considered to have grown large enough, or at least to be able to attain its further growth under its own power.

But given the old-fashioned booster psychology that still conditions the thinking of the leadership of even the largest cities, Congress will find it difficult to designate any area, even the New York City area, as one that is destined—if national policy can bring it about—to stop growing. To most community influentials, bigger and bigger still mean greater and greater and richer and richer. A population distribution policy may therefore ultimately have to await a major shift in the national psychology.

(Mr. BUSH asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. BUSH. Mr. Chairman, I commend the gentleman from Illinois and those on the majority side for this important recommendation.

Mr. Chairman, I was a cosponsor of the original legislation to create this Commission along with the members of the Republican task force on earth resources and population of which I am chairman.

Our task force has studied the problems of population for 6 months. We have held 23 informal hearings on the subject and feel that we gained a great deal of knowledge about the problems relating to population growth, environmental quality, and depleting resources. The most significant and the most prevalent thoughts that surfaced during our activities was the fact that the rate of population growth that we are experiencing is the root cause of our inabilities to manage our physical as well as our social environment.

We have not found anyone who can honestly say how many people is enough. Obviously our standard of living is affected by increased population and high densities in our urban areas. Our industrial revolution and our postwar boom years have provided us with marvelous technology that has improved our material wealth and provided us with some unique amenities. However, this same technology has polluted our environment in many varied ways. We find it more and more difficult to maintain and produce adequate housing at reasonable costs. I have been tangled up in traffic jams as much as the next guy. A family has to travel farther and farther away from home in order to find decent recreational facilities. It disturbs me every time I hear about small farmers having to leave their land in order to find jobs in the city because they can not earn enough money to keep up with the expenses and overhead of a farm.

We have been hit on the blind side. We were not prepared for the changes that this current population distribution has caused, let alone the growth rate. We seemed to have moved along nicely in the fifties and the early part of the sixties in managing our affairs and all of a sudden found ourselves all tangled up. Our legislative mechanisms became snarled because of the increased demands for better services. Even though the Federal Government supplied more money than ever before to execute State and local programs the administrating organizations could not get out from under the workload to supervise the activities and insure success. So many more young people have been coming into the labor force and so many people have been moving—relocating, that too much apathy for local government developed and complacency on the part of local leadership resulted. Now it looks encouraging that this is changing but it is going to take a smart organization effort to enable local, State, regional and Federal Government organizations to work in concert with each other to produce effective results. It is all very good to have national standards for adequate housing, health services, education, and transportation for all of our citizens but we must have local organizations strong enough both in personnel and with the finances to cope with the increasing demands for these services. Most important is to marshall the independent action of our citizens relying less and less on Government for results.

The work of this Commission with the availability of the 1970 census data is an excellent initial step in developing the criteria that will be necessary in formulating local, State, regional, and Federal plans for accommodating the expected 100 million new citizens that we will be bringing into our society over the next 30 years. It should also make visable the areas where independent action can be productive.

This whole problem of increased population growth has been studied to death. I do not expect the data from the 1970 census to tell us much more than we already know. But it will give us the current figures we need to make a sensible case to the general public. It is difficult for me to believe that we can create the kind of awareness I think we all agree is needed to induce independent action, if we continue to use the 1960 census as our base figures. As a matter of fact I see the possible necessity in having a major census taken every 5 years in order to have confidence in our future planning. Perhaps this is one of the recommendations the Commission will consider.

Currently 70 percent of our population lives on less than 2 percent of our land. If this trend continues, over 80 percent of our population by the year 2000 will be living in five major megalopolis areas: Boston to Norfolk, Pittsburgh to Milwaukee, San Francisco to San Diego, Chicago to St. Louis, and Houston to the Gulf Coast. Can we change this distribution? Should we change it? If we do not want to change it, how best can we manage these new areas? These are questions I would like to see debated. It is possible that the work of the Commission would create a desire on a significant percentage of the population to redistribute and create new cities that today do not exist.

I feel we need up to date indicators on what percentage of our population will be productive and what percentage will be dependent. How many teenagers will be entering colleges and universities? Will there be enough classrooms and teachers? How many elderly people will there be living on fixed incomes? Will there be enough services for them? Nearly half of our population growth between now and 1975 will be concentrated in the 20 to 29 years age group. This group now accounts for only 14 percent of the Nation's total population. The Bureau of Labor Statistics indicates a need for 50 percent more jobs for the prime workers, age 25 to 64 in the 1970's than there were in the 1960's. At the same time there is expected to be 4 million more mothers in the highly fertile age group of 20 to 29 years. We have to be confident of our facts on this.

How can we convince these young women to contain the size of their families and have fewer children than is currently prevelant? This I feel will be the most important role of this Commission. We do not need another study job. We need from this Commission an activist role that will involve every segment of our society, particularly our young Americans. We need some new thinking about our prevailing attitudes toward marriage and children. How we address ourselves to this problem is going to take an honest national debate and an education of the consequences that our children and grandchildren will face if we continue this current growth rate. The Commission should be the forum for this kind of activity.

Hopefully the Commission will establish the need for a national policy on population. While we will be preparing ourselves for the expected 100 million additional Americans by the year 2000, we should be dramatizing the need for a volunteer effort by our young Americans to decrease the birth rate so that by the year 2000 we will have stabilized our population growth to where births do not outnumber deaths. We must make our young people aware that families can be planned and that there are definite benefits to be derived from small families. Not only economic advantages, but social advantages as well. We must also develop the awareness that these benefits are not limited to the individual family, but to the society as a whole.

It was with this thought in mind that I recommended to the President that the composition of this Commission be represented by youth. I am assured that it will be. It is very important that our young Americans can easily identify with the Commission members. After all, it is their future and it is their potential children for which we will be preparing.

We need to do an exceptionally good job in improving the effectiveness of distribution systems in the areas of family planning education, materials, and services. We need to develop the interest of Americans who are itching to be involved in volunteer work to consider family planning activities as a prime need area. This is where independent action could be very effective. Again, I feel this Commission should be the forum for developing new thinking in these areas.

The Commission should set some realistic goals, define the tasks to be accomplished and motivate mass action. Not just Government action, but independent action. This is a people problem and I am confident that if the Commission acts properly, the people will take action through their civic organizations, church groups, foundations, associations, and fraternities to control our population growth and improve our quality of life for every citizen—rich or poor, black, yellow, red, or white.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to my distinguished colleague who has spent a great deal of effort on the initiation of reorganization programs over the years in this committee, the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Chairman, the bill we have before us today, H.R. 15165, the purpose of which is to establish a Commission on Population Growth and

the American Future, is probably one of the most important we have had before the Congress in a long time. The figures of population growth are so startling that I wish to repeat them.

At the time of Christ the population of the earth is estimated to have been about 250 million people. It took 1,830 years for the world's population to grow to a total of 1 billion people. In only 100 additional years—in 1930—the population reached the 2 billion mark. In the year 1960, 30 years later, it reached the 3 billion mark: and finally in the year 2000, only 30 years from now, it is estimated that the world's population will be about 6 billion people.

Turning now to the U.S. statistics, in the year 1790—180 years ago—our first U.S. census revealed a population of 3.9 million people. The present estimate of the U.S. population is about 203 million. In the year 2000, this is expected to soar to an estimated 320 million people.

It is because of these figures that we have this bill before us today.

The Subcommittee on Reorganization, of the House Committee on Government Operations, chaired by my esteemed colleague (Mr. BLATNIK) held hearings on this subject matter in mid-November. Several bills were before us and the committee finally introduced the clean bill which we have before us today.

This legislation has been requested by the President of the United States. It has been endorsed by the Department of Health, Education, and Welfare for the Nixon administration, and it was reported unanimously from our committee. The Commission on Population Growth and the American Future which the bill establishes will sponsor studies and research and will make recommendations and provide its information to all levels of government in the United States regarding the broad range of problems related to population growth and the American future. The appointment of members of the Commission follows precedent as detailed on page 2 of the bill. The duties of the Commission are outlined in five numbered paragraphs on page 3. The Commission follows precedent again in the recruitment and staffing of the Commission staff. On page 5, the Commission is directed to make reports from time to time to the President and to the Congress, whenever they have significant findings and whenever recommendations are deemed advisable. They are specifically directed to submit an interim report to the President and Congress within 1 year and a final report 2 years after the enactment of the act. The Commission will automatically terminate 60 days after its 2-year report. The last page of the bill contains the authorization for appropriations, and the request will be made for $1,443,000 for the 2 years work of the Commission.

The time has passed when we can plan for the future without definite information as to the problems which our exploding population will make for future congresses.

More and more people are beginning to believe that unrestrained population will have a catastrophic affect upon the earth and its environment. We are concerned not only with a limitation of natural resources, but we are concerned with the multiplication of problems which automatically occur when millions of people are thrown together in our great cities and surrounding suburban areas.

All we have to do is think of the increasing problems of housing, of education, of vocational training, and of the transportation of goods and people for large population concentrations, for us to realize the tremendous problems which our children and their children will face. This commission is charged with making findings and recommendations to the President and to the Congress. It cannot within itself do the work of the Congress. Once the Commission's findings and recommendations are made to the President and the Congress, it will become the responsibility of the President to recommend and the Congress to implement such recommendations as they deem to be necessary and appropriate. So today we are not attacking the problem of exploding population from the standpoint of proposing remedial solutions, we are doing the foundation work of authorizing a study and analysis which must proceed any worthwhile recommendations or implementations.

We cannot emulate the ostrich and bury our heads in the sand in the battle against this approaching avalanche of population and its problems. We must use every method of analysis and collective judgment if we are to be successful in laying the groundwork to guide wisely the destiny of our Nation.

Mr. DADDARIO. Mr. Chairman will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Connecticut.

Mr. DADDARIO. Mr. Chairman, I should like to lend my support to the bill offered by my distinguished colleague from Minnesota and others and to commend them particularly for the rationale behind it. This bill, which would set up a Commission on Population Growth and the American Future is, I believe, a much needed step in the right direction toward finding a solution to the severe problems which affect not only our Nation but our planet.

As I read it, the Commission which would be established by this bill would be set up to conduct inquiries into all potential effects and aspects of normal population growth in the United States. It is not a bill for population control, family planning, or Government action intended to affect the growth of population in one way or the other. But it is a bill which does contemplate, among other things "the various means appropriate to the ethical values and principles of this society by which our nation can achieve the population level properly suited for its enviornmental, natural resources, and other needs."

Mr. Chairman, I view this approach at this time to be eminently sound. And I particularly want to congratulate the authors of this bill and their requirements that the work of this technical commission shall be reported promptly to the Congress as well as to the executive.

Mr. Chairman, I would like to point out that on June 10 last year, the distinguished gentleman from Ohio, (Mr. MOSHER) and I cosponsored the introduction of H.R. 12000 which would redesignate the Department of the Interior as the Department of Resources, Environment, and Population. This bill has been the subject of a great deal of discussion across the country and, indeed, it was among the pieces of legislation on which the gentleman from Minnesota held hearings last year. The bill was also identical to that subsequently introduced on October 13, 1969, by the distinguished gentleman from Texas (Mr. BUSH) on behalf of the special Republican task force on earth resources and population.

Mr. Chairman, the essence of the efforts of the gentleman from Ohio and myself in this area have consistently been predicated on the concept that the population factor cannot be divorced from our problems of limited resources and environmental erosion. At the time of introducing our legislation, I made the following comment in the House:

> But we are reaching the point where we have no choice but to curb and disperse, somehow, the accelerating crush of a crawling, sprawling humanity which is voraciously stuffing its collective maw with more and more of the irreplaceable resources of this planet. And doing so in a way which seldom permits the regeneration of those resources.
>
> Attempting to deal with our resources, environment, urban problems, crime, educational crises, unemployment, or any other major social ill without simultaneously dealing with the population factor simply means we are racing an engine that has no transmission. The power train is broken and the wheels just do not turn. We will get nowhere.
>
> The answers to the severe problems we face, I am convinced, no longer lie in the traditional vein we have all been taught to revere—growth. Throughout history, and especially in America, growth—ipso facto—has been held good. The great healer and dilemma-solver. The fountainhead of abundance and well-being. The mainspring of a "viable" and "vigorous" economy. The source of national security. For the short run, it still seems that way. But many thoughtful people are now becoming uncomfortably aware that, for the long run, uncontrolled growth means extinction.

Mr. Chairman, I reiterate the same philosophies today and I am happy to see that they are incorporated in the efforts represented to us today on the floor of the House.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey (Mrs. DWYER).

Mrs. DWYER. Mr. Chairman, the bill before this House, to establish a Commission on Population Growth and the American Future, provides an unprecedented opportunity for the United States to address itself directly to a vastly complex subject, and to do so in an organized, scientific fashion.

The Commission's purpose, Mr. Chairman, is stated very succinctly in the bill:

> The Commission shall conduct an inquiry into the following aspects of population growth in the United States and its foreseeable social consequences:
>
> (1) the probable course of population growth, internal migration, and related demographic developments between now and the year 2000;
>
> (2) the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

(3) the ways in which population growth may affect the activities of Federal, State, and local government;

(4) the impact of population growth on environmental pollution and on the depletion of natural resources; and

(5) the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental natural resources, and other needs.

The next 100 million Americans need not catch us unaware. The President has offered—for the first time in American history—an opportunity to consider in a rational way the implications for our country of 100 million more mouths to feed, bodies to clothe and shelter, minds to cultivate, and opportunities to find. His proposal, which the Committee on Government Operations has sharpened still further, would give to the Commission a broad but specific mandate, a mandate which must be carried out with skill and determination.

The United States can no longer afford to ignore population growth. It has been with us for decades, but today and in the foreseeable future population growth is more crucial than ever before. Wise public policy, therefore, requires that we deal with it forthrightly and intelligently.

As we ponder an increasingly despoiled environment, congested cities and suburbs, and big and complex institutions, we are challenged as never before to find rational and workable ways of insuring that future generations can find satisfying lives in this land.

Though the responsibility is primarily a Federal one, it is a challenge which confronts every other level of government and one to which many are beginning to respond. In my own State of New Jersey, for example, a recent issue of the New Jersey Economic Review, an official publication of the State government, contained an article entitled, "Population Growth—Is It Poverty or Wealth?"

Pointing out that New Jersey, already the most densely populated State in the Nation, is expected to grow from about 7½ million people in 1970 to almost 9 million by 1980—an average increase of about 417 every day—the article concludes that our State is confronted "with a spectrum of problems and potential needs unlike anything ever experienced."

But, as the article adds:

With the proper understanding these changes can be effectively planned for and capitalized on, resulting in controlled growth for New Jersey.

This, in a sentence, Mr. Chairman, summarizes the whole point of the present bill. It is understanding we must have, understanding as the essential basis of planning and action.

The President has taken a courageous and important initiative, in which he has been joined unanimously by the bipartisan membership of the Committee on Government Operations. I hope our colleagues will give this big first step the support it must have.

Mr. BLATNIK. Mr. Chairman, will the distinguished gentlewoman yield?

Mrs. DWYER. Yes, I shall be glad to yield to the gentleman from Minnesota.

Mr. BLATINK. Mr. Chairman, I would like the RECORD to show the splendid cooperation and leadership that the ranking minority member of the committee, the distinguished gentlewoman from New Jersey (Mrs. DWYER) gave to this legislation. She not only sat throughout the hearings, but was the leadoff witness and set the tone as to the seriousness and the earnestness which characterized the hearings. We express to her our appreciation for her leadership as well as the cooperation which she has given to this legislation.

Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, for several years I have been vitally interested in the serious problems presented by unchecked population growth at home and abroad. I was thus pleased and encouraged by President Nixon's July 18 population message, in which for the first time a President stated as a matter of national policy the right of every American to choose to limit or space their children, he declared that the Government will provide family planning services to the 5 million low-income women who need and want but cannot afford such services.

On Wednesday it will have been 7 months since the President delivered his message and today we are considering, as proposed in that message, an administration bill to create a 2-year study commission on the problems of population growth.

The purpose of the bill is worthy. It is a good idea to perform research and study the problems of population growth. But, Mr. Chairman, to limit the national effort to the study of a problem that is more and more quickly overcoming our resources and those of the world when action is so obviously needed is foolishness—indeed dangerous foolishness. On this point, I am deeply disappointed in the Nixon administration.

In his message the President, after proposing the establishment of a Population Commission, also said:

I would take this opportunity to mention a number of additional government activities dealing with population growth which need not await the report of the Commission.

First, increased research is essential.

Second, we need more trained people to work in population and family planning programs both in this country and abroad.

Third, the effects of population growth on our environment and on the world's food supply call for careful attention and immediate action.

Fourth, it is clear that the domestic family planning services supported by the Federal Government should be expanded and better integrated.

He went on to say that legislation to increase authorization for family planning services would be sent to Congress. It would seem that those words committed the President and his administration to a positive course of immediate action and I applauded that course. But what has happened since?

The bill we are considering today was introduced only 7 days after the July message. It was pushed through the Senate with 1-day of hearings and passed with no debate and no comment. House hearings were equally apathetic. Why? It is not that the purposes, as I have indicated, are not worthy or that further study is unnecessary as we all acknowledge. It is because most of us are plagued by a nagging doubt that all the administration plans to do is to establish this Commission. We are skeptical because since July so little has been done to meet the demands of the situation and action is required now. The July message recognized the weaknesses of our national family planning service, research and training programs. It recognized the fact that only about 15 percent of the 5 million poor or near poor women in poverty in their childbearing years who need family planning services are getting them. Although the administration did effect a minor reorganization of its service program, it has failed to move imaginatively and effectively in the organizing of a national family planning effort.

The only pending legislative proposals which appear to meet the requirements of the President's message are S. 2108, introduced in the Senate by Senator TYDINGS and H.R. 11550 which Representative BUSH and I introduced in May. Both bills are designed to expand, improve and better coordinate the Government's family planning service and population research activities. The administration has never expressed opposition or made clear their objections to these bills. However, during Senate hearings on S. 2108 it suddenly introduced a very weak alternative measure apparently intended to delay or derail the enactment of S. 2108 and H.R. 11550. This was certainly puzzling since the goals of the legislation and the President's message appear identical. The only conclusion is that the administration is not prepared to deal concretely with the problem but is content with rhetoric.

The administration's proposed 1971 budget provides for only a slight increase in family planning project grants. It is interesting, however, to note that the proposed increase is conditioned upon passage of either H.R. 11550, S.2108 or the administration measure but the administration has unfortunately adopted an utterly passive approach to all of these measures. I am also dismayed to observe that even the administration's prize social proposal, the Family Assistance Act of 1969, fails to emphasize family planning.

In recent weeks testimony before Senator NELSON'S Senate subcommittee has publicized the possible adverse effects of contraceptive pills. The adequacy and safety of contraceptive methods are matters of concern to virtually every family in the Nation. It is clear that none of the existing contraceptive methods are entirely satisfactory, safe, and effective and that an intensified research effort is vitally necessary.

And it is clear that there is a great deal we now know which we can act upon. Indeed, I would point out that this is not the first population study. The Department of Health, Education, and Welfare, several years ago, contracted with the Ford Foundation for a study of all our Government population planning programs. That study was finished in September 1967. It is called the Harkavy Report after its author, Dr. Oscar Harkavy of the Ford Foundation. Extensive

hearings were held on the Senate side by Senator Gruening's committee for several months at which Congressman BUSH of Texas and I appeared.

It is also clear that unwanted children in the lower income groups are helping to mire their families further into poverty. We know that unwanted population growth is absolutely inundating our public facilities, our education systems, our housing, our welfare programs, and our community-based medical services. We know our country is becoming unsettled in part because of the inadequacies of the public services for the poor. And yet the administration has done nothing in the face of these problems other than propose new studies on top of the excellent studies that we now have to review, while the President's July promises give every indication of becoming empty ones.

In all good conscience, I can only vote to support this bill because I intend to continue to press for concrete action. I hope that my colleagues, while voting to support this legislation, will pledge themselves to enact an action program consistent with the President's own message and that 1970 will see the enactment of a Family Planning and Population Act which will meet the needs of all our citizens. Not to do so would simply be to engage in that unhappy, but all too prevalent, practice of studying a problem rather than moving toward a solution.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. TAFT).

Mr. TAFT. Mr. Chairman, it is most appropriate that one of the first major pieces of legislation to be taken up by actions of this House in 1970 should be the consideration on H.R. 15165, which would create a Commission on Population Growth and America's Future. America's future indeed depends in large measure upon the capacity of both the public and private sectors to deal intelligently and responsibly with the problems associated with population growth. The Commission to be created by this legislation will provide much of the information and empirical data needed to formulate effective public policy in the 1970's and beyond.

The urgency of our coming to grips with the world and domestic population problems was eloquently stated by the President in his message to Congress on July 18, 1969. At that time, the President recommended that a Commission on Population Growth and America's Future be created because too few people were examining the problems from the viewpoint of the whole society. I am pleased to have been one of the cosponsors of this legislation along with the other members of the Republican leadership, the House Republican task force on earth resources and population, and a majority of the members of the Committee on Government Operations.

At present rates of growth, the United States will reach a population of 300 million in the next 30 years. An increase of that magnitude is going to place a tremendous strain on both our natural resources and our social institutions. We need to know what the impact of that population growth will be on our society. We need this information gathered in a comprehensive and systematic manner, as quickly as possible because all the values we prize—decent housing, quality education, economic opportunity, outdoor recreation, privacy, natural beauty, and even free institutions—are at stake.

None of us can predict the future. But with the passage of this bill, we will at least have made an important step toward insuring that we have the best and most complete information available when we legislate in the future on matters of deep national concern.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I wish to add to the remarks made heretofore in support of H.R. 15165, to establish a Commission on Population Growth and the American Future.

During this decade of the 1970's America faces many of the most critical challenges that have come to bear on our resources and energies since the Nation was formed. Whether we talk about the problems of the environment, social upheaval, education for our children, proper care for the aged, better transportation, or the host of other factors which will determine how we are to progress in the future, almost all are interrelated with the growth and activity of the population. We know that by the end of this century an estimated 100 million more Americans will be added to the present 200 million Americans of today. We also know that present trends indicate the vast majority of them will be crowded into many of the already overpopulated metropolitan centers of the Nation unless programs are begun to encourage people to settle in America's rural areas and small cities and towns which have been losing citizens for many years and unless steps are taken to limit the expansion of our population.

Orderly growth and development of America in the decades ahead dictates that we thoroughly study and understand these population trends and the demands they will produce on our resources. We must define the alternatives upon which Governments at all levels can prepare for the needs of their jurisdictions through coordinated planning that anticipates such future needs.

Behind us is the time when each State and local government could study the census figures and projections for its own area and base future programs upon such independent determinations. America has become tied together through a vast network of superhighways, railroads, and air travel facilities that makes it possible for millions of people to constantly move to new locations in search of better jobs and living conditions. This will become even more prevalent in the future as tens of millions more join our population, and new generations of workers and young families seek the best places in which to work and rear their children.

But if America is not ready for the new growth and migration patterns, instead of the new vitality such movement has given us in the past, we may be faced with more of the chaos and destructive forces that have surfaced in recent years. If America is to continue to be a land of opportunity for all, we must plan for that opportunity and encourage it so that good jobs will be available in areas where adequate living and recreational conditions also still exist—where the air is fit to breathe and the water fit to drink and swim in, and green, open space still abounds. America has many areas left that can provide these living conditions, and which will profit through their development and redevelopment after decades of migration from rural America to the cities.

The choice we face is whether our nation's resources will be developed with orderliness—with the proper mix of business and industry and services; with transportation systems that will provide for the future, and not become obsolete within a few years as has happened in many of our cities; with proper zoning to prevent the unsightliness of haphazard development which cuts across natural boundaries. The battle after the fact has become traditional in too many areas of America. We can no longer afford that.

Population is too interrelated with all of these facets of growth and development not to study it in the finest detail that we are able, so that plans can be based on statistics in which we have confidence. A Commission on Population Growth and the American Future is the right step in providing such information to our planners in the near and far future.

It should also be pointed out that the Commission intended in this legislation is not going to become America's family planning authority, as some have raised fears that it might. Its job will be to tell us what to expect, and not to try to determine plans or programs that would intervene with the rights of each family to regulate its own size. Without such a Commission to help define the growth of America's population, the Nation will sooner approach a time when such concerns might have grounds for validity.

Mr. TUNNEY. Mr. Chairman, the decade of the 1970's will see a greater concern for the problems of man in relation to nature, to his total environment.

Today the average American is enjoying a great deal of freedom due primarily to his better economic position, his access to better education. Yet, increasing population is forcing a decline in the degree of flexibility allowed the individual. As the population continues to grow, the individual not only sees the problems of urban decay and pollution around him become more acute, he also finds his daily existence ever more circumscribed by increasing controls from government and external sources, by crowded schools, recreation areas, and highways, and by less flexibility permitted individual behavior. In addition, the problem of accelerated growth in our population is intertwined with the problems of environmental deterioration and pollution. We are now concerned with the impact and effects of increasing numbers of people to what is called "the quality of life."

Never has the contradiction between greater quantity—more and more people—and less quality—the degradation of our physical environment and our social and political rights—been more apparent than today. For it is obvious that popu-

lation increase in America threatens our well-being by hastening environmental deterioration, magnifying social problems, and limiting the range of options available to individuals and society. As Garret Hardin stated in the hearings on the effects of population growth on natural resources and the environment:

> All of society is moving into an era in which the more people we have, the disproportionately worse many things become.

If we are to be ready for such growth we must begin to plan now. We are too inclined to treat our problems in a piecemeal manner—isolating them as they appear as blemishes on the national countenance. As a result, we often concentrate on treating symptoms of problems, rather than causes. We are inclined, for example, to formulate policy as a reaction to crisis, not to prevent crisis from occurring. Today, we are under pressure to create solutions to the problem of population explosion. There is little time to even treat the symptoms, let alone deal with the causes. This is one problem that we have waited too long to even recognize, and we are paying the consequences for our procrastination more and more every day in our cities.

Scientists are already painting a gloomy picture of what our earth will look like not a century from now, but within the next 30 years. Dr. Barry Commoner warns that "human society is now entering a crisis of survival." Greater efforts and large allocations of money are needed to cleanse our air, water, and land. Yet it is obvious that increasing population will inevitably swamp the best antipollution efforts.

Americans must face the fact that we too have our own population explosion. We must recognize that many of our tensions and failures are related to the population growth. We must realize that many of our problems are intensified by man's increasing population, which is compounded by congestion in our cities.

We are destroying the balance of nature which sustains us all as we increase our use of technology. We are being overwhelmed by problems of crime, poverty, racial unrest, overcrowded schools, dirty water, in our overcrowded urban areas. We are becoming victims of a population growth that multiplies our urban problems as well as the problems of environmental pollution.

Every day each person adds to the environment 120 gallons of waste sewage and 1.9 pounds of polluted air.

In a year each person throws away about 250 cans and 135 glass bottles or jars.

As our population doubles, the demand for water triples. The output of wastes increases in staggering amounts.

What this means in the aggregate is that as more people place greater demands on industry for goods, more resources are taken from our environment while more irreparable pollution damage is caused by the waste byproducts. The problem is multiplied in an advanced industrialized society such as ours. Dr. Jean Mayer, a leading expert on the problems of the environment has pointed out:

> Rich people occupy much more space, consume more of each natural resource, disturb ecology more, and create more land, air, water, chemical, thermal and radioactive pollution than poor people.

Although we have only 6 percent of the world's population, we consume about 40 percent of the world's resources. If all people lived at our standard, the world would consume 20 times the iron, copper, sulfur, timber, oil, water, and other resources than it does today. The world simply does not have those resources.

Within the next 30 years, 100 million people will be added to the population of the United States. It is not just the sheer numbers of these people that adds to the strains of our population. The problem is aggravated by the patterns of living in our society. Ours is an urban society where 80 percent of the population will soon live on 2 percent of the land. In 1960, 63 percent lived in such areas. Thus we are pressing more people into our cities. In America, too many people are simply living too close together.

It seems to me that population overcrowding is itself a form of pollution. In the United States, the basic pattern of population distribution has been influenced not by environmental criteria, but by economic forces. The cities have a monopoly on the employment market as well as on cultural facilities. Our increasing population is being funneled into our cities and ghettos which are already overburdened, encountering difficulty in offering necessary services—from schools to garbage collection. We can expect within the next 25 years that 100 million additional Americans will seek space to live with the 140 million already in our cities and suburbs. We must reverse this population trend. It is time to literally give our urban areas breathing room, and to create a rural-urban balance.

We can help to alleviate city congestion by creating a new rural environment. I have cosponsored two bills designed to improve agricultural and nonagricultural job opportunities. The first provides certain preferences for prospective Government contractors in such cities and areas. The second bill provides incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas. The bills are designed to develop business and employment opportunities in rural areas, smaller cities, and areas of unemployment and underdevelopment.

We can also discourage further concentration of population in large crowded metropolitan areas by creating new cities, new towns, new communities located 100 or more miles from our urban centers. The Nation would benefit, both economically and socially, from a dispersal of population and jobs. A balanced growth could avoid the possibility of America developing into a land of huge urban agglomerations.

We can encourage the growth in the smaller natural economic centers of the country's less densely populated regions by creating the incentives and opportunities for people to live in rural areas. The present exodus of 600,000 people a year from rural areas is generated by the deterioration of such opportunities in rural areas—and the resulting hope for better opportunities in our cities. Former Secretary of Agriculture, Orville Freeman, has spoken on the need for rural development:

> If we permit our small towns and rural areas to grow to weeds, if by failure to act we force people from Town and Country, we feed the fires that are consuming the inner cities and the erosion that blights so many of our suburban neighbors.

Although a population dispersal program is required, this, by itself, will only do as a short-term measure. If we are to achieve a population stability so necessary for the maintenance of the high quality of life we Americans presently enjoy, then research is the most obvious requirement for developing programs. We have a need to look at the overpopulation problem in relation to the problems of our cities and the effects of population growth on natural resources and the environment. We need to take a broad overview of the problem if we are to develop a rational national policy that allows for our material progress to continue yet preserves our environment.

For this reason, I strongly support the proposal to establish a Commission on Population Growth and the American Future. I am particularly pleased to note that the aim of this Commission would be to study a "broad range of problems associated with population growth and their implications for America's future," including "the impact of population growth on environmental pollution and on the depletion of natural resources." In addition, this Commission would act as a coordinating body which would consolidate the research and data dealing with population. Such research is presently distributed among public agencies, universities and institutions, private firms, and individuals. This information is useless in its fragmented condition. The Commission would be able to better coordinate the available data. It would then be in a better position to recommend and develop ideas and concepts for implementation of programs necessary to alleviate our population and environmental problems.

There is some criticism as to the length of tenure of the proposed Commission. I agree that 2 years may be too long to wait for a final report by the Commission considering the need for rapid action. But if we are to treat the causes and take preventive action, then a much deeper understanding of the dynamics and nature of the problem is needed.

While I view with alarm the increasing environmental and societal deterioration stemming from the existence of a growing population, I also feel that those people who see all our problems as a direct result of the population explosion see the problem too simply. Likewise, centering our attention only on the issue of population is to see the challenge too narrowly.

In the United States, population growth is beginning to stabilize. Our environment is, nevertheless, rising in

revolt against us. Environmental degradation, however, is only partly due to population growth. Other factors include blind use of technology, increases in gross national product, filthy habits of waste disposal, greater mobility, and inability to stimulate new cities or expand smaller existing cities to alleviate the growing concentration of our population along the coasts.

Even with a fraction of the present U.S. population, the continued mismanagement of technology could completely destroy the physical environment. As Fortune magazine points out:

> Three million high-technology U.S. farmers put more adverse pressure on their land and rivers than the hundred and fifty million low-productivity peasant families of China put upon their land and rivers.

I also feel that no government should ever tell its people how many children they should have or when to have, or not to have children. This is an area of private concern.

However, it is clear that more family planning services should be available for those who desire to use them.

It is also clear that a change in attitude is required. We need to make sure that every couple has the information necessary for them to be able to make a decision on the number of children they feel they can have. As Dr. Roger Revelle, director of the Center for Population Studies at Harvard University states:

> We have to temper this statement with a consideration of the children themselves. Children are not really property. Children, both born and unborn, should be thought of as having rights, and one of the rights they have is the right to human fulfillment and to a decent environment. They will not have these rights if there are too many people. We need to think seriously about poulation policies which, while preserving freedom for men and women, will at the same time tend to foster a widespread belief in not having too many children, having families which are not too large.

We must not be complacent. The population increase will hasten deterioration of our environment, speed a decrease in our quality of life, and magnify serious social problems—in schools, housing and employment.

To reverse the deterioration in our environment, we must recognize the relationship between environmental policy and population growth. We need to plan now for the type of society our children will live in in the next 30 years and in the following century. That is why I urge the House of Representatives to pass this bill to establish a Commission on Population Growth and the American Future.

Mr. LEGGETT. Mr. Chairman, today the United States has a population of more than 204 million individuals. Individuals who share a common interest to insure that the quality of life in the United States will expand in the future and not deteriorate as a result of lack of awareness or concern over the problems that will arise with a rapidly expanding population.

We in Congress are well aware that many of the individuals we represent cannot get adequate medical attention because of a shortage of doctors and hospitals. We know that many live in substandard housing either because better housing is beyond their financial means or because it simply is not available. We know that there is a tremendous shortage of teachers and classrooms for our children and that much of our educational system is below standard.

Yet today we have done little to face these problems. Problems that will not go away, but will greatly increase in the future.

The bill before us will establish a Commission on Population Growth and the American Future. The Commission shall conduct an inquiry into the following aspects of population growth in the United States and its foreseeable consequences:

First, the probable course of population growth, internal migration, and related demographic developments between now and the year 2000;

Second, the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

Third, the ways in which population growth may affect the activities of Federal, State, and local government;

Fourth, the impact of population growth on environmental pollution and on the depletion of natural resources; and

Fifth, the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources, and other needs.

Most of us realize that this Commission, if established, will come to several conclusions that many of us have already reached on our own. It will tell us that we need to spend more for improving the quality of life in America and making it accessible for all, and less for fighting wars or providing arms to keep unpopular governments in power in other nations.

It will also tell us that Congress will have to take bold and vigorous action to provide for an additional population of over 100 million individuals by the year 2000.

I realize that this Commission is of vital importance to the future of this country and all of its population. If we are fortunate the Commission will give us a broad view of what to expect as a result of increased population and increased demands on our economy, Government and environment. Hopefully it will also provide some basic answers as to what direction we in Congress and we as a Nation will have to take to meet the challenge we will surely face.

But the establishment of this Commission is not enough. It is a first step that is necessary for the well-being of all who we here in Congress represent; but it is not enough.

We must do more than establish a Commission which we can point to when constituents write and ask what we are doing about the population explosion or the resulting reduction in resources, housing and general quality of life. We must decide to implement the recommendation of this Commission. These printed reports will not solve our problems. We must decide to take action on their recommendations.

I urge all my colleagues to vote for passage of this legislation. But I would rather have this measure defeated now than to have one Congressman vote for it who will not take prompt action to implement the policies that will be recommended. We do not need rhetoric, but sound ideas and vigorous action.

Mr. WOLD. Mr. Chairman, in addition to the many values of democracy which we know and cherish, scholars have recognized one significant failing—an inability to act in anticipation of public problems. Again and again we seem to confirm this failing as we mobilize our great problem-solving potential only when problems become unusually severe.

Many have warned of the population problems which throughout man's history have been inexorably moving upon us. The rate of that movement has steadily accelerated, yet most of us have remained complacent. Few have acted. Little has been done.

The problem is now clearly and visibly upon us. We no longer must seek the problem, the problem has sought us and we are being called upon to act.

Our action, moreover, is doubly needed for the population problem is one which underlies and makes more troublesome the numerous additional social and political difficulties with which we are daily struggling. In addressing the issue of too rapidly increasing population, we indirectly yet most effectively address very serious parallel dilemmas in human ecology, sociology, psychology, and politics. This problem which we attend today has massive ramifications.

As many have slept, a few dedicated and perceptive scholars have analyzed and published population data. These have been the "voices in the wilderness" to which we are finally forced to listen. They have fortunately provided us with a sound background of information upon which to begin our deliberations. They have brought us to what we can most accurately describe as our time for "facing-up," our time for meaningfully addressing this problem.

We obviously do not possess all of the knowledge of human ecology and the dynamics of population which we need. Continued, even accelerated, research is essential. But I believe that the time for assembling and critically evaluating what we already know has arrived. The seriousness of the problem and rate at which it is accelerating, both in this country and throughout the world, confirm this conclusion.

Interest in the issue is developing among social and governmental leaders but the dialog has been and continues to be somewhat disconnected. The energies and contributions of skilled, creative, and committed people are lost as we continue a "shotgun" approach to the problem. A central body around and through which a common focus can be developed to bring this scattering of views, ideas, and proposals into useful perspective is needed. In my judgment, the proposed Commission can serve in this essential way. During the coming months this

Nation must establish a basis for action and make a commitment to action. Time is a critical element and the problem is of great significance.

We of the Congress should understand and commit ourselves to the affirmation, however, that we are not merely creating another study group. Our purpose is not to avoid or forestall action through prolonged study, but to establish a reliable basis for responsible action. The Commission we create must be accurately aimed in purpose, composed of wise and committed persons and aggressively supported by the Congress. From Commission deliberations a product upon which we can build sound public policy must emerge.

I believe that the provisions of H.R. 15165 provide the tools and conditions for achieving this purpose. The Congress, by creating and supporting this Commission, takes a most essential first step in coming to grips with what history has proven is a critical problem facing our Nation and the world.

Mr. BROWN of California. Mr. Chairman, a population commission is not going to solve the tremendous problems caused by the ever-mounting demand for resources resulting from unbridled population growth.

Eleven months ago yesterday—on March 17, 1969—I introduced in the House a series of new legislative proposals based upon recommendations of President Johnson's Special Committee on Population and Family Planning.

One of those bills, H.R. 9107, called for establishment of a congressionally mandated population commission. Then, last July, when President Nixon made his landmark population message to the Congress, I was pleased to find the President advocating a commission similar to the recommendation of the Committee on Population and Family Planning, and, of course, similar to H.R. 9107.

Today, those recommendations become reality with passage of this bill. Certainly I am proud to be associated with the original bill for creation of such a commission, but I am alarmed that this step may be seen as the only major current action in the crucial battle to control population size.

Deferring to future recommendations of the Commission just means that needed action will be pushed back 2 more years or so.

This sort of procrastination is both costly and dangerous.

A year ago, when the President's Committee report was published, there were an estimated 5 million lower income women in this country who desired family planning services but could not afford them. By now, that number has increased. Yet Federal funding in this key area is not rising to meet these needs.

While Federal funding for family planning fell somewhat short of the President's Committee recommendations for fiscal 1970, I am happy to see that President Nixon's new budget calls for a massive increase in these allocations for fiscal 1971.

However, even with a 57-percent hike in Federal family planning services, only 2.2 million of the 5 million lower income family women will be served. The Committee would have reached the full 5 million level by 1973, but the administration has stretched out this objective to 1975 at the earliest.

I would hope that Congress will take another detailed look at the Committee's report and recommendations, and then act accordingly to increase significantly budgeting for this important goal. As the President's Committee report says:

In any case, costs are low compared to health and social benefits.

Research funds for this critical program area also are dropping far beneath the President's Committee recommendations. The Committee report called for at least $100 million in research for fiscal 1971, but the Nixon budget allocates only $36 million.

Other recommendations, such as those for establishing a series of nationwide population research centers—as proposed in my bill, H.R. 9106—and for revamping current HEW research operations by creating a full national institute for population research—as called for in H.R. 9109—have been ignored so far by the administration.

The population problem, and its draining effects on our resource base as well as its incremental effects upon environmental pollution, will not wait for the Population Commission's recommendations. More must be done now, this year.

And so, while I again can say that I am pleased that the House has acted to approve the Population Commission, I once more urge my colleagues and the administration to place even greater emphasis on a full across-the-board program for family planning services.

One indication of the magnitude of the problem was recently made by Wayne H. Davis in the January 10, 1970, New Republic. Mr. Davis points out the differences in resource utilization between affluent American families and families in lower income nations, and why we must be concerned more about the growth in the American population.

I found this analysis to be both startling and impressive, and I now include it in the RECORD at this point:

OUR AFFLUENCE RESTS ON A CRUMBLING FOUNDATION: OVERPOPULATED AMERICA

(By Wayne H. Davis)

I define as most seriously overpopulated that nation whose people by virtue of their numbers and activities are most rapidly decreasing the ability of the land to support human life. With our large population, our affluence and our technological monstrosities the United States wins first place by a substantial margin.

Let's compare the US to India, for example. We have 203 million people, whereas she has 540 million on much less land. But look at the impact of people on the land.

The average Indian eats his daily few cups of rice (or perhaps wheat, whose production on American farms contributed to our one percent per year drain in quality of our active farmland), draws his bucket of water from the communal well and sleeps in a mud hut. In his daily rounds to gather cow dung to burn to cook his rice and warm his feet, his footsteps, along with those of millions of his countrymen, help bring about a slow deterioration of the ability of the land to support people. His contribution to the destruction of the land is minimal.

An American, on the other hand, can be expected to destroy a piece of land on which he builds a home, garage and driveway. He will contribute his share to the 142 million tons of smoke and fumes, seven million junked cars, 20 million tons of paper, 48 billion cans, and 26 billion bottles the overburdened environment must absorb each year. To run his air conditioner we will strip-mine a Kentucky hillside, push the dirt and slate down into the stream, and burn coal in a power generator, whose smokestack contributes to a plume of smoke massive enough to cause cloud seeding and premature precipitation from Gulf winds which should be irrigating the wheat farms of Minnesota.

In his lifetime he will personally pollute three million gallons of water, and industry and agriculture will use ten times this much water in his behalf. To provide these needs the US Army Corps of Engineers will build dams and flood farmland. He will also use 21,000 gallons of leaded gasoline containing boron, drink 28,000 pounds of milk and eat 10,000 pounds of meat. The latter is produced and squandered in a life pattern unknown to Asians. A steer on a Western range eats plants containing minerals necessary for plant life. Some of these are incorporated into the body of the steer which is later shipped for slaughter. After being eaten by man these nutrients are flushed down the toilet into the ocean or buried in the cemetery, the surface of which is cluttered with boulders called tombstones and has been removed from productivity. The result is a continual drain on the productivity of range land. Add to this the erosion of overgrazed lands, and the effects of the falling water table as we mine Pleistocene deposits of groundwater to irrigate to produce food for more people, and we can see why our land is dying far more rapidly than did the great civilizations of the Middle East, which experienced the same cycle. The average Indian citizen, whose fecal material goes back to the land, has but a minute fraction of the destructive effect on the land that the affluent American does.

Thus I want to introduce a new term, which I suggest be used in future discussions of human population and ecology. We should speak of our numbers in "Indian equivalents". An Indian equivalent I define as the average number of Indian citizens required to have the same detrimental effect on the land's ability to support human life as would the average American.

This value is difficult to determine, but let's take an extremely conservative working figure of 25. To see how conservative this is, imagine the addition of 1000 citizens to your town and 25,000 to an Indian village. Not only would the Americans destroy much more land for homes, highways and a shopping center, but they would contribute far more to environmental deterioration in hundreds of other ways as well. For example, their demand for steel for new autos might increase the daily pollution equivalent of 130,000 junk autos which *Life* tells us that US Steel Corp. dumps into Lake Michigan. Their demand for textiles would help the cotton industry destroy the life in the Black Warrior River in Alabama with endrin. And they would contribute to the massive industrial pollution of our oceans (we provide one third to one half the world's share) which has caused the precipitous downward trend in our commercial fisheries landings during the past seven years.

The per capita gross national product of the United States is 38 times that of India. Most of our goods and services contribute to the decline in the ability of the environment to support life. Thus it is clear that a figure of 25 for an Indian equivalent is conservative. It has been suggested to me that a more realistic figure would be 500.

In Indian equivalents, therefore, the popu-

lation of the United States is at least four billion. And the rate of growth is even more alarming. We are growing at one percent per year, a rate which would double our numbers in 70 years. India is growing at 2.5 percent. Using the Indian equivalent of 25, our population growth becomes 10 times as serious as that of India. According to the Reinows in their recent book *Moment in the Sun*, just one year's crop of American babies can be expected to use up 25 billion pounds of beef, 200 million pounds of steel and 9.1 billion gallons of gasoline during their collective lifetime. And the demands on water and land for our growing population are expected to be far greater than the supply available in the year 2000. We are destroying our land at a rate of over a million acres a year. We now have only 2.6 agricultural acres per person. By 1975 this will be cut to 2.2, the critical point for the maintenance of what we consider a decent diet, and by the year 2000 we might expect to have 1.2.

You might object that I am playing with statistics in using the Indian equivalent on the rate of growth. I am making the assumption that today's child will live 35 years (the average Indian life span) at today's level of affluence. If he lives an American 70 years, our rate of population growth would be 20 times as serious as India's.

But the assumption of continued affluence at today's level is unfounded. If our numbers continue to rise, our standard of living will fall so sharply that by the year 2000 any surviving Americans might consider today's average Asians to be well off. Our children's destructive effects on their environment will decline as they sink ever lower into poverty.

The United States is in serious economic trouble now. Nothing could be more misleading than today's affluence, which rests precariously on a crumbling foundation. Our productivity, which had been increasing steadily at about 3.2 percent a year since World War II, has been falling during 1969. Our export over import balance has been shrinking steadily from $7.1 billion in 1964 to $0.15 billion in the first half of 1969. Our balance of payments deficit for the second quarter was $3.7 billion, the largest in history. We are now importing iron ore, steel, oil, beef, textiles, cameras, radios and hundreds of other things.

Our economy is based upon the Keynesian concept of a continued growth in population and productivity. It worked in an underpopulated nation with excess resources. It could continue to work only if the earth and its resources were expanding at an annual rate of 4 to 5 percent. Yet neither the number of cars, the economy, the human population, nor anything else can expand indefinitely at an exponential rate in a finite world. We must face this fact *now*. The crisis is here. When Walter Heller says that our economy will expand by 4 percent annually through the latter 1970s he is dreaming. He is in a theoretical world totally unaware of the realities of human ecology. If the economists do not wake up and devise a new system for us now somebody else will have to do it for them.

A civilization is comparable to a living organism. Its longevity is a function of its metabolism. The higher the metabolism (affluence), the shorter the life. Keynesian economics has allowed us an affluent but shortened life span. We have now run our course.

The tragedy facing the United States is even greater and more imminent than that descending upon the hungry nations. The Paddock brothers in their book, *Famine 1975!* say that India "cannot be saved" no matter how much food we ship her. But India will be here after the United States is gone. Many millions will die in the most colossal famines India has ever known, but the land will survive and she will come back as she always has before. The United States, on the other hand, will be a desolate tangle of concrete and ticky-tacky, of strip-mined moonscape and silt-choked reservoirs. The land and water will be so contaminated with pesticides, herbicides, mercury fungicides, lead, boron, nickel, arsenic and hundreds of other toxic substances, which have been approaching critical levels of concentration in our environment as a result of our numbers and affluence, that it may be unable to sustain human life.

Thus as the curtain gets ready to fall on man's civilization let it come as no surprise that it shall first fall on the United States. And let no one make the mistake of thinking we can save ourselves by "cleaning up the environment." Banning DDT is the equivalent of the physician's treating syphilis by putting a bandaid over the first chancre to appear. In either case you can be sure that more serious and widespread trouble will soon appear unless the disease itself is treated. We cannot survive by planning to treat the symptoms such as air pollution, water pollution, soil erosion, etc.

What can we do to slow the rate of destruction of the United States as a land capable of supporting human life? There are two approaches. First, we must reverse the population growth. We have far more people now than we can continue to support at anything near today's level of affluence. American women average slightly over three children each. According to the *Population Bulletin* if we reduce this number to 2.5 there would still be 330 million people in the nation at the end of the century. And even if we reduce this to 1.5 we would have 57 million more people in the year 2000 than we have now. With our present longevity patterns it would take more than 30 years for the population to peak even when reproducing at this rate, which would eventually give us a net decrease in numbers.

Do not make the mistake of thinking that technology will solve our population problem by producing a better contraceptive. Our problem now is that people want too many children. Surveys show the average number of children wanted by the American family is 3.3. There is little difference between the poor and the wealthy, black and white, Catholic and Protestant. Production of children at this rate during the next 30 years would be so catastrophic in effect on our resources and the viability of the nation as to be beyond my ability to contemplate. To prevent this trend we must not only make contraceptives and abortion readily available to everyone, but we must establish a system to put severe economic pressure on those who produce children and reward those who do not. This can be done within our system of taxes and welfare.

The other thing we must do is to pare down our Indian equivalents. Individuals in American society vary tremendously in Indian equivalents. If we plot Indian equivalents versus their reciprocal, the percentage of land surviving a generation, we obtain a linear regression. We can then place individuals and occupation types on this graph. At one end would be the starving blacks of Mississippi; they would approach unity in Indian equivalents, and would have the least destructive effect on the land. At the other end of the graph would be the politicians slicing pork for the barrel, the highway contractors, strip-mine operators, real estate developers, and public enemy number one—the U.S. Army Corps of Engineers.

We must halt land destruction. We must abandon the view of land and minerals as private property to be exploited in any way economically feasible for private financial gain. Land and minerals are resources upon which the very survival of the nation depends, and their use must be planned in the best interests of the people.

Rising expectations for the poor is a cruel joke foisted upon them by the Establishment. As our new economy of use-it-once-and-throw-it-away produces more and more products for the affluent, the share of our resources available for the poor declines. Blessed be the starving blacks of Mississippi with their outdoor privies, for they are ecologically sound, and they shall inherit a nation. Although I hope that we will help these unfortunate people attain a decent standard of living by diverting war efforts to fertility control and job training, our most urgent task to assure this nation's survival during the next decade is to stop the affluent destroyers.

Mr. HANNA. Mr. Chairman, I wish to enter in the record my support of H.R. 15165, a bill establishing a Commission on Population Growth and the American Future. The time is long overdue to consider the implications of population growth. The Commission will study the probable course of population increases and movement and their impact on our culture, economy, and environment. It will recommend appropriate policy to achieve a proper population level commensurate with our resources.

Such a comprehensive study of the implications of population growth is long overdue. Our country has been experiencing social and economic problems caused by urban crowding for many years. Today we cannot properly house our people, and the high rate of family formation is aggravating the problem. We cannot keep up with the educational needs of our children as the school age population has burgeoned. We simply have not been able to build schools fast enough or to hire enough qualified teachers to provide quality education to all levels.

Dr. Paul R. Ehrlich, the Stanford biologist-turned-population-expert, sounds a dire warning on the consequences of unrestricted population expansion in his book "The Population Bomb," published in 1968. Dr. Ehrlich combines his extensive knowledge of biology and environment with current and historical sociological and economic facts to come up with a pretty bleak picture. One need only read this book to become thoroughly alarmed at the nature of the current crisis and the possibilities for catastrophe.

The effects of population increase become most clear in the field of environmental pollution. As industry increases its production in response to the increasing demands of greater numbers of people, it further increases its own pollution. Farmers also pollute the land and water in their efforts to increase agricultural productivity to feed more people. Increases in population trigger a whole chain reaction of events which reduce the quality of our life.

It is evident that the future well-being of this Nation is intimately tied to our ability to be able to plan for tomorrow. Any rational plan for the future must include a program that deals with the problems caused by increasing population.

Mr. REID of New York. Mr. Chairman, I rise in strong support of H.R. 15165, a bill to establish a Commission on Population Growth and the American Future. I cosponsored a similar bill, H.R. 13337, which was introduced August 5, 1969,

following receipt of the President's population message.

There has been much talk of pollution problems in recent months, and I am encouraged that the Congress and the administration are now recognizing the interrelationship between pollution and overpopulation, between population and dwindling resources. It took 300 years for the United States to attain a population of 100 million persons. The second 100 million Americans arrived, by immigration and birth, in only 50 years, between 1917 and 1967. If we continue our present rate of growth, the United States will reach a population of 300 million within the next 30 years, or by the year 2000. In order to cope with this rapidly expanding population, to protect our environment, to provide needed goods and services for American citizens in the 21st century, we must begin to plan now.

H.R. 15165 would provide the mechanism for such planning, by establishing a Commission on Population Growth and the American Future. The Commission would be authorized both to conduct and sponsor studies and research, and make such recommendations as it deems necessary, to provide information and education to all levels of government in the United States, and to the people, regarding a broad range of problems associated with population growth. In other words, the Commission would fill both research and educational functions, and would deal with five critical aspects of the population problem:

The probable course of population growth, internal migration, and related demographic developments between now and the year 2000;

The resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

The ways in which population growth may affect the activities of Federal, State, and local government;

The impact of population growth on environmental pollution and on the depletion of natural resources; and

The various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources, and other needs.

In a sense, I feel that the fourth and fifth areas cited as subjects for study by the Commission are most important, for they signal a new Federal interest in the interrelationship between population and the environment, and recognition by the Federal Government that we must curb population growth if we are to survive as a Nation. We must stop talking about population "problems" and start talking about population "crises." As Dr. Lee A. DuBridge, the President's science adviser, has indicated, we must reduce our population growth rate to zero, insure that there are no more births than deaths in order to survive.

Presumably the Commission, in its deliberations, will consider the alternative methods for achieving our goal of zero population growth in line with the mandate to discover "means appropriate to the ethical values and principles of this society." If the American people are educated well enough and soon enough, we should be able to solve the population problems through voluntary programs. The Commission will play a vital role in the necessary educational process.

While we are working toward our goal of zero population growth, the U.S. population will obviously continue to expand. Governments at all levels must plan to meet the needs of our expanding population—in terms of social services, human needs, and basic community requirements—and the Commission will provide expertise and coordination for the planning activities.

It is my understanding that the other body has already passed a bill similar to H.R. 15165, and that the concept of a population commission has the support of every Federal agency involved in this field. According to the report on the bill, President Nixon has recommended an appropriation of $1,443,000 for the 2-year life of the Commission. I would hope that the House will act favorably on this legislation today, that the Commission will be appointed promptly once the Senate has given final approval to the bill, and that the necessary funds will be appropriated.

The population problem has reached the crisis point, it is true, but we can still save ourselves, and our environment, if we act now. To delay may well mean that our country will be seriously overpopulated beyond the ability of our social and economic systems to cope with the problem.

Mr. VANDER JAGT. Mr. Chairman, I should like to address myself to the merits of the bill before us, to establish a Commission on Population Growth and the American Future. It has been said that this proposal takes population growth for granted, and thus fails to deal with the crucial issue, which is whether such growth is desirable. But it is clear that substantial population growth in the United States is going to happen. The point is to be ready for it. This Nation has the capacity to provide many more people with a healthy, happy life. We are not, as a country, overcrowded. But we cannot afford to delay in preparing for population growth, and the proposed Commission is an important vehicle for such preparation.

Furthermore, the Committee on Government Operations has added an important purpose to those stated in the original bill. By asking the Commission to examine "the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level best suited for its environmental natural resources and other needs," we have directed the Commission to begin an essential long-range exploration. Most studies of population growth have been based on supposition and personal opinion. The Commission on Population Growth and the American Future will bring the best scientific knowledge and civic wisdom that can be found to bear on this subject. In the 2 years that are proposed for the Commission's work, I anticipate we shall see a series of highly significant reports to the Nation.

There are few questions more compelling than population growth and how best to prepare for it. I intend to support this measure, and would urge my colleagues to do the same.

Mr. RHODES. Mr. Chairman, I strongly support the enactment of H.R. 15165, to establish a Commission on Population Growth and the American Future.

The population of the United States will increase by 50 percent by the year 2000; even more dramatic increases are anticipated in world population during this period. The ramifications of such growth present one of the most serious challenges in the next 30 years, for the adequacy of social supplies—the capacity to educate, to house, and to govern—will be seriously strained.

The challenge can be met only with adequate planning—and within the short time span available to us.

President Nixon in his message to the Congress, July 21, 1969, recognized the special responsibility of the Federal Government for defining the problems attendant to population growth and for stimulating thoughtful response.

Deploring the absence, to date, of machinery through which we can develop a detailed understanding of demographic changes and bring that understanding to bear on public policy, the President has proposed the creation of a Commission on Population and the American Future. H.R. 14165, incorporating the recommendations of President Nixon, would establish a Commission of 2 years' duration, to be composed of Members of Congress and knowledgeable men and women who broadly represent our society.

The Commission is to investigate: First, the probable course of population growth, internal migration and related demographic developments between now and the year 2000; second, the resources in the public sector of the economy that will be required to deal with the anticipated growth in population; third, the ways in which population growth may affect the activities of Federal, State, and local government; fourth, the impact of population growth on environmental pollution and on the depletion of natural resources; and, fifth, the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources, and other needs.

With broad visibility of the Commission studies, inquiries and reports, much can be done to enlighten the general public as to the complex interrelationship of population growth, environmental quality, and natural resources and to generate solutions to the numerous and massive problems we face in these areas.

The Republican Members of the House of Representatives have long urged the initiation of Federal efforts to meet the challenge of unrestrained population growth. In the 91st Congress, the House Republican Research Committee Task Force on Earth and Population Resources' report of December 23, 1969, reflects the concern expressed by President Nixon in his population message. Numerous bills have been introduced by

Republican Members which parallel the President's recommendations.

If social institutions are to accommodate tomorrow's generations in a humane and intelligent manner, we must improve now our ability to analyze population changes and to deal with them. The proposed Commission will explore the ways in which population growth will affect our future and seek to find the methods and resources which will permit us to assimilate the population increase and continue to improve the quality of every individual's life.

Mr. FINDLEY. Mr. Chairman, the President's proposed Commission on Population Growth and the American Future is provoking deserved enthusiasm. First endorsed by the U.S. Catholic Conference, and later by hundreds of citizens, organizations, and newspapers, this measure passed the Senate without a dissenting vote and is now before us.

I, too, am enthusiastic about this Commission. In fact, I am a cosponsor of the bill. We know, in the broadest terms, that in the next 30 years the United States will add approximately 100 million more people. But we know very little about the vital details of this anticipated growth, much less about what to do to plan for it. The President's bill, as amended, gives us a chance to find out.

Seldom does the Federal Government make adequate use of the data that it collects. I would hope that, starting with the 1970 census, we might change this pattern, and begin to evolve ways to make information work for the betterment of our national life. I would also hope that the widespread national concern over environmental degradation, overpopulation, and inadequate planning might lead the proposed Commission to push itself to the very limit. This is a subject that commands our attention.

Mr. MONAGAN. Mr. Chairman, I support H.R. 15165, the bill to establish a Commission on Population Growth and the American Future, a measure which I consider highly important for our national future.

To date, there have been only scattered efforts to determine the consequences of overpopulation. In fact, experts disagree on what constitutes "overpopulation," depending upon the criteria they apply in relation to the object of their studies. Hence, what constitutes overpopulation for experts working to avoid the traditional fear of worldwide famine is different from the overpopulation concept utilized by environmentalists working to avoid massive worldwide pollution. A different criterion again is employed in studies concerning the extent of the world's natural resources, and political scientists use their own standards to determine at what point of increase world population will become ungovernable. However we define it, all agree that population growth does present serious problems and calls for serious and extended study.

Clearly we cannot maintain the present course of shutting our eyes to the problem. We must utilize a comprehensive approach to determine all of the implications of overpopulation if we are to ever fashion workable programs and policies to deal with the problems. We must develop the capability to identify and anticipate problem areas before they develop into the crisis stage.

The machinery provided for in the bill under consideration is well suited for the task.

The proposed Commission will conduct and sponsor studies and research and make necessary recommendations in the following five areas:

First, the probable course of population growth, internal migration, and related demographic developments between now and the year 2000;

Second, the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

Third, the ways in which population growth may affect the activities of Federal, State, and local governments;

Fourth, the impact of population growth on environmental pollution and on the depletion of natural resources; and

Fifth, the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level best suited for its environmental, natural resources, and other needs.

The Commission will be composed of two Members of the Senate and two of the House, representing both political parties; and up to 20 members to be appointed by the President, who will also designate the Chairman and Vice Chairman. The Commission will make an interim report 1 year after it is established and a final report 2 years after the bill is enacted into law.

Any study of population growth would be incomplete if it did not endeavor to determine the impact of overpopulation on the environment. I am pleased to note that like my own bill, H.R. 15191, the bill reported out of the committee goes beyond the administration's proposal in this area by including the effect of population growth on environmental pollution and depletion of natural resources within the range of study of the proposed Commission.

In the first session of the 91st Congress I introduced legislation to provide for the formulation of a national policy on environmental quality and I was pleased to see the substance of my bill enacted into law. Like the bill now under consideration, my bill envisaged the development of an anticipatory capacity to deal with threats to the environment. The environmental threat of overpopulation should not be separated from the hazards of air pollution, water pollution, and improper land use. The inclusion of the environmental aspect of population growth in the bill now before us will provide governmental units on all levels with the necessary factual foundation to formulate and implement long-range programs, based on population growth, which will remedy and preserve the natural quality of the environment.

Mr. GUDE. Mr. Chairman, I support the bill to establish a Commission on Population Growth and the American Future, a bill which I have cosponsored. The urgency of the population question is highlighted by the fact that by the year 2000, the Members of this body will represent 100 million more Americans than we do today, if our population, now about 200 million, continues to climb at today's rate. The consequences of this trend for our political and social institutions, our environment, and the quality of life in this country must be considered now. If we do not like what we foresee, we must act now to change our course.

For some years, our Nation's policy has recognized the population problem in the developing nations, where growth is now doubling every 10 years. When requested, AID has provided family planning assistance for nations such as India, where the population is increasing by about 12 million persons per year—four times the population of Maryland. The population of countries in Latin America is growing faster than that of any other major region of the world.

Our population growth in the United States, like that of other Western nations, is proceeding at a much slower pace, and growth rates are declining. However, the pressure of population in America is increased by our affluence. We cannot add more and more trash to the environment, more poisons to our waters and skies, and at the same time expect our children to inherit a beautiful America. It is time we took a look at where we are going.

Hearings held before the Subcommittee on Conservation and Natural Resources, of which I am a member, revealed the need for a Commission to do comprehensive forecasts of the impact of population on a wide range of problems. It is impossible to speak of an optimum population, for example, without considering the fact that we are only beginning to adopt the plans and programs needed to control the quality of our environment. If the success of past efforts to keep our air and water clean were the measure of an optimum population, we would have exceeded it long ago. A nation that fails to conserve its natural resources and allocates them foolishly will always have too many people.

I applaud the President for proposing to establish a Commission on Population Growth to explore these questions and for pledging his administration to provide the leadership that has been lacking in this critical area.

Mr. ERLENBORN. Mr. Chairman, I have no further requests for time and yield back the balance of my time.

Mr. BLATNIK. Mr. Chairman, we have no further requests for time on this side.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 15165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commission on Population Growth and the American Future is hereby established to conduct and sponsor such studies and research and make such recommendations as may be necessary to provide information and education to all levels of government in the United States, and to our people, regarding a broad range of problems associated with population growth and their implications for America's future.

MEMBERSHIP OF COMMISSION

SEC. 2. (a) The Commission on Population Growth and the American Future (herein-

after referred to as the "Commission") shall be composed of—

(1) two Members of the Senate who shall be members of different political parties and who shall be appointed by the President of the Senate;

(2) two Members of the House of Representatives who shall be members of different political parties and who shall be appointed by the Speaker of the House of Representatives; and

(3) not to exceed twenty members appointed by the President.

(b) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(c) The majority of the members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 3. (a) Members of the Commission who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) Members of the Commission who are not officers or full-time employees of the United States shall each receive $150 per diem when engaged in the actual performance of duties vested in the Commission.

(c) All members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

DUTIES OF THE COMMISSION

SEC. 4. The Commission shall conduct an inquiry into the following aspects of population growth in the United States and its foreseeable social consequences:

(1) the probable course of population growth, internal migration, and related demographic developments between now and the year 2000;

(2) the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

(3) the ways in which population growth may affect the activities of Federal, State, and local government;

(4) the impact of population growth on environmental pollution and on the depletion of natural resources; and

(5) the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources, and other needs.

STAFF OF THE COMMISSION

SEC. 5. (a) The Commission shall appoint an Executive Director and such other personnel as the Commission deems necessary without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and shall fix the compensation of such personnel without regard to the provisions of chapter 51 and subtitle II of chapter 53 of such title relating to classification and General Schedule pay rates: *Provided*, That no personnel so appointed shall receive compensation in excess of the rate authorized for GS–18 by section 5332 of such title.

(b) The Executive Director, with the approval of the Commission, is authorized to obtain services in accordance with the provisions of section 3109 of title 5 of the United States Code, but at rates for individuals not to exceed the per diem equivalent of the rate authorized for GS–18 by section 5332 of such title.

(c) The Commission is authorized to enter into contracts with public agencies, private firms, institutions, and individuals for the conduct of research and surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

GOVERNMENT AGENCY COOPERATION

SEC. 6. The Commission is authorized to request from any Federal department or agency any information and assistance it deems necessary to carry out its functions; and each such department or agency is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman or any other member when acting as Chairman.

ADMINISTRATIVE SERVICES

SEC. 7. The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

REPORTS OF COMMISSION: TERMINATION

SEC. 8. In order that the President and the Congress may be kept advised of the progress of its work, the Commission shall, from time to time, report to the President and the Congress such significant findings and recommendations as it deems advisable. The Commission shall submit an interim report to the President and the Congress one year after it is established and shall submit its final report two years after the enactment of this Act. The Commission shall cease to exist sixty days after the date of the submission of its final report.

AUTHORIZATION OF APPROPRIATIONS

SEC. 9. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the Committee amendment.

The Clerk read as follows:

Committee amendment:

On page 3, line 2, strike out "$150" and insert "$100".

The Committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HOLIFIELD), having resumed the Chair, Mr. KEE, Chairman of the Committee of the Whole House on the State of the Union, reported that Committee having had under consideration the bill (H.R. 15165) to establish a Commission on Population Growth and the American Future, pursuant to House Resolution 819, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, and the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 371, nays 13, not voting 48, as follows:

[Roll No. 22]

YEAS—371

Abernethy	Devine	Johnson, Pa.
Adair	Dickinson	Jonas
Adams	Diggs	Jones, Ala.
Addabbo	Dingell	Jones, N.C.
Albert	Donohue	Jones, Tenn.
Alexander	Dowdy	Karth
Anderson, Calif.	Downing	Kastenmeier
	Dulski	Kazen
Anderson, Ill.	Duncan	Kee
Anderson, Tenn.	Dwyer	Keith
	Eckhardt	Kluczynski
Andrews, Ala.	Edmondson	Koch
Andrews, N. Dak.	Edwards, Ala.	Kuykendall
	Edwards, Calif.	Kyl
Annunzio	Edwards, La.	Kyros
Arends	Eilberg	Landgrebe
Ashbrook	Erlenborn	Landrum
Ashley	Eshleman	Langen
Aspinall	Evans, Colo.	Latta
Ayres	Evins, Tenn.	Leggett
Barrett	Fallon	Lennon
Beall, Md.	Farbstein	Lloyd
Belcher	Fascell	Lowenstein
Bell, Calif.	Feighan	Lujan
Bennett	Findley	Lukens
Berry	Fish	McCarthy
Betts	Fisher	McClory
Biaggi	Flood	McCloskey
Biester	Flowers	McClure
Bingham	Flynt	McCulloch
Blackburn	Foley	McDonald, Mich.
Blatnik	Ford, Gerald R.	
Boggs	Ford, William D.	McEwen
Boland		McFall
Bolling	Foreman	McKneally
Bow	Fountain	McMillan
Brademas	Fraser	Macdonald, Mass.
Brasco	Frelinghuysen	
Brinkley	Frey	MacGregor
Brock	Friedel	Mahon
Brooks	Fulton, Tenn.	Mailliard
Broomfield	Fuqua	Mann
Brotzman	Galifianakis	Marsh
Brown, Mich.	Gallagher	Mathias
Brown, Ohio	Garmatz	Matsunaga
Broyhill, N.C.	Gaydos	May
Broyhill, Va.	Gettys	Mayne
Buchanan	Giaimo	Meeds
Burke, Fla.	Gibbons	Melcher
Burke, Mass.	Gilbert	Meskill
Burleson, Tex.	Gonzalez	Michel
Burlison, Mo.	Goodling	Mikva
Burton, Utah	Gray	Miller, Calif.
Bush	Green, Oreg.	Miller, Ohio
Button	Griffin	Mills
Byrne, Pa.	Griffiths	Minish
Byrnes, Wis.	Grover	Mink
Cabell	Gude	Minshall
Camp	Hagan	Mize
Carey	Haley	Mizell
Carter	Hall	Mollohan
Casey	Halpern	Montgomery
Cederberg	Hamilton	Moorhead
Celler	Hammer-schmidt	Morgan
Chamberlain		Mosher
Chappell	Hanley	Murphy, Ill.
Chisholm	Hanna	Murphy, N.Y.
Clancy	Hansen, Idaho	Natcher
Clausen, Don H.	Hansen, Wash.	Nedzi
	Harrington	Nelsen
Clawson, Del	Harsha	Nichols
Cleveland	Harvey	Nix
Cohelan	Hastings	Obey
Collier	Hathaway	O'Hara
Collins	Hawkins	O'Konski
Colmer	Hays	Olsen
Conable	Hébert	O'Neill, Mass.
Conte	Hechler, W. Va.	Ottinger
Corman	Heckler, Mass.	Patman
Coughlin	Helstoski	Patten
Cowger	Hicks	Pepper
Cramer	Hogan	Perkins
Culver	Holifield	Philbin
Cunningham	Horton	Pickle
Daniel, Va.	Hosmer	Pirnie
Daniels, N.J.	Howard	Poage
Davis, Ga.	Hull	Podell
Davis, Wis.	Hungate	Poff
de la Garza	Hunt	Preyer, N.C.
Delaney	Hutchinson	Price, Tex.
Dellenback	Ichord	Pryor, Ark.
Denney	Jacobs	Pucinski
Dennis	Jarman	Quie
Dent	Johnson, Calif.	Quillen

Railsback	Sebelius	Vander Jagt
Randall	Shipley	Vanik
Reid, Ill.	Shriver	Vigorito
Reid, N.Y.	Sisk	Waldie
Reuss	Skubitz	Wampler
Rhodes	Slack	Watkins
Riegle	Smith, Calif.	Watson
Rivers	Smith, Iowa	Watts
Roberts	Smith, N.Y.	Weicker
Robison	Snyder	Whalen
Rodino	Stafford	Whalley
Roe	Staggers	White
Rogers, Colo.	Stanton	Whitehurst
Rogers, Fla.	Steed	Whitten
Rooney, N.Y.	Steiger, Ariz.	Wiggins
Rooney, Pa.	Steiger, Wis.	Williams
Rosenthal	Stokes	Wilson, Bob
Rostenkowski	Stratton	Wilson, Charles H.
Roth	Stubblefield	
Roybal	Stuckey	Winn
Ruppe	Sullivan	Wold
Ruth	Symington	Wolff
Ryan	Taft	Wright
St Germain	Talcott	Wyatt
St. Onge	Taylor	Wydler
Sandman	Thompson, Ga.	Wylie
Satterfield	Thompson, N.J.	Wyman
Saylor	Thomson, Wis.	Yatron
Schadeberg	Tiernan	Young
Scheuer	Udall	Zablocki
Schneebeli	Ullman	Zion
Schwengel	Utt	Zwach
Scott	Van Deerlin	

NAYS—13

Abbitt	Dorn	Rarick
Bevill	Gross	Scherle
Caffery	Long, La.	Waggonner
Crane	O'Neal, Ga.	
Derwinski	Passman	

NOT VOTING—48

Baring	Henderson	Pollock
Blanton	King	Powell
Bray	Kirwan	Price, Ill.
Brown, Calif.	Kleppe	Purcell
Burton, [redacted]	Long, Md.	Rees
Clark	McDade	Reifel
Clay	Madden	Roudebush
Conyers	Martin	Sikes
Corbett	Monagan	Springer
Daddario	Morse	Stephens
Dawson	Morton	Teague, Calif.
Esch	Moss	Teague, Tex.
Fulton, Pa.	Myers	Tunney
Goldwater	Pelly	Widnall
Green, Pa.	Pettis	Yates
Gubser	Pike	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Sikes with Mr. Bray.
Mr. Green of Pennsylvania with Mr. King.
Mr. Madden with Mr. Kleppe.
Mr. Monagan with Mr. Reifel.
Mr. Price of Illinois with Mr. Widnall.
Mr. Teague of Texas with Mr. Gubser.
Mr. Tunney with Mr. McDade.
Mr. Kirwan with Mr. Roudebush.
Mr. Blanton with Mr. Springer.
Mr. Burton of California with Mr. Esch.
Mr. Clark with Mr. Corbett.
Mr. Purcell with Mr. Goldwater.
Mr. Stephens with Mr. Pelly.
Mr. Yates with Mr. Pollack.
Mr. Henderson with Mr. Martin.
Mr. Long of Maryland with Mr. Fulton of Pennsylvania.
Mr. Daddario with Mr. Teague of California.
Mr. Moss with Mr. Morse.
Mr. Pike with Mr. Morton.
Mr. Rees with Mr. Clay.
Mr. Brown of California with Mr. Myers.
Mr. Powell with Mr. Conyers.
Mr. Baring with Mr. Pettis.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 819, the Committee on Government Operations is discharged from the further consideration of the bill S. 2701.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. BLATNIK

Mr. BLATNIK. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BLATNIK moves to strike out all after the enacting clause of the bill (S. 2701) and insert in lieu thereof the text of the bill (H.R. 15165), as passed, as follows:

"That the Commission on Population Growth and the American Future is hereby established to conduct and sponsor such studies and research and make such recommendations as may be necessary to provide information and education to all levels of government in the United States, and to our people, regarding a broad range of problems associated with population growth and their implications for America's future.

"MEMBERSHIP OF COMMISSION

"SEC. 2. (a) The Commission on Population Growth and the American Future (hereinafter referred to as the 'Commission') shall be composed of—

"(1) two Members of the Senate who shall be members of different political parties and who shall be appointed by the President of the Senate;

"(2) two Members of the House of Representatives who shall be members of different political parties and who shall be appointed by the Speaker of the House of Representatives; and

"(3) not to exceed twenty members appointed by the President.

"(b) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

"(c) The majority of the members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

"COMPENSATION OF MEMBERS OF THE COMMISSION

"SEC. 3. (a) Members of the Commission who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

"(b) Members of the Commission who are not officers or full-time employees of the United States shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission.

"(c) All members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"DUTIES OF THE COMMISSION

"SEC. 4. The Commission shall conduct an inquiry into the following aspects of population growth in the United States and its foreseeable social consequences:

"(1) the probable course of population growth, internal migration, and related demographic developments between now and the year 2000;

"(2) the resources in the public sector of the economy that will be required to deal with the anticipated growth in population;

"(3) the ways in which population growth may affect the activities of Federal, State, and local government;

"(4) the impact of population growth on environmental pollution and on the depletion of natural resources; and

"(5) the various means appropriate to the ethical values and principles of this society by which our Nation can achieve a population level properly suited for its environmental, natural resources, and other needs.

"STAFF OF THE COMMISSION

"SEC. 5. (a) The Commission shall appoint an Executive Director and such other personnel as the Commission deems necessary without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and shall fix the compensation of such personnel without regard to the provisions of chapter 51 and subtitle II of chapter 53 of such title relating to classification and General Schedule pay rates: *Provided*, That no personnel so appointed shall receive compensation in excess of the rate authorized for GS–18 by section 5332 of such title.

"(b) The Executive Director, with the approval of the Commission, is authorized to obtain services in accordance with the provisions of section 3109 of title 5 of the United States Code, but at rates for individuals not to exceed the per diem equivalent of the rate authorized for GS–18 by section 5332 of such title.

"(c) The Commission is authorized to enter into contracts with public agencies, private firms, institutions, and individuals for the conduct of research and surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

"GOVERNMENT AGENCY COOPERATION

"SEC. 6. The Commission is authorized to request from any Federal department or agency any information and assistance it deems necessary to carry out its functions; and each such department or agency is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman or any other member when acting as Chairman.

"ADMINISTRATIVE SERVICES

"SEC. 7. The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

"REPORTS OF COMMISSION: TERMINATION

"SEC. 8. In order that the President and the Congress may be kept advised of the progress of its work, the Commission shall, from time to time, report to the President and the Congress such significant findings and recommendations as it deems advisable. The Commission shall submit an interim report to the President and the Congress one year after it was established and shall submit its final report two years after the enactment of this Act. The Commission shall cease to exist sixty days after the date of the submission of its final report.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 9. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated such amounts as may be necessary to carry out the provisions of this Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. BLATNIK).

The motion was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 15165) was laid on the table.

GENERAL LEAVE

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed and to include therein extraneous matter.

Mr. ERLENBORN. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like, under this reservation, to make a point against the

procedure that we have just followed in taking up the Senate bill, amending it by substituting the House bill language, and then passing the Senate bill. It is proper under the rule which was granted so I did not make any objection to the procedure. But, under my reservation, I would like to call the attention of the House to the effect of this procedure.

When this procedure is followed, the conference is under no restraint whatever as to what they can do—they are not limited to reporting out a bill containing only matters in the two versions, but can add anything to the bill that would be germane in either the House or the Senate.

We followed this procedure when we were considering the coal mine health and safety bill last year, and that part of the bill which dealt with black-lung compensation was rewritten in conference in such a way that it resembled neither that which the House nor the Senate had accepted. A similar transformation took place in the conference action on extension of the Economic Opportunity Act.

It is my intention in the future to ask the Committee on Rules not to make this procedure in order. I believe it is preferable—and I believe the Members of this body would prefer—that we send both the House bill and the Senate bill to conference and thus limit the conference to those matters contained in one or the other of the two bills.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota (Mr. BLATNIK)?

There was no objection.

PETITION FROM CONCERNED PARENTS

(Mr. BRINKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BRINKLEY. Mr. Speaker, in my hands I hold copies of a petition bearing the signatures of 5,306 concerned parents from the Sumter County, Ga., area which has produced such men as Congressmen E. L. Forrester, Stephen Pace, Charles Frederick Crisp, and Charles Robert Crisp.

The petition reads as follows:

To the President of the United States of America, Congress of the United States of America, courts of the United States of America.

We, the undersigned concerned Parents and Voters, do petition The President, Congress, and Courts of the United States of America to heed the following with all deliberate speed:

1. Grant freedom of choice privileges as stated in the 1964 Civil Rights Legislation.

2. Stop busing students for the sole purpose of achieving racial balance with no regard for *Education*.

This sheaf of papers physically demonstrates the deep sincerity of those who participated. Mrs. G. T. Chappell, as president of "Concerned Parents," is perhaps typical of the 5,306 citizens who today petition their Government for liberty and justice.

Mrs. Chappell wishes for white children a good education; she wishes for black children a good education. She wishes for all children a good education.

But do not send her children, or mine, or yours, or anyone's—black or white—across towns or counties to achieve racial balance. And do not assign teachers on the basis of color, if you would be color blind, but on the basis of ability.

If the goal of our schools really is quality education, what is wrong with genuine freedom of choice?

Mrs. Chappell and the other concerned parents are good, fair minded citizens and they would like to know what is wrong with it. They want equity for themselves and they wish to do equity to others—the evidence is here in these petitions which I am placing in the Speaker's lobby for your inspection and consideration.

The present stage in history was thousands of years in the setting. As we change the scenery and improvise the dialog, may we have the wisdom and patience to allow the players to find their changing roles and adjust to their new parts. We are not playing a one-night stand. Our actions are for eternity.

SALE OF AIRCRAFT TO ISRAEL

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, I am introducing today, with the support of 24 colleagues from both sides of the aisle and all parts of the country, a resolution expressing the sense of Congress that the United States should sell to Israel aircraft necessary to Israel's defense against the Soviet takeover of the entire Middle East.

In the days ahead I expect to introduce several companion bills since many more Members agree about the necessity of Israel having an adequate deterrent to Communist-inspired Arab aggression.

Unfortunately the tense situation in the Middle East has been aggravated by the French sale to Libya of more than 100 military jets. This escalation of the arms race shows France's reckless attitude toward peace and has undermined U.S. efforts to promote an arms embargo. France has spoken one way, acted another and the whole world suffers.

But we have the capacity to maintain a balance in the Middle East. This can be done if we carry through on the President's statement that:

The U.S. is prepared to supply military equipment necessary to the efforts of friendly governments, like Israel, to defend the safety of her people.

The resolution we are introducing today is consistent with the President's words and deserving of prompt affirmative action. Under leave I wish to include a copy of the resolution and list of the cosponsors in the RECORD:

H. CON. RES. 91–511

A concurrent resolution expressing the sense of the Congress that the United States should sell Israel aircraft necessary for Israel's defense

Whereas five successive United States Presidents have seen the relationship between Israel's integrity and survival and U.S. national interests; and

Whereas the Soviet Union and France have sharply escalated the Middle East arms race; and

Whereas a balance of power is the best available deterrent to full-scale war; and

Whereas the President has said "The United States is prepared to supply military equipment necessary to the efforts of friendly governments, like Israel's, to defend the safety of their people;" and

Whereas the government of Israel has asked to purchase jet aircraft (beyond current sales) essential to its defense;

It is hereby resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should take such steps as may be necessary, as soon as possible after the adoption of this concurrent resolution, to negotiate an agreement with the Government of Israel providing for the sale to Israel, on a cash basis, by the United States of military aircraft, commonly known as Phantom jets and Skyhawk jets, in amounts as Israel deems necessary for her security.

COSPONSORS

Mr. Addabbo, Mr. Biaggi, Mr. Bingham, Mr. Burke of Florida, Mr. Button, Mr. Carey, Mr. Derwinski, Mr. Farbstein, Mr. Fulton of Pennsylvania, Mr. Grover, Mr. Halpern, Mrs. Heckler of Massachusetts, Mr. Helstoski, Mr. Lowenstein, Mr. McNeally, Mr. Nix, Mr. Pepper, Mr. Pike, Mr. Rosenthal, Mr. Ryan, Mr. Scheuer, Mr. Whitehurst, Mr. Williams and Mr. Wydler.

THE DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, tomorrow the House will start debating the HEW-Labor appropriation bill which has been vetoed by the President and sent back to the Congress for reconsideration.

It appears that no matter how much dispatch is used by this House, it now looks most probable that because of the delays in dealing with this legislation, we will not be able to conclude action on this legislation prior to the 28th of February. If this occurs or at least appears to be true, then we are going to need another continuing resolution because the present continuing resolution expires on that date. You know and I know there is no chance of getting another continuing resolution through Congress so we can expect considerable chaos after February 28.

Mr. Speaker, prior to the Lincoln holiday I had asked the House not to delay action on this very important legislation, but to proceed with this appropriation bill so that we could resolve whatever differences there are between this Chamber and the other body and send this bill to the President before the 1st of March.

I am here to tell you as chairman of the Subcommittee on General Education that all over this Nation schools are going to be faced with early closing this year. They are not going to have the money which they anticipated receiving from this legislation.

I call your attention to the testimony of the Secretary of Health, Education, and Welfare before the Committee on

Rules in which he said that the administration is not paying out according to the Joelson-Cohelan amendment as contained in the resolution under which we are now operating.

Mr. Speaker, school districts all over the country have budgeted on the basis of the anticipated revenue that they were going to receive from the continuing resolution and from the action taken by the House of Representatives before the President vetoed the bill.

Mr. Speaker, I want the RECORD to show that it is not our side that has been causing the delays. We were ready to act on this bill prior to the Lincoln recess, vote on it and send it to the other body.

I want this Nation and everyone concerned to know if indeed there is a crisis because of the failure to get through another resolution before March 1, it is not the fault of the majority of this House. The minority specifically asked for a delay before the Lincoln recess. Now we see the mess we are in. I hope the White House will take note of the fact that whatever delays there have been in connection with this legislation are not because of any action on this side of the aisle. We have been ready to vote on this legislation right along.

Mr. Speaker, to complicate matters further, the Secretary told the Rules Committee that if the Michel amendment is not contained in the new appropriation bill, the President will probably veto the bill again.

So I want you to know that our 35,000 school districts in this country right now do not know whether they are going to be able to stay open for the rest of the school year. They have borrowed money in anticipation of receiving these revenues, and unless this aid is forthcoming within the next 60 days or so, I think this House ought to know as well as the President what is going to happen as a result of his veto.

Mr. Speaker, the tragedy of this thing is that the Secretary appeared before the Rules Committee and said that another veto is likely.

When the President initially vetoed the bill his message was delivered over nationwide television, where all the people of America saw the President veto the bill.

Mr. Speaker, the net gain of his veto would be $500 million and all of that at the expense of children in disadvantaged areas.

So, on the $19 billion bill the most they can save is $500 million and all of that at the expense of the school kids in disadvantaged areas. The American people were led to believe that the veto action would result in massive savings and make a substantial contribution toward fighting inflation. Now they will have a chance to see the veto result in a saving of less than 2½ percent of the total bill and have no significant impact on inflation. I would have been more impressed if the veto resulted in a substantial saving as long as the President made such a big production of the veto. When this whole business is concluded, I doubt if there will be even a $500 million saving.

HEW APPROPRIATION BILL

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MICHEL. Mr. Speaker, a few moments ago the gentleman from Illinois (Mr. PUCINSKI) made some point with respect to the delay in the consideration of the HEW bill after its having been vetoed by the President, and making it appear as though we, on the minority side, are responsible for that delay because of our agreeing some time ago to the Lincoln Day recess.

We admit to the fact that it had to be delayed for those 3 or 4 days of the recess—but let us go back a little bit to the enactment of that bill back on July 31, 1969, and to the protracted delay and the period of time that has transpired between last July 31, 1969, and today—and what were the causes for that delay. This was one of the reasons why I made my appearance before the Committee on Rules yesterday in support of the discretionary language that I had hoped would remain in the bill, as reported out of the Committee on Appropriations. Because we are two-thirds of the way through the fiscal year, it seems to me the least we can do is to give the President the discretionary authority to make some adjustments that he ought to make to spend this money wisely and prudently. How many times have we, in this Congress, criticized the executive branch for trying to spend all that they possibly could in the last remaining month of the fiscal year just to get under the gun and to conform with the law.

I think it is an unconscionable thing to do, and I regret that we will not be able to have the opportunity of openly discussing that particular measure on the floor because we did not get a rule waiving points of order. But these are the rules of the House. We made the pitch and we lost. Now we will have to take another tack on the floor of this House tomorrow and I am sure we will still give the membership an opportunity to vote in some way on figures that will more closely represent the President's recommendations rather than those high flying figures which in our judgment are far too much for the administration to stomach at this time.

STATE SENATOR CRISS COLE, A BLIND WAR VET, HONORED AS TEXAS GOVERNOR FOR A DAY

(Mr. CASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CASEY. Mr. Speaker, a few weeks ago, the people of Texas paid tribute to a great and courageous legislator from Houston, our State Senator Criss Cole.

In a heartwarming ceremony attended by thousands, the senator as president pro tempore was sworn in as Governor of Texas during the absence from the State of our Governor and Lieutenant Governor.

Criss, my longtime friend, is blind. He lost his eyesight to a Japanese hand grenade while fighting as a marine on the island of Tarawa in 1943. His life, his whole career as an attorney, and as a legislator for 15 years, is a testament to the courage and dedication of this man. To some—blindness is a handicap. To Criss, as he terms it, it is an "inconvenience."

His day as Governor—which he shared with all our handicapped in Texas—was capped with even a greater honor. Criss was appointed judge of a newly created juvenile court in Harris County by Gov. Preston Smith. I know he will serve with honor and distinction, for he brings to the bench a wealth of experience and compassion for people and their problems. Because so many of my colleagues know him personally, and because his is an outstanding story of one man's courage against heavy odds, I take pleasure in bringing the following story to the attention of all:

HOUSTON'S BLIND STATE SENATOR, CRISS COLE, TAKES THE OATH AS TEXAS' GOVERNOR FOR A DAY

Raindrops were falling outside. Inside the Capitol and later at an Austin motel ballroom where Houstonians were paying tribute to one of their own, teardrops were falling just as profusely.

They were happy tears, though. Proud tears. Tears brought on by moving stories told on Houston's state senator and honoree, Criss Cole.

Cole, who came to Houston without eyesight or a high school diploma, was being honored as Governor for a Day. A lawyer since 1954 and a legislator for 15 years, Cole was blinded by a Japanese hand grenade in 1943 while fighting as a Marine on the island of Tarawa.

Thousands of Cole's friends and constituents were in Austin Jan. 10, when Cole, who was elected president pro tempore by the Senate last fall, was serving as governor in the absence of Gov. Preston Smith and Lt. Gov. Ben Barnes.

The day of festivities began in the Senate Chamber. With the U.S. Marine Drum and Bugle Corps from Washington D.C. playing the "Marine Corps Hymn," Cole entered the chamber with wife Joanne at his side. She, as well as the other women in Cole's life, wore the colors of the American and Texan flags. Mrs. Cole was in red and blue as were Cole's granddaughter, Karen Lynn, 2, and his secretary, Miss Carolyn Vaughn. Cole's mother, Mrs. J. M. Cole of Rosenberg, wore a red suit and carried navy blue gloves. His daughter-in-law, Mrs. Dennis Cole, wore a solid white dress.

"This is the day the Lord has made for Criss Cole," the Rev. V. J. Guinan, president emeritus of the University of St. Thomas, said in the invocation preceeding the swearing-in ceremony.

And it was.

Cole started the day as a senator. By midmorning he had become governor and by late afternoon he had accepted Gov. Smith's appointment as judge to one of Harris County's newly created juvenile courts.

At the swearing-in event, Dennis, 23, the older of Cole's sons, acted as master of ceremonies and introduced Secretary of State Martin Dies Jr. who administered the oath of governor to Cole. Warren Cole, 21, introduced the state's new First Family, and brought on the first surge of tears.

In a halting voice, Warren credited his mother as being the inspiration to his father.

"She made hard times a little better and turned tears into smiles," he said.

Tears brimming in Mrs. Cole's eyes flooded over and rushed down her cheeks. Gov. Cole

bit down on his quivering lips and finally took out a handkerchief and dabbed away the tears he was unable to control.

"I was so moved," Mrs. Cole later said. "Warren seemed so sincere and he was so moved. I was hoping and praying he could make it. He's so emotional.

"I was feeling so thankful for having two wonderful boys. You hope they turn out how you've planned and I've been satisfied seeing them go into manhood."

In introducing his grandparents to the audience which filled the first floor and overflowed into the gallery, Warren described them as "hard-working, unselfish citizens who helped build our great state—people who spent 16 hours a day tilling the soil."

Papa Cole, a white-haired, fragile-looking retired farmer, kept moist eyes throughout the day.

Mama Cole, her carefully coiffured white curls framing her steady face, seemed to possess the most control.

"It was an awfully good feeling (seeing her son take the oath of governor)," she said. "I felt as if I were on top of the world."

In a departure from traditional governor-for-a-day festivities, Cole shared his day with the handicapped of the state.

Some 82 exhibits requiring about 300 handicapped persons to man them were scattered throughout the Capitol. The exhibits emphasized the skills and talents of the handicapped and included booths which demonstrated devices to aid the handicapped.

Cole, who had toured the exhibits the day before the festivities, was impresed with what he found.

"If a person has real determination he can do lots," Cole said. "And there is nothing in my knowledge to discourage a handicapped person from running for office. If you don't work hard, you don't get elected."

"However," Cole said, "the worst thing a handicapped person can do is to use his handicap to get a public office. I have never apologized for my blindness. My blindness does cause me an inconvenience but utilizing aids and materials, it is not a handicap, just an inconvenience."

As governor, Cole issued seven proclamations, one calling on Texans to give support in providing better special education programs for exceptional children; a second one calling attention to the importance of creating and developing programs for the education, rehabilitation and employment of the handicapped; a third calling for the abatement of pollution and the others commending the Houston Heights Lions Club and all Lions Clubs in District 2S2, the Fraternal Order of Eagles, the City of Houston, and the members of the Bishop Odin Council No. 2917 and the Supreme Council of the Knights of Columbus for their civic accomplishments.

At the luncheon attended by some 1700 persons, city, county, state and national figures paid tribute to Cole.

A wire from former President Lyndon Johnson, stated: "You have come a long way from Tarawa to the capital of Texas. You mastered misfortune and gained wisdom from it."

Cole introduced an old friend in the audience, John Bires, who was Cole's first reader at the University of St. Thomas, Bires, personnel director for a West Virginia steel firm, made the trip to Austin through efforts by state Sen. Hank Grover, another of Cole's classmates.

Recognizing the handicapped again, Cole said, "I believe the handicapped are entitled to an education and the best rehabilitation that can be provided by man.

"Some (handicaps) have stars at their fingertips and you citizens can help them reach these stars.

"Until this is done, we cannot say that America is the land of opportunity."

ASSISTING OUR WILDLIFE AND WILDLIFE-RELATED OUTDOOR RECREATION

(Mr. GOODLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, today Congressman DINGELL and I have introduced a bill that seeks to open the way for a substantial national contribution to wildlife and wildlife-related outdoor recreation. I refer to the bill that we have prepared to impose a manufacturers' excise tax on certain kinds of archery gear and equipment, with the proceeds therefrom being deposited in a special account in the Treasury in support of the purposes of the Federal Aid in Wildlife Restoration Act of 1937.

For my colleagues who may not be fully acquainted with the Federal Aid in Wildlife Restoration Act, let me explain that it authorizes the dedication of the proceeds of a 10-percent manufacturers' excise tax on ammunition and the 11-percent tax on sporting firearms to the purposes of this program. The money is apportioned among the States on the basis of population and land area. The current fiscal year's apportionment is in excess of $31 million. To qualify for its share, a State must submit approvable projects under the terms of the act and supply $1 for each $3 in Federal aid for which it qualifies.

Since it was authorized in 1937, the Federal aid in wildlife restoration program largely has been responsible for the improved status and expanded range of white-tailed deer, elk, pronghorn antelope, wild turkey, bighorn sheep, and other species that were at a low point following the tragic era of wildlife waste in this country. Funds collected and apportioned under the popular program have made possible vital research and the acquisition of refuges and public hunting areas in all States and territories.

The Federal aid or P-R Act, as it is known after its sponsors, Senator Key Pitman, of Nevada and then-Representative Willis A. Robertson, of Virginia, has contributed substantially to the restoration of wildlife in this country. About $350 million has been collected and allocated to the States since the program was begun; nearly 3 million acres of land have been purchased and developed for wildlife and public hunting; about 1 million acres of wetlands have been acquired for waterfowl.

Under the impetus provided by the Federal aid program, the States have considerably expanded and strengthened their wildlife programs. Universities and colleges responded by initiating educational programs in wildlife management, with the result that the State agencies today are staffed by well-trained and capable wildlife professionals. No State may qualify to participate in the program if any of the receipts from the sale of hunting licenses are diverted to nonwildlife purposes, a practice that was common back in the old days of politically dominated fish and wildlife agencies. This simple, but essential, provision in the P-R program has prevented millions of dollars from being siphoned away from necessary wildlife purposes. Additionally, the regulations require that the States hire trained personnel to carry out the programs possible under the act, a requirement that has greatly enhanced the overall level of professional competence within the State wildlife agencies.

Two beneficiaries of the firearms hunter-supported Federal aid in wildlife restoration program are archers and the archery industry. They have benefited because wildlife technicians, relying on funds made available through the P-R program, have acquired significant wildlife properties and have conducted research and management programs that have resulted in the widespread restoration of game animals, like deer. Pertinent research has yielded information making it possible for game agencies to open and considerably lengthen the seasons in which deer may be hunted, and particularly by archers. Yet archers make no contribution in support of the essential wildlife work conducted by the State agencies, other than through their purchase of necessary licenses and permits. The firearms hunter also purchases comparable permits, but he makes an additional contribution through his purchase of sporting firearms and ammunition which bear the supporting manufacturers' excise tax. Archers benefit from all of this. They enjoy the longer and more liberal seasons and hunt on properties purchased by the State wildlife agencies. They, too, should contribute to this excellent Federal aid program. To do so would be to look after their own best interest.

My colleagues should know that sportsmen's, manufacturers' and other organizations appeared before the appropriate committees considering the Excise Tax Reduction Act of 1965 to urge that the taxes on sporting firearms and ammunition not be reduced or abolished. They gave absolute priority to the continuation of the Federal aid in wildlife restoration program. The Congress heeded their advice, for many Members of Congress are hunters, too, and the popular tax was not touched. I think this is very significant, because while the tax is collected at the manufacturing level, it is, in fact, the sportsmen who actually pay it by virtue of their purchase of ammunition and sporting firearms.

I cannot estimate how much would be yielded by a 10 to 11 percent manufacturers' excise tax on archery gear and equipment, Mr. Speaker. This would depend on the items to be taxed. Some clearly do not have a hunting application. I would expect that this would be worked out with the manufacturers of archery equipment and with their trade associations. The idea is not to be punitive, but rather to identify those items of equipment and associated gear definitely having a hunting function.

Our bill also follows legislation now under consideration that would dedicate the proceeds from the long-existing manufacturers' excise tax on handguns to the purposes of the Federal aid in wildlife restoration program. That money, now amounting to about $5 mil-

lion annually, has been going into the general funds of the Treasury since 1932.

The legislation relating to the handgun tax would dedicate one-half of the yearly collections to the wildlife restoration phases of the 1937 act; the States would be given the option of using the remaining half for the conduct of hunter safety training and for the acquisition, development, and operation of public shooting ranges. I think these are necessary purposes, daily growing more important, in fact, by expansion and concentration of population. Sportsmen need this training in the safe handling and use of firearms and they also need public ranges at which the instruction can be given and where actual practice firing may be done. From what I have observed at a few small local archery ranges, the man who chooses to follow this most ancient and sportsmanlike method of hunting also needs properly designed and operated ranges at which to achieve the level of skill so necessary to the successful practice of his sport.

Few Members need to be reminded that archery, like all forms of outdoor recreation, is participated in by more and more people each year. Our bill seeks to do these recreationists and the manufacturers a service by giving them an opportunity to contribute to the future well-being of their sport. I urge my colleagues to obtain copies of my bill, to study it closely, and to introduce companion proposals of their own.

The record of the Federal aid in wildlife restoration program is strong and compelling. Our bill offers an avenue for similar progress and advancement of wildlife and of the recreation based on it. I am sure that public hearings will bring forward many witnesses and suggestions as to the appropriate method of proceeding. I already have received pledges of support from representatives of the archery industry and of archers themselves. Those of my colleagues who would care to join me in this will be making a contribution to all who hold hunting to be one of our Nation's finest forms of outdoor recreation.

MARIHUANA

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNT. Mr. Speaker, I have been critical of efforts to so reduce the penalties for the possession and use of marihuana as to border on legalization. As a practical matter, enforcement efforts will be as lax as the penalties are meaningless and without substance.

Although the preponderance of publicity and testimony has been on the side of leniency, and is suggestive of the last decade's characteristic permissiveness in the administration of criminal justice, I believe it is critically important not to overact by the implementation of mere token penalties or, in the extreme, legalization of marihuana.

My experience in the field of enforcement in connection with narcotics laws is still more convincing evidence of the dangers of marihuana than recent vague and indefinite medical testimony interpreted to reach a contrary conclusion. I would commend to your attention the insights on the subject of a past commander of an evacuation hospital in Vietnam which has the largest psychiatric team in the war zone. Col. John J. Kovaric, MC. U.S. Army states in a letter reprinted in the January 23, 1970 issue of the Washington Evening Star that:

> Men who had taken marihuana (widespread use among our combat personnel is acknowledged) and who were brought to our hospital, either for outpatient consultation or hospitalization, had recognized behavioral defects and were usually psychotic-like in nature. That is, they either had feelings of persecution, delusions of grandeur, were abnormally euphoric and in some cases, had become physically unmanageable, had convulsions, *or had even committed murder.*

After refuting the frequently made comparison with alcohol, Colonel Kovaric observes:

> While scientific decisions are being made about the mental, physical, social and economic effects of various drugs, there is more than adequate evidence that marihuana is a drug to be condemned and controlled. If any drug in today's pharmacy had the effects and complications of marijuana it would immediately be banned and relegated to the fate of thalidomide!

His concluding point, and one with which I fully concur:

> Because punishments for the use of marihuana seem to be excessive, it is sheer lunacy to overreact by legalizing (or I might add, by imposing meaningless token penalties) in an attempt to eliminate a problem;

QUALITY OF EDUCATION IN THE UNITED STATES

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, yesterday 11 Members of the House, on a bipartisan basis, introduced a resolution calling for the appointment of a select committee from the House of Representatives to study the effects of Federal policies on the quality of education in the United States. Mr. Speaker, I want to repeat to study the effects of Federal policies on the quality of education. The 10 others who have cosponsored this bill are: Mr. AYRES, Mr. GIAIMO, Mr. QUIE, Mr. ROSTENKOWSKI, Mr. MICHEL, Mr. SMITH of Iowa, Mr. ANDERSON of Illinois, Mr. WAGGONNER, Mr. ERLENBORN, and Mr. STRATTON.

Mr. Speaker, the members of such a committee—if this resolution is approved—would come from the various committees of the Congress that handle education legislation. Many student aid programs originate in the Education and Labor Committee and are administered by the Office of Education. The largest student financial assistance program for college students is under the Veterans' Affairs Committee. The second largest financial student aid program is authorized by the Ways and Means Committee and is under social security. Advanced funding is the responsibility of the Appropriations Committee.

The Federal involvement in education is under the direction of eight Cabinet-level departments and 19 Federal agencies. We question the effect that this proliferation of programs and the dispersion of congressional responsibility have on the quality of education. The manner and timing of congressional funding should be reviewed.

Also studied would be the impact on the quality of education when so much national emphasis has been placed on the value of sheepskins and the importance of a 4-year college training. Not nearly as much national effort has been made for technical education and vocational training at either the secondary or postsecondary levels.

The results of a study on the effects of Federal laws on busing to achieve a certain racial quota and the results of Federal effort to curb the violence in the classrooms might result in recommendations by the select committee to the Judiciary Committee or the Education Committee or to the Civil Rights Commission or to the Justice Department.

It would be the purpose of the study to try to determine where vitally funded efforts have achieved success and where they have failed. More importantly it would be the effort to find out if the administration of Federal laws expedited or thwarted the intent of Congress in authorizing them. The study would not limit itself to programs administered just by the Office of Education but other areas would be closely scrutinized. Other Democrats besides the six already referred to, who have indicated to me their wish to cosponsor the legislation today are as follows: WILLIAM ANDERSON, JOHN BLATNIK, DOMINICK DANIELS, JIM DELANEY, JOHN DENT, ED EDMONDSON, JACK FLYNT, NICK GALIFIANAKIS, JOE GAYDOS, SAM GIBBONS, WAYNE HAYS, CHET HOLIFIELD, WALTER JONES, JOSEPH KARTH, PHIL LANDRUM, CLAUDE PEPPER, BERNIE SISK, OLIN TEAGUE, AL ULLMAN, JIM WRIGHT, and JOHN YOUNG.

We sincerely hope that the other Members of the House will consider this resolution and we would be most pleased if additional Members on both sides of the aisle would cosponsor it.

ATTACK ON HIGHER EDUCATION

(Mr. FRASER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRASER. Mr. Speaker, I was saddened to read the statements of the Vice President of the United States in attacking both public and private institutions of higher education which sought to open the doors to minority students. In all of my years I have never heard a high public official of the United States make such an attack on free institutions in America with such base motives.

My sentiments are expressed exactly in a recent column by Frank Mankiewicz and Tom Braden, which I include in the RECORD at this point:

AGNEW'S ATTACK ON COLLEGE PLANS TO RECRUIT NEGROES WAS RACIST

The Vice President's speech last Thursday—in which he attacked college and uni-

versity admission policies as "a special kind of madness" has evoked no remarkable response, according to his office. That news—at least—is better than the speech.

University officials and faculty think Agnew's words will make their job more difficult. Some of them are wondering, with Yeats, "What rough beast, its our come round at least, sloughes toward Bethlehem to be born?"

At Yale and Harvard, at Dartmouth and Princeton—to name a few of the country's older seats of learning—it is easier today for a black student to enter the freshman class than for a white of equal scholastic achievement.

These colleges and others are trying desperately to reach a quota—that is, to achieve a student body roughly representative of the number of blacks in the nation—approximately 11 per cent. It is not easy to reach this quota.

It may come as a surprise to white suburbanites that one of the most difficult tasks of admissions officers is persuading capable blacks to make the effort. As one put it off the record, "Sometimes, we almost have to tear them away from their mothers. Centuries of slavery, segregation, and second-class education have not promoted ambition."

But the nation's private and public institutions have—by and large—bravely attempted to meet the challenge. Their sense of duty is born of awareness that as blacks demanded equal opportunity it was somebody's job to provide the education to prepare them for it. To build a society in which black people hold a proportion of the top jobs—because they can do these jobs as well as whites—is their aim, in the name of justice—but also in the name of social stability.

Not only courage, but perseverance—long hours of explaining to parents, alumni, students and trustees—has been necessary to enable them to set forth upon their task. And as black students entered—and frequently made outrageous demands—the job of these men has been Herculean.

The question that must be asked now is whether the goal they set is wrong. The Vice President of the United States has attacked it in language that goes straight to the jugular. "Would you like to be operated on," the Vice President has asked the nation, "by a man who was admitted to medical school as part of a quota?"

Despite some evidence to the contrary, Spiro Agnew is not a fool. He knows there is not a medical school in the country that would graduate a black doctor who could not fulfill its requirements, and no one proposes that they do so.

For that matter, there is not a liberal arts college or university that would graduate a black student who could not meet its standards. But the distinction between an admission standard and a graduation standard is one that Agnew and his White House speech writers chose to ignore. The result is political hay at a very high cost.

For some time, Agnew has been snuffling along the American trail, seeking the beast that is in us all. It would appear that he has found him and identified his diet.

The question is, what kind of America does the Vice President want? There are short-term votes among white parents who fear their children will be forced to shop among second-choice colleges and professional schools. There are even more votes among construction workers who see their jobs threatened by black apprentices.

Agnew appealed to these prejudices, President Nixon's "Philadelphia Plan" or no. If the Vice President means what he says, we will soon be two Americas, both armed.

President Nixon, who was elected—he says—to "bring us together," owes an apology to the educators and college officials who have been trying to save his country. Failing that, he could at least tell his Vice President to stop making racist speeches on Lincoln's Birthday.

MARGIOTTA DEMANDS RESIGNATION

(Mr. LOWENSTEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENSTEIN. Mr. Speaker, I think the American people may be interested in a situation that is developing in the Fifth Congressional District.

I believe it is fair to say that when I was elected to Congress, everyone knew pretty much where I stood on the war, and in fact on most other major issues. But for many months now Mr. Joseph Margiotta, the Nassau County Republican Chairman, among others, has been demanding my resignation on the grounds that I do not represent the views of the people of the Fifth Congressional District on the war and on problems related to the war.

Demands like those of Mr. Margiotta could ordinarily be discounted the way that most political statements are discounted, but these are not ordinary times. The war grinds on, and so does inflation, poverty, pollution, and a host of other curable ills. Meanwhile, the Nation waits in vain for leadership with guts, brains, and programs to cure these ills. Instead, it gets nostrums and name-calling from the national administration, and the spirit of the people grows more troubled and querulous while the national will seems almost paralyzed.

Vietnam remains at the heart of these difficulties. I cannot support the President's policies there for I am convinced that these policies will lead to many more years of war, with all the horror that entails for the United States and for Vietnam. Mr. Nixon may feel that 5,000 more dead Americans—and God knows how many more Vietnamese killed by Americans—are small numbers. I do not.

In these circumstances, I believe there is much to be said for the kind of electoral test that could occur if I were to resign, as Mr. Margiotta and others have suggested, and let the voters decide if they want me to continue as their Representative.

I assumed that Mr. Margiotta and the others who have asked me to resign did not intend to have the Fifth Congressional District go unrepresented in Congress. If I resign, the only way the Fifth Congressional District can be represented would be to hold a special election to fill the vacancy. So if Mr. Margiotta's demands for my resignation were not pure grandstanding, it seemed reasonable to expect him and his associates to join enthusiastically in asking the Governor to assure that a special election would be held promptly to fill the vacancy that would be created by my resignation.

But that is not what happened. Mr. Margiotta's reaction to my offer to take his proposal seriously was to call it "absurd," a rather curious—if not in itself absurd—turn of events. Other Republicans—including State Senator Norman Lent, who has seemed extremely eager to come to Congress as soon as possible until this opportunity arose—now are unexpectedly unenthusiastic about my accepting the challenge.

Two explanations suggest themselves for this odd behavior: either they want me to resign if I agree to leave the Fifth Congressional District entirely unrepresented for the remaining 10 months of my term; or they are unwilling to put up, and will therefore be obliged to shut up, now that their bluff has been called. The first interpretation does little credit to their respect for the needs of the community; the second does even less credit to their political courage.

I have made it clear that the moment the Governor agrees to call a special election he will have my resignation, and the people of the Fifth Congressional District can then say who they want to represent them for the remainder of the term to which I was elected in November 1968. Since the State legislature has dismembered the Fifth Congressional District, there will be no other way that the people of this district can make such a choice. And while I disagree with Mr. Margiotta about what choice they would make, I agree that the issues are too critical to deny them the right to choose.

Let me also make it clear right now that a special election would fill my seat only for the rest of my current term. Even if I were to win such an election, I would have to run again in November under the new district lines if I wanted to stay in Congress next year.

I have hesitated to take this step for personal reasons and for reasons of precedent. To begin with, one does not lightly put one's family or one's community through extra campaigns for offices fairly won. And midterm resignations are not generally desirable in our system of government.

But America is in the kind of crisis that makes usual politics unacceptable. We play politics as usual now at our own grave national peril.

The division about the President's war policies is very deep. His claim that a majority of the American people supports these policies should be subjected to the best test available, which in the last analysis is an election. In America the people must speak on questions like these, not the politicians.

My resignation, then, could achieve three useful results. It could insure that the people of the Fifth Congressional District will have a spokesman in Congress during the next 10 critical months who will represent them properly on the great problems besetting the Nation.

It could provide a clear test of how the American people feel about the President's leadership on the war, and on the crisis at home, in a district in which the President obtained a higher percentage of the popular vote in 1968 than he did in the Nation at large.

And it could help reinvigorate in some way the electoral process itself, so more

Americans will see that they can, in fact, influence the national policies that affect so profoundly their lives and the future of their country.

I have decided on this course in the spirit of the late Senator George W. Norris of Nebraska, who opposed steps he believed would involve the United States unnecessarily in the First World War. Senator Norris warned that a Member of Congress who ignored his conscience on a matter as basic as war and peace "becomes only an automatic machine" requiring "no patriotism, no education, and no courage."

Instead, Senator Norris decided that he must "do what in my own heart I believe to be right for the people at large" and "let my constituents decide whether I was representing them or misrepresenting them in Washington." So he wrote to the Governor of his State offering to resign his seat in the Senate and urging the Governor to call a special election. In this letter he said he had "no desire to represent the people of Nebraska if my official conduct is contrary to their wishes."

He wrote:

> I will not . . . violate my oath of office by voting in favor of a proposition that means the surrender by Congress of its sole right to declare war. . . . If my refusal to do this is contrary to the wishes of the people of Nebraska, then I should be recalled and someone else selected to fill the place . . . I am, however, so firmly convinced of the righteousness of my course that I believe if the intelligent and patriotic citizenship of the country can only have an opportunity to hear both sides of the question, all the money in Christendom . . . will not be able to defeat the principle of government for which our forefathers fought. . . . If I am wrong, then I not only ought to retire, but I desire to do so. I have no desire to hold public office if I am expected blindly to . . . be a rubber stamp even for the President of the United States.

This Republic is stronger for the contributions of men like George Norris who understood that in a free country no public office is more important than obeying one's conscience and then being prepared to abide by the decision of the people.

Some may suggest that it is "grandstanding" to offer to resign rather than simply to resign. I would in, fact, prefer to resign outright. The U.S. Constitution says:

> When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies. (Art. 1, sec. 2, (4)).

But the New York State statute leaves the decision about filling vacancies to the discretion of the Governor, and the work of a Congressman is too important to his constituents to risk leaving them unrepresented for 10 months. So I have concluded that I cannot resign until it is certain that the Fifth Congressional District will not be unrepresented as a result of my resignation.

I want to repeat now what I said on Monday: I urge and expect Mr. Margiotta and those who have joined with him to demand my resignation—I urge and expect them to join with me now in urging the Governor to agree to a special election.

If they persist in calling their own proposal absurd simply because I took it seriously, it will be perfectly clear that it is Mr. Margiotta and his allies who have been grandstanding—that they are, in fact, unwilling to submit our differences to the people. In short, it will be clear that they know the majority of the people in the Fifth Congressional District approve of the kind of representation I have been giving them.

May I add that if no election is agreed to, one might suspect that the President and the Vice President have also been grandstanding with their claims that they speak for the "silent majority," because they ought to be able to win an election in my district if they could carry the country. At least they would have a very fair battleground.

Some will object that a special election adds to the burden of the already overburdened taxpayer. As far as I can find out, the cost of a special election would run around $75,000. That does not seem relatively very expensive, representing as it does the cost of about 75 seconds of prosecuting the war. But if cost is a problem, I would be glad to split it with Mr. Margiotta and the Nassau County Republican Party so it need cost the taxpayers nothing.

In any event, in Congress or out, I will continue to oppose the President's policies in Vietnam and the deranging of our national priorities that has resulted from these policies and those of his predecessor. I hope it is clear that my position on this matter is not based on partisanship. We have opposed Presidents impartially, regardless of party.

I am convinced that as a Nation we are on a disaster course. I am convinced, too, that more and more Americans will want to change policies as they understand where we are headed, and at what a terrible price to all we hold dear.

In my judgment, the only thing that could be worse for America than the continuation of these policies would be their continuation because those who believe them to be wrong have not done everything humanly possible to change them. That means carrying our views as effectively as we can to all the people, in whom, after all, the power of decision ultimately resides.

I believe we can do something useful to strenghten democracy in the United States by holding a special election in the Fifth Congressional District at this time. And, win or lose, I know I can do more to help move America toward the goals that are growing more distant by submitting my record and taking my case to the voters than I possibly could by staying in Congress safely for the rest of this term.

So I have sent the Governor a letter urging him to assure us that a special election would be held within 60 days of my resignation. I hope that assurance will be forthcoming soon, so I can submit my resignation and we can start right away to find out how the American people feel about the war and about the problems so closely tied to it.

SCHOOLS IN THE SOUTH

The SPEAKER pro tempore (Mr. HOLIFIELD). Under a previous order of the House, the gentleman from Alabama (Mr. DICKINSON) is recognized for 60 minutes.

Mr. DICKINSON. Mr. Speaker, I have asked for this time in order to have an opportunity to emphasize and underline a problem facing my section of the country and my district in particular at the present time; a problem which will inevitably spread throughout this country; a problem which everyone will have to face when the time comes—and I have predicted the time will rapidly be here.

I refer specifically, Mr. Speaker, to the arbitrary and artificial requirement that various schools come up to a certain percentage of racial enrollment, totally disregarding the neighborhood school concept. This is to be brought about by busing children away from their homes and away from their normal schools sometimes as much as 10 or 15 miles, to schools where they are strangers and where they are out of their natural habitat. Schools which they do not wish to attend. Mr. Speaker, I refer to both black and white students who want to go to their neighborhood schools and who want to stay with their families and friends. These students do not want to be bused.

I have called on some of my colleagues, who might so desire, to contact their school officials in their respective districts and obtain documented specifics of the ludicrous situation that has been brought about as a result of some of the court orders and some of the decisions of the HEW "education specialists" who have proceeded to draw up these school plans.

It is not my intention to debate the merits, or not, of integration as opposed to segregation. We recognize what is the law of the land, but it is our contention, Mr. Speaker, that some in this administration and some department heads, while they might recognize what is the law of the land, choose to ignore the law of the land

Mr. Speaker, all of our State is either under Federal court order or HEW rulings, which really do not have too much to do with running the schools in the State of Alabama. In the middle district of Alabama, under Judge Johnson, we have 99 school districts pending in one suit, and all the other school districts are under a court order in one form or another, so we really have very little to say about the running of the schools by the school boards. I have talked to the superintendent of education for my State, and, even if we had the money, I find we cannot build schools and schoolrooms as rapidly as the Justice Department, through its various courts and HEW, through its guidelines, are closing them. We cannot physically do it.

There are perfectly good schools in my district, one in particular on which I have a letter, which is 2 years old, which has been ordered closed—not because there is anything wrong with the

school, but in order to force the children to go to another school.

I have heard it said by some of the judges that they do not order the busing. What difference does it make if they close a school and the only way a child can get to school is to walk or take a bus? There are then effectively ordering busing. This is an exercise in semantics, and it is ridiculous and absurd, and it is skirting the issue.

Mr. Speaker, I have here a letter from a member of the school board of Butler County, which is in my district.

This is a letter he has written to Frank Johnson, the judge in charge. I shall quote from this letter. The city is Greenville. This involves a recommendation for student desegregation.

It says:

That the Greenville High School be a center for all students in grades 10 through 12 living in the northern attendance area.

That the Southside School be used for Vocational Education, Distributive Education, Diversified Occupations and R.O.T.C. and Band. The Southside School is located relatively close to the Greenville High School and on the same site with the Butler County Area Vocational School.

The fact is that they are on opposite sides of the town. The fact is, Mr. Speaker, in practice and reality, it takes students 15 minutes to board a bus at the Greenville High School and drive to the Southside High School, unload and be seated in class. This plan, as submitted by the Office of Education, would automatically cut off the first 15 minutes of class instruction time, for which they allot 55 minutes, and they would have to load up again and drive all the way back to the other side of the town to attend the next class.

It is absurd and asinine that they should require the city or the county school system to maintain shuttle buses all day throughout the day to transport students from one side of town to the other side of town and then back again. From a 55-minute class period, 30 minutes will be used by the student in riding on a stupid bus.

I ask, Mr. Speaker, what are we trying to do? Are we trying to educate the children, or are we trying to force the destruction of the public education system in the State of Alabama and throughout our section of the country?

As soon as the laws are uniformly applied and uniformly enforced throughout this country, we will see the same things happening in New York, Ohio, California, Indiana, and every other State in this country.

Our colleague in the other body, Senator STENNIS, has favored us with some very interesting statistics, which I am entering into the RECORD today. All who doubt the truth of our position have not and cannot refute these statistics.

According to his statement, which he has conclusively documented, the figures show, for instance, in Ohio there are 197 predominantly Negro schools. There are 154 of them 90- to 100-percent Negro, and there are 131 schools that are 95- to 100-percent Negro, and 105 of them are 98- to 100-percent Negro.

This, as I said, Mr. Speaker, has to do with Ohio.

In Indianapolis, the capital of Indiana, there are 13,765 Negro students in 17 schools that are from 99.2- to 100-percent black. In all these 17 schools there are only 37 students listed as white.

In Philadelphia, the largest city in Pennsylvania, there are nine schools with total enrollment of 7,200 students that are 100-percent Negro.

In Los Angeles there are 48 schools with a total enrollment of 65,877 that are 99- to 99.9-percent Negro.

The statistics go on. I believe they stand and have not been successfully refuted.

If I may add just a couple more, in New York City, according to U.S. News & World Report, 43.9 percent of all Negro students attend schools which are 95- to 100-percent black.

In Washington, D.C., this great enlightened Capital of our great country, there are 89.2 percent who attend predominantly, almost 100 percent, black schools.

In Baltimore it is 75.8 percent of the children.

In Chicago it is 85.4 percent, according to statistics in the U.S. News & World Report.

So, Mr. Speaker, the point is that this is not necessarily a sectional problem.

We saw in the Civil Rights Act of 1964 a prohibition against enforced busing of children to bring about a certain degree of racial balance in the schools. Yet we have seen the Department of Health, Education, and Welfare, through its guidelines, and the Department of Justice in many instances totally ignoring the will and the expressed mandate of this House and this Congress. Through subterfuge they say that we are not doing it for this purpose but are doing it for another purpose, and thereby they deny that they are busing, while at the same time they are closing schools. Of course, the only way a child can get to the school is either to be bused or to walk.

Mr. Speaker, the point is—and I have asked my colleagues to help who are as concerned as I am over public education—that what this administration must do and what the American people must demand and what we all have a right to expect is that there will be uniform application of the law throughout this country.

As I pointed out, the statistics show that this is not a sectional problem but, rather, one which we all face and deal with daily. I may say that I will ask unanimous consent to include in my remarks statistics as well as other extraneous matter dealing with this problem that show, instead of educating more people, we are doing just the reverse. According to the superintendent of education of the counties which I represent, the whites are going to private schools more and more. Some of the blacks are also going to private schools, but many of them are dropping out of school altogether. Predominantly it is the black students who are dropping out altogether, according to the statistics furnished by the department of education in my district.

Mr. Speaker, are we trying to help to educate people?

If we are, we are certainly falling far short of the mark, because we are not doing the best for the most people and are not doing what is best for the common good of all. We are forcing the degradation of our public school system. It is time that we all became concerned and joined in this effort in calling the matter to the attention of the entire Nation as to what they will be facing in the very near future, because we have already traveled this road that they are now facing.

Mr. Speaker, at this point I would like to enter into the RECORD several letters, documents, and articles that point out the ridiculousness of the court orders and HEW rulings that are destroying our public schools in my district, Alabama, the South, and our Nation:

BUTLER COUNTY SCHOOLS,
Greenville, Ala., February 13, 1970.

Hon. WILLIAM L. DICKINSON,
The House of Representatives,
Congress of the United States,
Washington, D.C.

DEAR SIR: I believe the attached affadavit showing the number of students lost to the public schools as a result of integration will show what the result of Court Orders have done to our schools.

In the Greenville Junior High School, we now have a sixty per cent black student body. In the Georgiana High School (grades 10–12), we now have a fifty per cent black enrollment in what was previously a white school.

We appreciate your interest in our schools and trust this information will be of help.

Respectfully yours,

GENE STROUD,
Superintendent, Butler County Schools.

BUTLER COUNTY SCHOOLS,
Greenville, Ala., February 13, 1970.

Enrollment—May 1969:	
White	3019
Nonwhite	3037
Total	6056
Present enrollment:	
White	2690
Nonwhite	2793
Total	5483
Students lost:	
White	329
Nonwhite	244
Total	543

(LOSS, 8.9%)

The above figures are a true and exact report of the enrollment statistics for the Butler County Schools.

The majority of the white students lost to the public schools have enrolled in private schools, but less than 30 Negro student shown as lost have enrolled in private schools. The others have dropped out of school.

More students were lost to the public schools as the result of integration this year than were lost in the last five years combined for all reasons.

GENE STROUD,
Superintendent.

Sworn to and subscribed to before me this the 13th day of February 1970.

BERYL C. MCBRIDE,
Notary Public.

BUTLER COUNTY SCHOOLS,
Greenville, Ala., January 30, 1970.

Judge FRANK B. JOHNSON, Jr.,
Middle District Court, U.S.A.,
Montgomery, Ala.

DEAR JUDGE JOHNSON: On Monday, January 26, 1970, the Butler County Board of

Education received a copy of the Alternative Plan developed by the United States Office of Education for the Butler County school system.

The Butler County Board of Education has complied with every order and direction of this Honorable Court to the best of its ability and, it is believed, with cooperation and understanding of the citizens of this county. We believe this has been done in such a manner as to preserve the dignity of both races within Butler County. This school term the Greenville Junior High Schol which previously was predominantly white became (57.59%) fifty-seven and fifty-nine hundredths per cent black. The Georgiana High School which previously was predominantly white became (50%) fifty per cent black. There have been no demonstrations, no suggestions or threats of violence. The members of both races are proud of the general reaction to this change. We believe that we have maintained an atmosphere conducive to education.

There are portions of the Alternative Plan submitted to this Court by the United States Office of Education which are entirely impractical, and which we feel cannot be implemented. We beg this Honorable Court to give consideration to the impractical aspects of the Alternative Plan and reject those things incorporated in the Plan which are contrary to sound education.

Attention is called to Part II of the Plan.

Recommendation for Student Desegregation: "That the Greenville High School be a center for all students in grades 10 through 12 living in the northern attendance area."

"That the Southside School be used for Vocational Educational, Distributive Education, Diversified Occupations and R.O.T.C. and Band. The Southside School is located relatively close to the Greenville High School and on the same site with the Butler County Area Vocational School."

It takes students 15 minutes to board a bus at the Greenville High School, drive to Southside High School, unload and be seated in class. This plan as submitted by the Office of Education will automatically cut the time allotment per class from 55 minutes to 40 minutes. The time to load, travel back from the Southside School campus to Greenville High School will require another 15 minutes. This would give only 25 minutes of actual instructional time.

No student would take any two subjects named in the Plan; therefore, it would be necessary for a different group of students to be transported each period.

We are asking the Court not to limit course offerings on a single campus, but to permit the local school Board to use the Southside campus as an annex of Greenville High School to be used as it sees fit.

The Plan also calls for students in grades 8 and 9 living in this northern attendance area to attend the Greenville Junior High School. This school is presently set up on the organizational pattern of grades 7 and 8. It has operated very successfully this school term with (57.59%) fifty-seven and fifty-nine hundredths per cent black students.

If 9th grade students are housed in this building, it means that the course offerings to 9th grade students will be reduced. All 9th grade students begin to take such courses as Home Economics, Agriculture, foreign languages, etc. The Greenville Junior High School building does not have facilities for courses such as Home Economics and Agriculture. We can see no advantage in changing the organization of the Greenville Junior High School from grades 7 and 8 to grades 8 and 9.

We beg you to permit the organization to remain as it is operating this year, since there is no other Junior High School in the northern attendance area.

Under the section *Desegregation of Faculty and Other Staff*, the Board of Education asks that an interpretation of No. 1 be given.

We ask that the section of the Plan *Suggestions for Implementation* be deleted.

Under section Students, item 4 referring to provision of a late bus for those students staying after school to participate in extra-curricular activities: We feel that since our system is a rural one, which draws students from a 50 mile radius, such a recommendation could not be implemented because of the expense involved and the possible distance the bus would have to travel.

Under the same section, item 5, "Outside of regular class for counseling and extra instructional help." The Board feels that a clarification of this item should be made. Does regular class refer to a regular school day?

We are interested in providing the best education possible for all students in this system. For this reason, we prayerfully beg that you not assign quotas by race for faculty members. We honestly plan to use objective criteria for teacher performance and student achievement to assign and employ all faculty, other professional and non-county. The educational program of this professional staff in the schools of this school system would be weakened and students would suffer if a racial quota system were imposed.

The Butler County Board of Education believes that in many areas of the Plan submitted by the United States Office of Education, the Plan reflects concern over the methods of implementations, patterns of organization of curriculum, and grade make up rather than the integration of students by race to eliminate a dual school system. We beg you to look closely at the Plan and include in the Court Order only those directives necessary to achieve the purpose of the Court in this regard.

Sincerely yours,

GENE STROUD,
Superintendent, Butler County Schools.

OFFICE OF
SUPERINTENDENT OF EDUCATION,
Brewton, Ala., February 13, 1970.

Hon. WILLIAM L. DICKINSON,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN DICKINSON: At the present time we have in Federal Court a proposed plan (as required in our October 23, 1969 decree) which would abolish the dual school system in Escambia County commencing with the 1970–71 school year.

We have been notified by the Court that our plan does not meet legal requirements and that the Justice Department has also filed a plan for Escambia County prepared by the Office of Education. We have been notified further to show cause by February 15, 1970 why the Office of Education plan should not be ordered rather than our plan. The hearing has been set for March 6, 1970.

A discussion of busing in a rural school system such as Escambia County is a very complicated thing. For that reason I am enclosing map of County showing school locations, etc. We really have two distinct areas with differing conditions, race ratios, etc.

You will note from the map that the eastern portion of Escambia County is operating on a 100% integrated basis. All negro and white children are attending school together daily in 4 school centers. However, all 5 and 6 grade W. S. Neal children (white and negro) are transported 3½ miles to and from the former Oak Grove-Pollard school which is a comparatively new school (2 years old) with excellent facilities for elementary children.

The only school closed in this County by Court Order is the Boykin Elementary School in eastern Escambia County.

Actually there are fewer buses running in this section of the County and travelling fewer miles than in years past (even including the daily transfer of 5 and 6 grade Neal students) due to the fact that all negro students Grades 1–12 from the extreme eastern section of Escambia County were transported daily to Southern Normal School (private) located on the other side of Brewton, Alabama; and all negro students from Flomaton, North Brewton, and McCall areas, grade 1–12 were transported daily to Oak Grove-Pollard School on outskirts of Brewton and to Southern Normal. They now attend W. S. Neal, North Brewton, McCall, Flomaton and Brewton City schools depending on which school is nearest their homes.

All white children in eastern Escambia County grades 1–12 have attended and been bused to W. S. Neal in East Brewton for years. They have done this by choice and not as a result of a Court Order.

No child (white or black) in this County is being bused 80 miles daily to and from school as has been reported.

The majority of the parents (white and negro including W. S. Neal 5 and 6 grades) have accepted the integration of schools in eastern Escambia County and no serious incidents have occurred to date. The proposed plan presented by the Office of Education is practically identical with the Escambia County Board plan for the eastern portion of Escambia County. (Flomaton east to Covington County line, from northern to southern boundaries).

However, the western or Atmore area is an entirely different situation.

We operate 5 schools in Atmore at present: 2 predominately white elementary schools grades 1–6; 1 predominately white junior high grades 7–9; 1 predominately white Senior high grades 10–12; 1 all negro eleven grade school grades 2–12. Two other schools are operated in western Escambia County: Huxford predominately white grades 1–9 and Freemanville grades 1–7 all negro.

Freemanville is seven miles from Atmore and Huxford approximately 20 miles.

Under our Board plan these schools would continue to operate on an integrated basis with the above listed grades and the facilities used for instruction in areas for which they were designed and built.

Under the Office of Education Plan grades 1 and 2 would be at one elementary school in Atmore; grades 3 and 4 at the other elementary school in Atmore; grades 5, 6, 7 and 8 at Escambia County Training School in Atmore; grades 9 and 10 at the Junior high site at Atmore; grades 10 and 12 at the Senior high site in Atmore.

The Huxford and Freemanville Schools would be paired with grades 1, 2 and 3 at Huxford and grades 4, 5 and 6 at Freemanville. This means busing of both races both ways (north and south) from Atmore to and from northernmost County line to achieve integration. Your requirements for reporting does not permit time to get numbers of documented statements from parents, teachers, and principals regarding the confusion and dissatisfaction that will result should this proposal be ordered and put into effect.

A definite court ordered plan has not been ordered or publicized as yet, but the public does have a general idea of what may be ordered and neither race is happy due to many many reasons.

A few of the more prevalent evidences and reasons for concern in this area are:

1. Total disregard for any freedom-of-choice by parents or students.

2. Disregard for school attendance at neighborhood schools in order to achieve integration.

3. Busing to and from the two rural schools in order to achieve pairing of these schools.

4. Shifting of teacher personnel (white and negro) to schools in areas in which they do not reside.

5. Assigning students to buildings and facilities that are not designed to meet the educational needs of courses and grades to be offered there rather than what the buildings were designed and built to offer in the way of curriculum.

6. Formation of private school in Atmore which is now being organized.

7. Lack of attendance of negro first graders who are now assigned to white schools in Atmore.

8. High ratio of black to white students in western area of County, which will mushroom higher when whites begin fleeing to private school next fall.

9. The continual busing of high school classes, during the school day in the 4 upper grades, to and from the old junior high to present senior high site in order to have the proper facilities to offer certain courses.

10. Possibility of parents within the City of Atmore having children in as many as five (5) different schools.

We appreciate the efforts you and our other elected officials are making to obtain relief from rulings that are not for the betterment of our children's (white and negro) educational opportunities.

Very truly yours,

HARRY L. WEAVER,
Superintendent of Education.

CITY BOARD OF EDUCATION,
Brewton, Ala., February 16, 1970.

Hon. WILLIAM L. DICKINSON,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DICKINSON: The Brewton City Board of Education and I wish to supply you with the information you requested. The Board has received its final decree as it pertains to students. Our problem in the future lies with our teachers, principals and other staff members. When we reach the point that we have to document our every move as to the qualification of one person over another to the Federal Court then I think the arm of the law making justice department has gone too far. I believe I should justify my every recommendation to the school board but I do not believe I should compile report after report depicting my every move to maintain a certain percentage of Negro to white staff members.

As for the information you requested, we do not have documented statements by principals, teachers or parents who have experienced unusual personal hardships as a result of the court decrees. I do not deny that certain teachers have found it difficult to work in a new situation and some found it an impossible task, but I do not think I could get documented statements to that affect.

Busing has not been one of our major problems. We do not expect it to present any problems under the final decree.

To show unusual hardships caused by closing of schools, I have chosen to list the following items:

(1) Negro teachers have a most difficult time succeeding in an integrated teaching situation.

(2) Negro students find themselves far behind academically and cannot keep up with assignments.

(3) An expenditure of $140,000.00 for buildings at the location of T. R. Miller High School resulted when we were forced to close Booker T. Washington High School.

(4) T. R. Miller High School was severely overcrowded until January 1970. Classes met in the library, the study area and the lunchroom.

(5) With the closing of a school, several teachers left our immediate area to seek positions with other systems.

(6) The Negro student has a difficult time being elected or chosen to participate in activities or to receive any honors. Less Negro boys are participating in athletics.

(7) The closing of schools has brought about more dissension among the races.

(8) A Vocational Manual Arts Training Program that was offered the boys at Washington High School is not offered them at T. R. Miller High School because of facilities.

I hope this information proves helpful. Enjoyed talking with you in Brewton on February 13, 1970, and I appreciate your concern for education. If I can be of any service in the future, please call on me.

Sincerely yours,

DALE T. GARNER,
Superintendent.

MONTGOMERY PUBLIC SCHOOLS,
Montgomery, Ala., February 11, 1970.

Congressman WILLIAM L. DICKINSON,
Washington, D.C.

DEAR CONGRESSMAN DICKINSON: In answer to your letter of February 9, I would like to state that our Court Order for the 1970–71 school term has not as yet been issued.

The Order for the 1969–70 school term contained freedom of choice with a provision that at least 20% of the Negro children attend formerly all white schools. The Order required that each faculty must contain at least 30% of the minority race. There was nothing in the 1969–70 Order about closing schools or busing of pupils across town.

Sincerely yours,

W. T. MCKEE,
Superintendent.

ANDALUSIA CITY SCHOOLS,
Andalusia, Ala., February 11, 1970.

Honorable WILLIAM L. DICKINSON,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. DICKINSON: I have your letter of recent date in which you request documented statements from principals, teachers, parents and others concerning hardships as a result of recent Court orders. We appreciate your interest in this matter. However, we did not receive Court approval of our desegregation plan until this week. It is not to be implemented until next September. Therefore, it would be difficult at this time to say what the hardships will actually be. We know there is going to be some inconvenience and difficulty caused by the reorganization of our school system. To date we have been operating under a form of freedom of choice. We closed one very small Negro school but gave the students the choice of attending any one of three other schools.

Our problems will be further complicated if we lose the Federal funds that we have been receiving. For example, we are able to have a low teacher-pupil ratio, additional instruction supplies and equipment, special programs such as art, music, physical education and clerical help in the elementary schools. We also have funds for health services including a school nurse and meals for needy children and other programs with the Federal funds that we have been receiving. We would appreciate your support in this area as well as the matter discussed in your recent letter.

Public education is considered by the majority of Americans to be basic to the continuation of a democracy. It must have support at all levels, local, state and national.

Again let me say that we appreciate your concern for the problems caused the schools by forced desegregation and covet your support on bills now pending in Congress that will provide financial aid to the schools of this country.

Yours sincerely,

OSCAR M. ZEANAH,
Superintendent.

PIKE COUNTY BOARD OF EDUCATION,
Troy, Ala., February 13, 1970.

Congressman WILLIAM L. DICKINSON,
U.S. House of Representatives,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DICKINSON: We are indeed grateful for any assistance that you might be able to give us in trying to preserve public education in Pike County. You may be assured of our full cooperation in every respect wherever you feel that there is the slightest possible chance of any help.

The situation in the Pike County School System is about a 55% black and 45% white in pupil population. The heaviest concentration of black students is in the Brundidge schools. We have the Hillcrest School, grades 1–12, with 1100 children and the Pike County High School, grades 1–12, with about 800 children. Both schools are integrated since we have a few white children attending the Hillcrest School, formerly black, and a considerable number of Negro children attending the former white Pike County School. The proposed plan of HEW and the Justice Department for these two schools is to convert the Hillcrest School into a middle school for grades 5, 6, 7, 8, and 9 and to maintain the Pike County High School for grades 1–4 and 10–12. This is a middle school concept philosophy of which we are not structured in this system because we are on the 6–3–3 plan. This change in organizational pattern of the Pike County School System is quite disruptive and will certainly affect the accreditation of these two schools. This creates an overcrowded condition in the Pike County High School with more black than white children and lack of utilization of the Hillcrest School where we just spent over a half million dollars of the Charles Henderson Trust Fund to bring this school up to the quality of all other schools in the county per the court order and now being partially closed. White parents are not going to send their children to the all back Hillcrest School and neither are many parents going to tolerate the situation at Pike County High School where we have more black children than white. These white children are already registering for the new private school which is being established in Pike County. Enrollment figures for Hillcrest and Pike County High, as projected by HEW, are as follows:

Hillcrest: 6–9, 242 white, 387 Negro.

Pike County: 1–5, 218 white, 429 Negro.

Pike County: 10–12, 240 white, 206 Negro.

In the Goshen area the Federal Court closed grades 6–12 at the Stringer School where we now are operating a 1–6 grade structure. The court also closed the Ansley High School in the Shellhorn community grades 9–12. The children from Stringer, grades 7–12, and Ansley, grades 9–12, are now in the Goshen School which has already created an overcrowded condition. The suggested plan by HEW and the Justice Department is to completely close the Stringer School and the Ansley High School sending the Stringer children to the Goshen School and the Ansley children to the Shellhorn School. I know of no way that we could house these children in the Goshen school much less retain our accreditation and provide the kind of educational program we have had at Goshen.

The Shellhorn situation where we have grades 1–9 when the Ansley School is closed will represent a two to one ratio of black children over white. This simply means that the Shellhorn School which was integrated having about 40% black children in the formerly all white Shellhorn School during this school year will now certainly become a complete black school. The enrollment figures for this area as projected by HEW are as follows:

Goshen: 1–12, 398 white, 261 Negro.

Shellhorn: 1–9, 92 white, 190 Negro.

Through a zoning procedure in the Springhill Community where we have an integrated white school with approximately 30% Negro in grades 1–9, as a result of this zoning we will have about three to one black children in the Springhill School. It will certainly result in the Springhill School now becoming an all black school with the white children from Springhill and Shellhorn attending the private school.

In the Banks Community, where the court closed grades 7–9 at the Bethel School sending these children to the Banks Junior High School where we have grades 1–9 giving us a ratio of about 30% will completely wreck a model school program which has received nation-wide attention. We will have more black children in the Banks Junior High School than white which is already resulting in those in the Josie area registering in the private school at Louisville with the balance of the white children in the Banks School registering in the private school being established in Troy. Enrollment figures for Banks and Springhill Communities as projected by HEW are as follows:

Springhill: 1–9, 126 white, 89 Negro.

Banks: 1–9, 249 white, 213 Negro.

Neither the white or black parents desire this kind of situation for their children. Those parents who cannot financially afford to send their child to a private school will simply keep them at home. We know this to be a fact because in some of our grades where we already have more black children than white children in a predominantely white school, parents thus affected have not sent their children to school during this entire school year. Pike County could very well become an all black public school system.

Pike County lost nine teacher units in 1967–68 and four in 1968–69 because of decline in enrollment and average daily attendance. A greater loss will certainly occur in 1970–71 because of children enrolling in private schools. Also, children of both races are becoming drop out problems.

Please do not hesitate to call on me in any manner that we might be of help to you on the national level. Thank you again for your letter and your personal desire to help the Pike County Schools.

Sincerely yours,

HAROLD R. COLLINS.

CRISIS OVER SCHOOLS BECOMES NATIONAL—MOVING INTO NORTH

Look almost anywhere in the U.S. today and you find conflict mounting over schools. No longer is racial mixing a problem only for the South.

A crisis in education is spreading across the nation.

Schools in the North—as well as in the South—are coming under sharp attack in the growing battle over racial segregation.

Adding to the crisis: In city after city, public schools themselves are in turmoil, racked by racial conflicts and violence.

A single week of February brought such eruptions as these: Battles between black and white students forced the closing of high schools in Panama City, Fla., and Lima, Ohio. Outbreaks of violence involving Negro students closed high schools in Washington, D.C., and Baltimore and Annapolis, Md.

On February 10, Senator Abraham A. Ribicoff (Dem.), of Connecticut, said:

"I am convinced our schools are falling apart—and it is just as bad in the North as it is in the South."

"The New York Times," after a wide survey, reported on February 9:

"Racial polarization, disruption and growing racial tensions that sometimes explode into violence are plaguing school administrators in virtually every part of the country where schools have substantial Negro enrollment."

Senator Allen J. Ellender (Dem.), of Louisiana, charged that "forced integration" is causing a breakdown in the nation's educational system.

It is new and powerful pressure that is being brought against Northern cities to compel more mixing of the races in their schools.

DEMANDS FOR LEGISLATION

The U.S. Senate, in early February, was asked to require that all-black schools be broken up as vigorously in the North as they are in the South.

That demand came from Southern Senators, led by Senator John Stennis (Dem.), of Mississippi. But the idea drew support from some Northern lawmakers—and even from the White House.

President Nixon, through his press secretary, went on record February 12 as favoring the broad concept of uniform integration standards.

"It is the view of this Administration that every law of the United States should apply equally in all parts of the country," said a White House memorandum sent to selected Senators.

"To the extent that the uniform-application amendment offered by Senator Stennis would advance equal application of law, it has the full support of this Administration."

The President, according to his press secretary, also opposes compulsory busing of pupils to achieve racial balance in school enrollments, and favors the preservation of neighborhood schools "to the greatest extent possible."

However, the press secretary declined to say whether Mr. Nixon endorsed the specific amendments proposed by Senator Stennis on these subjects.

Strongest Northern support for the Stennis ideas came from Senator Ribicoff, former Secretary of Health, Education, and Welfare. He told the Senate:

"The North is guilty of monumental hypocrisy in its treatment of the black man . . . If Senator John Stennis of Mississippi wants to make honest men of the Northern liberals, I think we should help him."

The Senate put off its vote on the Southern proposals until after the Lincoln's Birthday recess. But out of the debate this much became clear: However the Senate votes, the North no longer can count itself safe from the growing pressure to eliminate racial separation in schools.

RACIAL-MIXING ORDERS

Already, scores of non-Southern school districts have been compelled to act.

Los Angeles, on February 11, was ordered by a State superior court to integrate its 622 schools and 674,000 students, starting next September.

This was the most sweeping integration order ever issued against a big school system outside the South. The court said no school in the city could have less than 10 per cent or more than 50 per cent of students from minority groups—Negroes and those of Latin and Mexican descent.

School officials protested that this "would mean the virtual destruction" of the Los Angeles school system. They predicted that it would require the busing of more than 240,000 youngsters—many of them for long distances. Cost of the busing was estimated at 40 million dollars the first year and 20 million each year thereafter.

Los Angeles officials had argued that the racial segregation in their schools was *de facto*—the result of neighborhood housing patterns—rather than *de jure*—the result of discrimination. This is a claim made by most Northern cities, and the U.S. Supreme Court has never yet ruled that *de facto* segregation is unconstitutional.

Judge Alfred Gitelson, however, dismissed the difference between *de jure* and *de facto* segregation as unimportant in the Los Angeles case. He held it was the duty of school officials to take affirmative steps to relieve racial imbalance in schools.

If the principle of the Los Angeles decision is applied widely, many Northern cities are going to be compelled to break up their neighborhood schools to increase racial mixing.

If this happens, prospects are that *it will* be done by State—not federal—courts.

The Federal Government has not yet started to move against *de facto* segregation. It acts only when it finds evidence of actual discrimination.

But the federal search for discrimination in the North has been stepped up rapidly in the last two years—and indications are strong that it will escalate even more in years just ahead.

The Department of Justice intends to bring legal pressures anywhere that "racially identifiable" schools exist, according to Assistant Attorney General Jerris Leonard.

So far, the Department has filed or joined legal actions against eight school districts outside the South. Court orders for desegregation have been won against these six:

Pasadena, Calif.; South Holland, East St. Louis and Madison County, Ill.; Indianapolis, Ind., and Oklahoma City.

Still pending are suits against Waterbury, Conn., and Tulsa, Okla. Chicago has been warned of possible action.

Some of these suits involve student segregation, others involve segregation in the faculty.

HEW has been active in far more places than the Justice Department. It has obtained the adoption of integration plans by three Northern districts, under the threat of withholding federal school aid. Those districts are in Union Township, N.J., Penn Hills, Pa., and Middletown, Ohio.

About 40 districts are currently under HEW investigation or negotiating on integration demands.

HEW now has more investigators at work in the North than in the South.

The problem that the Federal Government faces in trying to break up the all-black schools in the North was described this way by an HEW official:

"Under the present law, we can't do anything about *de facto* segregation—where schools are black only because neighborhoods are black.

"The key word in the Civil Rights Act is not 'segregation.' The key word is 'discrimination.'

"What is needed for all-out integration of the North is a new legislative tool—a law that defines racial isolation as discrimination, thus making *de facto* segregation illegal."

Congress, from its record, is not likely to pass such a law. The Civil Rights Act voted by Congress in 1964 carefully exempted *de facto* segregation by saying that "desegration shall not mean the assignment of students to public schools in order to overcome racial imbalance." Time after time, Congress has voted to bar the use of the Civil Rights Act or HEW funds to compel busing for racial balance.

NATIONAL BUSING LAW

Southerners want a similar prohibition against busing to integrate their schools. One proposal by Senator Stennis would enact a national version of a "free choice," antibusing law passed last year by the State of New York.

The Stennis proposal would prohibit any student from being compelled to attend a certain school for the purpose of improving racial balance without the consent of his parents.

If such a law is legal for New York, Stennis backers argue, it should also be legal for the rest of the country—including the South. Several Southern States have moved

to pass similar measures. But prospects for Senate passage of the Stennis proposal were conceded—even by Southerners—to be dim.

It was a second Stennis proposal that drew the widest support—and President Nixon's approval in principle. It would require that desegregation standards "shall be applied uniformly in all regions of the U.S., without regard to the origin or cause of such segregation."

Said Senator Stennis: "That takes de jure, so called, and de facto, so called, and treats them all alike."

The proposal also would raise for the North the threat of busing to break up de facto segregated schools.

The Southern strategy was clearly expressed by Senator Edward Gurney (Rep.), of Florida. Forced busing, he said, "would go out like greased lightning if it were extended to the North."

In support of his proposal, Senator Stennis cited official HEW figures on the extent of racial isolation in Northern schools. The statistics show, for example:

In New York City, 43.9 per cent of all Negro pupils attend schools that are 95 to 100 per cent black.

In Washington, D.C., the comparable figure is 89.2 per cent, in Baltimore 75.8 per cent, in Chicago 85.4 per cent.

The truth is, the Mississippi Senator maintained, that many Northern schools are more segregated than those under federal pressure in the South.

"A GOOD THING"

Several Northern Senators agreed. And a few praised Senator Ribicoff for his speech charging Northern hypocrisy.

"I think it's a good thing he lanced this boil and brought it to the attention of the country," said Senate Majority Leader Mike Mansfield (Dem.), of Montana.

Senate Minority Leader Hugh Scott (Rep.), of Pennsylvania, agreed that wherever segregation occurs it is undesirable and should be fought. He called it "something of a watershed to have a Northern liberal siding with Southern Democrats."

Notably missing, however, was any commitment by Senate leaders to vote for the Stennis proposals.

While the argument raged in the Senate, desegregation continued in schools of the South. In many communities, the midterm shift of children went smoothly. In some places, there was trouble.

Bradenton, Fla., had three days of racial flare-ups in a high school.

Both black and white parents protested a busing plan at Lamar, S.C.

Anger rose in Charlotte, N.C., against a court order that will require busing of about 10,000 students next spring.

White attendance dropped sharply at many newly mixed schools.

No longer, however, did the South feel entirely alone in its agony over schools. The educational crisis now has spread to many parts of the nation.

"THE NORTH IS GUILTY OF MONUMENTAL HYPOCRISY"

(Excerpts from a speech by Senator Abraham A. Ribicoff (Dem.), of Connecticut, in a Senate debate over amendments to an aid-to-education bill on Feb. 9, 1970)

The Senator from Mississippi [John Stennis, Democrat] has argued that if segregation is wrong in the public schools of the South, it is wrong in the public schools of all other States.

On this statement the Senator from Mississippi is correct. Therefore, I will support the Senator from Mississippi in his . . . amendment designed to apply the guidelines for desegregation uniformly across the whole nation.

The North is guilty of monumental hypocrisy in its treatment of the black man. Without question, Northern communities have been as systematic and as consistent as Southern communities in denying the black man and his children the opportunities that exist for white people.

The plain fact is that racism is rampant throughout the country. It knows no geographical boundary and has known none since the great migration of rural blacks after World War II. . . .

Perhaps we in the North needed the mirror held up to us by the Senator from Mississippi in order to see the truth. If Senator John Stennis of Mississippi wants to make honest men of the Northern "liberals," I think we should help him. But first we must be honest with ourselves.

Our problem is not only the dual systems of education which exist 16 years after the Supreme Court struck them down in 1954. The more fundamental problem is the dual society that exists in every metropolitan area—the black society of the central city and the white society of the suburb.

Massive school segregation does not exist because we have segregated our schools but because we have segregated our society and our neighborhoods. That is the source of the inequality, the tension and the hatred that disfigure our nation.

The truth is that we cannot separate what has happened in the central cities from what has happened in the suburbs. Black migrants to the cities were trapped in poverty because the whites who fled to the suburbs took the jobs with them and then closed the door on the black man. The implications of this are obvious.

We cannot solve our urban crisis unless we include the suburbs in the solution. We can talk all we want about rebuilding the "ghetto," better housing, tax incentives for job development and massive funds for education. Hopefully, we may even do this. But improving the "ghetto" is not enough.

One reason is that it fails to offer to the black man something we have heard much about in this chamber recently: freedom of choice. The black man must have the freedom to choose where he wants to live, where he wants to work and where he wants to send his child to school.

If he wants to remain in a central city, he should be helped. But a man should not be condemned to a "ghetto" when opportunity exists elsewhere.

The second reason why improving the "ghetto" is not enough is because the opportunity—the jobs and the housing—are in the suburbs.

According to the Suburban Action Institute, a nonprofit agency located in White Plains, N.Y., 80 per cent of the new jobs created in large metropolitan areas during the past two decades are located in the suburbs. Yet the black and the poor remain in the central city, either unable to take advantage of them or able to take advantage of them only at great personal inconvenience. . . .

How much more sensible, both in terms of economic growth and simple humanity, it would be to open up our suburbs to the black and the poor so that they live near their places of employment.

Many will argue that the blacks no longer want integration—and whenever a black man says this, you can almost hear the sigh of relief in the suburbs. Many Negroes may not want integration—but many will—and our responsibility is to provide access to that opportunity.

The suburbs are the new America. That is where the private economy is moving. That is where our growing population will be housed. We cannot exclude millions of Americans from that growth because of the color of their skin or the size of their income.

How shall we proceed? In the first place, we should encourage private industry to take a major leadership role. They have as much at stake as anyone.

Suburban Action Institute estimated that a year ago the unfilled suburban jobs across the country totaled 250,000. These could have provided work for many unemployed or underemployed central-city residents. But where were they to live?

American industry could make an enormous contribution. First, it could hire men and women from the central city to work in its new suburban plants. Second, it could use its taxpaying potential to obtain from the suburbs low-income housing for those central-city workers it is hiring. . . .

There is also a role for the Federal Government. We can develop a more useful concept of "impacted" aid to schools. We can provide special funds for those suburbs, towns and school districts that provide housing and employment for blacks from the central city. . . .

The Federal Government should also review its urban policy and all its urban programs to learn whether they are all aimed at rebuilding the "ghetto" or whether they contain any incentives to include the suburbs in the solution of our urban problems. If not, we should devise new programs.

The Federal Government also should refuse to locate federal facilities in suburban communities until guarantees are received that housing will be provided for low-income people who work for that Government agency. . . .

We seem to have lost sight of the fact that the purpose of education is to help the child. Let us start talking about education that way and concentrate on building the system around the needs of children—not forcing children to meet the needs of the system.

[From the Montgomery (Ala.) Advertiser, Feb. 2, 1970]

SENATOR STENNIS' CHALLENGE

John Stennis of Mississippi is one of the most respected and knowledgeable men in the United States Senate. This accolade comes from all sections of the country.

Senator Stennis has not demagogued the race issue, although since last November he has been inserting into the *Congressional Record* HEW figures on school segregation in the East, North and West, including elaborate data from Ohio, Indiana, Washington, D.C., New Jersey, Pennsylvania, Illinois, New York and California.

Tuesday, Stennis rose in the Senate to offer two amendments to the Elementary & Secondary Education Act of 1966 and the Civil Rights Act of 1964. In brief, these prevent compulsory integration or compulsory segregation, forbid zoning or transfers for either purpose, unless requested by parent or guardian, and require that federal desegration guidelines be applied "uniformly to all regions of the United States."

Stennis suggested that New York State's freedom of choice plan be adopted nationwide.

The amendments would prevent racial discrimination against *both* whites and Negroes, and would outlaw race, color, creed or national origin as a valid consideration in *either* direction. The amendments would also reinstate school boards to some of their former authority, but not allow them to practice direct or reverse discrimination against either race.

"No person shall be *refused admission into or be excluded from* any public school in any state on account of race, creed, color or national origin," sums up the amendments.

In introducing the amendments, Senator Stennis delivered a speech which is remarkable for its clarity and unanswerable logic, as well as for its purity from any demagogic blather. Most of it follows. The rest, with texts of the amendments and exhibits, may

be found in the *Congressional Record* for Jan. 27.

Mr. Stennis. Mr. President, I submit two amendments to the Elementary and Secondary Education Act.

My present intention is at the appropriate time to propose first the amendment that would apply nationwide the New York freedom of choice plan for public school students that is now the law in that state.

Also, at the appropriate time, I plan to propose the amendment that would establish and make clear that it is the national policy to have uniform enforcement of desegregation of schools in all regions of the United States.

Let me make it clear that my primary purpose is to preserve the neighborhood school and, so far as possible, rescue all schools in every section of the nation from this killing squeeze put on by those who have made education clearly secondary to integration in the public schools.

I emphasize also that this is not an attempt to repeal the Civil Rights Act. It is simply a good faith attempt to save the schools of every section of the nation, including the South where they are now literally being emasculated in many areas as educational centers for educating the children.

I wish to make it absolutely clear that I want every child, and I have always wanted every child, to have every opportunity to obtain adequate schooling and training under just as favorable conditions as can be had. I want faculties and others who are engaged in school work generally to have conditions as favorable and as encouraging as possible.

For several years, the Department of Health, Education, and Welfare and the Justice Department have conducted or attempted to conduct a campaign to bring about a total integration of the public schools in the South. Both the Department of Health, Education, and Welfare and the Department of Justice have launched a crash program to integrate the races in every school in the South.

This drive for an all-out integration has been so intense and so demanding that the education and welfare of the students and teachers have actually become secondary. The prime objective has been all-out integration.

Those who are directing this campaign have either failed to recognize, or have deliberately chosen to ignore, the fact that this localized effort against the South overlooks segregated conditions in the North that are as pronounced, and in some instances even more pronounced, than segregation in the South which is actually the sole target of this massive integration program.

The record is heavy with facts collected and verified by the Department of Health, Education, and Welfare that show the extent of segregation in the North.

Last year, I placed in the Record detailed figures showing the extent of segregation in several northern and western states. . . .

These figures show, for instance, that in Ohio there are 197 predominantly Negro schools. There are 154 which are 90 to 100 per cent Negro. There are 131 95 to 100 per cent Negro, and 105 of them are 98 to 100 per cent Negro.

In Indianapolis, the capital of Indiana, there are 13,765 Negro students in 17 schools that are from 99.2 to 100 per cent black. In all these 17 schools there are only 37 students listed as white.

In Philadelphia, the largest city in Pennsylvania, there are 9 schools with a total enrollment of 7,206 that are 100 per cent Negro.

Also in Philadelphia there are 57 schools with an enrollment of 68,402 that are 99 to 99.9 per cent Negro.

In Los Angeles, there are 48 schools with a total enrollment of 65,877 that are 99 to 99.9 percent minority segregated.

These are but some examples. The facts show that in many sections of the North, in large and small school districts, segregation is as extensive, and in some cases, more so, than in the South. Segregated conditions are much worse in the North than in the South now after the Supreme Court decisions have been implemented and put into effect in the South.

The policy of singling out the South for enforcement of the 1954 Supreme Court decision prohibiting discrimination in the public schools on account of race is based upon the idea that enforcement should be directed against areas of the nation that once had state or local laws that required or allowed segregated schools.

This is known as de jure segregation. Segregation in public schools that has arisen out of a fact, or a combination of facts, not required or permitted by law is classed as de facto segregation.

By establishment of this policy—that is, a differentiation between de jure and de facto segregation—federal officials have sought to excuse their inaction against segregation in the North while pursuing an intense program to achieve total and immediate integration in the South.

The practical effect of this policy is to say that segregation in the South is wrong but segregation in the North is not wrong.

This procedure, this approach, is merely a policy. It is not supported by the Civil Rights Act of 1964 nor by the Supreme Court decisions.

However, even under this policy the states of the South should be considered on the same footing and treated the same as New York for the reason that as late as 1938 New York law provided for separate schools for Negroes.

The New York statute, laws of 1910, chapter 140, article XXXVI, section 921, reads as follows:

"Sec. 921. Provision for separate schools.—The Trustees of any union school district, or of any school district organized under a special act, may, when the inhabitants of any district shall so determine, by resolution, at any annual meeting, or at a special meeting called for that purpose, establish separate schools for the instruction of colored children residents therein, and such school shall be supported in the same manner and receive the same care, and be furnished with the same facilities for instruction, as the white schools therein."

As I read this law it clearly provides for a dual school system. It is the separate but equal doctrine . . . Said section continued to be the law in that State until it was repealed in 1938.

Notwithstanding the fact that the schools of New York should be treated the same as the schools of other states where de jure segregation existed, the New York Legislature last year passed and Governor Rockefeller signed a state law which precludes the application of the civil rights law and other desegregation measures in that state as now being applied in states of the South.

By an overwhelming vote of more than 2 to 1 in the new State General Assembly, the New York Legislature prohibited the busing of students and also gave to the public school student's parent or guardian the freedom of choice as to the public school a child shall attend.

The inequity thus created is unacceptable under the principles of our form of government. While public school students in the South are now forced to ride a school bus many tens of miles, and in some cases for hours each day, against their will, and the will of their parents, to attend a school across the county from their homes, the State of New York has by law provided there will be no busing of students and there will be freedom of choice to attend a neighborhood school.

If freedom of choice is wrong, the State of New York should not be allowed to continue freedom of choice as an official policy. If freedom of choice is right as official policy in New York, all other states should have the same right to freedom of choice.

If public school students in New York should not be bused to overcome the vestiges of a dual school system, the public school students of the South should not be bused for that purpose either.

If the students of the South should be bused for that purpose, then the students of New York should also be bused.

For a picture of the extent of segregation in the public schools of New York State, I ask unanimous consent to have printed in the Record at the conclusion of my remarks a summary of HEW statistics for the school year ending June 1968 . . .

A sense of fairness should give wide support to the proposition that every state be treated alike.

I challenge those who advocate this dual standard and duplications policy to put this matter in national issue by adopting as part of their platform in the next election the proposition that all states, including their own, should be treated as the South is now being treated.

I predict that any candidate or political party who does so will be defeated overwhelmingly.

I further predict that not one party, nor one candidate, will make such a proposal as part of the platform on which they seek election, because every knowledgeable person in public office knows full well that defeat would be certain.

If this drastic policy is not to be pressed with equal diligence in all sections of the nation, fairness then dictates that the pressure be eased in these sections where it is being unwisely and unjustly applied before the public schools are destroyed and there is no chance for any student—black or white—to obtain a decent education.

I consider no matter now before the Senate, or likely to come before the Senate, more important or more serious than that of preserving public school education and the concept of the neighborhood school, and I will pursue this matter as vigorously and effectively as I can.

STENNIS SEEMS TO HAVE COLLEAGUES SQUIRMING

(By James J. Kilpatrick)

When John Stennis embarked three months ago upon his patient efforts for equal treatment, most of us were convinced the senator's effort was doomed to failure. This is because the Mississippian was seeking to embarrass his colleagues, and you can no more embarrass a senator than you can embarrass a groundhog. The nature of the brute does not permit it.

Nevertheless, the astonishing possibility is beginning to develop that Stennis may yet cultivate some guilty consciences in a chamber where guilty consciences are as rare as short speeches. Last week he won over Connecticut's Abraham Ribicoff. A few other liberals are getting rubbery in the knees. They know in their hearts that Stennis is right. He has 'em squirming.

The senator's innocent object is simply to seek equal enforcement of desegregation laws. Toward this end, he has introduced two innocent little amendments to the pending Elementary and Secondary Education Act.

The first of these, known as Amendment 463, would make it the policy of the United States that desegregation guidelines imposed by the Department of Health, Education and Welfare shall be applied uniformly throughout the country, wherever segregated schools

exist, "without regard to the origin or cause of such segregation."

The second, known as Amendment 481, is adapted directly from a law that became effective in New York last September. It has two sections. The first says that no child shall be refused admission to any public school by reason of his race. The second section states the converse of the proposition: it says that no child may be compelled to attend any school by reason of his race or for the purpose of achieving racial balance.

These are not what you would call complicated amendments. It is not necessary that one be a civil rights lawyer to comprehend them. It is necessary only that one be able to read the English language. Yet it is astounding, all the same, to hear so many senators say they just do not understand the Stennis amendments, what they would do. These puzzled senators would like to lay the Stennis amendments on the table for a few days, say until the week after Christmas, pending clarification.

There is, of course, no real confusion. Stennis observes that in 17 school districts of Florida, now under court control, 72 percent of the black children attend schools that are virtually all black. The public schools of Florida are being thrown into turmoil, as pupils and teachers are shuffled madly in an insane effort to achieve racial balance, no matter what. Well, says Stennis, if this is good for Florida, why isn't it good for Illinois?

The response from Senator Ralph T. Smith, R-Ill., is ah, hmm, and well, he surely does oppose busing, and ah, but, he will vote "no" on No. 463, and he doesn't yet know about No. 481. The response from Senator Charles Percy, R-Ill., is ah, hmm, how's that, and he is just not clear on what the Stennis amendments would do, and ah, hmm, you know, it's not as simple as it looks, eh, hoo, golly gee, and let's take a long weekend.

Indiana parallels Illinois. Ohio has dozens of all-black schools. So does New York. Well, asks Stennis, what will you do about it?

He gets feeble answers, or none at all. Senator Pastore of Rhode Island strode into the chamber the other day, as cocky as a bluejay pecking at a hubcap, and made the mistake of tangling with Stennis. In five minutes Stennis plucked him naked. He reduced Pastore to the sputtering proposition that blacks should have freedom of choice but whites should not, this being the Rhode Islander's curious notion of equal protection of the laws.

Nobody will even debate with Stennis now. They run off to the gym to steam in their own hypocrisy. Stennis is letting them sweat; and he may yet reduce a few of his brothers, like Ribicoff, to looking at their flabby conscience in a cold, revealing mirror.

Elementary and Secondary Negro Student Population in Ohio

Mr. Stennis. Mr President, I have a concern which, I believe, is shared by the parents of schoolchildren throughout the entire Nation. It is the concern for the continuation of what I call the community school or neighborhood school. In many parts of my area of the country that concept of public school education is being destroyed through over-rapid demands for total integration or total mixing of the students as between races, somewhat on a percentage basis.

I believe that throughout the Nation the same law applies that is now being applied in our part of the country; and I believe if this extreme application is applied in areas outside the South, it will have a very wholesome and effective response from the parents.

There are certain amendments in the appropriation bill for the Department of Health, Education, and Welfare that will come before this body in one form or another, and perhaps there will be other amendments. In order to get the facts before Senators, I have prepared certain figures taken from official records in the Department of Health, Education, and Welfare that reflect the conditions that exist in this country outside the South. These figures are authentic. They have been computerized and in an open hearing, under my questioning, Mr. Finch stated that as far as he knows and believes they are substantially correct.

I have figures today from the State of Ohio, as they apply to this subject. I shall have other figures later.

Ohio is one of the 10 States outside the Southern and border States which, in the aggregate, have over 90 percent of the elementary and secondary Negro student population. The overall total in the Northern and Western States is 2,834,083 Negro students. Ohio has a Negro student population of 287,440, but as the total elementary and secondary school population of Ohio, according to the HEW's 1968–69 school survey, is 2,400,296, the Negro student population amounts to only 11.9 percent of the total.

The white student population in Ohio is 2,093,321, or 87.5 percent of the total. The remaining negligible percentage of 0.6 percent consists of American Indians, Orientals, and Spanish-American students, so that for all practical purposes Ohio has 87.5 percent white and 11.9 percent black students in its schools.

Yet, according to official Health, Education, and Welfare IBM tabulations, there are 18 school districts in 18 cities in Ohio which have one or more schools with Negro student enrollments between 80 and 100 percent. To be more exact, there are 197 such Negro schools, in these 18 districts with an aggregate enrollment of 163,783, which is 65 percent of the total Negro student enrollment—252,641—in the public schools of these 18 cities. So, although the total Negro student population of Ohio is only 11.9 percent of the overall student population, 57 percent of the total Negro student enrollment in Ohio schools are attending schools that are 80 to 100 percent black. This percentage would be much higher if it were possible to show the total Negro student enrollments in all schools having a majority of black students, that is, where Negroes make up more than 50 percent of the total school enrollment, but the Health, Education, and Welfare IBM data available does not include cities or school districts where the minority enrollment is under 80 percent.

Actually, of these 197 predominantly Negro schools, there are 154 which are 90 to 100 percent Negro, of which 131 are 95 to 100 percent Negro, with 105 of them being 98 to 100 percent Negro.

The records show 65 of the 105 schools which are 98 to 100 percent black are in Cleveland alone.

Whenever the record reflects a high percentage of Negro student segregation, it also reflects a high percentage of white student segregation or isolation. For example, the Cleveland school district has a total elementary and secondary student enrollment of 156,054 in 180 schools; 87,241, or 55.9 percent of these students are Negroes; 66,324, or 42 percent, are white students. Of the 87,241 black students, 69,728, or 80 percent, are segregated in 68 schools which are 95 to 100 percent black; 70,048, or 86 percent are segregated in 73 schools 90 to 100 percent black; and 79,221, or 89 percent, are segregated in 78 schools 80 to 100 percent black.

Now, let us look at the white student side of the picture. Of the 66,324 white students, 12,870 are in 25 schools 99 to 100 percent white; 24,176 are in schools 98 to 100 percent white; 40,775 are in 59 schools 95 to 100 percent white; and 49,491 are in 70 schools 90 to 100 percent white. In all of these 70 schools which were 90 to 100 percent white, there were only 497 Negro students, or about 1 percent of the total enrollment of these schools.

I make these comparisons without any reflection on the students of any group. What I am concerned about is the extreme application of rules that tend to destroy and deny all students the benefit of the community school and applying the principle only in one area of the country and virtually overlooking other areas of the country.

The computer run also reflects the number of Negro students attending majority white schools and the number of white students attending majority Negro schools. Of the total Negro student enrollment in Cleveland of 87,241, only 4,172, or 5.1 percent, attended majority white schools. Of the 66,324 white students which make up 42.5 percent of the enrollment in the Cleveland schools, only 4,056, or 6 percent, went to predominantly Negro schools.

Mr. President, we talk about the 15 long years that the South has dragged its feet. Those same 15 years have been running here in the State to which I very respectfully refer. There are segregated school conditions in areas of this State, as I have said, there are the official figures. I shall ask unanimous consent to put all the figures in the Record in just a few minutes. There are other cities.

Let us take perhaps a more typical city in Ohio, such as Columbus. In Columbus there are 168 schools with a total enrollment of 110,699, of which 81,655, or 73.8 percent, are white and 28,729, or 26 percent are Negroes, leaving a minimal percentage of other minority students. Here also you have a sharp polarization, or segregation, of the races. Of the 81,655 white students, 45,752, or well over 50 percent, are in 74 schools which are 98 to 100 percent white. There are only 127 black students in these 74 schools. There are 5,034 white and 137 black students in nine schools which are 95 to 98 percent white. There are 5,229 white and 413 black students in 10 schools that are 90 to 95 percent white. There are 6,722 white and 940 black students in nine schools that are 85 to 90 percent white. There are 3,390 white and 695 black students in five schools that are 80 to 85 percent white, and 11,369 white and 5,951 black students in 22 schools that are from 51 to 80 percent white. In all, 8,263 black students, or nearly 28 percent of the total Negro student enrollment, attend majority white schools. On the other hand, only 4,159, or 5 percent of the white students, attend majority black schools, and of the 20,466, or 72 percent of the Negro students which attend majority Negro schools, 16,341 are in schools that are 80 to 100 percent black; 11,684 are in schools that are 90 to 100 percent black; 7,211 are in schools that are 95 to 100 percent black; and 4,146 are in schools that are 99 to 100 percent black.

Whether you take Cleveland and Columbus or Cincinnati, Toledo, Dayton, Akron, or any number of other cities or towns in Ohio where there are substantial concentrations of Negro students, you will find the same pattern.

I emphasize again that I am not talking against integration or to the discredit of any students, colored or white, I am talking about the fact that, as I understand the decision of 1954, Negro students are entitled, as a matter of principle, to the right of association with those of the white race. That being true then there is a whole lot of denial of that right in this area. I call that to the attention of Senators now and I shall do so again in the future.

School Segregation in the State of Indiana

Mr. Stennis. Mr. President, as I have heretofore announced, I think it will be helpful, in considering possible amendments that may come up in connection with appppropriations bills, particularly the HEW appropriation bill, to have the facts before Senators regarding the school integration picture not just in the South but throughout the United States as well.

In keeping with my purpose to bring these facts to the Members of the Senate and to the people of the Nation, I have compiled certain data taken from the official records of HEW files. Samples of these records have been brought to the special attention of Mr. Finch in an open hearing before the Appropriations Committee, and he agreed, in response to my questions, that they were correct or substantially correct and were believed by him to be substantially correct. They were obtained by lawful means, of course through regular channels, by a staff member of the Appropriations Committee and from the files of the Secretary of Health, Education, and Welfare.

Today I have completed and assembled the figures that reflect the picture with reference to the public schools in the State of Indiana. My remarks will not be at great length, but they will give a summary of the picture in that State as of the date of these figures.

In the 1968–69 school year, there were a total of 1,081,214 elementary and secondary students attending public schools in Indiana. Of this total, 88.8 percent, or 961,182, were white; 9.8 percent, or 105,772, were Negroes, and the remaining 1.4 percent was made up of other minority groups as classified by the HEW as American Indiana, Oriental, and Spanish-American students.

However, HEW's computer data reflects that there are 10 cities in Indiana which have one or more schools where Negro students make up 80 to 100 percent of the total school enrollment, and in these 10 school districts are enrolled 87.9 percent of all the Negro students in Indiana—92,953.

There are 57 schools where the Negro enrollment exceed 80 percent of total enrollment, and of these 57, there are 49 schools where the Negro enrollment is 90 percent to 100 percent of the total enrollment, and 40 schools within these 57 where the enrollment is 99 and 100 percent Negro.

These HEW figures are very significant in the issue of segregation and integration, and help show there is a totally different set of rules applied in school districts outside the South than is applied in school districts in the South.

Let us look at the school district of Indianapolis, the capital of the State. The total 1968–69 public school enrollment is reflected as 108,587 students in 122 schools in this fine city; 72,010 or 66.3 percent, are white students; 36,577, or 33.7 percent, are Negro students—in other words, two-thirds white and one-third Negro students. There are no other minority group students enrolled in these schools. Let us now look at the distribution in these schools in the city.

There are 13,765 Negro students in 17 schools that are from 99.2 to 100 percent black. There are only 37 students listed as white in these 17 schools.

There are another seven schools with a total enrollment of 7,564 students, of which 7,336 are Negro and 228 are white. That would be 3 percent white and 97 percent Negro. The figures show 21,064 of the 36,577 Negro students in Indianapolis segregated in 24 schools that are 97 to 100 percent Negro. In all, there are 34 of the 122 Indianapolis schools which have a majority Negro enrollment. In these 34 schools there are 28,372 Negro students and 3,212 white, or 4.4 percent of the total white student enrollment of 108,587 are attending these Negro majority schools.

Now let us look at the majority white schools. There are 36 schools with a total enrollment of 31,221 students which are 99 to 100 percent white—18 schools are 100 percent white. There are but 76 Negro students listed as attending these 36 schools. There are another 28 schools with enrollments aggregating 19,928 that are 90.9 to 98.8 white. There are 869 Negroes attending these 28 schools, or about 4 percent of the enrollment.

Accordingly, 51,159 white students, or 71 percent of the total white student enrollment, are isolated in 64 schools that are 96 to 100 percent white. There are nine schools with a total enrollment of 926 which are 89.1 to 8.03 percent white—8,587 white students; 1,339, approximately 13 percent, Negroes. There are another 15 schools with a total enrollment of 15,847 which are 77.9 to 51.7 percent white—10,007 white; 5,921, approximately 37 percent, Negro. This group of schools includes one technical high school which has 5,190 students—2,717 white and 2,473, or 47.6 percent, Negro.

Overall, there are 68,798, or 95.6 percent, of the 72,010 white students attending Indianapolis public schools that are in majority white schools. Only 3,212, or 4.4 percent, of the white students are attending schools having a majority Negro student enrollment. The 8,305 Negro students attending majority white schools constitute only 10½ percent of the total enrollment of the 88 majority white schools.

If that situation prevailed in a southern school district there would already have been mandates from the Supreme Court or from HEW, on down that the district must be completely integrated forthwith and that necessary Negroes should be bused to predominantly white schools and white students bused to majority Negro schools—regardless of the consequences.

Mr. President, I could go into the facts and figures as to a great number of those schools and the way it is actually being done, but I suppose that is not necessary here. The same thing could be done in Indianapolis, or anywhere in Indiana, by the same processes and illuminate this picture I have painted, which is thought to be so evil by some and unlawful by all courts. However, virtually nothing has been done, insofar as I know from the record, by HEW in the State of Indiana in an administrative way. As far as I know, no Governor, since the decision in 1954 in the case of Brown against Board of Education has moved and tried to do something about the situation; there has been no enactment of any law by the legislature of that great State—and I am not reflecting on that great State.

Mr. President, my point is that nothing has been done about it and there is no prospect that I know of anything of any appreciable substance being done about it soon; whereas in the area where I live, in the South, schools literally are being torn to pieces—and I mean that; they are going to be left in shambles within a few months.

White students in the area where I live are being taken from their home communities and bused away to another end of the county and placed in schools that are now predominantly colored; and colored students are taken out of schools in the community where they live and they are being bused to another area of the county and placed in vacant spots created there.

I do not think that should be done in the South; I do not think it should be done anywhere. However, if there is a principle involved it should be a uniform principle that applies to all people in all the Nation; and it should be carried out by any President or anyone who is the Secretary of Health, Education, and Welfare, or by the Attorney General.

Mr. President, I point out further that nobody is claiming that the Supreme Court decision of 1954 is not the law of the land. No one is fighting on that basis. But they are not stopping with integration. They literally are leaving a lot of our area of the country in shambles so far as public schools are concerned because of this percentagewise, or almost percentagewise, integration that I say is unfair and unreasonable in any instance from an educational standpoint.

If we are going to have it in one area of the country the only way to bring it to the attention and let it be felt by other areas of the country is to enforce it uniformly throughout the Nation. Then, and only then, can we get a national policy that is based on reason and commonsense and which is really wanted by the people.

I think the parents of the children of this country can get very nearly what they want out of their State legislatures, out of this Congress, and out of anybody who is elected to the White House; but as long as this unbearable burden is being placed on one part of the country that is deemed to be evil to begin with, and a presumption of guilt attached to it, we are no going to have any national policy. We are going to have a policy applied in a section of the country.

I point out also that a great many States outside the South had segregation laws of one kind or another well over into this century, and several of them up until a few years before the 1954 decision by the Supreme Court, but nothing has been done to those States, virtually nothing, if they are outside the South. But they have literally turned us upside down and they have shaken the living life out of our public schools.

Another point I wish to raise is that all segregation, by law or otherwise, was legal by Federal court standards in every State until 1954. It had the sanction and express approval of the Supreme Court, so it was not unlawful anywhere. That was the national policy. We moved then from that 1954 decision that outlawed all segregation statutes wherever they were, and the policies and the statutes that permitted it by choice under any circumstances. So before 1954, it was legal; and after 1954 segregation was declared illegal and void. It was said you could not discriminate against any child in the placement in schools because of color. From that point, we have moved to one policy after another being added to that basic principle by various court decisions. But there has been no nationwide maintaining of this principle that was announced in 1954.

It is my purpose and my sole purpose here and now to get the facts before all the people, before all the Senators, all Members of the House of Representatives, and before officials in the executive branch.

These things have not been known until recently. This is a product of the computer system. I think it should be brought out and then we can make a judgment. I am not here accusing anyone of bad faith, and I am not here just finding fault.

Yesterday in the hearings I posed this question: "When you have these cases in court demanding total integration now, and you mix students up, haul them around and balance them off; when you get all the court decisions you want and assuming they are all carried out by trustees and the people, then, what are you going to do?"

In effect the answer was that that would be the end of the matter and they would dismiss the case and withdraw from the administration of it in any State.

I said, "All right. Then, if the people go back and by natural selection resegregate themselves again, and come back like they were or to a situation which is similar to what they were, what are you going to do then?"

He said. "Well we would have to intervene again."

So, Mr. President, here is a situation in perpetuity where the people are going to be closed in by a system of bureaucracy, or whatever you may call it, from now on.

From now on, we will have to be policed by this theory, this policy of government that they apply, so far, only on a sectional basis. Their reasons are largely fictitious. They are a sham. When we get right down to the heart of the thing, where the people live, that is what is happening.

Now if Congress or the courts should see fit to move into other areas of the country, I think we will hear from a lot of mothers

and fathers. I also think that Senators will hear from them, as well as Members of the House, and the President, whoever he may be. This will become a nationwide issue. I believe we will get a more moderate policy out of it.

I do not advocate going back to the old rules prior to 1954. I know that that will not be coming. But so that the schools may live, so that they may live as educational institutions rather than as instruments of social change, so that we may have public education where the poor children, all children, can go if they wish to, rather than to have to go to school under police state methods, so that we may have our children educated in a more natural way, that is what I am pleading for.

I am pleading for the community school, the neighborhood school, the school where children live, where their parents are, and where they have their interests. I believe that that can be well brought about. The only way it can be brought about, I believe, is through the exposure of these facts.

I do not know how long it will take, but I believe it will result in the formulation of a nationwide policy to live and let live which will be to the benefit of everyone in this country and will take care of the educational needs of all our children and give them the opportunity to be trained and become qualified according to their own talents.

But as long as we go along with a sectional policy that applies only to one section of the country, I believe it is not only downright wrong but will destroy the public shcool system of the area where it is applied.

Thus, I plead with my colleagues to look at the facts, to formulate a national policy that will get to the bottom of the problem and then let us move forward from there.

Mr. President, I mention Indianapolis today, particularly because one of the rare Federal actions filed against a northern school district was filed against the Indianapolis school district on May 31, 1968. That is the one case that, according to my records, has already been filed, almost 18 months ago. But, to date, that action apparently has concerned itself only with teacher assignments, and the only notation concerning it, as reported by the Department of Justice on September 30, 1969, is that it was, "waiting for a trial date." Further, it is my understanding that it is still awaiting a trial date.

Mr. President, let me say on that, that I want any school district to have a reasonable time to make adjustments. I am not advocating any rash action here or to demand the "death penalty," so to speak. That is what they are doing to us in the South, demanding a "death penalty." That is what is being imposed upon us because we have not done this thing. I do not advocate that for any other school district in the country.

My point is that nothing substantial has been done. It has been ignored. The Federal Government has been acting as if these facts did not exist.

Mr. President, let me give one or two more illustrations.

Mr. LONG. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. LONG. Do I correctly understand the Senator's position to be that if the cities and States up North will undertake to abide by some sort of Federal program which they find they can live with, the probabilities are that those of us in the South can come more nearly to living under that program than we can by something which is simply handed down without any concurrence at all or any acceptance at all, to apply only in the Southern States. In other words, that what is to be imposed in the Northern, Eastern, and Western States would, presumably, at least be something the people could live with in some fashion——

Mr. STENNIS. That is right.

Mr. LONG. That such a program would be something that we in the South could more or less live with, than what they are trying to do to us now?

Mr. STENNIS. The Senator from Louisiana is correct. If they apply a real pattern—I am not advocating tearing up the schools, under any conditions—but we are at the point now that it has got to be determined whether there will be anything applied outside the South.

I have no doubt that if they put the pressure on in, say, Ohio, or Indiana, in the large voting States, there will be such a reaction that it will bring a modified policy in the Court, the Congress, HEW, the Department of Justice, and everywhere else. There will be a policy that all the people will benefit by and can live with.

As I have said, I do not know how long it will take to bring that about, but I know as a fact, because I have dealt with them, that the HEW feels it has a "mission." I am not referring to Secretary Finch, although he has got his hand into this problem and he has learned a lot about it. I am not attacking him. He has come out with some very helpful statements. But there has been a group of zealots down there in HEW who have been running wild carrying out what they feel to be their "mission" in life, as they look at it.

We have been promised time and time again that there would be a program set up to go into other States and see what the response was and that perhaps we would get a national policy out of it; but substantially nothing has been done about it.

One suit has been filed outside the Southern States, and one administrative action has been filed, but carried out by HEW on one school.

I illustrated here before that 2 or 3 years ago someone in HEW notified Chicago that it was going to have to get in line. Just like a cannon going off, there came back a response—I do not know from where—perhaps Mayor Daley came down here or just sent a telegram—but, anyway, the White House took the response under advisement. That was about the end of it. Nothing was done about it.

Last spring, between March and June, I believe, HEW gave notice to the Chicago schools that they would have to integrate their facilities.

Immediately there was objection raised by the faculties. They filed a terrific protest. This was all published in the press. The teachers were offered a bonus to go into the schools in question. The last time I heard of it they had still refused to go. That is what the press reported. They demanded that if it was going to have to be carried out, the Federal Government would have to put up the money, which was $48 million, I believe it was.

I talked to one of the Senators from Illinois about that, so those facts are substantially correct.

There has been nothing carried out and no substantial efforts made. Now they say, "Well, the South had de juris segregation but de juris segregation did not exist elsewhere." Well, if that is a valid distinction, they should not go into the North at all. They should not bother, because they did not have any segregation laws in 1954. So they admit to themselves that they have jurisdiction of this matter and that they should proceed. Some of them do. But as a practical matter they do not get down to the facts of life and make any requirements.

Mr. President, Gary, Ind., which is a very fine city, has 50 public schools with a total enrollment of 48,431, of which 29,826, or 61.6 percent are Negro students, 14,063, or 29 percent are white, and the remaining 9.1 percent are classified as Spanish Americans.

Of the total Negro enrollment, 23,265—or about 80 percent—are segregated in 21 schools which are 99 and 100 percent Negro.

Talk about lack of integration. How could there be a more glaring illustration than that?

Down home, the ultimatum of the court is, "No more Negro schools as such. Close them up. Abolish them. Put the children somewhere else." Nothing has been done, as I say, up here.

There are about 20 white students listed as attending these 21 schools—less than one white child to the school.

There are 26,517 Negro students in 24 schools that are 91.3 to 100 percent segregated; 28,910, or 96.5 percent, of the Negro students are in majority Negro schools, with 3,800 Spanish Americans, 2,965 whites, and 77 minority group students.

The term "Spanish Americans" is the term in the computer. That is not my term, but for some reason they classify these people on that basis.

On the white side of the school system, there are five schools—this is Gary, Ind.—with a total enrollment of 4,941 white students, which are from 95.1 to 98.8 percent white. There are only 46 Negro students in these five schools. There are another two schools with 1,048 white students, with 90.2 and 94.4 percent white enrollment, where only 43 Negro students attend. There are also three schools with white student enrollments totalling 3,065, which are from 82.8 to 86.9 percent white. There are another six schools with 2,053 white students which are 64.5 to 78.4 percent majority white. In all, there are only 916 Negro students out of the total Negro enrollment of 29,826 attending majority white schools.

As I understand the case of Brown against Board of Education, decided in 1954, the Court went to great length in its reasoning that Negro students were entitled to the association, the environment, and a list of other opportunities that are supposed to have gone with the white schools. That was the principle of the case, as I understand. If that is right, the children I have been calling attention to are being denied the principle that the Supreme Court laid down as something they were entitled to. There is no effort on that part of the State to correct that condition; only the very slightest effort on the part of the Department of Justice—one suit—and only the slightest kind of effort on the part of HEW to correct that situation.

On the contrary, in other parts of the country, the demand is so total and demanding and exact, contrary to the wishes of a great majority of the colored parents and the white parents, that it is leaving our schools in a shambles, particularly the abrupt application of the principle. In many of them, there has been a more moderate, a more modest, progressive integration, where the proportions were not so pronounced, and things have moved along in such a way as to be able to preserve the public schools.

I think the city of Washington is the outstanding illustration to the whole world of what happens over a period of years when total, immediate integration is applied. I am collecting some facts to show just what the situation is and what has happened in this great city.

In 1963, there was a Federal court case brought against the school district of Gary, Ind., by Negro parents alleging, among other things, compulsory segregation and infringement of civil rights: *Bell* v. *The School City of Gary, Indiana*, 213 Fed. Supp. 819, Affirmed, 7th Circuit, 1963, 324 F. 2d 209, cert., 377 U.S. 924, 1965. Here the court laid down rules and policies exactly opposite the rules now applied to the South. The decision was affirmed by the appellate court and certiorari denied by the Supreme Court. Neither HEW nor Justice Department was a party to the

suit. Mr. President, I ask unanimous consent that the full HEW records for schools of Indiana be put in the RECORD.

The records to which I refer are the records about which I have been speaking, and are authenticated as being official records, as I have already described.

SCHOOL ENROLLMENTS IN WASHINGTON, D.C.

Mr. STENNIS. Mr. President, according to IBM data, from HEW's official files, based on the 1968–69 elementary and secondary school enrollment, Washington, D.C., has a total enrollment of 148,725 students in 188 schools, of which 139,006—or 93.4 percent—are Negro students, 8,280—or 5.5 percent—are white, and the remaining 1,439—or 1.1 percent—are made up of orientals, Spanish Americans, and American Indians.

There are 3,636, or 43 percent of the 8,280 white students, attending majority Negro school; only 1,253—or 0.9 percent—of the Negro students are attending majority white schools. There are 56 schools with 41,109 students that are 100 percent Negro. There are another 57 schools that have 99 to 99.9 percent Negro students, which makes an aggregate of 113 schools with enrollments totaling 96,518 which are 99 to 100 percent Negro. Another 16 schools are 98 to 99 percent Negro. Another 13 schools are 97 to 98 percent Negro, and another 10 schools have Negro enrollments of 95 to 97 percent—making a total of 152 schools with total enrollment of 125,158 that are 95 to 100 percent Negro. In a great percentage of these schools which have enrollments of from 1,000 to 2,000 students, there are only one, two, or three students listed as white.

Of the 188 schools in Washington, D.C., there are only 18 that have a majority white enrollment. These range from the Capitol Page School with an enrollment of 41, of which 7.1 percent are Negroes, to an elementary school of 253, which is 43.1 Negro.

In other words, it would be difficult to find any school district that is more segregated than the public schools of Washington, D.C., and perhaps there is significance in the manner in which, and the speed with which, this has occurred.

The District of Columbia, by law, formerly had a dual school system based upon race. According to information set forth in the case of *U.S. v. Jefferson County Board of Education* (372 Fed. 2d 836, 1966), at page 904, the District of Columbia, desegregated following the Supreme Court decision of 1954, at a faster rate than did the south, along with some other border states, and by the 1961–62 school year had more than half of its school enrollment attending desegregated schools. At page 905, information is set out with respect to enrollment and percentage of Negroes in white schools in southern and border states, and it is reported that the District of Columbia had 109,270, or 84.18 percent, of its Negro student enrollment in schools with whites.

Senate hearings on H.R. 8569, District of Columbia appropriations, 90th Congress, first session, fiscal year, 1968, part I, at page 693, et seq., set forth the pupil membership of the Washington, D.C., schools by school and race for the school years 1954–55 and 1966–67. The school year 1954–55 was the first following the 1954 Supreme Court decision. These tabulations reflected that in the 1954–55 school year, there was a total of 102,920 students, 40,313—or 39 percent—of whom were white and 62,607—or 61 percent—of whom were Negroes. The 1966–67 school year figures reflect a total enrollment of 145,933, of which 12,678—or 8.7 percent—were white and 133,273—or 91.3 percent—were Negroes. As previously indicated, the 1968–69 Washington school enrollment totaled 148,725, of which 8,280—or 5.5 percent—were white, 93.4 percent were Negroes, and 0.9 percent consisted of other minority groups.

I ask unanimous consent that a table entitled "Summary of Pupil Membership by School and Race" for the Washington, D.C., schools for the school year 1954–55 and the school year 1966–67, be printed in the RECORD.

[From the CONGRESSIONAL RECORD, Dec. 2, 1969]

SEGREGATION IN THE SCHOOL DISTRICTS OF NEW JERSEY

Mr. STENNIS. Mr. President, in order to put before the Senate all the facts necessary for full consideration of amendments I intend to offer to the Health, Education, and Welfare appropriations bill, I present today information relative to the school system of the State of New Jersey.

These facts show there is segregation in the public schools of New Jersey that equals, if not surpasses, segregation in many of the schools that are now under the most demanding orders of HEW and the courts in the South.

I emphasize that if segregation is wrong in the public schools of the South, it is wrong in the public schools of all other States.

This opinion is shared by Mr. Leon Panetta, Director, Office for Civil Rights of HEW.

In testimony before the House Appropriations Committee on April 30—page 1061, House Appropriations Committee hearings, HEW 1970—Mr. Panetta made the following statement:

"I talked with a number of people who feel that the Civil Rights Act only aims at the dual school structure and that it really only aims at the Southern situation. It does not say that and I think it talks in terms of discrimination per se, which can occur anywhere regardless of geographic boundaries."

However, Mr. Panetta also said of civil rights enforcement in northern public schools, "there never really was a northern program until the last year."

I emphasize this, Mr. President, and also point out that even within the last year little, if anything, has been done to effectively remove segregation in the North.

For instance, since the civil rights law was passed as of October 16 of this year, in the North only 46 of 7,015 compliance agreements filed have been given a preliminary check by HEW.

In the South, 2,994 districts have filed form 441 and all have been checked, 100 percent. That is according to the records; that is not an estimate. It is according to the records; 1,107 districts have filed form 441–B outlining a voluntary desegregation plan.

In the North only, six out of 7,015 total districts of the North have been sent letters of noncompliance.

In the South, 568 out of 1,107 school districts of the South have been sent letters of noncompliance.

In the North and West, only one out of 7,015 school districts have been the subject of administrative action by HEW.

The tragedy of this so-called crusade against discrimination on a sectional basis is that it is within itself discrimination against a geographical section of the United States.

It might be claimed that segregation in New Jersey is accidental and not the result of official State and local government action. Such, however, is not the case as it has been made clear by the Civil Rights Commission and their report on racial isolation, 1967, at page 42.

According to the Civil Rights Commission, the official policy that had the effect of law in the State of New Jersey as late as 1930 was to operate separate but equal schools when, in the judgment of the board of education, it was best to do so.

In New Jersey, separate schools for Negroes were maintained well into the 20th century despite an 1881 statute prohibiting the exclusion of children from schools on the basis of race. In 1923, the State Commissioner of Education ruled that local school authorities could provide special schools for Negroes in their residential areas, and allow the transfer of white students from these schools to white schools. The ruling was reaffirmed in 1930. As late as 1940, there were at least 70 separate schools for Negroes in New Jersey.

NEW JERSEY

In New Jersey, according to the 1968–69 HEW school survey, there was a total of 1,234,470 students in the elementary and secondary schools. Of this total, 986,448, or 79 percent, of total enrollment were white, 200,117, or 16 percent, were Negro, and the remaining 5 percent was made up of other minority groups.

HEW's IBM data reflects that there are 24 cities or townships in New Jersey which have one or more schools where Negro students make up 80 percent or more of the total school enrollment, and in these 24 school districts are enrolled 78.7 percent of the total Negro student enrollment in the State of New Jersey. In these 24 cities or school districts, there are 162 schools where the Negro student enrollment is 80 to 100 percent. There are 90,966 Negro students, or 45.4 percent of all Negro students in the State of New Jersey, in these 162 schools. There are 87,645—or 43.8 percent—of the Negro students in the State of New Jersey in 115 schools that are 90 to 100 percent segregated, and there are 68,184—or 34 percent of New Jersey's Negro student population—in 83 schools which are 95 to 100 percent segregated.

For example, Atlantic City has a total school enrollment of 8,605 students, of which 5,357, or 62.3 percent are Negro, and 3,064, or 35.6 percent are white. Atlantic City has five schools with a total enrollment of 2,888, which are practically 100 percent Negro with 2,883 Negro students and five Spanish Americans. In other words, 53.8 percent of Atlantic City's Negro student population are segregated in five all-Negro schools. There are another four schools, with a total enrollment of 1,829, which are majority Negro schools—from 68.3 to 75.7 percent. There are five majority white schools with a total enrollment of 3,888, of which 2,600 are white, which is 84.8 percent of the total white enrollment. In other words, approximately 15 percent of the white students in Atlantic City attend majority Negro schools, 23.3 percent of the total Negro enrollment attend majority white schools. This would appear to be a rather segregated situation.

The Camden, N.J., school district has a total enrollment of 20,236 in 31 schools, of which 11,909, or 58.9 percent are Negro students; 6,420, or 31.7 percent are white; and 1,907, or 9.4 percent come from other minority groups. Two schools with a total enrollment 835 have a total minority group enrollment—765 Negroes, 69 Spanish Americans, and one American Indian. There are another seven schools with a total enrollment of 4,300, of which 3,765 are Negroes, 427 are Spanish Americans, 98 are white students—1.5 percent of the total white student enrollment in Camden—and 10 are Oriental students. These seven schools are made up of 95.3 to 98.5 percent minority enrollment. There are another five schools in the 90–95-percent minority enrollment bracket, which have a total enrollment of 3,831 students, of which 2,806 are Negroes, 750 are Spanish Americans, 269—4.2 percent of total white enrollment—are white, four are Orientals, and two are American Indians. There are eight additional majority Negro schools with a total enrollment of 4,784, 3,575 of which are Negroes, 848 are white—3.2 percent of total white enrollment—359 are Spanish Americans, and two are Orientals in these eight schools.

In total there are 22 Negro majority schools with a total enrollment of 13,750, and 1,215 white students—18.9 percent of total white student enrollment—attend these Negro schools in Camden.

There are nine majority white schools with a total enrollment of 6,486, of which 5,205 are white, 998 are Negroes, 274 are listed as Spanish Americans, and nine are from other minority groups.

Overall, 8.3 percent of the Negro students attend majority white schools and 91.7 percent attend majority Negro schools. 81.1 percent of the total white students attend schools that are majority white and 18.9 percent attend schools where the minority groups are in the majority.

Newark, N.J., is the largest city in the State. It has a total school enrollment of 75,960 in 80 schools, of which 55,057—or 72.5 percent—are Negro students, 13,716—or 18.1 percent—are white, and 7,187—or 9.4 percent—are made up other minorities, classified by HEW as Spanish Americans, Orientals, and American Indians.

There are 10 schools with a total enrollment of 10,963, which are 100 percent minority segregated—10,607 Negro students and 356 Spanish American. There are 13 schools with a total enrollment of 1,360 that are 99 to 99.9 percent minority segregated. These 13 schools are made up of 20,577 Negro students, 682 Spanish Americans, 94 whites—0.6 percent of total white enrollment—and seven other minority group students. Accordingly, 31,184, or 56.6 percent of the total Negro enrollment are in 23 schools which are 99 percent and 100 percent segregated. There are an additional 15 schools with a total enrollment of 11,712 which are 95.9 to 98.9 percent minority enrollment. There are 10,262 Negro students and 363 white students—2.6 percent of the total white student enrollment—in these schools. It follows that 41,446, or 75.2 percent of total Negro enrollment are in 38 schools that are 95.9 to 100 percent segregated. There are six schools with an aggregate enrollment of 7,194 which are 91.4 to 94.9 percent segregated, there being 5,385 Negro students and 504 white students—3.6 percent of total white student enrollment—with the balance being made up of other minority group students. There are six schools with a total enrollment of 2,410 in the 80- to 90-percent segregated bracket. There are 361 white students in these six schools, 1,555 Negro students, and 487 Spanish Americans. There is a total enrollment of 12,189 students in the remaining 15 majority Negro schools, ranging between 50.2 percent and 79.2 percent minority enrollment.

In all, 53,583, or 97.3 percent of the total Negro student enrollment are in 65 majority Negro schools.

There are 10 majority white schools with a total enrollment of 9,832, of which 8,111 are white, 1,174 are Negro, 516 are Spanish American, and 31 are Orientals. On the basis of these IBM figures, 2.1 percent of the total Negro student enrollment go to majority white schools and 97.3 percent attend majority Negro schools; 59.1 percent of the total white student enrollment attend majority white schools which are 94.1 percent to 65 percent white.

Trenton, the capital of New Jersey, has a total school enrollment of 16,865, of which 11,143, or 66.1 percent are Negro, 4,881, or 28.9 percent, are white, and 5 percent are made up of other minority groups.

In the Negro majority schools there are two schools with a total enrollment of 1,320 that are 99.5 pecent and 98.2 percent minority segregated; three schools with a total enrollment of 2,341 that rate 95.2 to 97.5 percent minority segregated; seven schools with a total enrollment of 4,442 that are from 80.3 to 94.9 percent minority segregated; and four schools with a total enrollment of 6,492 that are from 52 to 73.1 percent minority segregated.

In the majority white schools, there are five schools with a total enrollment of 2,270 of which 1,789 are white, 357 are Negro, 122 are Spanish American, and two are from other minority groups. The 357 Negro students attending majority white schools represent 3.2 percent of the total Negro enrollment, and the 1,789 white students attending majority white schools represent 36.7 percent of the total white enrollment, with the balance attending majority black schools.

In New Jersey there are a number of smaller cities or towns which have a predominantly white population but have one or two schools that are 90- to 100-percent Negro. For example, the school district of the township of Union, N.J., has a total public school student population of 8,719, of which 7,718 or 88.5 percent are white and 986 or 11.3 percent are Negro students, yet there is one public school of 390 students which is 94.9-percent Negro. It is my understanding that this is the only school district in New Jersey in which the Department of HEW has conducted a thorough survey and negotiated desegregation, and I think this may demonstrate the timidity with which HEW has approached the business of desegregating schools in the North. It is my further understanding that there were indications of gerrymandering in this district but the HEW, after over a year's investigation and negotiation, gave the school district permission to desegregate in two steps over a 2-year period.

I ask unanimous consent to have printed in the Record information relative to New Jersey.

[From the CONGRESSIONAL RECORD, Dec. 3, 1969]

SEGREGATION IN THE SCHOOLS OF PENNSYLVANIA

Mr. STENNIS. Mr. President, according to the 1968–69 HEW school survey, Pennsylvania has a total of 2,120,870 students enrolled in the elementary and secondary schools. Of this total, 1,841,846—or 86.5 percent—are white, 265,019—or 12.4 percent—are Negro, 11,635—or 0.5 percent—are Spanish-speaking Americans, and the balance of 2,370—or 0.1 percent—are made up of American Indians and Orientals.

The racial data contained in the HEW's IBM run reflects that there are 11 cities or townships in Pennsylvania which have one or more schools where Negro students make up 80 percent or more of the school's total enrollment. However, in these 11 school districts are enrolled 83.1 percent of the total Negro students in the State of Pennsylvania, and in these 11 school districts there are 175 schools where the Negro student enrollment is between 80 percent and 100 percent of the total enrollment. There are 156,129 Negro students, or 58.8 percent of all Negro students in the State of Pennsylvania, in these 175 schools. There are 135,194, or 51 percent of all Negro students in the State of Pennsylvania in 145 schools that are 90 percent to 100 percent segregated. There are 114,328, or 43.1 percent of Pennsylvania's total Negro student enrollment in 115 schools that are 95 percent to 100 percent segregated, and there are 89,867, or 33.9 percent of Pennsylvania's total Negro student enrollment, in 96 schools that are 99 percent and 100 percent segregated.

Philadelphia, of course, is the largest city in Pennsylvania and it has a total public school enrollment of 282,617, of which 109,512—or 38.7 percent—are white students, 166,083—or 58.8 percent—are Negro, and 7,022—or 2.5 percent—are Spanish Americans. There are no other minority group students.

Philadelphia has nine schools with a total enrollment of 7,206 that are 100 percent Negro. It has another 57 schools, with a total enrollment of 68,402, that are 99 percent to 99.9 percent Negro segregated. It has 26 schools, with a total enrollment of 26,333, that are 95 percent to 98.9 percent Negro segregated and another 17 schools, with a total enrollment of 14,571, that are 90 percent to 95 percent Negro segregated. In other words, there are 109 schools in Philadelphia with a total enrollment of 116,512, that are 90 percent to 100 percent Negro segregated.

There are another 23 schools, with a total enrollment of 20,228 that are 80 percent to 90 percent Negro segregated and another 36 schools, with a total enrollment of 37,994, that are 50 percent to 80 percent Negro majority. There are 151,193 Negro students—or 91 percent of the total Negro student enrollment in Philadelphia—attending majority black schools. There are 19,174—or 17.5 percent of the total—white students attending these majority Negro schools.

With respect to the white majority schools, of the total white student enrollment of 109,512, there are six schools with a total enrollment of 4,052 that are 100 percent white. There are 14 schools with a total enrollment of 19,596 that are 99 percent white, and there are 16 schools with a total enrollment of 17,828 students that are 95 percent to 98.9 percent white. There are 29 schools with a total enrollment of 26,942 that are 81.8 percent to 93.6 percent white, and another 43 schools with a total enrollment of 39,460 that are 50 percent to 80 percent white. In summary, 89,535, or 81 percent of the total white enrollment in Philadelphia, are attending majority white schools, and 18.3 percent of the white students are attending majority black schools; 16,718 Negro students, or approximately 10 percent of the total Negro enrollment in Philadelphia, attend majority white schools, and 90 percent attend majority black schools.

In Pittsburgh, there is a total public school enrollment of 76,268 in 113 schools, of which 46,005—60.3 percent—are white, 29,898—39.2 percent—are Negro, and 365—0.5 percent—are from other minority groups.

In the black majority schools, there are five schools with a total enrollment of 2,932 that are 100 percent Negro. There are eight schools with a total enrollment of 8,693 that are 99.9 percent to 99.5 percent Negro segregated. There are 6 schools with a total enrollment of 4,387 that are 90.8 percent to 97.4 percent Negro segregated. In other words, a total of 16,012—or 53.7 percent—of the total Negro student enrollment in Pittsburgh are attending schools that are 90 percent to 100 percent segregated. There are four schools with a total enrollment of 2,698 that are between 80 percent and 90 percent Negro segregated and another 11 schools with a total enrollment of 8,977 that are 50 percent to 80 percent Negro majority.

Of the 46,005 white students in Pittsburgh, 4,018—or 8.7 percent—are enrolled in majority Negro schools.

In the majority white schools, there are 12 schools with a total enrollment of 5,711 that are 99 percent and 100 percent white. Another 17 schools with a total enrollment of 8,415 are 95 percent to 98.6 percent white, and another 10 schools with a total enrollment of 9,228 that are 90 percent to 95 percent white. Accordingly, there are 39 schools that are 90 percent to 100 percent white and have enrolled 48.7 percent of the total white student enrollment of Pittsburgh. There are another 17 schools with a total enrollment of 13,883 that are 80 percent to 90 percent white, and another 11 schools with a total enrollment of 11,347 that are 50 percent to 80 percent white majority.

There are 6,373, or 21 percent, of the total Negro student enrollment in Pittsburgh who attend these majority white schools, and 79 percent attend majority black schools.

As previously indicated, there are numerous other cities and school districts in Pennsylvania which have highly segregated Negro schools, including the State capital, Harrisburg, which, in 19 schools has a total student enrollment according to HEW's 1968–69 school survey, of 13,491, of which 50 percent are Negro and 49.4 percent are white—yet, nearly 50 percent of the total Negro student

enrollment is in five schools that are 86.3 percent to 97.7 percent Negro majority, and 17.3 percent of the total white student enrollment attend majority black schools. However, in the interest of time, I shall only comment on one other small school district—Penn Hills Township, Pa., because it is the only school district in the State of Pennsylvania where HEW has seen fit to take any action and is one of only six school districts in the north and west where HEW has sent out letters of noncompliance with the Civil Rights Act of 1964.

Penn Hills, according to the 1968–69 HEW school survey, has in 16 public schools a total enrollment of 14,128, of which 13,237 or 93.9 percent are white students, and 809 or 5.7 percent, are Negro, with 45, or 0.3 percent, consisting of other minority groups. Yet, with only a Negro enrollment of 5.7 percent in the school district, Penn Hills had one 100 percent Negro school. It is my understanding that, upon a complaint, HEW made an investigation of this district and found that the 100 percent Negro school was being maintained in a relatively rural area and 85 percent of the student body was being bused. After the investigation and negotiations with the school district officials, it is understood that an agreement was worked out where this school would be desegregated in two steps over a period of 2 years. According to the HEW's IBM data on the 1968–69 school survey, it is indicated that there were 246 of the 809 Negro students still attending this 100 percent Negro school, and this represents approximately one-half of the original enrollment which was in the first step of desegregation.

The next school listed in the IBM data is 91.4 percent white, or 8.6 percent Negro, and the other schools have even fewer Negroes, down to 100 percent white schools.

I think this is important as an example that HEW was not concerning itself with the Philadelphia or the Pittsburghs, where the real problem of segregation is, but with an isolated township having less than 1,000 Negro students, representing only 5.7 percent of the township's public school enrollment.

I ask unanimous consent to have printed in the RECORD information relating to Pennsylvania.

[From the CONGRESSIONAL RECORD, Dec. 6, 1969]

SEGREGATION IN THE SCHOOL DISTRICTS OF ILLINOIS

Mr. STENNIS. Mr. President, according to the 1968–69 HEW school survey, Illinois had a total of 1,920,984 students in the elementary and secondary public schools. Of this total, 1,448,168—or 73.3 percent—were white students; 398,257—or 20.7 percent were Negro; and the remaining 4 percent—including 3.4 percent Spanish-speaking Americans—were students from other minority groups.

The HEW's IBM racial data on the 1968–69 school survey reflects that there are 25 cities, or school districts, in Illinois having one or more schools where Negro students make up over 80 percent of the school enrollment. However, in these 25 cities, or school districts, there are 364,894 Negro students, or 91.6 percent of all the 398,257 Negro students enrolled in public schools in Illinois.

The extent to which the Negro students in these public schools are segregated is indicated by the fact that in these 25 school districts there are 331,131—or 83.6 percent—of the total Negro enrollment in Illinois public schools enrolled in 322 schools that are 80 to 100 percent Negro and, of this group, there are 319,504, or 80.2 percent of the total Negro enrollment in the State in 279 schools that are 90 to 100 percent Negro segregated. What is more, 303,406 of these Negro students, or 76.2 percent of the total Negro enrollment in the State are in 284 schools, in 21 cities, that are 95 to 100 percent segregated, and there are 265,812 of these Negro students, or 66.7 percent—two-thirds—of all the Negro students in the public schools of Illinois in 246 schools, in 14 cities or districts, that are 99 and 100 percent Negro segregated.

On previous occasions I have talked about racial segregation in Chicago, where 248,677, or 80.6 percent, of its 308,266 Negro student enrollment are attending schools which are 99 and 100 percent Negro, and where 90 percent of the total Negro enrollment of the city are in schools between 90 and 100 percent Negro—but you can take almost any one of the 25 cities or school districts in Illinois which contain 91.6 percent of all the Negro students in the State and, whether the particular school district has a 10-percent Negro enrollment, a 16-percent Negro enrollment, an 18-percent Negro enrollment, a 9-percent Negro enrollment, or a considerably higher Negro enrollment, you will find all-Negro schools or schools that are nearly all Negro—and this means, and the HEW's IBM data on these schools will show, that at the opposite end there is just as much segregation of the white students.

For example, in Chicago, where the white-student enrollment is 219,478, or 37.7 percent of the total, and the Negro-student enrollment is 309,260, or 52.9 percent of the total, only 9,628, or 4.4 percent of the Negro students go to majority white schools and only 25,128, or 11.4 percent of the white students attend schools that have a minority group enrollment of over 50 percent.

In Maywood, Ill., which has a total public school enrollment of 6,396, 48.1 percent of which is white and 44.7 percent of which is Negro, 65.8 percent of the Negro students are in two schools which are between 99 and 100 percent Negro.

In the district of Blue Island, Ill., which has a total enrollment of 6,587, of which 81.8 percent are white students and 16.3 percent are Negro, there is one school with an enrollment of 613, or 57 percent of the total Negro enrollment in the district, which is 100 percent Negro.

Blue Island District No. 130, with a total enrollment of 3,579, 81 percent of which is white and 10.5 percent of which is Negro, has one school comprised of 57.3 percent of the total Negro enrollment that is 100 percent Negro.

Harvey, Ill., District No. 152 has a total public school enrollment of 3,573, which is 74.25 percent white and 24.6 percent Negro, but it has one school comprised of 48.6 percent of the total Negro enrollment which is 100 percent Negro segregated. There are only 241, or 9.1 percent, of the white students attending major Negro schools, and only 166, or 18.8 percent of the total Negro students attending majority white schools.

In Kankakee public schools, where the Negro enrollment is 19.4 percent of the total, 36.9 percent of the Negro students are in one school which is 97.1 percent Negro segregated.

I bring these figures to the attention of the Senate to show illustrations of the fact that the enforcement of the integration demand of HEW is not a national pattern. These facts show the pattern applies almost exclusively to the Southern States with virtual immunity granted to all other States regardless of rank segregation in many areas of these favored States. Additional figures will be supplied later.

I ask unanimous consent to have the information relating to Illinois printed in the RECORD.

[From the CONGRESSIONAL RECORD, Dec. 9, 1969]

SEGREGATION IN THE SCHOOL DISTRICTS OF NEW YORK

Mr. STENNIS. Mr. President, according to the 1968–69 HEW school survey, there was a total of 3,364,090 students in the elementary and secondary public schools of New York. Of this total, 2,601,708, or 77.3 percent of the total enrollment, were white; 473,253, or 14 percent, were Negro students; 263,799, or 7.8 percent were Spanish-speaking Americans; 19,620, or 0.6 percent, were classified as orientals; and 5,710, or 0.1 percent were American Indians.

The HEW's IBM data reflects that there are 17 school districts in the State of New York with at least one school with a minority group enrollment of over 80 percent. However, in 14 of these cities, or school districts, there is an aggregate Negro enrollment of 403,127, or 85.2 percent of the total State Negro student enrollment in the New York City schools alone.

Let us take a look at New York City. It has a total enrollment of 1,363,067, of which 467,365, or 43.9 percent, are white, 334,841, or 31.5 percent, are Negro, 244,302, or 23 percent, are Spanish-speaking Americans, 15,573, or 1.5 percent, are classified as oriental, and 1,526, or 0.1 percent, are American Indian students.

In New York City, there are 119 schools which are 99 and 100 percent minority group segregated, which have a Negro enrollment of 89,957, or 19 percent of the city's total Negro student enrollment. There are 207 schools having a Negro student enrollment of 146,575—43.7 percent of the city's total Negro enrollment—that are 95 to 100 percent minority group segregated. There are 269 schools with an aggregate Negro enrollment of 173,791—or 51.9 percent of the city's total Negro enrollment—in schools that are 90 to 100 percent minority group segregated. There are 322 schools with a total Negro enrollment of 201,462—or 60.1 percent of the city's total Negro enrollment—where the minority group enrollment is 80 to 100 percent. There are 18,865 white students—or 4 percent of the city's total white student enrollment—attending these 322 schools that are 80 to 100 percent minority group segregated. There are 82,794 white students—or 17.7 percent of the total white student enrollment—attending 50 to 100 percent minority schools.

Now let us look at the white majority schools. There are 211 schools which are 80 to 100 percent white, which are attended by 17,994 Negro students—or 5.3 percent of the city's total Negro student enrollment. In all, there are 393 majority white schools in New York City, and 65,490 Negro students—or 19.5 percent of the city's total Negro enrollment—attend these majority white schools.

In the public schools of the city of Buffalo there is a highly segregated Negro minority. Buffalo has a total enrollment of 72,115, in 101 schools, of which 43,942—or 60.9 percent—are white, 26,381—or 36.6 percent—are Negro, and 1,792—or 2.5 percent—are from other minority groups.

In the Negro majority schools, there are 16 schools with a total of 11,562 Negro students, which is 43.8 percent of the total Negro enrollment in Buffalo public schools, which are 99 and 100 percent Negro. There are 21 schools, with 66,122 Negro students—or 61.6 percent of the city's total Negro student enrollment—that are 95 to 100 percent Negro segregated. 19,268—or 73 percent of the city's total Negro students—attend majority Negro schools, and 27 percent attend majority white schools.

1,821, or 4.1 percent of the total white student enrollment of Buffalo, attend majority Negro schools, and 95.9 percent of the white students attend majority white schools.

There are a number of other interesting city school districts in New York State. For example, there is Rochester, which has a Negro student enrollment of 13,679, which is 28.9 percent of the total public school enrollment of the city, where there are six schools that are 90 to 100 percent Negro segregated.

In Utica, which has a Negro enrollment of only 11.8 percent, has one school that is 93.6 percent Negro.

Newburgh, N.Y., where the Negro student enrollment is only 23 percent of the total school enrollment of the city, has two schools which are 99 percent and above Negro segregated.

Monticello, N.Y., with only a 17.3 percent Negro student enrollment, has one school that is 100 percent Negro.

These facts and figures are presented for future consideration by the Senate of a national policy regarding integration of the races in the public schools of the State.

[From the CONGRESSIONAL RECORD, Dec. 11, 1969]

SEGREGATION IN THE SCHOOL DISTRICTS OF CALIFORNIA

Mr. STENNIS. Mr. President, California, according to the HEW's IBM statistics based on the 1968 national school survey, has 4,284,304 students in elementary and secondary schools. Of these, 3,172,686, or 74.1 percent, are white; 613,074, or 14.3 percent, are Spanish American; 382,525, or 8.9 percent, are Negro students; 103,547, or 2.4 percent, are classified as Orientals; and 12,472, or 0.3 percent, are American Indians.

This is the first State on which I have presented HEW's IBM data where there are two minority groups—Spanish Americans and Negroes—which appear in numerous school districts throughout the State that have one or more schools with minority group enrollment of 80 percent or above.

There are 57 cities, or school districts, in the State of California which have one or more schools with minority group student enrollment of 80 percent or above. Some are relatively small districts, and others involve large cities. In these 57 school districts, there are 413 schools where the minority group enrollment is 80 percent or above.

There are 19 of these 57 districts where the schools having from 80 to 100 percent minority enrollment are predominantly Negro and 26 districts where schools which exceed 80 percent minority enrollment are predominantly Spanish American. There are only 12 districts of the 57 where there is a substantial percentage of both Negroes and Spanish Americans in the schools with 30 percent and above minority group enrollment.

However, whether these districts have been following the concept of neighborhood schools; whether they have vestiges of a dual system, whether they have been gerrymandered; or whether the composition of the racial makeup is entirely accidental—there are a great many of them that are highly segregated.

Of the 382,525 Negro students in California, 8.9 percent of total enrollment; 321,383, or 84.5 percent of total Negro enrollment, are in 57 school districts which have one or more schools with a minority enrollment of 80 percent or above, and 239,009, or 62.5 percent of all Negro students in California, are actually in schools in these 57 districts that are 80 percent to 100 percent minority segregated; 321,383, or 52.4 percent, of the total Spanish American enrollment in the State of California are in these same 57 school districts that have one or more schools with a total minority enrollment of 80 percent or above. However, only 120,595, or 19.6 percent, of the total State enrollment of Spanish Americans, are actually in schools that are 80 percent to 100 percent minority segregated.

Let us analyze Los Angeles, the largest city in California, where the numbers of Spanish Americans and Negroes are about equal.

According to HEW's IBM data for 1968, there was a total enrollment of 653,549 students in 591 schools. The total white student enrollment was 350,909, or 53.7 percent of total enrollment, and there were 147,738 Negro students, or 22.6 percent of the total; 130,450, or 20 percent, Spanish-American students; and a total of other minorities of 24,452, or 3.8 percent.

There are 22 schools with total enrollment of 23,493 which are 100 percent minority segregated. In these 22 schools there are 22.717 Negroes, or 15.3 percent of the city's total Negro enrollment; 737, or 0.5 percent of the total Spanish American enrollment; 36 students of other minorities; and two white students.

There are 48 schools with a total enrollment of 65,877, which are 99 percent to 99.9 percent minority segregated; 54,330 Negro students, or 36.7 percent of the city's total Negro student enrollment, attend these 48 schools along with 10,621 Spanish-American students, 7.9 percent of the city's total Spanish-American enrollment; 831, or 3.6 percent of the city's total of other minority group students; and 345 white students, or 0.098 percent of the city's total white student enrollment. There are another 26 schools with a total enrollment of 34,725, which are 98 percent to 98.9 percent minority segregated. This enrollment consists of 23,995 Negro students, or 16.2 percent of the city's total Negro enrollment! 9,169 Spanish-American students, or 7 percent of the city's total Spanish-American enrollment; 1,048 students of other minority groups, or 4.2 percent of the city's total of other minority group enrollment; and 511 white students, or 0.1 percent of the city's total white student enrollment.

To recap, there are 96 schools in Los Angeles where the minority enrollment is 98 percent to 100 percent of the total enrollment in these schools—124,095—which is 19 percent of the total enrollment of all the city's schools. In these 96 schools that are 98 percent to 100 percent minority segregated, there are 101,043 Negro students, or 68 percent of all Negro students enrolled in the city's schools; 20,228, or 15.5 percent, of the city's total enrollment of Spanish-American students; 1,965 students of other minority groups, or 8.3 percent of the total enrollment of students of other minority groups; and 860 white students, or 0.2 percent of the city's total white student enrollment.

There are another 54 schools with an enrollment of 62,604, which are 90 percent to 98 percent minority segregated, and which are attended by: 21,636 Negro students; or 14.6 percent of the city's total Negro student enrollment; 26 percent of the city's total Spanish American enrollment; 16.6 percent of the city's total enrollment of other minority group students; and 0.8 percent of the city's total white enrollment. In other words, there are 150 schools that are 90 percent to 100 percent minority segregated, where 122,678 Negroes, or 83 percent of the city's total Negro enrollment, attend. There are another 29 schools with 80 percent to 90 percent minority enrollment, where the total enrollment of 29,433 is made up of 7,594 Negroes, 14,871 Spanish Americans, 2,572 students of other minority groups, and 4,396 white students.

To recap, there are 179 schools in Los Angeles that are 80 percent to 100 percent minority segregated, with an aggregate enrollment of 216,132, or 33 percent of the city's total enrollment, composed of 130,272 Negro students, or 88.1 percent of the city's total Negro enrollment; 69,088, or 52.9 percent, of the city's total Spanish American enrollment; 8,608 students of other minority groups or 35 percent of the city's total enrollment of other minority groups, and 8,164 white students, or 2.3 percent of the city's total white student enrollment.

Of the city's total white student enrollment, only 27,037, or 7.7 percent of the city's total white enrollment, are attending schools that have 50 percent to 100 percent minority student enrollment. The total Spanish American students in the 50 percent to 100 percent minority student enrollment schools is 87,750, or 67.2 percent of the city's total Spanish American enrollment, and 69.088 of these are in schools from 80 percent to 100 percent minority segregated, and 18,662 are in schools where the minority enrollment is 50 percent to 80 percent.

In taking a look at the white majority schools, there are 77 such schools that have no Negroes at all enrolled and another 82 which have either one or two Negroes enrolled in each school.

A similar analysis could be made in any number of other school districts in California. For example:

In Oakland, which has a total enrollment of 64,105, 30.9 percent of which are white; 8.2 percent are Spanish American; and 55.2 percent, or 35,386, are Negro, there are 39 schools with 27,292 Negro students, or 77.1 percent of the city's total Negro student enrollment, which are minority segregated between 80 and 100 percent. Three of these schools are 100-percent minority segregated; 10 are from 99- to 99.7-percent minority; 16 are 90- to 99-percent minority; and 10 are 80- to 90-percent minority segregated.

In Fresno, where the Negro student enrollment of 5,251 is only 9 percent of the city's total enrollment, 4,023 or 76.6 percent, of the city's total Negro enrollment are in eight schools along with 1,261 Spanish Americans, that are 93.9- to 100-percent minority segregated.

San Francisco, with a total school enrollment of 94,154, of which 41.2 percent are white; 27.5 percent are Negro; 18.1 percent are oriental; and 13 percent are Spanish American, has seven schools where the Negro enrollment is 99 to 100 percent, and 29 schools where the minority enrollment is 90 to 100 percent.

Richmond, Calif., which has a total enrollment of 43,123, of which 67.6 percent are white; 24.2 percent are Negro; 5.2 percent are Spanish American; and 2.9 percent are oriental, and 0.1 percent are American Indians, has five schools with a total enrollment of 3,856, which are attended by 3,627 Negroes, or 34.8 percent of the city's total Negro enrollment, and which are 95- to 100-percent minority segregated.

NEWS RELEASE OF CONGRESSMAN WILLIAM L. DICKINSON, AUGUST 23, 1969

WASHINGTON, D.C.—Congressman William L. (Bill) Dickinson, (R., Ala.) announced today that he has written letters to Attorney General John N. Mitchell and Secretary of Health, Education and Welfare Robert H. Finch demanding realistic treatment in Alabama's Public Education System.

In letters to Finch and Mitchell, Congressman Dickinson protested:

"The social engineers in Washington—who intend to supplant local school officials in Alabama—are *not* aware of the seriousness of the situation. Social planners with little or no experience in education are attempting to substitute their judgment for that of our professional educators—and the experiment is *not* working!"

"I appeal to you—indeed, I demand—that you approach this problem realistically and that you so instruct your staff attorneys who are so wont to blindly join in any legal action against established public education—no matter how drastic.

"Extreme (and possibly irreversible) harm is being done to public education in Alabama as the result of harsh and unrealistic federal court decrees. In the state as a whole, millions of dollars' worth of public school buildings have been ordered closed by the courts. In some cases, the Department of Health, Education and Welfare has suggested—and the courts have accepted—plans whereby school children are transported many miles merely to achieve racial integration.

"We are not asking for favored treat-

ment—we are asking that the United States Government apply the same yardstick to Alabama as is applied in other states. We expect—and have every reason to believe we are entitled to—reasonable treatment by all branches of government, including the federal judiciary."

WASHINGTON, D.C., *August 19, 1969.*

Hon. ROBERT FINCH,

Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: At this time, about two weeks before the scheduled beginning of the public school year, I feel constrained to bring to your attention a very disturbing situation which exists in many parts of Alabama—the fate of our public educational institutions. As you will recall, during a recent conference, the members of the Alabama congressional delegation attempted to convey to you their concern over the dilemma facing public education in our state.

Extreme (and possibly irreversible) harm is being done to public education in Alabama as the result of harsh and unrealistic federal court decrees. In the state as a whole, millions of dollars' worth of public school buildings have been ordered closed by the courts. In some cases, the Department of Health, Education and Welfare has suggested—and the courts have accepted—plans whereby school children are transported many miles merely to achieve racial integration. In other cases, the courts have ordered school systems to establish arbitrary colored-to-white ratios for both students and faculties. A good example of this type of action is a recent order directing the Montgomery County Board of Education to modify its desegregation plan to include a 20 percent minority pupil ratio and a 30 percent minority faculty ratio in all schools.

The Escambia County Board of Education is under federal court order to bus many of its pupils up to 70 miles each day round trip. The Board has been further ordered to close a junior high school—not over three or four years old—indisputably a gross waste of taxpayer money for a social experiment. Parents with children in the Escambia County school system have advised me that they will refuse to allow their children to be transported 70 miles a day—they will withhold their children from public school (supported by their taxes) before they will allow this to happen.

Mr. Secretary, I do not believe the social engineers in Washington—who intend to supplant local school officials in Alabama—are aware of the seriousness of the situation. Social planners with little or no experience in education are attempting to substitute their judgement for that of our professional educators—and the experiment is not working!

I appeal to you—indeed, I demand—that you approach this problem realistically and that you so instruct your staff attorneys who are so wont to blindly join in any legal action against established public education—no matter how drastic.

Mr. Secretary, the people of Alabama are good, law-abiding citizens. They have made every effort to comply with what they thought was the law of the land—the Civil Rights Act of 1964. But they are bewildered when they read in the same Act that " 'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

We are not asking for favored treatment—we are asking that the United States Government apply the same yardstick to Alabama as is applied to other states. We expect—and we have every reason to believe we are entitled to—reasonable treatment by all branches of government, including the federal judiciary.

I hope you will carefully look into this situation and give me the benefit of your comments.

Sincerely yours,

WILLIAM L. DICKINSON

WEEKLY NEWS COLUMN OF CONGRESSMAN WILLIAM L. DICKINSON OF OCTOBER 22, 1969

WASHINGTON, D.C.—Since the passage of the Civil Rights Act of 1964 and the Elementary and Secondary Education Act of 1965, Alabama schools have been the target of harassment and intimidation by Federal officials. Every public school system in Alabama is currently operating, with the threat of contempt citation, under one type of Federal court order or another. The latest blueprints of HEW and the Justice Department for Alabama's schools—calling for extensive busing and student-faculty balances—are perfect examples of the type of situation.

As you know, the Justice Department and the Department of Health, Education and Welfare have requested, and the Federal Courts have ordered, extensive busing of Alabama students solely to achieve a particular level of integration—not desegregation.

In addition, the courts have ordered millions of dollars of school buildings closed by the State of Alabama for the sole purpose of achieving integration. In other instances, the courts have ordered entire grades shifted from one school to another. The situation is intolerable. The closing of some schools and the shifting of many students have imposed upon our children the most miserable conditions due to over-crowding.

I contend that busing to achieve integration is contrary to laws already on the statute books. Title IV of the 1964 Civil Rights Act states: "Desegregation does not mean assignment of students to schools in order to overcome racial imbalance and nothing in the title shall authorize a court or any official to order the transportation of students from one school district to another in order to achieve racial balance."

In addition, Vice President Agnew told the Southern Governors' Conference that he opposed busing pupils solely to achieve racial balance in schools. Agnew was voicing the Nixon Administration's policy on busing when he further stated: "This administration favors integration but not mandatory, artificially contrived social acceptance."

HEW theorists are more interested in sociological considerations than they are in the education of our children. It appears that our social engineers are bent upon destroying, rather than assisting, public education—not only in Alabama, but throughout the country. I pray that this mess can be rectified before education of our youth is completely destroyed.

WEEKLY NEWS COLUMN OF CONGRESSMAN WILLIAM L. DICKINSON, OCTOBER 29, 1969

WASHINGTON, D.C.—President Nixon recently said, "It's never been the policy of the Administration to impose busing as a way to achieve racial balance." In his 1968 election campaign, he criticized busing as a "forced integration rather than putting emphasis on education." (*U.S. News & World Report*, October 13, 1969.)

Actually, President Nixon, in campaigning for the presidency, espoused the *freedom of choice* system. I believe this system should be America's answer to correct the destruction of neighborhood schools resulting from forced busing. Under freedom of choice, parents select the school they want their children to attend.

It is difficult for me to understand how any fair-minded citizen can offer valid objection to freedom of choice, for it leaves decisions regarding schools to parents and excludes all compulsory elements in decision-making. The ideologists of racial balance detest freedom of choice. They want to force parents and children to conform to specific sociological patterns and formulas, irrespective of parents' wishes. HEW theorists do not seem to realize that our children are individuals with individual needs, not computerized punch cards or government statistics.

If government officials want to promote education, they will promote the freedom of choice concept. For a child does best where he is happiest, and he will be happiest in a school setting that is in accord with his environment at home and family circle.

While the Civil Rights Commission may try to force the Nixon Administration to apply more pressure on the schools, public pressure, by black and white alike, is growing in the other direction. Parents throughout the nation are deeply disturbed at HEW's unsound and irresponsible efforts to impose sociological formulas on schools that hinder classroom work and slow the student's progress in learning.

A recent *U.S. News* nationwide survey points to a new trend. According to that survey: "Among civil rights leaders, educators and Negroes themselves, doubts are growing about the value of busing, either as a method of integration or as a method of improving education."

President Nixon, if he realistically examines the school situation and abides by his 1968 campaign promises, will give renewed emphasis to freedom of choice.

WEEKLY NEWS COLUMN OF CONGRESSMAN WILLIAM L. DICKINSON, JANUARY 28, 1970

WASHINGTON, D.C.—The Supreme Court in its 1954 decision ruled that students have a right to a quality education regardless of race, creed, or color. Now the courts seem to say that regardless of your race, creed, or color *quality* education is out—a goal of the past!

Extreme, and yes, irreversible damage is being done to public education in Alabama as a result of harsh and unrealistic court decrees. In the state as a whole, millions of dollars' worth of public school buildings have been forced to close by the courts. In nearly every school system in the South, the Department of Health, Education and Welfare has suggested through their guidelines—and the courts have ordered—that school systems establish arbitrary black to white ratios for both students and faculty. HEW's is playing a stupid game of statistics with the courts stepping in as the game's officials.

How are the social engineers of HEW and the courts implementing their "Great Plan" to achieve the "desired" ratio? They are busing our children many miles each school day. They claim it is in the interest of "quality education". Busing may be a way to achieve integration but it can not improve education. Busing can only destroy public education!

I contend that busing to achieve integration is contrary to laws already on the statute books. Title IV of the 1964 Civil Rights Act states: "Desegregation does not mean assignment of students to schools in order to overcome racial imbalance and nothing in the title shall authorize a court or any official to order the transportation of students from one school district to another in order to achieve racial balance."

HEW theorists are more interested in sociological considerations than they are in the education of our children. It appears that HEW and the courts are bent upon destroying, rather than assisting, public education—especially in the South. We are not asking for favored treatment—we are asking that the United States Government apply the same yardstick to Alabama as is applied in all the states. We expect—and have every reason to believe that we are entitled

to—reasonable treatment by all branches of the government, including HEW and the federal judiciary.

If President Nixon realistically examines the school situation in the South and abides by his 1968 campaign promises, perhaps these unfair practices applied only to the South with an equal degree of discrimination will be stopped.

WEEKLY NEWS COLUMN OF CONGRESSMAN WILLIAM L. DICKINSON, FEBRUARY 4, 1970

WASHINGTON, D.C.—Since the enactment of the 1964 Civil Rights Act, the federal government has given primary emphasis to enforcing its school desegregation edicts in the Southern states while virtually ignoring the rest of the nation. This double-standard comes as no surprise to the people of the South! Unfortunately, it is typical of the punitive laws we've been forced to swallow since the 14th Amendment was added to the Constitution 100 years ago.

Nevertheless, the old adage that "what good for the goose is good for the gander" just might finally be coming to pass. It's in the form of pressure being applied on the Department of Health, Education and Welfare by many of us to start investigating the school situation in states *outside* the South. In other words, we want HEW to start looking northward where for years well-meaning citizens, I am sure, have lived smugly in conditions of total racial segregation while hurling bolts of self-righteous criticism at their Southern neighbors who, quite frankly, lived in a more integrated society.

We think we've got a good argument. According to statistics provided by, of all places, HEW, 90 percent of all Negro school children outside the South are concentrated in eight heavily populated states and the District of Columbia, where they attend predominantly Negro schools in city school districts.

This is called "racial isolation" by the HEW "experts", and it simply means that black and white students attend separate schools through social or economic circumstance, such as housing or income differences. In other words, racial segregation Northern style! But this hypocrisy may soon be coming to an end. In fact, it is reported that over 500 Northern school districts have been targeted as possible problem areas for future HEW investigations.

Of course, as any school administrator and parent in the country will say, the best method of achieving school desegregation—North and South—in line with the 1964 Civil Rights Act is by freedom of choice. But the bureaucrats in HEW abhor the idea of freedom of choice.

Nothing could be fairer than freedom of choice, for that is just what it is. It is the freedom of every school child, black or white, to choose the school of his or her choice, rather than have the government compel him to attend a distant school purely for arbitrary sociological reasons. Even Secretary Finch should agree with that.

WEEKLY NEWS COLUMN OF CONGRESSMAN WILLIAM L. DICKINSON, FEBRUARY 11, 1970

WASHINGTON, D.C.—". . . nothing contained herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance. . . ."

Would you believe that these words are on the statute books of the United States Government? They are there—and they appear in section 2000(c)(6), Title 42, United States Code—the law of the land.

Also on the books is the following definition of desegregation: "desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance."

Both of these provisions are a part of the Civil Rights Act of 1964—believe it or not—but I am sure many of our educators will find it hard to believe—in the face of judicial flats handed down recently. Neither can parents whose children have been used as pawns in the racial balance game understand why the law reads one way and the courts rule another.

There is no question in my mind that the school problem is uppermost in the minds of the people of the Second District. I receive several hundred letters every week, and more are concerned with schools than with any other issue—including taxes, inflation, and the war. Most of my constituents are bewildered—as I am—over the fact that the federal courts and the Department of Health, Education and Welfare will not accept true freedom of choice plans for our schools.

Alabamians were vehemently opposed to the passage of the Civil Rights Act of 1964. However, after it was passed, signed and upheld by the courts as being constitutional, Alabama reluctantly accepted it as the law of the land and, as law-abiding citizens who love their country, sought to comply with the law.

The Department of HEW promulgated guidelines for the various school systems to follow in abolishing segregation of the races in public schools, and, after considerable deliberations with HEW, school officials drew up plans authorizing children to attend the school of their choice. When HEW recognized that there were no mass transfers from one school to another, HEW bureaucrats began to devise plans to accomplish social changes freedom of choice did not bring about and convinced a few federal judges in 1967 and 1968 to include their new social schemes in court decrees.

The result has been one drastic judicial fiat after another—calling for massive busing of children and the assignment of students and faculties to achieve racial quotas. At the same time, HEW and the courts turn their backs on more blatant cases of segregation of the races in schools in other parts of the country. We in the South do not want favored treatment—but we demand to be treated like other states. After all, our laws are supposed to be administered equally throughout the nation. We expect nothing less!

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the distinguished dean of our delegation (Mr. ANDREWS).

Mr. ANDREWS of Alabama. Mr. Speaker, I want to thank the gentleman for bringing to the attention of the House the frightening situation that exists in Alabama today. I have personal knowledge of many of the cases that the gentleman is referring to.

As the gentleman knows, I live in a small town, Union Springs, 40 miles from Montgomery, where the ratio is 4-to-1 Negro. The school population in that county is 4 to 1. In my hometown they forced the board of education to place several Negro teachers in a formerly all-white school. I have personal knowledge of the facts based on the statement given to me by a Baptist preacher in our town, that the Negro mathematics teacher placed there was totally incompetent. The preacher had a son in that class and was naturally interested in his son getting a good foundation in mathematics. The preacher is well trained himself. He has a Ph. D. degree, and he taught at Judson College in Marion. So he has gone down and is going there every day to the school to teach mathematics to the class without pay. The teacher he describes as being incompetent is sitting in a chair there trying to learn mathematics. That is an actual case which I will vouch for the truthfulness of.

We had a system, as the gentleman knows, of freedom of choice in Alabama. I thought it worked well. There is not a school in my district that is not integrated and very few in Alabama are segregated.

Most of them are integrated. They were integrated under the so-called freedom of choice plan that our State had and which has now been declared illegal and set aside by the bureaucrats in HEW. Under that system any student, regardless of his race, was permitted to attend any school of his choice.

Now, the truth of the matter is that the degree of integration was smaller than the bureaucrats thought it should be and, therefore, they concluded that because of, maybe, threats or intimidation, the Negro students did not leave their schools and go to the white schools, or the white students did not leave their school and go to the Negro school. But, nothing could be further from the truth. The truth of the matter is, as the gentleman pointed out, most of the Negro students do not want to leave their schools. They do not want to be bused. They do not want to walk to the former all-white schools.

If the gentleman will recall, the papers have been full of instances throughout the South within the last few months where the Negro students and their parents are rebelling against forced transfer from their old school to the white school.

Mr. Speaker, I think the gentleman from Alabama (Mr. DICKINSON) has rendered a great service in pointing out to the Members of this House just what is happening to our school system in Alabama. In my opinion the action of the Federal courts and the bureaucrats in HEW are rapidly—rapidly—destroying the public school system in Alabama. Not only have they destroyed the quality of education and are continuing to do that, they are actually contributing to the downfall and destruction of our public education system.

The gentleman is correct when he says that private schools are springing up throughout our State like mushrooms. They will continue in growth and if this trend continues we will see the complete destruction of our public school system.

Again, Mr. Speaker, I want to thank the gentleman for bringing this matter to the attention of the House.

Mr. DICKINSON. I thank the distinguished dean of our Alabama delegation for his remarks.

Mr. JONES of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Speaker, I welcome this opportunity to call to the attention of this House, some of the results of HEW's unreasonable and dictatorial "guidelines," as well as the

results of the Federal court directives, all occurring since the passage of the 1964 Civil Rights Act.

The problem transcends the question of integration or segregation, for most accept the fact that desegregated schools belong to the past. But what is important today and for the future is the basic concept of quality education itself. To achieve this, the public schools in any State must have first, the support of the public. They must be permitted to operate with a minimum of confusion and disruption in order to provide the best possible opportunities for each child regardless of race. Stated another way, I think it is time that the courts and HEW begin to place the emphasis on education, and put in second place the question of integration. For all practical purposes in most school districts in my State, the integration is here. But, for a few minutes, let us consider what this misguided direction has produced.

Under a Federal court order, Bertie County, N.C., containing a basically rural population, has resulted in the present enrollment in the public schools of approximately 75 percent black and 25 percent white. But, most serious for the future of the public schools is the fact that this rural county, with a population of 24,350, today has three private schools with an enrollment, I am told, of over 800. Possibly what triggered the creation of the private schools was that the court order contained a directive as to the racial composition of the faculty, regardless of qualifications.

Another tragic example is the city of Greenville, N.C. Located in Greenville is East Carolina University with an enrollment of some 10,000 students. I mention this to substantiate the statement that this community has been considered most liberal. Under the "freedom of choice" plan, the system had made rapid strides in achieving a high degree of integration. Yet, for the school year 1969–70, it was not enough; the present administration demanded the impossible. What has happened at different intervals has been a series of student riots between blacks and whites, resulting in the hospitalization of several and the arrest and conviction of others, the resignation of the principal sometime in the fall, and presently, according to the information I have, the discipline of the school is being monitored by uniformed police.

Mr. Speaker, I ask you and anyone else, could an acceptable scholastic atmosphere possibly exist under these circumstances?

Perhaps the most difficult case to understand involved Washington County, N.C., again—a basically rural county. In March 1969, five very articulate, sincere, black citizens of that county came to my office and met with three representatives of HEW in a prearranged conference. They brought with them a petition containing over 2,000 signatures of black citizens and also a petition signed by in excess of 400 black high school students, all asking for 1 additional year of "freedom of choice." Their reasons were valid. In spite of a prior existing policy that where the student enrollment was exceeded by 50 percent of the black race, and if they so desired, that additional time under "freedom of choice" would be grant—their request was denied.

In North Carolina there are no statutory provisions for the busing of pupils living within the corporate limits. Yet, I am told that another county, not in my district, was ordered to transfer from one facility to another complete student bodies. When told by the local administrators that no transportation facilities were available, HEW promptly advised that "this is your problem, not ours." And so, if the public schools of the South are to survive, somehow the neighborhood concept must not be destroyed. And indeed, this destruction can be accomplished more quickly by busing than by any other method.

For years in the State of North Carolina, the local schools of both races have depended on PTA's and other parent organizations for the support of extracurricular activities such as bands, athletics, business and science projects, and others. Sadly enough, this support is rapidly vanishing.

So, to the new National Committee on Schools, HEW, and the Federal courts, I hope that a new dimension can be brought into being and that the prime interest be directed to the type education that the children of the South in this Nation are receiving in their preparation for future life.

Finally, Mr. Speaker, I hope that this will not be interpreted as a racist speech, for I am confident that these remarks represent the thinking of the majority of the people that I represent of all races. During this past weekend, while visiting in the district, at least 60 percent of the conversations in which I engaged expressed concern on this very subject—the soul-searching question, "what is happening to our schools?"

Mr. DICKINSON. Mr. Speaker, I thank the distinguished gentleman from North Carolina for joining in this special order today.

Mr. Speaker, I now yield to the distinguished gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Speaker, I want to thank the gentleman from Alabama and congratulate him for taking this time to focus public attention upon the dilemma our schoolchildren are facing today throughout the country, particularly in our part of the country.

In the final analysis, no broad public policy can long survive unless it enjoys the support of the general public.

Tomorrow a number of most distinguished, outstanding and public-spirited citizens from the Atlanta area of Georgia are coming to Washington at their own personal expense to visit the Members of this body and the Members of the other body. They wish to call to the attention of the members of the legislative branch of the Government and members of the executive branch the extreme hardships which the present court orders have placed upon individual families and schoolchildren in the city of Atlanta. I would hope the Members of this body would listen with kind attention to the plight of the parents and the children who are being subjected to this form of social experimentation.

Again, Mr. Speaker, I associate myself with the remarks of the gentleman from Alabama, and I congratulate him upon his efforts.

Mr. DICKINSON. I thank the distinguished gentleman from Georgia.

Mr. WATSON. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I am glad to yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Speaker, I thank my distinguished friend in the well, the gentleman from Alabama, for yielding to me. First, I want to commend him for taking this time to try to focus the attention not only of this body but hopefully the attention of the people of this Nation on a most serious problem confronting the educational system in the Southland—and not only there but soon, throughout the Nation, in my humble judgment.

It distresses me, Mr. Speaker, as we come to this moment, that first it is necessary to take this time to point out the problems that we have and, second, that there is obviously not too much interest on the part of a number of people, primarily those outside the South, as to the problems that we have.

I hope that the message that the gentleman from Alabama (Mr. DICKINSON) and others are giving today—I hope that that message will go well beyond the walls of this Chamber and will echo throughout the country because, as you so well pointed out, the problem may be ours right now, but I predict that tomorrow or just a few weeks or months ahead, it is going to be a problem all over the Nation; that is, if the laws are applied equitably throughout the country.

As has been pointed out in the debate in the other body, and as you referred to a moment ago, the CONGRESSIONAL RECORD points out very dramatically the segregated schools existing, even worse than we have down our way, which exist right here in the Nation's Capital and in the States north of the Mason-Dixon line. When the heavy line of the racial balancers is applied in those areas, then I am sure at that time they will be pleading for help and will be asking for the understanding of the Nation as we are now.

You know, one thing that makes this so very sad in my State and in other States in the heartless nature of some of these radical changes being ordered. They are not in my congressional district, but we as Members of this body are concerned about problems everywhere. But two of the counties of the State of South Carolina just recently, just this week, had to undergo a very traumatic and dramatic change in their school situation—the shifting of thousands of students from one school to another school, even some of them to distant points. We are now gathering information so we can show the particulars in order that the people who are interested might see how extensive and disruptive these particular changes have been.

But how heartless can it be, Mr. Speaker, when in the middle of a school year you would suddenly just shift masses of teachers and students from one school to another—teachers who over the past months since September have been developing and trying to follow the

progress of their students and trying to look at the points where they have educational deficiencies and trying to help them to pass courses and to do a little better.

But all of a sudden, the court says—No, you shift over to another school—to a totally foreign teacher who is not familiar with your problem at all. Very well, this could be a lost year for many schools.

Now, as the gentleman from Alabama so well pointed out, what is the purpose of a school—is it for sociological experimentation or is it for education? How unthinkable can it be—that right in the midst of the school year a court would come along and order the students shifted from one school to another and from one teacher to another? You not only have the interest of the students to be principally concerned about—and we all are I am sure—but you know teachers have some rights, too. The gentleman from Alabama pointed out earlier, as did some of the other speakers, that we are, indeed, seeing a mushrooming of private schools around the country. You also find that many teachers who have been loyal to public education are leaving the public school systems to go over to the private schools. Other teachers are throwing up their hands in despair saying, "I am not going to be so insulted—to be treated so cruelly in my professional capacity, that I do not even know where I will teach or how much I will be teaching from month to month."

I see some people on the floor of this body here who are vitally interested in education—who have been champions for the cause of education. Oh, how much we need their voice and help. Do you know that we have teachers in South Carolina—and I do not know whether you have them in other States of the Nation—but they are asking teachers in some districts down South to sign blank contracts—not even letting them know where they are going to teach or how much they are going to get.

I tell you, my friends in other States of the Nation, when your teachers are asked to sign such contracts in blank, you are going to be here on the floor of this House asking for some consideration. I guess, my friends, we are really now just asking for a little mercy; it is too much to ask for any consideration for the Southland. But maybe sooner or later the chickens will come home to roost, and then others will appreciate the problems that we have.

Mr. DICKINSON. If the gentleman will permit me to interrupt, I have before me a quotation that I think would be pertinent at this point because, as you know, recently in one of the most sweeping school orders that have ever been issued, 622 schools, having a student enrollment of 674,000 students, were ordered to be integrated to the point at which no school should have less than 10 percent minority population or more than 50 percent minority groups. School officials protested that this would mean "virtual destruction" of the school system. How familiar that ring is. But the odd fact is that this was not emanating from south of the Mason-Dixon line. This was a quote from the school officials of Los Angeles, Calif., and I refer to the February 11 order of the State superior court ordering that this be done. They say that they cannot financially afford it. It is not feasible, and it would destroy their school system in Los Angeles. So I think this is very apropos of the observations that the gentleman has just made. We are in the forefront. We might be the edge of the wedge. But it is coming. And if laws are uniformly administered throughout our country, we will see public education throughout all 50 States suffering.

Mr. WATSON. There is no question about it, and I apologize for presuming too much upon the gentleman's time under this special order. But, you know, when you are dealing with the children of American citizens, you are dealing with the most priceless of man's possessons and when you jeopardize his child's education or preparation for life you have a real tiger on your hands. Parents rightly demand quality education.

As was pointed out earlier, there is the instance of the disrupting effects on the black children as well as on white. We have in South Carolina a fine community with a splendid high school by the name of Spaulding which always has been principally black. Despite the presence of this wonderful school there, tragically enough, students are not being educated in that school at this moment because of an almost total boycott on the part of the black students. They want their school. It is their neighborhood school and they do not want to be bused to a distant institution.

Finally, may I say this with reference to the gentleman's statement concerning the decisions of the court when they will say, "We are not in violation of the 1964 Civil Rights Act." I believe it is section 407, where there is a specific prohibition against busing in order to obtain a racial balance in schools, and that provision was written in, as the gentleman knows, on the floor of the House. That language was not in the version as it was reported from the Judiciary Committee. They say, "we actually do not specify busing." But, as the gentleman so clearly and convincingly pointed out, they ordered a balanced school, and though they did not specifically say in the order that you must bus the children over there, how do you get them there except by bus unless they walk? They normally go by bus, unless they contemplate transporting children by helicopter, or you might take them by submarine or some other means.

How ridiculous can it be?

I do take hope in this respect, and I hope other jurisdictions and school districts will pursue this particular point, that in the 10th Circuit Court of Appeals in Oklahoma there is a school district pursuing this very point, and there is hope of a favorable verdict from that circuit court. Although the judge's order did not say specifically that racial balance must be obtained by busing, that is the only way to implement or carry out the judge's order, whether expressed or implied.

Finally, I have heard the comment that, well, in one area, the South, there is de jure segregation and in another area, the North, there is de facto segregation. Well, neither child nor parent for that matter understands why different educational standards are used simply on the basis of legal technicalities about de jure or de facto segregation. They do not understand it. It works the same way when we disrupt their educational systems regardless of the legal jargon.

The courts and the Federal bureaus are fast destroying the public schools. I remember when I was privileged to serve in the General Assembly of South Carolina, there was always one bond issue which always passed, and that was for the schools. Our people were interested in giving the best education to their young people. But now, seven out of 10 school bond issues which are put before the people are voted down. Why? Because of all these artificial and arbitrary requirements of the Federal bureaucracy and the Federal judiciary, in trying to use schools primarily for sociological experiments. They are more interested in racial balance than in better education. What is going to happen? Ultimately we are going to have a public education system composed primarily of blacks.

The courts can order, if they wish, any area to have a certain ratio, but if the parents refuse en masse to send their children there you have an impossible situation. Tax support for public schools will be seriously affected. If I am a parent and I have, in order to give my child a quality education, to pay to send him to a private school, others need not think for a minute that I am going to be interested in appropriating funds for a public school system my child does not attend because of inadequate standards. Consider that for a moment.

Then is Uncle Sam going to go down and pay for the entire educational system, for the whole public school system throughout the Nation?

Again I thank the gentleman and I applaud him for his effort. I wish we could adequately tell the Nation not only what is happening down our way now, but what is going to happen in Chicago, Ill., and New York, California and Pennsylvania. When the schoolchildren and the parents and the teachers start to bring pressure to bear on Members in these other areas then perhaps they will get a better understanding of what we are trying to point out today. I hope so. I hope reason will prevail before ultimately the destruction of our public school system is carried out.

Mr. DICKINSON. Mr. Speaker, I thank the gentleman from South Carolina for his apt and timely remarks.

I heard in the recent Mardi Gras parade there was a very outstanding band from a former Negro school. The strange thing about this band is that 2 years ago they very diligently raised about $3,000 and bought some new uniforms. Just last year the Federal court ordered that school closed. It was subsequently padlocked and ordered closed. It was a good school. But they are so proud of their former school and their band that they still go to the old school, which is as I said, closed. They still have their

band and still played in this year's Mardi Gras. They kept their identity. Do not think they are too happy about their school being closed.

Mr. Speaker, I yield now to the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

The gentleman's examples of what is going on are very correct.

I must also agree with the statements made by my colleague from South Carolina.

Along the same line, in a most recent court order the Trinity Gardens High School in Mobile County, Ala., has been ordered closed and all the students transferred to another school. The Trinity Gardens High School was formerly an all-Negro school. The parents rose up in arms, and they have been down to the school board fussing about the closing of their school.

This is something that people do not like, because it moves the children out of their own neighborhoods.

This type of thing is not new. Unfortunately, when HEW comes up with some of its wildest plans there is nowhere to go and there is no one to talk to until one finally gets up to talk with the Secretary of Health, Education, and Welfare. It seems rather ridiculous that every time a plan from HEW comes along a Congressman has to run over to talk to the Secretary of Health, Education, and Welfare, trying to get his ear about it.

I must say that even the Secretary was horrified recently when some of us went to talk to him about some of the plans being proposed in our part of the country. I wish some of our northern colleagues would listen to this type of thing.

In one small county in my district they were going to close every former white high school in that county. Second, they were going to bus the children, many of them 2 hours each way, a total of 90 miles a day, with 4 hours on the bus, just in order to mix up the county.

When we took maps of this type of thing to Secretary Finch, he had to admit he could not believe his folks were trying to do this.

What did they do in place of that grand scheme? They came back with a plan whereby the children would go for 2 years to this school, 2 years to that school, 2 years to the next school, so in trying to get through high school they would have to go to six different schools.

How does one go to six different schools? They have to bus them there, because one school is at one end of the county, and one at the other end, one over on the east and one over on the west. They are playing round robin with the children of that particular county.

In the county of Mobile, which has the largest school system in the whole State of Alabama, HEW proposed a plan of busing that would haul some children as far as 15 miles from one end of the city of Mobile to the other. It was going to cost the Mobile County School Board $13.5 million in order to provide the buses to carry out that plan. In one area they proposed a series of schools so that in high school the students would have to go to four schools in order to graduate. These included some that were formerly elementary schools, some formerly junior high schools, and some formerly high schools, but they were in the near vicinity of each other, so they were going to build walkways.

These are the HEW plans. These are not my dreams or fantasies.

They were going to build walkways from each of these four schools to the other. One of the walkways had to go over a heavily traveled railroad track, and they were going to require the county school board to build a covered walkway over the railroad track so that the children could cross without getting run over by a train—which I thought was commendable. It would have required condemning property throughout this whole area in order to join these four schools together.

These types of things have been proposed. So when we get this kind of a proposal we have to go to the Secretary of Health, Education, and Welfare and say, "Do you know that this is what your folks down the line are proposing?"

In all fairness to the Secretary, again, he was rather horrified to see this type of proposal coming out of his own agency. He is sitting over there with 150,000 people locked in HEW jobs, and he could not shake them loose if he knew how.

These are the things that are coming along. These things are being suggested to the court.

I should like to read one paragraph, if I may, from a letter from about 30 students, which I got in January of this year, talking about the February 1 deadline of integration in portions of Mobile.

Perhaps I should go back just a little bit. Our Federal courts in the Mobile area had a complicated problem of trying to find something that would suit the Supreme Court of the United States as well as all of the Federal agencies. In trying to go about it logically and not disrupt the school system in our area, they draw an arbitrary line, the courts did, and said that in September 1969 all of the integration will be completed on the west side of the line. Starting in September 1970 integration on the east side of that line will be completed, also. So the school systems, the parents and the teachers, have all been working toward that September 1970 deadline to work out all their plans and all their transfers in the school system. Then the Supreme Court came along in January and ordered that by February 1 this change should be made when nobody could conceivably operate on that kind of a schedule.

This is incidental, but I talked with a class ring salesman recently. He said that the sale of graduation rings has been the worst in history, because no student knows what school ring to wear on graduation day. The result is that they are not ordering rings. Now, it may sound inconsequential, but it is typical of the entire problem. The students have been thrown into a great quandary. They had to shorten them up in one quarter and to lengthen them in another quarter in the Mobile school system so that students could transfer between them and not leave a teacher in the middle of the quarter. As a result of all that, I have these 30 students who wrote to me the letter in January and said:

> The school we will be attending February 1, 1970, will be the third school in 6 months we have attended. We did not gripe about it the first time. Now we are getting tired of it. How are we supposed to get an education good enough to live in the future without living in poverty? We cannot learn if we move from school to school, from teacher to teacher. It even makes it hard on the teachers.

I say that is something of an understatement to say it makes it hard on the teachers. The poor administrators are in a chaotic situation because they have equipment in a high school here that will have to be moved to a grammar school over here to fit the court's orders. To make it all worse, the Federal court has implemented the Supreme Court decision saying it is true that you cannot do it by February 1, but you can do it by March. Everybody is working feverishly trying to make the plan work. But now the NAACP has appealed this decision and it is going back to the Fifth Circuit Court of Appeals. Who in the world knows what the Fifth Circuit Court of Appeals will do there and what the people of Mobile County will finally have to adjust to.

These are the kinds of things that we have been saying to our northern colleagues that they had better start becoming interested in. This great octopus that calls itself a bureaucracy and a court system, having fed itself at the table of the South, has not been satisfied. Its appetite has only been whetted. I suggest that unless we can draw some support from the rest of the country, the rest of the country will come under the same heel of the Federal Government that we have. One answer to this is—and I do not like to recommend these kinds of things, but one answer may very well be that John Mitchell, Attorney General of the United States, will start filing more of these suits of his all over the United States. The Federal courts will start rendering some decisions there in the North, the East, and the West, just as they have been rendering them in our part of the country, and I suggest that our colleagues will come streaming down the aisle demanding justice. That will be the day that you will finally understand what we have been talking about.

I thank the gentleman for yielding.

Mr. DICKINSON. I thank the distinguished gentleman from Alabama for his contribution.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I thank the gentleman for yielding and I shall be very brief because I know other Members would like to comment upon this subject.

Mr. Speaker, I would like to commend the gentleman from Alabama (Mr. DICKINSON) for obtaining this 1-hour special order. It is my understanding that the gentleman from Georgia (Mr. FLYNT) also has a special order of 1 hour after that of the gentleman from Alabama.

I would like to point out, Mr. Speaker, how unbelievable and how unworkable

and how unfair these court-imposed desegregation guidelines have been, both upon the public schools in my State and the States of our colleagues who have spoken today.

I hope, Mr. Speaker, in the next few days that I can obtain permission to make 1-minute speeches in this Chamber, giving factual information on what the Federal court-ordered guidelines have brought about in my home State of Mississippi; how they are rapidly destroying the public schools because both whites and blacks are dropping out of the public schools.

I appreciate some of my colleagues mentioning the difficulties that have been imposed on the teachers in the public schools. You know, we must admit that the teachers who teach in the public schools have to be dedicated people because over the years their salary scales have certainly been low as compared with people who are engaged in other professions. Many teachers because of court orders requiring a "racial balance" of faculty have been forced to drive to distant schools, some as far as 25 miles from the schools to which they were originally assigned last fall. This reassignment of teachers to achieve a racial balance is in direct conflict with their written and legal contracts to teach at a particular school.

Many of these teachers, both black and white, live near the schools in their hometowns where they were previously assigned. They have bought homes and have their roots in that neighborhood. Now, as I stated previously, they have to go across town or across the county.

Mr. Speaker, I am very pleased that the other body adopted the Stennis amendment which was debated today and was considered as a part of the legislation to extend programs of assistance for elementary and secondary education. The Stennis amendment would require equal enforcement of desegregation guidelines in all sections of the Nation.

Mr. Speaker, I want to again thank the gentleman from Alabama for yielding and to commend him for giving others the opportunity to comment upon this very, very serious situation.

Mr. DICKINSON. I thank the gentleman for his very timely and cogent remarks.

Mr. FLOWERS. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Alabama.

Mr. FLOWERS. Mr. Speaker, I would like to add my words of commendation to the gentleman from Alabama (Mr. DICKINSON) for taking this time to call the attention of the House to this most urgent matter. By our words and those of our other colleagues in the House who have spoken and will speak today, to help bring this matter to the attention of the Nation.

I think, Mr. Speaker, the time has come—indeed, has long since come—when we can no longer afford to have any second-class citizens in these United States. Hopefully, the time will soon come when we no longer have any second-class States either. The other body has just adopted the Stennis amendment to the education bill pending there. Perhaps this House will have the opportunity of voting upon and passing similar legislation in the near future.

Mr. Speaker, I had a letter from a constituent of mine the other day that worried me considerably because of his exasperation with the perplexing situation of our public schools in Alabama.

This particular citizen was concerned that this country began without any public education, but with a private school system. We moved forward into a public school system which made the wonderful opportunities of education available to those without enormous financial means. This made education available to the grassroots, so to speak. But it now appears to my friend that we are in grave danger of moving backward, in the South, anyway, but it will come to other sections. We are moving backward to a private school system where every child may not have an equal opportunity to gain an education.

Mr. Speaker, somehow we must demand a return to reason—and freedom of choice in education for every child is reasonable. Furthermore, freedom of choice would insure the future of our great system of public education.

I thank the gentleman for yielding to me for these brief remarks.

Mr. DICKINSON. Mr. Speaker, I thank the distinguished gentleman from Alabama for his observations and his contributions to the discussion at this time.

Mr. Speaker, I would now like to yield to the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the question of an equal education for all, of course, is paramount to all Americans, and the current struggle in the South is not a struggle of integration or segregation, but it is a struggle of requiring racial balance, a mathematical formulated racial balance.

Whenever you apply force to an area and tell a child that he cannot go to his neighborhood school because he happens not to be of the right race, that it is wrong. It is wrong if it is being done to segregate and it is wrong if it is being done to provide for racial balance.

That is the current upheaval, not desegregation but required racial balance. There have been many victims of this struggle to so-called desegregate the schools in the South. Certainly there have been some segregated schools in the South, but the mere fact that a school may be black or a school may be white is not in and of itself a bad situation if there is no discrimination that goes into making up the student body.

In other words, if this happens to be a white neighborhood, and there is a neighborhood school, that school should reflect the racial makeup of that neighborhood, and that would be true of a black neighborhood or an integrated neighborhood.

I think we as Americans treasure the right of the individual to move freely within society, but not to be forced because of his race out of his natural environment, and that is what has been done in many instances.

But, Mr. Speaker, I would like to touch just for a moment, if I can, on some of the financial aspects of this need. Dollars are not as important as are children. The children who are being sacrificed in our schools are more important than all the dollars that all the taxpayers in America will pay in 100 years, and the educational loss can never be recouped, but there have been tremendous economic losses as a result of school closings.

About a year ago, we in the Atlanta area were faced with a demand that a six-year-old high school in our area had to be closed because it was all black. It is true that without a single exception, every child attending the school was black, but without a single exception every child attending the school lived closer to the school than any other and the school basketball team had won the State class B basketball championship, and they were proud of their school. It was closed by court order, to force every child in that school into another school in order that we could have integration.

That, Mr. Speaker, set me on fire, and having been set on fire I was determined to find out how many other districts in the South had had schools closed.

So I asked HEW for the figures, and they could not provide them. I then wrote to 1,816 school districts in the South, and I asked them if they would tell me how many schools had been closed, whether they were closed for desegregation purposes or other purposes, and what was the value of these schools.

I was astounded to learn—out of some 666 replies, which is approximately one-third, that I identified by name and location—356 schools were closed throughout the Southern States in order to so-called desegregate the schools.

I also asked for the original cash value of these schools. Of the 350 schools reporting, 274 gave me an original value. That left 82 that did not have a value, but it was some $52,442,000. The replacement value of these at today's building costs would certainly be considerably over $100 million.

I asked the gentleman from California, Congressman Moss, if he would help me to get the information from HEW.

Congressman Moss of California, chairman of the Subcommittee on Information for Members of Congress, agreed to help me to obtain this information. Congressman Moss believes strongly in freedom of information for Members of Congress, and whether he is for you or against you from a philosophical standpoint on a particular argument, he feels as a Member of Congress you have the right to know. He stood up for my right in that instance which I shall always remember.

So with his help, we put more pressure on HEW and about a week or so ago HEW gave me their information. I was astounded to learn that for the years 1968 and 1969 there were not 356 schools as I had identified which were closed for

desegregation purposes—but according to the figures supplied by HEW, 475 schools had been closed for desegregation purposes throughout the Southern States.

Mr. Speaker, this is a travesty against the taxpayers who built these schools. A school should not be closed unless it is an inadequate facility.

During the same time that 475 schools in the South were being closed to force so-called desegregation there were 309 schools closed for reasons other than desegregation, making a total of 784 schools.

Mr. Speaker, this is a financial loss that has occurred to the communities in which these schools are located. When a school stands idle, as is the case in Gainesville, Ga., where an 8-year-old high school is standing idle, there is a dollar loss to the taxpayers and an educational loss to the children.

The tragic results of school closings and the effect it has on the population was graphically illustrated approximately in July of last year when there was a decision in De Kalb County in suburban Atlanta where the Federal court required six schools to be closed because, paraphrasing the judge, "If those schools remained open, it would perpetuate segregation and the only way to integrate is to force the children out of these schools and bus them into other areas."

The result of these six schools in suburban Atlanta being closed by court order was felt about 6 weeks later when a school bond issue came up in Clayton County, in suburban Atlanta. The bond issue for new school construction was turned down overwhelmingly by the people.

Mr. Speaker, this is going to happen time and time again. We are going to find that people will refuse to vote for new bond issues for much-needed schools when they see other schools being closed by court order.

Mr. Speaker, we cannot abandon our public school system. We must continue to build schools as the needs arise, but if the courts are going to require good, sound school buildings to be closed for so-called desegregation purposes, then the people simply will not vote for new school bonds to build more schools. The losers will be the children who need the education.

The results of a survey by Congressman FLETCHER THOMPSON, of Georgia, of 1,816 school districts in the South:

I. RESULTS OF A SURVEY BY CONGRESSMAN FLETCHER THOMPSON OF GEORGIA OF 1,816 SCHOOL DISTRICTS

State	School districts written	Answered	Schools closed	Classrooms closed	Cost	Students	Negro schools closed	High schools closed	Elementary schools closed	Schools closed	
										Value stated	Not stated
Arkansas	207	12	6	41	$492,025					6	0
Alabama	118	23	75	496	8,807,301	2,400	15	17	10	63	12
Georgia	195	130	31	480	9,550,677	190	6	5	9	16	15
North Carolina	156	40	28	239	3,917,000	260	0	3	4	21	7
South Carolina	92	15	11	62	2,067,880	1,900	7	8	5	10	1
Virginia	129	55	17	140	4,785,000	973	15	0	2	15	2
Texas	254	53	24	183	2,388,012	500	2	0	8	17	7
Louisiana	67	22	37	399	6,065,777	0	4	7	17	35	2
Tennessee	150	29	43	218	3,286,000	0	1	5	0	31	12
Kentucky	156	77	8	55	550,000	200	5	1	4	5	3
Florida	77	37	40	308	5,560,732	410	1	3	5	25	15
Oklahoma	67	25	12	63	648,000	0	3	1	1	6	6
Mississippi	148	148	24	332	4,324,700	5,977	0	0	0	24	0
Total	1,816	666	356	3,016	[1] 52,443,104	12,810	59	50	65	274	[1] 82

[1] This figure includes only 274 of 356 schools closed. 82 schools gave no value in their response. School districts written on integration when HEW would not give us requested material.

SCHOOL CLOSINGS COMPILED FROM HEW'S OWN RECORDS, 1968–69, AS SUBMITTED TO CONGRESSMAN THOMPSON OF GEORGIA, 1968–69

State	Districts written and answering HEW form	All districts reporting in 1954–69, districts reporting		All districts for year of 1968–69					Average students per closed school in each State
		No schools closed	Schools closed	Schools closed per State 1968–69	Reasons for closing		Race of school		
					Desegregation	Other	Negro	White	
Georgia	112–152	24	88	59	27	32	31	22	139
Florida	59–62	10	49	66	45	21	50	16	119
Alabama	85–107	19	66	124	80	44	80	44	163
South Carolina	73–82	29	44	49	25	24	30	19	206
Mississippi	97–97	35	62	33	19	14	20	13	160
Tennessee	87–115	24	63	51	29	22	26	25	104
Louisiana	52–56	9	43	82	56	26	70	12	170
Arkansas	130–151	52	78	42	35	7	36	6	121
Oklahoma	54–65	13	41	33	14	19	17	16	126
Texas	398–414	133	265	119	80	39	83	36	193
Kentucky	72–85	21	51	26	5	21	5	21	84
North Carolina	134–146	37	97	86	55	31	63	23	273
Missouri	70–75	31	39	13	5	8	5	8	70
Delaware	18–21	11	7	1	0	1	0	1	585
Total	1,441–1,628	448	993	784	475	309	522	262	1172

[1] For 1968–69.

1968–69

State	Total average cost of schools closed by State	Schools closed by HEW [1]
Georgia	$400,246	5
Florida	231,665	19
Alabama	219,365	2
South Carolina	481,308	5
Mississippi	205,240	10
Tennessee	107,438	3
Louisiana	225,279	14
Arkansas	229,448	9
Oklahoma	102,462	3
Texas	335,312	24
Kentucky	$40,961	1
North Carolina	379,044	2
Missouri	217,428	1
Delaware	1,118,000	0
Total	[2] 54,758	98

[1] Recommendation compiled by own records.
[2] Average cost per each school closed.

MATERIAL COMPILED FOR SCHOOL CLOSINGS FROM HEW INFORMATION GIVEN US, COVERS 1954–69

State	Districts written and answering HEW form	Districts reporting: No schools closed	Districts reporting: Schools closed	Schools closed	Reasons for closing: Desegregation	Reasons for closing: Other	Race of school: Negro	Race of school: White	Average students per closed school
Georgia	112–152	24	88	491	44	447	302	189	86
Florida	59–62	10	49	249	81	168	149	100	78
Alabama	85–107	19	66	834	166	668	537	297	141
Mississippi	97–97	35	62	623	21	602	469	154	105
South Carolina	73–82	29	44	443	28	415	268	175	50
Tennessee	87–115	24	63	969	135	834	333	636	57
Louisiana	52–56	9	43	225	60	165	170	55	232
Arkansas	130–151	52	78	164	89	75	120	44	117
Oklahoma	54–65	13	41	105	45	60	55	50	103
Texas	398–414	133	265	560	296	264	377	183	133
Kentucky	72–85	21	51	408	95	313	127	281	156
North Carolina	134–146	37	97	369	97	272	256	113	221
Missouri	70–75	31	39	173	55	118	77	96	133
Delaware	18–21	11	7	21	12	9	14	7	59
Total	1,441–1,628	448	993	5,634	1,224	4,410	3,254	2,380	

State	Total value of schools closed by State	Total value of schools closed by desegregation	Average volume of schools closed per State	Schools closed by HEW[1]
Georgia	$21,048,016	$10,368,443	$230,409	7
Florida	15,822,382	8,452,953	127,282	35
Alabama	21,304,203	11,662,172	77,232	12
Mississippi	9,020,225	2,371,111	112,910	16
South Carolina	11,228,067	3,014,948	137,043	7
Tennessee	14,117,751	10,048,286	74,431	12
Louisiana	14,513,499	7,900,029	120,690	14
Arkansas	10,128,600	5,489,762	121,268	18
Oklahoma	12,328,241	4,607,750	107,156	6
Texas	51,827,367	27,521,927	94,574	48
Kentucky	6,049,325	1,936,003	69,026	7
North Carolina	30,438,918	15,387,288	165,454	7
Missouri	6,779,042	2,897,900	53,673	1
Delaware	3,571,858	140,000	20,000	0
Total	228,177,494	111,798,572	[2] 40,500	190

[1] On own recommendations from own records.
[2] Average cost per each school closed.

(Mr. THOMPSON of Georgia asked and was given permission to revise and extend his remarks and include charts and extraneous material in tabular form.)

Mr. RUTH. Mr. Speaker, I wish to express my full support for Congressman DICKINSON in his efforts to show the American people how ridiculous, and sometimes tragic, this busing business can become. There has been entirely too much stress on social reform in our communities with our children becoming the victims of gross injustice.

Busing to achieve racial balance is a cruel burden to put on the youngster in his daily effort to get an education. I have introduced legislation that will give parents the freedom of choice in selecting the school their children should attend. Why should "freedom now" for one group be hailed as glorious while "freedom of choice" for others be condemned as unconstitutional? Let us be honest with ourselves—and fair to our children.

Mr. Speaker, I applaud Congressman DICKINSON for his fine effort.

Mr. FUQUA. Mr. Speaker, we wonder how long our entreaties will fall on deaf ears.

There are many of us who are deeply concerned about the preservation of our school system and the effect that senseless court orders have on our children.

I had one parent from my district write and tell me that her child had already been moved three times this school year and that a busing edict now meant a fourth move. Can you imagine what this is doing to that student?

No sooner does this child get used to a new building, new classmates, and a new teacher than she is summarily moved, for one reason or another, to a new school.

The concept of neighborhood schools is a sound one. It gives a family a feeling of belonging and having something to work for. It builds pride and community spirit.

Now we are engaged in a rat race called busing which is both wasteful and destroys the concept of neighborhood schools.

Look at the cost. Children living within easy walking distance of a neighborhood school must be bused to the opposite corner of a community. Our local schools are already heavily burdened with the mounting and increasing costs of education and busing only adds to that already overburdened woe.

I read recently where a school official in Los Angeles estimated that it would require an expenditure of some $180 million over the next 8 years to bus students. Could not this money be more wisely spent to help educate these children?

This Nation has moved into an era where we recognize that the law of the land is that no person is to be discriminated against. I did not think before and do not think now that what the American people want, or ever intended, is forced racial balance.

Allowing a parent and a student to choose the school they wish to attend under a freedom-of-choice plan is the most fair and democratic program of all. Parents and students of all races in my district have talked to me about the problems they are having in being constantly moved around.

Local school officials do not know where to turn as they are given summary orders with inadequate time to carry out those directives. In short, our schools are in their most critical state in history.

Once these laws are applied equally all over the Nation, there are going to be more States who will listen to the pleas of men of good intent in our section of the Nation. We are having a most difficult time and the recent judicial orders have only compounded those problems.

When we talk about a national program of busing to achieve racial balance, we are talking about billions of dollars of taxpayers' money. There is no other source.

I recognize that many children in this Nation have suffered from substandard educations. I yield to no man my hopes and aspirations for every child to get a good education.

But the trend we see today is not going to add to that goal. In the meantime, our children are suffering from shortsighted and senseless policies.

Mr. KUYKENDALL. Mr. Speaker, I appreciate this opportunity to add my voice to an effort to bring some light into an area that has been darkened by emotion and misrepresentation on both sides.

There is no doubt in my mind that some of the proponents of school busing are acting with honorable motives; or that some of its opponents are using the issue to inflame large groups of people for their own selfish ends; but neither of these observations is germane to the real heart of the matter.

Cutting away the platitudes and the emotional appeals, the plain facts are that the busing of children to achieve racial balance in the schools is not only undesirable de jure, but impractical de facto.

I wish to list the reasons why it is considered impractical by professional educators of Memphis, who are more interested in the teaching of the child than in the color of his skin. Here is their summation:

First. The great majority of both black and white citizens will deeply resent any attempt to force their children from the neighborhood to distant schools.

Second. Instead of promoting better racial relations, it is our feeling that this will promote more strife and friction and will be of no educational benefit to children.

Third. After reviewing several school busing operations, the following cost can reasonably be anticipated:

Cost of capital outlay for equipment	$2,425,500.00
Yearly cost of transporting	1,280,000.00
Total	3,705,500.00

This is based on the assumption that forced busing for racial balance would probably mean movement of 40,000 children. Cost could vary up or down, depending upon numbers involved.

Fourth. The cost of busing would take funds from other programs such as special classes for handicapped children which the system has never been able to adequately support because of insufficient funds.

Fifth. Innovative or progressive programs could not be financed and the entire educational program would suffer.

Sixth. The cost of administration would increase as additional help would be necessary to handle discipline involving pupils while on the bus.

Seventh. Public schools of the city of Memphis were organized to operate on a neighborhood basis with the idea that a school should be readily accessible to any child.

Eighth. Civic clubs, churches, and PTA's have always been closely associated with the school because their memberships were composed of parents of the children in the school. In many instances this support has been financial, thus helping the school to afford a better instructional program than would have been possible otherwise.

Ninth. In community schools support of school programs, plays, school athletic activities, and so forth, has been good because the neighborhoods support their own children.

Tenth. Administrators and teachers lose the cooperation from the home in handling discipline when parents cannot come to the school from a great distance without transportation.

Eleventh. Sick children or those who have accidents can be taken immediately to their homes by school personnel or parents can come for them where distance is no problem.

Twelfth. Studies show that long bus rides before and after school tend to tire the children. This would certainly affect educational performance.

Thirteenth. Traffic problems of the city will be greatly increased with the additional buses moving to various schools at the same time in an already congested urban traffic pattern. The greater distances a child travels to school, the more chance of accident or injury.

Fourteenth. The feeling of independence is lost to the youth who rides in lieu of walking.

Fifteenth. Busing of children will necessarily lengthen the schoolday for children involved. This means leaving for school at unreasonable hours and in some cases returning home after dark.

Sixteenth. Forced busing in many cases will cause emotional problems for children who are unable to readily adjust to a totally new environment. This will also be true of many parents.

Seventeenth. Pupil initiative in many cases will be destroyed. Many of our pupils "throw" papers both morning and evening, work in grocery stores and other situations after school hours. This would no longer be possible. Some children receive work permits to leave school before the close of the schoolday. This would be eliminated and in most cases families could not afford this loss of income.

Mr. Speaker, I can add nothing to these clear facts. The people who stand behind them, the Memphis Board of Education and its capable, professional staff, have made my case. They did not make the many injustices they are striving to correct. But they know that an injustice to correct another one is merely compounding the problem, and making it that much more difficult for the next generation to solve.

If I may borrow a time-honored phrase from my colleagues from the legal field, the defense rests.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this subject.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DICKINSON. Mr. Speaker, I ask further that I may insert in connection with my remarks certain extraneous charts, letters, and other material.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SCHOOL CONDITIONS IN SOUTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. FLYNT) is recognized for 60 minutes.

Mr. FLYNT. Mr. Speaker, like many of my colleagues, I am gravely concerned over the serious conditions which confront many entire school systems primarily in four States of the Deep South but to a lesser extent in many of the remaining 46 States.

I have chosen to use the word chaotic because a series of problems exists because of the turmoil that has followed court ordered reassignment of faculty and students in the middle of a school term and even in the middle of a grade period and because of the uncertainty of what the future may hold.

This uncertainty is caused in large measure by the Federal court decisions which are applied without any uniformity even within the same judicial circuit. The Fifth Circuit Court of Appeals on February 5, 1970, ordered total reassignment of all faculty and students in the Bibb County, Ga., school system. Today, February 18, 1970, exactly 13 days following the decision in the Bibb County case the same circuit court of appeals is reported to have ordered the Orange County, Fla., School Board to implement a neighborhood school plan that will leave intact three all-black schools.

I have not read the decision but I insert at this point the full text of an Associated Press wire report, datelined Orlando, Fla., this date:

ORLANDO, FLA.—A Federal appeals court, for the first time defining a unitary school system, has ordered a Florida county to implement a neighborhood pupil assignment plan that will leave intact three all-black schools.

The 5th U.S. circuit court of appeals, in a ruling in New Orleans Tuesday, said that to qualify as a unitary system school district must have achieved desegregation in student enrollment, faculty, staff, transportation, facilities and extracurricular activities.

The court said its approval of a neighborhood system for Florida's Orange County would not necessarily apply to other school districts.

"Under the facts of this case," the ruling said, "it happens that the school board's choice of a neighborhood assignment system is adequate to convert the Orange County school system from a dual to a unitary system.

"This does not preclude the employment of differing assignment methods in other school districts . . . the answer in each case turns, as here, on all the facts including those who are peculiar to the particular school system."

The court said the three Orange County schools to remain all-black were "the result of residential patterns."

Let me say that I have no objection to what the circuit court of appeals ruled in the Orange County, Fla., court case but I feel very strongly that the same legal principles and ruling should be applied uniformly to all school systems within the same jurisdiction.

Initially my remarks and comments from many of my fellow citizens will deal directly with the present school situation in Bibb County, Ga. Later on in my records today and certainly at a later date, I shall bring the attention of this House to many ridiculous orders and rulings which have been applied in other school districts but I shall begin with the Bibb County situation because it is Bibb County which has most recently felt the lash of judicial tyranny and oppression.

I should like to begin by reciting the legal situation as it exists in Bibb County, Ga. This Bibb County case originated in the U.S. District Court, Middle District of Georgia, Macon Division and was styled, Bivens against Bibb County Board of Education. This case has been back and forth between the District Court, Circuit Court of Appeals and the U.S. Supreme Court back to the District Court and from there, back again to the Fifth Circuit Court of Appeals. On its last trip to the U.S. Supreme Court, it was consolidated with 12 other cases. On or about January 14, the U.S. Supreme Court ordered what amounted to a total faculty and pupil reassignment by February 1, 1970. Upon remand from the U.S. Supreme Court the district court ordered a total faculty reassignment but refused to order a total pupil reassignment in the middle of a school year. I applaud the district judge for his courageous action in deferring such total reassignment in the middle of a school term.

At this point, Mr. Speaker, I include the text of the order of the district court dated January 21, 1970:

[In the United States District Court for the Middle District of Georgia, Macon Division, Filed at 4:45 p.m., Jan. 21, 1970, Dorothy F. Meter, Deputy Clerk, U.S. District Court, Middle District of Georgia]

SHIRLEY BIVINS, ET AL., PLAINTIFFS v. BOARD OF PUBLIC EDUCATION AND ORPHANAGE FOR BIBB COUNTY, ET AL., DEFENDANTS, CIVIL ACTION No. 1926

Bootle, District Judge:

On August 12, 1969, this court approved a plan for desegregation for the schools of Bibb County. That plan, of course, was not hastily prepared nor casually approved. Both the law and the facts were carefully studied and this court was satisfied that the plan was entirely legal. It was based primarily upon freedom of choice—full freedom of choice. With respect to the law, this court on August 8, 1969, in a companion case, Hillson v. W. B. Ouzts and Washington County Board of Education, Civil Action No. 2449, wrote:

"Of course, freedom of choice is not unconstitutional or unlawful. It is the logical successor to the doctrine of 'separate but equal' struck down in Brown v. Board of Education 374 U.S. 483, 98 L. ed 873 (1954). The segregation outlawed by Brown was enforced segregation based on race, the refusal because of race to permit a child to attend the school of his choice, and not segregation or separateness voluntarily chosen and preferred by the persons involved. The 'separate' educational facilities said by Brown to be 'inherently unequal' are those facilities with a state-imposed separateness. The question decided by Brown was succinctly stated by the Court as follows:

" 'We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.' 347 U.S. 483, 493.

"Then Brown II placed upon school boards the responsibility 'to achieve a system of determining admission to the public schools on a nonracial basis . . .' Brown v. Board of Education of Topeka, 349 U.S. 294, 300–301, 99 L. ed. 1083, 1106 (1955). Then in Green v. School Board of New Kent County, 391, U.S. 430, 20 L. ed. 2d 716 (1968), the Court said: 'We do not hold that a "freedom of choice" plan might of itself be unconstitutional, although that argument has been urged upon us. Rather, all we decide today is that in desegregating a dual system a plan utilizing "freedom of choice" is not an end in itself.' A freedom of choice plan was formulated with meticulous care and spelled out in minute detail by the Court of Appeals for this Circuit in United States v. Jefferson County Board of Education, 372 F. 2d 836, (1966), aff'd en banc 380 F. 2d 385, cert. den. 389 U.S. 840, 19 L. ed. 104. Thus freedom of choice there received the full imprimatur of this Circuit first by panel and then en banc. This Circuit has never withdrawn that approval. As late as July 9, 1969 it wrote in United States v. Baldwin County Board of Education, 5 Cir. 1969, F. 2d — (No. 27281, July 9, 1969): "A freedom of choice plan is not per se constitutional. Indeed, it may be better fitted for certain school districts than an attendance zone plan when, for example, a school district has well-marked residential racial patterns.' That holding is patently correct and is in line with the above quotation from Green and with Green's further statement: 'There is no universal answer to complex problems of desegregation; there is obviously no one plan that will do the job in every case. The matter must be assessed in light of the circumstances present and the options available in each instance,' and with the Supreme Court's statement as late as June 2, 1969 in United States v. Montgomery County Board of Education, — U.S. — Nos. 798 and 997: 'in this field the way must always be left open for experimentation.'

"Though as Green says freedom of choice is not 'an end in itself' it is good that it is both constitutional and fully lawful. It has so much to commend it. The idea of forcing or compelling people to do something is completely unattractive and should be resorted to only when absolutely necessary. Freedom of choice, when fully free and unfettered, comports so much more beautifully with the American dream and with the concept of the worth and dignity of the individual than does the suggestion of lifting pupils from their schools and moving them to new schools regardless of their wishes and regardless of the wishes of their parents. This idea of force was the gravamen of the evil lying at the roots of the 'separate but equal' doctrine struck down by Brown. Under that doctrine children were forced to attend and keep on attending a certain school, and this force was applied to them solely because of their race.

"Under freedom of choice as implemented and expanded by the Jefferson-type decree all objectionable force is completely eliminated. The only force remaining is that all students regardless of race are required to choose, to exercise their freedom of choice. Thus under a properly drawn Jefferson-type, freedom of choice decree that court places it in the hands of every student regardless of race to attend a bi-racial school if he so desires. It is difficult to see cogency in the argument that the student desiring bi-racial schooling is discriminated against by being required to exercise enough initiative to choose, and to make his choice known, to attend a school where there are students of the opposite race. All students are similarly required to choose the school they desire to attend. Thus under a properly drawn and properly administered freedom of choice decree there is no longer any racial discrimination. Its 'vestiges' are gone. They are gone 'root and branch.' Green, supra.

"District Courts of the United States sit in school cases as courts of equity. One of the ancient maxims of equity is: 'Equity aids the vigilant, not those who slumber on their rights.' Poor Richard's Almanac expressed it a little differently, the deity "helps them that help themselves." A properly administered freedom of choice plan effectively says to every pupil, desiring bi-racial education, and to every parent desiring it for his child, 'ask and it shall be given you . . . knock, and it shall be opened unto you.' No seeking is required and no discrimination is involved.

"Green updates Brown and says: 'The transition to a unitary, nonracial system of public education was and is the ultimate end to be brought about' and then paraphrases that goal as 'disestablishing state-imposed segregation.' The plan proposed by the defendants as modified by the Court meets these tests."

After this court wrote as above and on October 29, 1969, came the decision of Alexander v. Holmes County Board of Education, U.S.—24 L. Ed. 2d 19, which dealt not so much, if at all, with what constitutes desegregation or what constitutes a unitary school system, but with the important question of timing. The Court there dealt with "the denial of fundamental rights to many thousands of school children, who are presently attending Mississippi schools under segregated conditions . . ." The Court against that background held that the Court of Appeals should have denied all motions for additional time. In the order of the Court, however, the Court directed that the school systems there involved "begin immediately to operate as unitary school systems within which no person is to be effectively excluded from any school because of race or color." The above quoted definition of unitary school systems is worthy of repeating. They are systems "within which no person is to be effectively excluded from any school because of race or color."

Obviously, the plan approved by this court on August 12, 1969 would not countenance such exclusion. No such exclusion has been countenanced under the Bibb system during the past several years.

Said plan, while based primarily on freedom of choice, had much more in its favor. It had behind it several years of successful operation. Its accomplishments are summarized in the Board's brief to the Court of Appeals as follows:

"There are now 61 schools in the Bibb County system, of which 41 were formerly all-white and 20 were formerly all-Negro. A total of 3,191 Negro students, about 25 per cent of the total number of Negroes in the entire system, are enrolled on a full-time basis in 38 of the formerly all-white schools, the other three being . . .

It is sufficient to say that the district court here has employed bold and imaginative innovations in its plan which have already resulted in substantial desegregation which approaches a unitary system. We reverse and remand for compliance with the requirements of Alexander v. Holmes County, and the other provisions and conditions of this order."

1. In a discussion of this portion of the Court of Appeals opinion by counsel with this court, it was indicated that there was some more or less minor overstatement here on the part of the Court of Appeals. Perhaps it would have been more accurate to say "in virtually all Negro schools.")

The Court of Appeals, however, considering said plan in conjunction with a number of other plans from other states reversed and manded "for compliance with the requirements of Alexander v. Holmes County and the other provisions and conditions of this order."

This court must now carefully analyze and faithfully comply with any and all specific mandates from the Court of Appeals.

There are two mandates, one:

"Effective not later than February 1, 1970, the principals, teachers, teacher-aides and other staff who work directly with children at a school shall be so assigned that in no case will the racial composition of a staff indicate that a school is intended for Negro students or white students. For the remainder of the 1969–70 school year the district shall assign the staff described above so that the ratio of Negro to white teachers in each school, and the ratio of other staff in each, are substantially the same as each such ratio is to the teachers and other staff, respectively, in the entire school system."

The above quoted mandate is specific and positive and leaves no room for discretion on the part of this court, and while this court would much prefer to delay such required increased faculty integration, at least until September 1, 1970, this court is powerless to do so and has accordingly already by its order in this case entered December 9, 1969 ordered literal compliance with said mandate and now reaffirms said order. Mandate number 2 requires the "merger" of the student body into a unitary system by the start of the fall 1970 school term. This date may, or may not, have been advanced to February 1, 1970 by the Supreme Court's opinion in Singleton v. Jackson Municipal Separate School District—U.S.—(No. 972, January 14, 1970), which said briefly:

* * * located on the outskirts of the county in residential areas almost exclusively white. (A 159–161). Although only one white student is enrolled in a full-time basis in a formerly all-Negro school, a total of 1,382 white students are actually participating in elective courses in home-making, industrial arts, remedial reading and driver education presently being conducted in formerly all-Negro schools and another 396 white students have registered for these programs and are on

a waiting list—a total of 1,778 white students in all, or about 9 per cent of the total number of white students in the system. (Motion of appellees to supplement record on appeal).

"There are now 1,772 teaching personnel in the system, including 1,094 white teachers and 678 Negro teachers. 210 Negro teachers are in formerly all-Negro schools and 267 Negro teachers are in formerly all-white schools, or a total of 477 'crossovers'—about 27 per cent of the teachers in the system. Every school is in compliance with the minimum ratio of 1 to 4 required by the District Court order of August 12, 1969 and some schools have ratios significantly greater than this."

Additionally, it may be pointed out that four formerly all-white schools had virtually reached the overall county-wide ratio of 40 per cent Negro to 60 per cent white, one of said schools having attained the ratio of 53 per cent Negro and 47 per cent white, thus approaching resegregation. That plan was so meritorious that the Court of Appeals in commenting upon it in Singleton v. Jackson Municipal Separate School District, 5 Cir. 1969—F. 2d.—(No. 28261, December 1, 1969), said:

"This is a freedom of choice system on which a special course transfer provision has been superimposed. Special courses offered in all Negro schools are being attended by whites in substantial numbers. This has resulted in some attendance on a part-time basis by whites in every all-Negro school. Some three hundred whites are on the waiting list for one of the special courses, remedial reading. The racial cross-over by faculty in the system is 27 per cent.

"The order appealed from continues the existing plan with certain modifications. It continues and expands the elective course programs in all-Negro schools in an effort to encourage voluntary integration. The plan calls for a limitation of freedom of choice with respect to four schools about to become resegregated. Under the present plan the school board is empowered to limit Negro enrollment to 40 per cent at these schools to avoid resegregation. Earlier a panel of this court affirmed the district court's denial of an injunction against the quota provision of this plan pending hearing en banc. The prayer for injunction against continuation of the quota provision is now denied and the provision may be retained by the district court pending further consideration as a part of carrying out the requirements of this order.

"Insofar as the Court of Appeals authorized deferral of student desegregation beyond February 1, 1970, that court misconstrued our holding in Alexander v. Holmes County Board of Education, 396 U.S. 10. Accordingly, the petitions for writs of certiorari are granted, the judgments of the Court of Appeals are reversed, and the cases remanded to that court for further proceedings consistent with this opinion. The judgments in these cases are to issue forthwith."

At any rate the directive from the Court of Appeals to this court in its original opinion in Singleton supra, was "for compliance with the requirements of Alexander v. Holmes County" whatever may be the required date for said compliance. We have already seen that the requirement of Alexander v. Holmes County is a unitary system "within which no person is to be effectively excluded from any school because of race or color." So reading Singleton and Alexander together this second mandate is that there is a "student body merger" for a unitary system within which no person is to be "effectively excluded from any school because of race or color." This court is of the opinion and finds and concludes that the student body in this system is sufficiently so merged, especially when we take into consideration the complete faculty merger above mentioned and effective February 1, 1970. The phrase "student body merger" is new in school desegregation law. The court has not found it prior to its appearance in Singleton. The word "merge" is a most imprecise term. Just as some of the other customary expressions used by the courts in this field, for instance, "desegregate", "integrate", "black schools", "all-black schools", "white schools", "just schools", "dual system", "unitary system"; the word "work" in "a plan that promises realistically to work."

When Appellate Courts used language like this they must intend to leave its interpretation and application to the trial courts in the light of the facts and circumstances of each particular case. If the Congress were legislating in this field it would necessarily have to use precise language. If it used language such as that quoted, it would have to define such terms, otherwise its enactments would be struck down by the Courts as being "void for vagueness." Absent any indication that a more stringent interpretation of the word "merge" or the word "unitary" was required or intended by the Appellate Courts this court finds and concludes that this phrase of the mandate is fully complied with under the facts and circumstances of this case. Indeed, as above quoted, the Court of Appeals in Singleton, supra, unanimously and en banc, said:

"It is sufficient to say that the district court here has employed bold and imaginative innovations in its plan which have already resulted in substantial desegregation which approaches a unitary system." (Emphasis supplied).

"Approach" means "to draw near, to approximate." Since this plan had already approached and approximated a unitary system, we trust that it is not too much to say that the addition of the complete percentagewise integration of every faculty in the system to where there will be approximately 6 white teachers to every 4 Negro teachers in every school in the system bridges whatever narrow gap there was between approximation and realization, between approaching and arriving.

In keeping with the mandate of the Court of Appeals as transmitted by this court, and as requested by the Board, the Office of Education (HEW) has submitted a proposed new plan. So has the Board, and so have the plaintiffs. Each of these plans was prepared by its proponents under the impression or apprehension that recent Court decisions really require the achievement of racial balances in all or practically all of the schools, although in an unstated and unascertainable ratio, in order to accomplish desegregation or a unitary system. This court cannot find such requirement spelled out in the law. It is not spelled out in the Constitution. This is not to argue with the original Supreme Court desegregation decision. It established freedom of choice. Those who argue for racial balances go far beyond Brown v. Topeka. The Congress has not required it. The Civil Rights Act of 1964, 42 U.S.C.A. section 2000c-6(a), contains this provision: "provided that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve racial balance, or otherwise enlarge the existing powers of the court to insure compliance with constitutional standards."

(2. This court is not unaware that on December 17, 1969, a district court in the Northern District of Georgia undertook, and this seems to be the first and only such undertaking to date, to define some of these ambiguous terms including "integrated school facility" and "integrated school district." As of the present this attempt must be regarded as what the Supreme Court in an earlier decision invited as "experimentation." Whether these definitions and specific requirements will be approved, modified, or rejected by the appellate courts is not yet known.)

Nor can this court read even the most recent decisions of the court of appeals or the Supreme Court as requiring the achievement of racial balances in schools in order to comply with any of the judicial yardsticks, even the merging of student bodies, or the attainment of a unitary system. Obviously, there has already been substantial merging of this student body from the facts above recited.

This court is so convinced that freedom of choice fully enjoyed is the only wise, sage and correct constitutional principle that it cannot conscientiously deny these students, white or black, their freedom of choice or order them zoned or bused to achieve racial balances unless and until some court of higher authority is willing to hold specifically and unequivocally that the Constitution requires it.

(3. While some bussing is necessary under the present plan in order for white students to attend the special courses in the formerly all-Negro schools, this was ordered not to achieve racial balance but as an aid to freedom of choice designed to encourage white students to choose formerly all-Negro schools in the event the Appellate Courts ultimately require such choosing and as a means of ending the formerly so-called dual system.)

Not only does freedom of choice have high claims to being the only wise, safe, and correct constitutional principle but it might come very near to being the only workable plan. When a student attends a school of his choice he is likely to be contented and to remain in that school. If he, be he white or black, is forced or compelled under mandate of law to attend a school he does not want to attend, the problem of resegregation, by drop-out, or by his family's removal from the school zone, or district, is constantly present.

The three plans submitted have been carefully studied. The main provisions of these plans may be observed first by comparing the HEW plan with the Board plan and then coming to the plaintiffs' plan. Both HEW and the Board apply the basic concepts of neighborhood elementary schools and educational complexes for the secondary schools. The main differences are that HEW provides that four elementary schools be paired. The Board strongly opposes this proposal and would pair no schools. HEW apparently assumed that all secondary schools would be co-educational, whereas the Board plan contemplates co-education in grades 8 and 9, and urges that grades 10 through 12, other than in the vocational school be non-coeducational. Both HEW and the Board contemplate a total of four complexes for the secondary schools beginning in September, 1970, the Northeast, Central, Southeast and Vocational Technical. The Board proposes the creation of a fifth complex in September, 1971, and HEW does not deal with this proposal. There are some minor differences between the two plans in the operation of the feeder system from the elementary schools into these complexes.

The plaintiffs' plan, while claiming to keep in mind the neighborhood school concept, admits extending the traditional school neighborhood to include both white and black neighborhoods within an attendance zone. It criticizes the HEW plan for failure to pair a sufficient number of, and the Board plan for failure to pair any elementary school. HEW would close two schools. The Board would close the same two. The Plaintiffs would close the same two and one more. The plaintiffs would pair a total of 28, thus enlarging the attendance zones and removing children further from their homes.

As above stated, all three plans were drawn under the impression or apprehension that the law requires the achievement of ra-

cial balance. The Board probably came to this apprehension from the repeated use of more and more sweeping and expansive though still imprecise language by the Courts. For instance, a recent order refers to "full implementation of complete desegregation." We look in vain for any authoritative statute or decree defining "complete desegregation." It became the duty of this court some years back to order the admission of two Negro students to the University of Georgia. The entry of that order required no soul searching from the standpoint of judicial duty because the law was clear and plain and could be easily understood by anyone who would read it. No one then or now can have any quarrel with the constitutional prohibition against enforced state-imposed segregation. Those students had a constitutional right to attend the school of their choice. Most people today will readily admit and agree that they had such right. The point of mentioning this incident is this. When that order was signed and those students admitted the University of Georgia, and perhaps all of its schools and departments, was desegregated—completely desegregated. Of course, there was no racial balance sought or required, but desegregation resulted.

(4. Doubtless what the Appellate Courts mean by "complete desegregation" is desegregation applying to all schools in a system and to all grades in each school as distinguished from grade-by-grade, year-by-year desegregation as the Appellate Courts themselves approved and ordered for several years after Brown v. Topeka.)

If this court were compelled to choose between the three plans discussed, it would unhesitatingly choose the Board plan. It is closer to this court's concept of freedom of choice, is more respectful of the concept of neighborhood schools and involves less displacement of students from their present schools. This court endorses the retention of non-coeducation as proposed by said plan, and regards that question as one for the Board's determination and not inviting court interference.

Accordingly this court hereby re-approves the plan which was approved in its memorandum opinion of August 12, 1969, as said plan has been previously amended by Paragraph A of this court's order of December 9, 1969, which amendment includes, inter alia, immediate faculty desegregation as above outlined and the right of majority to minority transfer therein stipulated. This order, of course, contemplates that the board will continue to perform all of its continuing commitments under said prior plan.

This further faculty integration, which this court wishes it could defer until the beginning of the fall term, 1970, thereby avoiding the inevitable mid-term disruption of the educational process, will of course strengthen the present plan by unquestionably further assuring that there will be no "all black schools", and by further assuring that the dual system no longer exists and that a unitary system does exist, and, additionally, will further discharge the Board's other and continuing duty of providing equal educational opportunities for all students.

The Board is to be commended for its exercise of obvious good faith in preparing at great labor a plan which it deems workable in the event this court should adjudicate that the law requires the achievement of some racial balance in the schools. It is well that this plan and these other two plans have been prepared. They will be carefully preserved. We do not know what the Congress might legislate tomorrow, or what the Appellate Courts might hold tomorrow. These plans might yet be needed. No one affected by this area of the law as fast as it is moving should let his hopes soar too high or his fears sink too low. Tomorrow might be a new day. What this court holds today is that under the present state of the law it is not required and would not be justified in disrupting this school system mid-term by implementing any one of these three plans designed as they are to achieve racial balance in the schools. Additionally, this court reapproves the present plan as herein modified. Needless to say any agreement between counsel deferring the date for faculty changes will be welcomed and approved by this court.

So ordered this 21st day of January, 1970.

W. A. BOOTLE,
U.S. District Judge.

The legal history of this case in a somewhat condensed form is as follows:

The case was decided by the full court considering 13 cases consolidated to consider various questions of law relating to the speed of desegregation and other aspects of the question. Subsequent to the decision to hear them but prior to oral argument the Supreme Court in *Alexander* v. *Holmes County Board of Education*, 38 Law Week 3161 (October 29, 1969), declared that the doctrine of "all deliberate speed" was no longer applicable and that school desegregation was immediately mandated in districts maintaining dual school systems. A panel of the fifth circuit after a hearing set a December 31, 1969, deadline for conversion to a unitary system in those districts involved in the Alexander suits.

In the cases which included Bibb County, decided under the title Singleton against Jackson Municipal Separate School District, December 1, 1969, the court directed each of the 13 school districts before it to convert to unitary systems in terms of faculty and staff, transportation, services, athletics, and other matters by February 1, 1970, and to merge student bodies by the beginning of the fall term, 1970. A copy of the opinion is appended; at pages 21 and 22 of the opinion is a separate section devoted to Bibb County.

The plaintiffs in practically all the 13 cases, including the plaintiffs in Bibb County, have appealed to the Supreme Court the portion of the fifth circuit's decision allowing the school districts until fall, 1970, to desegregate school bodies. On December 13, 1969, 38 Law Week 3220, the Court acted on the first-filed appeals, involving three Louisiana districts; the Court directed that pending disposition of the appeals the school districts were to take preliminary steps to prepare for complete student desegregation by February 1, 1970, and that the districts should file their replies to the plaintiffs' appeals by January 2, 1970. On December 15, 1969, Justice Black, as circuit justice for the fifth circuit, issued the same orders with regard to preliminary filings by plaintiffs in others of the 13 cases, including Bibb County, to be in effect until December 19 and thereafter if a formal appeal were filed, as it now has been.

The Bivens against Bibb County case and the 13 other related cases were decided by the full bench of the fifth circuit as follows:

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT—

No. 26285: Derek Jerome Singleton, et al, Appellants, versus Jackson Municipal Separate School District, et al, Appellees. Appeal from the United States District Court for the Southern District of Mississippi.

No. 28261: Clarence Anthony, et al, Appellants, versus Marshall County Board of Education, Appellee. Appeal from the United States District Court for the Northern District of Mississippi.

No. 28045: United States of America, Appellant, versus Charles F. Mathews, et al, Appellees. Appeal from the United States District Court for the Eastern District of Texas.

No. 28350: Linda Stout, by her father and next friend, Blevin Stout, et al, Plaintiffs-Appellants; United States of America, Plaintiff-Intervenor, versus Jefferson County Board of Education, et al, Defendants, Appellees; Doris Elaine Brown, et al, Plaintiffs-Appellants; United States of America, Plaintiff-Intervenor, versus the Board of Education of the City of Bessemer, et al, Defendants-Appellees. Appeal from the United States District Court for the Northern District of Alabama.

No. 28349: Birdie Mae Davis, et al, Plaintiffs-Appellants; United States of America, Plaintiff-Intervenor, versus Board of School Commissioners of Mobile County, et al, Defendants-Appellees; Twila Frazier, et al, Appellees. Appeal from the United States District Court for the Southern District of Alabama.

No. 28340: Robert Carter, et al, Plaintiffs-Appellants, versus West Feliciana Parish School Board, et al, Defendants-Appellees; Sharon Lynne George, et al, Plaintiffs-Appellants, versus C. Walter Davis, President, East Feliciana Parish School Board, et al, Defendants-Appellees. Appeal from the United States District Court for the Eastern District of Louisiana.

No. 28342: Irma J. Smith, et al, Plaintiffs-Appellants, versus Concordia Parish School Board, et al, Defendants-Appellees. Appeal from the United States District Court for the Western District of Louisiana.

No. 28361: Hemon Harris, et al, Plaintiffs-Appellants-Cross Appellees, versus St. John the Baptist Parish School Board, et al, Defendants-Appellees-Cross Appellants. Appeal from the United States District Court for the Eastern District of Louisiana.

No. 28409: Neely Bennett, et al, Appellants, versus R. E. Evans, et al, Appellees; Allene Patricia Ann Bennett, a minor, by R. B. Bennett, her father and next friend, Appellants, versus Burke County Board of Education, et al, Appellees. Appeal from the United States District Court for the Southern District of Georgia.

No. 28407: Shirley Bivins, et al, Plaintiffs-Appellants, versus Bibb County Board of Education and Orphanage for Bibb County, et al, Defendants-Appellees. Appeal from the United States District Court for the Middle District of Georgia.

No. 28408: Oscar C. Thomie, Jr., et al, Plaintiffs-Appellants, versus Houston County Board of Education, Defendants-Appellees. Appeal from the United States District Court for the Middle District of Georgia.

No. 27863: Jean Carolyn Youngblood, et al, Plaintiffs-Appellants; United States of America, Plaintiff-Intervenor, versus The Board of Public Instruction of Bay County, Florida, et al. Defendants-Appellees. Appeal from the United States District Court for the Northern District of Florida.

No. 27983: Lavon Wright, et al, Plaintiffs-Appellants, versus the Board of Public Instruction of Alachua County, Florida, et al, Defendants-Appellees. Appeal from the United States District Court for the Northern District of Florida.

December 1, 1969.

Before BROWN, Chief Judge, WISDOM, GEWIN, BELL, THORNBERRY, COLEMAN, GOLDBERG, AINSWORTH, GODBOLD, DYER, SIMPSON, MORGAN, CARSWELL, and CLARK, Circuit Judges, EN BANC.*

Per Curiam: These appeals, all involving school desegregation orders, are consolidated for opinion purposes. They involve, in the

main, common questions of law and fact. They were heard en banc on successive days.

Following our determination to consider these cases en banc, the Supreme Court handed down its decision in *Alexander* v. *Holmes County Board of Education*, 1969, ———U.S. ———, 90 S.Ct. ———, 24 L.Ed.2d 19. That decision supervened all existing authority to the contrary. It sent the doctrine of deliberate speed to its final resting place. 24 L.Ed.2d at p. 21.

The rule of the case is to be found in the direction to this court to issue its order "effective immediately declaring that each of the school districts . . . may no longer operate a dual school system based on race or color, and directing that they begin immediately to operate as unitary school systems within which no person is to be effectively excluded from any school because of race or color." We effectuated this rule and order in *United States v. Hinds County School Board*, 5 Cir., 1969, ———F.2d ———, [Nos. 28,030 and 28,042, slip opinion dated Nov. 7, 1969]. It must likewise be effectuated in these and all other school cases now being or which are to be considered in this or the district courts of this circuit.

The tenor of the decision in *Alexander v. Holmes County* is to shift the burden from the standpoint of time for converting to unitary school systems. The shift is from a status of litigation to one of unitary operation pending litigation. The new modus operandi is to require immediate operation as unitary systems. Suggested modifications to unitary plans are not to delay implementation. Hearings on requested changes in unitary operating plans may be in order but no delay in conversion may ensue because of the need for modification or hearing.

In *Alexander v. Holmes County*, the court had unitary plans available for each of the school districts. In addition, this court, on remand, gave each district a limited time within which to offer its own plan. It was apparent there, as it is here, that converting to a unitary system involved basically the merger of faculty and staff, students, transportation, services, athletic and other extracurricular school activities. We required that the conversion to unitary systems in those districts take place not later than December 31, 1969. It was the earliest feasible date in view of the court. *United States v. Hinds County*, supra. In three of the systems there (Hinds County, Holmes County and Meridian), because of particular logistical difficulties, the Office of Education (HEW) had recommended two step plans. The result was, and the court ordered, that the first step be implemented not later than December 31, 1969 and the other beginning with the fall 1970 school term.

I

Because of *Alexander v. Holmes County*, each of the cases here, as will be later discussed, must be considered anew, either in whole or in part, by the district courts. It happens that there are extant unitary plans for some of the school districts here, either Office of Education or school board originated. Some are operating under freedom of choice plans. In no one of the districts has a plan been submitted in light of the precedent of *Alexander v. Holmes County*. That case resolves all questions except as to mechanics. The school districts here may no longer operate dual systems and must begin immediately to operate as unitary systems. The focus of the mechanics question is on the accomplishment of the immediacy requirement laid down in *Alexander v. Holmes County*.

Despite the absence of plans, it will be possible to merge faculties and staff, transportation, services, athletics and other extracurricular activities during the present school term. It will be difficult to arrange the merger of student bodies into unitary systems prior to the fall 1970 term in the absence of merger plans. The court has concluded that two-step plans are to be implemented. One step must be accomplished not later than February 1, 1970 and it will include all steps necessary to conversion to a unitary system save the merger of student bodies into unitary systems. The student body merger will constitute the second step and must be accomplished not later than the beginning of the fall term 1970.[1] The district courts, in the respective cases here, are directed to so order and to give first priority to effectuating this requirement.

To this end, the district courts are directed to require the respective school districts, appellees herein, to request the Office of Education (HEW) to prepare plans for the merger of the student bodies into unitary systems. These plans shall be filed with the district courts not later than January 6, 1970 together with such additional plan or modification of the Office of Education plan as the school district may wish to offer. The district court shall enter its final order not later than February 1, 1970 requiring and setting out the details of a plan designed to accomplish a unitary system of pupil attendance with the start of the fall 1970 school term. Such order may include a plan designed by the district court in the absence of the submission of an otherwise satisfactory plan. A copy of such plan as is approved shall be filed by the clerk of the district court with the clerk of this court.[2]

The following provisions are being required as step one in the conversion process. The district courts are directed to make them a part of the orders to be entered and to also give first priority to implementation.

The respective school districts, appellees herein, must take the following action not later than February 1, 1970:

Desegregation of faculty and other staff

The School Board shall announce and implement the following policies:

1. Effective not later than February 1, 1970, the principals, teachers, teacher-aides and other staff who work directly with children at a school shall be so assigned that in no case with the racial composition of a staff indicate that a school is intended for Negro students or white students. For the remainder of the 1969–70 school year the district shall assign the staff described above so that the ratio of Negro to white teachers in each school, and the ratio of other staff in each, are substantially the same as each such ratio is to the teachers and other staff, respectively, in the entire school system.

The school district shall, to the extent necessary to carry out this desegregation plan, direct members of its staff as a condition of continued employment to accept new assignments.

2. Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, or national origin.

3. If there is to be a reduction in the number of principals, teachers, teacher-aides, or other professional staff employed by the school district which will result in a dismissal or demotion of any such staff members, the staff member to be dismissed or demoted must be selected on the basis of objective and reasonable non-discriminatory standards from among all the staff of the school district. In addition if there is any such dismissal or demotion, no staff vacancy may be filled through recruitment of a person of a race, color, or national origin different from that of the individual dismissed or demoted, until each displaced staff member who is qualified has had an opportunity to fill the vacancy and has failed to accept an offer to do so.

Footnotes at end of article.

Prior to such a reduction, the school board will develop or require the development of non-racial objective criteria to be used in selecting the staff member who is to be dismissed or demoted. These criteria shall be available for public inspection and shall be retained by the school district. The school district also shall record and preserve the evaluation of staff members under the criteria. Such evaluation shall be made available upon request to the dismissed or demoted employee.

"Demotion" as used above includes any reassignment (1) under which the staff member receives less pay or has less responsibility than under the assignment he held previously, (2) which requires a lesser degree of skill than did the assignment he held previously, or (3) under which the staff member is asked to teach a subject or grade other than one for which he is certified or for which he has had substantial experience within a reasonably current period. In general and depending upon the subject matter involved, five years is such a reasonable period.

Majority to minority transfer policy

The school district shall permit a student attending a school in which his race is in the majority to choose to attend another school, where space is available, and where his race is in the minority.

Transportation

The transportation system, in those school districts having transportation systems, shall be completely re-examined regularly by the superintendent, his staff, and the school board. Bus routes and the assignment of students to buses will be designed to insure the transportation of all eligible pupils on a non-segregated and otherwise non-discriminatory basis.

School construction and site selection

All school construction, school consolidation, and site selection (including the location of any temporary classrooms) in the system shall be done in a manner which will prevent the recurrence of the dual school structure once this desegregation plan is implemented.

Attendance outside system of residence

If the school district grants transfers to students living in the district for their attendance at public schools outside the district, or if it permits transfers into the district of students who live outside the district, it shall do so on a nondiscriminatory basis, except that it shall not consent to transfers where the cumulative effect will reduce desegregation in either district or reinforce the dual school system.

See United States v. *Hinds County*, supra decided November 6, 1969. The orders there embrace these same requirements.

II

In addition to the foregoing requirements of general applicability, the order of the court which is peculiar to each of the specific cases being considered is as follows:

No. 26285—Jackson, Miss.

This is a freedom of choice system. The issue presented has to do with school building construction. We enjoined the proposed construction pending appeal.

A federal appellate court is bound to consider any change, either in fact or in law, which has supervened since the judgment was entered. *Bell v. State of Maryland*, 378 U.S. 226, 84 S.Ct. 1814, 12 L.Ed.2d 822 (1964). We therefore reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order. Our order enjoining the proposed construction pending appeal is continued in effect until such time as the district court has approved a plan for conversion to a unitary school system.

No. 28261—Marshall County and Holly Springs, Miss.

This suit seeks to desegregate two school districts, Marshall County and Holly Springs, Mississippi. The district court approved plans which would assign students to schools on the basis of achievement test scores. We pretermit a discussion of the validity per se of a plan based on testing except to hold that testing cannot be employed in any event until unitary school systems have been established.

We reverse and remand for compliance with the requirements of *Alexander* v. *Holmes County* and the other provisions and conditions of this order.

No. 28045—United States Versus Matthews (Longview, Texas)

This system is operating under a plan approved by the district court which appears to be realistic and workable except that it is to be implemented over a period of five years. This is inadequate.

We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 28350—Jefferson County and Bessemer, Ala.

These consolidated cases involve the school boards of Jefferson County and the City of Bessemer, Alabama. Prior plans for desegregation of the two systems were disapproved by this court on June 26, 1969, *United States of America v. Jefferson County Board of Education, et al.*, ——F.2d—— (5th Cir. 1969) [No. 27444, June 26, 1969], at which time we reversed and remanded the case with specific directions. The record does not reflect any substantial change in the two systems since this earlier opinion, and it is therefore unnecessary to restate the facts. The plans approved by the district court and now under review in this court do not comply with the standards required in *Alexander v. Holmes County*.

We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 28349—Mobile County, Ala.

On June 3, 1969, we held that the attendance zone and freedom of choice method of student assignment used by the Mobile School Commissioners was constitutionally unacceptable. Pursuant to our mandate the district court requested the Office of Education (HEW) to collaborate with the board in the preparation of a plan to fully desegregate all public schools in Mobile County. Having failed to reach agreement with the board, the Office of Education filed its plan which the district court on August 1, 1969, adopted with slight modification (but which did not reduce the amount of desegregation which will result). The court's order directs the board for the 1969–1970 school year to close two rural schools, establish attendance zones for the 25 other rural schools, make assignments based on those zones, restructure the Hillsdale School, assign all students in the western portion of the metropolitan area according to geographic attendance zones designed to desegregate all the schools in that part of the system, and reassign approximately 1,000 teachers and staff. Thus the district court's order of August 1, now before us on appeal by the plaintiffs, will fully desegregate all of Mobile County schools except the schools in the eastern portion of metropolitan Mobile where it was proposed by the plan to transport students to the western part of the city. The district court was not satisfied with this latter provision and required the board after further study and collaboration with HEW officials, to submit by December 1, 1969, a plan for the desegregation of the schools in the eastern part of the metropolitan area.

The school board urges reversal of the district court's order dealing with the grade organization of the Hillsdale School and the faculty provisions.

We affirm the order of the district court with directions to desegregate the eastern part of the metropolitan area of the Mobile County School System and to otherwise create a unitary system in compliance with the requirements of *Holmes County* and in accordance with the other provisions and conditions of this order.

No. 28340—East and West Feliciana Parishes, La.

East Feliciana is operating under a plan which closed one rural Negro elementary school and zoned the four remaining rural elementary schools. All elementary students not encompassed in the rural zones, and all high school students, continue to have free choice. Majority to minority transfer is allowed on a space-available basis prior to beginning of the school year.

The plan has not produced a unitary system. We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

West Feliciana is operating under a plan approved for 1969–70 which zones the two rural elementary schools. These schools enroll approximately 15 per cent of the students of the district. The plan retains "open enrollment" (a euphemism for free choice) for the other schools. The plan asserts that race should not be a criterion for employment or assignment of personnel. However, the board promises to seek voluntary transfers and if substantial compliance cannot be obtained by this method it proposes to adopt other means to accomplish substantial results.

This plan has not produced a unitary system. We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 28342—Concordia Parish, La.

The plan in effect for desegregating this school district has not produced a unitary system. It involves zoning, pairing, freedom of choice and some separation by sex. We pretermit the question posed as to sex separation since it may not arise under such plan as may be approved for a unitary system.

This plan has not produced a unitary system. We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 28361—St. John The Baptist Parish, La.

This school district has been operating under a freedom of choice plan. The parish is divided into two sections by the Mississippi River and no bridge is located in the parish. The schools are situated near the east and west banks of the river.

A realistic start has been made in converting the east bank schools to a unitary system. It, however, is less than adequate. As to the west bank schools, the present enrollment is 1626 Negro and 156 whites. The whites, under freedom of choice, all attend the same school, one of five schools on the west bank. The 156 whites are in a school with 406 Negroes. We affirm as to this part of the plan. We do not believe it necessary to divide this small number of whites, already in a desegregated minority position, amongst the five schools.

We reverse and remand for compliance with the requirements of *Alexander* v. *Holmes County* and the other provisions and conditions of this order.

No. 28409—Burke County, Ga.

The interim plan in operation here, developed by the Office of Education (HEW), has not produced a unitary system. The district court ordered preparation of a final plan for use in 1970–71. This delay is no longer permissible.

We reverse and remand for compliance with the requirements of *Alexander* v. *Holmes County* and the other provisions and conditions of this order.

No. 28407—Bibb County, Ga.

This is a freedom of choice system on which a special course transfer provision has been superimposed. Special courses offered in all-Negro schools are being attended by whites in substantial numbers. This has resulted in some attendance on a part time basis by whites in every all-Negro school. Some three hundred whites are on the waiting list for one of the special courses, remedial reading. The racial cross-over by faculty in the system is 27 per cent.

The order appealed from continues the existing plan with certain modifications. It continues and expands the elective course programs in all-Negro schools in an effort to encourage voluntary integration. The plan calls for a limitation of freedom of choice with respect to four schools about to become resegregated. Under the present plan the the school board is empowered to limit Negro enrollment to 40 per cent at these schools to avoid resegregation. Earlier a panel of this court affirmed the district court's denial of an injunction against the quota provision of this plan pending hearing en banc. The prayer for injunction against continuation of the quota provision is now denied and the provision may be retained by the district court pending further consideration as a part of carrying out the requirements of this order.

It is sufficient to say that the district court here has employed bold and imaginative innovations in its plan which have already resulted in substantial desegregation which approaches a unitary system. We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 28408—Houston County, Ga.

This sytem is operating under a freedom of choice plan. Appellants seek zoning and pairing. There is also an issue as to restricting transfers by Negroes to formerly all-white schools. Cf. No. 28407—Bibb County, supra. In addition, appellants object to the conversion of an all-Negro school into an integrated adult education center. As in the Bibb County case, these are all questions for consideration on remand within the scope of such unitary plan as may be approved.

We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 27863—Bay County, Fla.

This system is operating on a freedom of choice plan. The plan has produced impressive results but they fall short of establishing a unitary school system.

We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

No. 27983—Alachua County, Fla.

This is another Florida school district where impressive progress has been made under a freedom of choice plan. The plan has been implemented by zoning in the elementary schools in Gainesville (the principal city in the system) for the current school year. The results to date and the building plan in progress should facilitate the conversion to a unitary system.

We reverse and remand for compliance with the requirements of *Alexander v. Holmes County* and the other provisions and conditions of this order.

III

In the event of an appeal or appeals to this court from an order entered as aforesaid in the district courts, such appeal shall be on the original record and the parties are encouraged to appeal on an agreed statement as is provided for in Rule 10(d), Federal Rules of Appellate Procedure (FRAP). Pursuant to Rule 2, FRAP, the provisions of Rule 4(a) as to the time for filing notice of appeal are suspended and it is ordered that any notice of appeal be filed within fifteen days of the date of entry of the order appealed from and notices of cross-appeal within five days thereafter. The provisions of Rule 11 are suspended and it is ordered that the record be transmitted to this court within fifteen days after filing of the notice of appeal. The provisions of Rule 31 are suspended to the extent that the brief of the appellant shall be filed within fifteen days after the date on which the record is filed and the brief of the appellee shall be filed within ten days after the date on which the brief of appellant is filed. No reply brief shall be filed except upon order of the court. The times set herein may be enlarged by the court upon good cause shown.

The mandate in each of the within matters shall issue forthwith. No stay will be granted pending petition for rehearing or application for certiorari.

Reversed as to all save Mobile and St. John The Baptist Parish; Affirmed as to Mobile with direction; Affirmed in part and reversed in part as to St. John The Baptist Parish; Remanded to the district courts for further proceedings consistent herewith.

FOOTNOTES

*Judge Wisdom did not participate in Nos. 26285, 28261, 28045, 28350, 28349 and 28361. Judge Ainsworth did not participate in No. 28342. Judge Carswell did not participate in Nos. 27863 and 27983. Judge Clark did not participate in No. 26285.

[1] Many faculty and staff members will be transferred under step one. It will be necessary for final grades to be entered and for other records to be completed, prior to the transfers, by the transferring faculty members and administrators for the partial school year involved. The interim period prior to February 1, 1970 is allowed for this purpose.

The interim period prior to the start of the fall 1970 school term is allowed for arranging the student transfers. Many students must transfer. Buildings will be put to new use. In some instances it may be necessary to transfer equipment, supplies or libraries. School bus routes must be constituted. The period allowed is at least adequate for the orderly accomplishment of the task.

[2] In formulating plans, nothing herein is intended to prevent the respective school districts or the district court from seeking the counsel and assistance of state departments of education, university schools of education or of others having expertise in the field of education.

It is also to be noted that many problems of a local nature are likely to arise in converting to and maintaining unitary systems. These problems may best be resolved on the community level. The district courts should suggest the advisability of biracial advisory committees to school boards in those districts having no Negro school board members.

On December 15, 1969, Associate Justice Hugo L. Black of the Supreme Court of the United States, sitting as the circuit justice for the fifth circuit issued the following order:

SUPREME COURT OF THE UNITED STATES,
OCTOBER TERM, 1969

Linda Stout, Etc., Petitioner, v. *Jefferson County Board of Education, Et Al.*

Doris Elaine Brown, Et Al., Petitioners, v. *The Board of Education of the City of Bessemer, Et Al.*

Derek Jerome Singleton, Et Al., Petitioners, v. *Jackson Municipal Separate School District, Et Al.*

Jean Carolyn Youngblood, Et Al., Petitioners, v. *The Board of Public Instruction of Bay County, Florida, Et Al.*

Lavon Wright, Et Al., Petitioners v. *Board of Public Instruction of Alachua County, Florida, Et Al.*

Shirley Bivins, Et Al., Petitioners, v. *Bibb County Board of Education and Orphanage for Bibb County, Et Al.*

Oscar C. Thomie, Jr., Et Al., Petitioners, v. *Houston County Board of Education.*

ORDER

Upon consideration of applicants' motions for an injunction requiring the immediate desegregation of the respondent school districts and in conformity with this Court's order of December 13, 1969, in *Carter, et al.* v. *West Feliciana Parish School Board, et al.,* No. 944, O.T. 1969,

It is ordered that:

(1) The respondent school boards shall take such preliminary steps as may be necessary to prepare for complete student desegregation by February 1, 1970; and

(2) By way of interim relief pending the filing and disposition of a petition for certiorari the judgment of the Court of Appeals is stayed insofar as it deferred desegregation of schools until the 1970–71 school year; and

(3) By way of interim relief pending further order of the full Court the respondent school boards are directed to take no steps which are inconsistent with or will tend to prejudice or delay full implementation of complete desegregation on or before February 1, 1970; and

(4) Applicants are directed to file their petition for certiorari no later than December 19, 1969, and any responses to such petition shall be filed on or before January 2, 1970.

HUGO L. BLACK,
Associate Justice of the Supreme Court of the United States.
Dated this 15th day of December, 1969.

On January 14, 1970, the Supreme Court of the United States in the Bibb County and other cases issued an order and judgment of the Supreme Court that all of the defendant school districts accomplish total faculty and pupil reassignment by February 1, 1970. A copy of that order is attached hereto:

SUPREME COURT OF THE UNITED STATES,
OCTOBER TERM, 1969

Carter et al. v. *West Feliciana Parish School Board et al.*; and

Singleton et al. v. *Jackson Municipal Separate School District et al.*

On petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit

Nos. 944 and 972.

Decided January 14, 1970

Per Curiam.

Insofar as the Court of Appeals authorized deferral of student desegregation beyond February 1, 1970, that court misconstrued our holding in *Alexander* v. *Holmes County Board of Education,* 396 U.S. 19. Accordingly, the petitions for writs of certiorari are granted, the judgments of the Court of Appeals are reversed, and the cases remanded to that court for further proceedings consistent with this opinion. The judgments in these cases are to issue forthwith.

MR. JUSTICE HARLAN, with whom MR. JUSTICE WHITE joins, concurring.

I join the Court's order. I agree that the action of the Court of Appeals in these cases does not fulfill the requirements of our recent decision in *Alexander* v. *Holmes School Board,* 396 U.S. 19, and accordingly that the judgments below cannot stand. However, in fairness to the Court of Appeals and to the parties, and with a view to giving further guidance to litigants in future cases of this kind, I consider that something more is due to be said respecting the intended effect of the *Alexander* decision. Since the Court has not seen fit to do so, I am constrained to set forth at least my own understanding of the procedure to be followed in these cases. Because of the shortness of the time available, I must necessarily do this in a summary way.

The intent of *Alexander,* as I see it, was that the burden in actions of this type should be shifted from plaintiffs, seeking redress for a denial of constitutional rights, to defendant school boards. What this means is that upon a prima facie showing of noncompliance with this Court's holding in *Green* v. *New Kent County School Board,* 391 U.S. 430 (1968), sufficient to demonstrate a likelihood of success at trial, plaintiffs may apply for immediate relief that will at once extirpate any lingering vestiges of a constitutionally prohibited dual school system. Cf. *Magnum Import Co.* v. *Coty,* 262 U.S. 159.

Such relief, I believe it was intended, should consist of an order providing measures for achieving disestablishment of segregated school systems, and should, if appropriate, include provisions for pupil and teacher reassignments, rezoning, or any other steps necessary to accomplish the desegregation of the public school system as required by *Green.* Graduated implementation of the relief is no longer constitutionally permissible. Such relief shall become effective immediately after the courts, acting with dispatch, have formulated and approved an order that will achieve complete disestablishment of all aspects of a segregated public school system.

It was contemplated, I think, that in determining the character of such relief the courts may consider submissions of the parties or any recommendations of the Department of Health, Education, and Welfare that may exist or may request proposals from the Department of Health, Education, and Welfare. If Department recommendations are already available the school districts are to bear the burden of demonstrating beyond question, after a hearing, the unworkability of the proposals, and if such proposals are found unworkable, the courts shall devise measures to provide the required relief. It would suffice that such measures will tend to accomplish the goals set forth in *Green,* and, if they are less than educationally perfect, proposals for amendments may thereafter be made. Such proposals for amendments are in no way to suspend the relief granted in accordance with the requirements of *Alexander.*

Alexander makes clear that any order so approved should thereafter be implemented in the minimum time necessary for accomplishing whatever physical steps are necessary to permit transfers of students and personnel or other changes that may be necessary to effectuate the required relief. Were the recent orders of the Court of Appeals for the Fifth Circuit in *United States* v. *Hinds County,* — F. 2 — (November 7, 1969), and that of the Fourth Circuit in *Nesbit* v. *Statesville City Board of Education,* — F. 2d — (December 2, 1969), each implementing in those cases our decision in *Alexander,* to be taken as a yardstick, this would lead to the conclusion that in no event should the time from the finding of noncompliance with the requirements of the *Green* case to the time of the actual operative effect of the relief, including the time for judicial approval and review, exceed a period of approximately eight weeks. This, I think, is indeed the "maximum" timetable established by the Court today for cases of this kind.

MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS,

Mr. JUSTICE BRENNAN, and Mr. JUSTICE MARSHALL express their disagreement with the opinion of Mr. JUSTICE HARLAN, joined by Mr. JUSTICE WHITE. They believe that those views retreat from our holding in *Alexander* v. *Holmes County Board of Education*, 396 U.S. 19, —, that "The obligation of every school district is to terminate dual school systems at once and operate now and hereafter only unitary schools."

Memorandum of THE CHIEF JUSTICE and MR. JUSTICE STEWART.

We would not peremptorily reverse the judgments of the Court of Appeals for the Fifth Circuit. That court, sitting en banc and acting unanimously after our decision in *Alexander* v. *Holmes County Bd. of Educ.*, 396 U.S. 19, has required the respondents to effect desegregation in their public schools by February 1, 1970, save for the student bodies, which are to be wholly desegregated during the current year, no later than September. In light of the measures the Court of Appeals has directed the respondent school districts to undertake, with total desegregation required for the upcoming school year, we are not prepared summarily to set aside its judgments. That court is far more familiar than we with the various situations of these several school districts, some large, some small, some rural and some metropolitan, and has exhibited responsibility and fidelity to the objectives of our holdings in school desegregation cases. To say peremptorily that the Court of Appeals erred in its application of the *Alexander* doctrine to these cases, and to direct summary reversal without argument and without opportunity for exploration of the varying problems of individual school districts, seems unsound to us.

Since that time the people of Bibb County have been stunned by the lash of these orders and have appealed to everyone to whom they could turn for relief from a judicial order which has nearly paralyzed educational processes in Bibb County.

Prior to February 2, 1970, there was a general reassignment of all faculty members and while I do not have the details of that reassignment, I am told that if any teacher was reassigned to either the school or the classroom formerly taught by such teacher that it was purely by chance. This reassignment of faculty became effective on February 2, 1970.

By agreement between the parties to the litigation and their counsel, the reassignment of high school students was delayed for the time being. No one knows for how long. However, during the week preceding Monday, February 16, 1970, all elementary students were reassigned. Some of these elementary school students were reassigned to the schools which they had previously attended. But I am informed that any such reassignment was a matter of chance rather than design or intention because the school board made every effort to be fair in the performance of a difficult and disagreeable task, and that the only criteria considered was the achievement of racial balance. I am informed that a large number of students in elementary schools who live within a few blocks of the school they previously attended have now been assigned to different schools, sometimes several miles from their home of residence.

During January and February 1970, my office, the offices of both Senators from Georgia and the offices of many other Members of Congress have received thousands of letters from Bibb County alone protesting the conditions which have been brought about. I have seen more than a thousand of these letters because more than a thousand have been sent directly to me. I recognize many because they come from personal friends of mine whom I have known as long as I have represented Bibb County in the Congress of the United States.

Without exception these have been good letters from good people. They have been sensible letters from sensible people. I shall not attempt to reproduce all of these letters and include them as a part of my remarks at this point, but I can and do include representative letters among this group:

MACON, GA.

Representative JOHN FLYNT,
Washington, D.C.

SIR: I ask you to help in stopping the move of teachers and/or students by February 1, 1970 in our county for purpose of integration!

Any move at this time will result in an emotional problem and educational setback for all students.

As an elected official of the people. I urge you to speak for the people of Bibb.

The only hopes American people have today are with men like yourself who are in Washington for their interest (the people's)

The future of Georgia as well as America is on shaky ground.

Again I urge your help and support.

Sincerely,

Mrs. J. W. MARSH, Jr.

MACON, GA.

DEAR CONGRESSMAN FLYNT: I am a teacher in the Bibb County Public Schools in Macon, Ga. I am also mother of two children who attend school here.

I wish to urge you to stop the merger of students and teachers at mid-year to achieve racial balance. It can only impede education and widen the gap between the races.

I have been required to teach in a school which I did not choose. Have not my civil rights been violated?

Sincerely,

Mrs. JACQUELINE L. ODOM.

LIZELLA, GA.

Congressman JACK FLYNT,
Washington, D.C.

DEAR CONGRESSMAN FLYNT: My wife and I have a son aged 9 and one aged 3 and feel we have a vital interest in the educational system of this nation.

We would like to state we definitely feel our educational system in Bibb County, will be destroyed or harmed extensively if the mass transfer of children being suggested by HEW and the courts in our county during the school year 1969 for purposes of integration is enforced. We feel any transfer of students or teachers should be done effective Sept. 1970 so that this can be done with careful planning during summer vacation and with no disruption of classes.

Our main objective is what is best for the education of our children and changing teachers or schools in mid term is not good for school children.

We object to bussing of children from their neighborhood schools to other areas solely for purposes of integration.

We feel a true freedom of choice plan of school education where both black and white students can choose any school they wish to attend in their county is the only constitutional way to determine school attendance.

We also feel if school integration is enforced in one county, it should likewise immediately be enforced in every city, county, and state in this nation alike, not in the south alone.

Any help you can furnish toward these goals would be appreciated.

Yours truly,

W. C. MCELMURRAY.

MACON, GA.

Hon. JOHN J. FLYNT,
Washington, D.C.

SIR: As voters and taxpayers we must protest the manner in which HEW has forced the latest school integration steps on the south—Georgia and Bibb County in particular. It is uphanded and hints of communism when a department of the Federal Government threatens to withhold school funds unless its demands are met by a certain date. Funds derived, mind you, from taxes on the citizens whose children will be denied educational opportunity if this threat is carried out.

Further, it is stupid to force an issue wherein if a county has a given ratio of white to black that ratio must be maintained in the schools even when it requires that students be bused to schools in remote areas. This is an additional tax load on the already overburdened taxpayer and is grossly unfair to all the students involved.

In the past few years all the laws made by Congress and interpretations of these laws tested by various federal agencies and decisions of the courts have been in favor of the so called minority groups and to the detriment of the average citizen. It is time for the country to wake up to the fact that the money to maintain the Congress, other federal departments as well as the courts comes primarily from taxes on the middle income white family. Present conditions cannot be the will of the majority and it is high time something be done in favor of the majority rather than the minority.

Very truly yours,

WILLIAM G. STEWART,
MILDRED T. STEWART.

MACON, GA.

Congressman JACK FLYNT.

DEAR SIR: I am writing to you as a concerned citizen of Bibb County in Georgia. We are appealing to you to take into consideration a postponement of the total desegregation of our schools until the beginning of the next school year.

We strongly feel that this disturbance in the middle of a school term will be of great injustice and emotional upset to our children, our teachers' and our educational system as a whole.

We ask you again, *please!* give this your earnest thoughts and consideration as we are deeply and sincerely interested in what we feel is only fair and just, for each pupil and teacher in our county barring all color and creed.

Sincerely yours,

Mrs. Harriett Skipper.

MACON, GA.

Representative JACK FLYNT,
Washington, D.C.

Subject: Bivin vs. Bibb County.

DEAR SIR: We protest the February 1st deadline for total integration of the races in Bibb County, and in particular, the bussing of children. It is our belief that education for the 1969–1970 school term will suffer greatly by a switch during the year. We feel that our rights will be infringed upon if we are not allowed to send our children to the neighborhood school. We further feel that the rights of our teachers to choose where they will work is being violated.

We do not practice discrimination against any person because of race, color, or creed, but we feel that the right to attend the neighborhood school is a right almost as sacred as the right to worship as we please and where we please.

A September deadline will give everyone a chance for adjustment and at the same time keep from disrupting the educational processes for the current term.

Your earnest consideration of the problem will be appreciated.

Very truly yours,

Mr. and Mrs. C. A. CALDWELL.

MACON, GA.

DEAR MR. FLYNT: As concerned parents of two school children, one in the first grade, we want you to know how we feel, along with other families, about the bussing of our children. We will not allow them to be bussed to any other school. It is their right to be able to go to the school nearest our home. We can not afford, comfortably, to send them to a private school. We pay taxes and we expect you to stand up for the rights of our white children. We don't mind their being taught by colored teachers as long as they are well qualified. The middle of the year is no time to be changing teachers. Most children in the first grade are just now adjusting to school. This will only ruin them.

Sincerely,

Mr. and Mrs. EARL KING, Jr.

DEAR MR. FLYNT: As the mother of three children and two of them school age, I feel it my duty to see that they get a quality education. When the children are disturbed during the year with teacher changes and the threat of being bussed to another school that is strange and out of their neighborhood, this effects their education. It seems to me that now the issue is not education but total integration.

What has happened to the white persons civil rights? Why are we being discriminated against? With all the taxes the white man pays as homeowners, why can't we have freedom of choice at least in the school issue? Why are our rights and wishes being taken away?

My daughter is in the 7th grade and has a Negro man teacher half day. She comes in some days so upset she sits down and cries. The class is in such bedlam that the students don't even know what is going on. They are learning nothing in that class. Is this the price we must pay for integration? If they are to teach our children, they should have the same qualifications as white teachers.

I'm all for the education of the Negro—but not at the expense of my children's education and that's what it all amounts to. The Negro isn't going to come up to our level—we are going to be forced down to their level.

Private schools are not the answer! Frankly, my husband and I cannot afford to send 3 to private schools. If the white children are forced out of public schools, how will they get a college education? How many average parents can afford 16 years of tuitions?

My children will not be bussed out of their neighborhood just to please some Negro or the HEW. They will be forced by me to stay home. I feel we pay enough taxes to at least be allowed to send our children to the school within 5 blocks of their home. I don't feel like my girls will be the only ones sitting home watching educational TV.

If you have any suggestions as to steps that we as concerned parents and citizens can take, we would appreciate hearing from you. We need help and support and we need it now.

Sincerely yours,

DOROTHY G. HARPER.

MACON, GA.

Congressman JACK FLYNT,
House of Representatives,
Washington, D. C.

Completing desegregation of Macon public school this February is a great injustice to our high school seniors, black and white, because such midyear change breaks up class organizations and friendship in their final year in school here. It destroys a large part of their work which climaxes in the four months remaining in their school life here. Please exert your full effort and influence to postpone this change until end of the school year in June. The purpose of desegregation is to benefit the students and this change at midyear is harmful to students, particularly high school seniors.

Mr. and Mrs. FRED J. SUTTON.

MACON, GA.

Hon. JOHN FLYNT,
House of Representatives,
Washington, D.C.

DEAR SIR: Your attention is invited to the recent ruling by the Federal Court in the case of Bivins versus Bibb County, Georgia.

I feel that enforcement of the Court's ruling to effect the transfer of teachers and students during the middle of a school term will have a disastrous effect on the education of every child in Bibb County (both white and negro).

I solicit your assistance in obtaining a delay in enforcing this ruling until the beginning of a new school year. I feel the detrimental effects on the children's education will be lessened by this delay.

Respectively,

PRESTON O. LONG.

JANUARY 5, 1970.

Congressman JACK FLYNT,
Washington, D.C.

DEAR CONGRESSMAN FLYNT: For the sake of our children and our teachers and our quality of education, please help stop the transferring of our teachers and children during mid-term of a school year.

Thank you.

Very truly yours,

ROSALIND BOYD,

MACON, GA.

Representative FLYNT: We are very dissatisfied with the Supreme Court's ruling—busing our children in order to comply with desegregation plans.

Please do all in your power to prevent this disruption of our children during the term of school.

Yours very truly,

Mr. and Mrs. DOUGLAS HIGGINBOTHAN.

MACON, GA.

DEAR MR. FLYNT: We are very dissatisfied with the supreme court ruling of busing our children in order to comply with desegregation plan. Please do all in your power to prevent disruption of our children during this term of school.

Yours Truly

Mr. and Mrs. S. E. DONALDSON, Jr.

MACON, GA.

Hon. JOHN J. FLYNT, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. FLYNT: My husband and I are concerned parents, concerned not so much for ourselves but for the education of our children. I sat down and drafted a lengthy letter telling you how and why we felt this way but then thought you had better things to do than to read all our thoughts. The government is tearing up our school system. This is especially unthinkable since they are threatening to do it in the middle of the school year. Furthermore, the teachers they are sending to replace the teachers in the schools are not as qualified to teach as the ones they are replacing. Is this right for our children? They had nothing to do with the mess we are in. Why lower the standard of one race to raise the standard of the other?

We and most of our friends are on the conservative side of this but at the same time we do have some who are very hot about the situation and we are tending to get that way. Trouble is brewing. Please help to slow this down to a reasonable pace so that the blacks can increase their education but at the same time not penalize the white children who had nothing to do with the conditions as they now exist. And why just the few states in the South? Why not the whole country?

Help before it is too late.

Sincerely,

Mrs. W. D. AWTREY.

MACON, GA.

MR. JOHN J. FLYNT: I would like to say thank you for the stand you took on the school problem. I have 7 grand kids that have got to go through this mess and why? Because more white people have sit back and done nothing about it until now. No where in the declaration of independence does it say that they have got to do what they are trying to push down every body's throat, where they wont it are not. U no and I no "God" did not intend for this to be he would have made us all one color if he had. And you no they do not speak plain and our language like we do. It is hurting the children bad. The Negros don't want it the Biggist Marnito want to be with their own color. All Nixon can do is hallor infalation. If he would cut down and out on this astornot mess. Look at the billion of $ that are being throwed away as they are doing. And on his salary and some of the rest there is up there lots of way besides cutting out on the school and welfare. If all of them up there had to live off of what the middle class of people do then they would know how to apprecate what that got. We raised 3 girl on less than $4000. And don't regret it because we have always tryed to be honest and pay our bills. It seem like all they want is a huge salary for their self so they can fly overseas go places have big expensive party and they have left God out of their live. U no they took the Lords prayer out of the school long ago and why did U all stand for it? That is the only time so many children ever heard God's name only when it is used in vain. I was always taught America was a Land of freedoom and the Negro had had it all these yrs and like lots of white people did not use it in the right way. Did you ever stop to think the Heavens are God's. And he made Earth for man and they had better stay away from up there. Just what have they accomplomeed. Nothing, just read what the Bible has to say about it. The Goverment will pay for the Negro now to go to school the white will get out build private school to over burden them when they are not able to. And every body is already overloaded now with taxes. Some of them all uncalled for. They ship boat and plane loads of stuff over seas when we need to think about our own people moor here at our doors. With all of the Land that is Laying Out why? don't they build houses fit to live in and put some of the people back out there to raise some thing to eat for their self and help feed so many that are hungary here in America.

Mrs. RUBY W. GORDON.

MACON, GA.

Congressman JACK FLYNT,
Washington, D.C.:

The purpose of public schools is to educate. The mass transferring of children will violate this principle and weaken the American institution as a whole. I am opposed to my children being a part of a mass transfer. Please see what you can do regarding this matter.

PRESTON BATES.

MACON, GA.

Representative JACK FLYNT,
House Office Building,
Washington, D.C.

DEAR SIR: As a mother of a 7th grade pupil in Bibb Co. State, Ga. I'm very concerned over the fact plans are being made to transfer

our children in mid term. This can only hurt all concerned and especially our children.

As a public Health Nurse, I feel I can do a better job with my school work if the children are left in the school for the remainder of this school term.

Thank you for your concern.

Yours truly,

EVE F. HALL.

MACON, GA.

DEAR REPRESENTATIVE FLYNT: This is to ask for your help in our very difficult situation here in Bibb County. The Supreme Court has decided to take away the civil rights of all of the white, middle class taxpayers in the South. This is exactly what their unconstitutional action is doing to us and to our children.

I feel that there must be something that you and our other elected officials (to whom I am also writing) can do about this before it is too late. I say elected officials, because if you hear enough voices of enough law-abiding citizens who have voted for you, then maybe you and our Congress can do something about the un-elected members of the Supreme Court and their irresponsible behavior in forcing this issue about our schools. They have no thought for the fact that our educational system will be set back 20 years or that our children's education will be lowered because of total lack of qualified teachers. The whole South will be set back several decades in spite of the strides we have made in the past.

Will you please do whatever you can for us? All we ask is fairness in this matter—we are already integrated and will be moreso, I know, but when they start busing our children when we pay taxes for them to attend a fine school within walking distance, then I fear what might happen all over the South.

Thank you for reading this. I know we can count on you.

Very truly yours,

EVELYN H. DONNELLY.

MACON, GA.

Hon. JACK FLYNT,
House of Representatives,
Washington, D.C.

SIR: As a private citizen and as a parent, I am quite alarmed and upset over the Supreme Court's order that the Bibb County schools become a unitary unit by February 1st or certainly by September 1970. This will mean that busing of children will be necessary to obtain the ratio balance of blacks and whites in each school that the court wants. If, the February 1st date is upheld, the children will lose out during this school year.

My children are in walking distance of their neighborhood school. I do not want them bused to another school just to secure a desired ratio. This would be infringing on my rights. I do believe in freedom of choice, it is very fair. In the years since my sixth grader entered school, the classrooms have become more and more integrated. Also, each of my children have a black teacher. All of this I have accepted, but when the government says we are still not satisfied, you must send your child somewhere else to satisfy a minority group of people, it is unfair, unjust and undemocratic. Something must be done to save our children.

As a representative of our state, my family, friends, and neighbors are depending on you to plead our cause.

Respectfully,

Mrs. HERBERT F. GREEN.

MACON, GA.

Representative JACK FLYNT,
House Office Building,
Washington, D.C.

DEAR SIR: I very definitely feel that I have been one of the "silent majority" for far too long on too many issues at stake in this country.

The one I am most concerned with at the present is the destruction of the public school system. We have had tremendous success with a freedom of choice plan in our public school system here in Bibb County. The schools and faculties have been smoothly integrated with little or no trouble for both blacks and whites alike. This is as it should be.

But, now to *force* children and teachers to change schools against their wills, especially in the middle of a school year, is such a terrible thing to do to them that it is very frightening.

The ones who will be most hurt by the court rulings are the poor blacks and whites who cannot afford to place their children in private schools. The better teachers are leaving the public school system in droves to teach in private schools, and this is leaving us with poor, unqualified teachers in the public schools.

Sincerely,

HELEN B. WALLER.

MACON, GA.

Representative JACK FLYNT,
House Office Building,
Washington, D.C.

DEAR SIR: The recent statements by the Supreme Court and HEW have caused *segregation* rather than integration.

A few days ago a group of concerned people decided to get together and intelligently discuss the school situation. My wife and I were asked to attend. We expected about thirty people to be there, but instead there were approximately five hundred at the meeting. These people are educated citizens who have yearly incomes from $10,000 to $40,000 and upwards. These people are the backbone of our nation, and they are being taxed without representation.

These people realize that making teachers teach where they don't want to, and busing the children will destroy our public education. Therefore, they are taking their children out of public school and enrolling them in private schools where they will be taught by qualified teachers.

The black pupil and the economically poor white children are the ones who will suffer from the latest stupid rulings.

Sincerely,

CARL L. WALLER.

MACON, GA.,
January 20, 1970.

Congressman JACK FLYNT,
House of Representatives,
Washington, D.C.

DEAR MR. FLYNT: We are the parents of 4 children, ages ten, seven, three, and one. As you can tell by their ages, we will be concerned with education for quite a few years.

We object very strenuously to the revocation of "freedom of choice" and the immediate desegregation of Southern schools by February 1st. It simply is not fair to compel children to attend another school just to achieve racial balance. This can only lead to bussing, which is violating the rights of every child and parent involved. This, in turn, will make a lot of parents choose private schools and those of us who are financially unable to do so, are left to bear the brunt of the mistakes of the Supreme Court. As tax-payers we feel our rights are being violated just because a few politicians are too spineless to stand up for us.

We firmly believe that if enough parents let their feelings be known right now through the mails and later at the polls, this trend towards punishment of the South will change. We regret to say we voted for you in 1968 but given the chance again, will not repeat that mistake!

Maybe someday we will get someone in Congress who will not be afraid of minority public opinion.

Sincerely,

Mr. and Mrs. JAMES E. HARPER.

THE FIRST NATIONAL BANK & TRUST CO.,
Macon, Ga.

Hon. JOHN J. FLYNT, Jr.,
Rayburn House Office Building,
Washington, D.C.

DEAR JACK: I know that you are aware of the frustrations that we are living under in the State of Georgia today. The Supreme Court, in its assumed authority, has laid upon us a burden that I do not think we can bear.

Public education was just beginning to emerge from the terrible affect of previous decrees and we were becoming confident and pleased with our progress. I don't believe that public education can make another comeback, but will only deteriorate further.

The future leaders of our state will be affected to a degree beyond our imagination if a stand is not taken. If we continue as we are going, there will be no need for us to have Senators, Representatives, or even a President. I urge you as one who represents all of us in Georgia, not only to take a stand against the present school verdict, but to use every means at your disposal to curb the powers of the Court.

With personal regards.

Yours very truly,

W. T. MOODY, Jr.

YOUR HONOR: A report out of Washington, D.C., last night claims that the city now is # 1 in crime and murder.

As you know the largest % of Washington is colored. If our federal government can't clean up things at their back door, how do they expect to tell us in Georgia how to run our schools.

I'm for freedom of choice but I can't see busing my children by one school in the neighborhood to get to another one. I know you are doing all you can to help us.

"THE SILENT MAJORITY."
GENE SAVELIK.

Hon. JOHN J. FLYNT,
Representative from Sixth District of Georgia, House of Representatives, Washington, D.C.

DEAR SIR: The schools in the entire South have been harassed by the Health, Education and Welfare for several years. The school officials have been given so many court orders that they do not have time to carry out the educational program of the children. One can see that there is a move to create chaos in the field of education. This is being done by the NAACP, and the Washington Research Project, Inc. These organizations are nonprofit and tax exempt organizations. Because of the poor quality of education, private schools have been formed all over the South. These schools are nonprofit, and have been operated very good. Contributions have been tax deductible.

Today I noticed that the Internal Revenue Service, by a three-judge Federal panel in Washington, voted to stop granting tax exemption and contributions deductibly to segregated private schools in Mississippi. This has been done with no consideration of the quality of education that the public schools are offering. All of these events bring to mind what happened in Cuba before Castro took over. The same thing is now happening in this United States of America. The Congress and the Executive Department of the government can stop this. I believe that you as a Senator from Georgia can initiate a movement to stop this. You are a representative of the people and being paid by the people to look after the rights of the people. The radical minority group orga-

nizations with their communistic influence are being allowed to take over the law-abiding people of minority groups, are being forced to go along with the NAACP, and other radical organizations whether they think it is good or not. The silent majority in these United States of America is going to stop the communistic trend in this country. We are willing to sacrifice our life holdings and even our lives to stop it. We are not going to be taken over like Cuba if it means death. I am pleading with you to consider these thoughts of the people and lets get on with the business at hand. The people still know that under the Constitution of the United States, that the courts can be stopped by Congress if they are trespassing on the rights of the people.

I would like to hear from you concerning these remarks. I would like to know what your plan of strategy will be to strike at the people who are uprooting the very foundations of this country.

Thanking you very much, I remain,

Yours truly,

ROBERT G. FERRELL, M.D.

MACON, GA.

Congressman JACK FLYNT,
6th District Representative,
Washington, D.C.

DEAR CONGRESSMAN FLYNT: During your campaign for election, you invited and urged your constituents and the people of Georgia to keep you advised as to their feeling and opinions concerning conditions in the state and legislation to be considered by the House. We would like for you to consider the question of education and the far reaching effect that the latest Supreme Court decisions will have on the people of Georgia and the children who are presently in school. Most of the people in our circle of friendship are not opposing integration of the schools and all of us are interested in seeing that the students of Georgia receive the best and highest quality education possible without any reference to color or creed.

The wise men who established and had the Constitution of the United States ratified provided that the jurisdiction of the Supreme Court of the United States could be expanded or restricted by the Congress. It is our feeling that such action should be taken advisedly, but firmly, if necessary. The members of the Court are answerable only to the Almighty and they tend to become aloof and seem not to consider the individual who is way down in Georgia.

It seems to us that since the court decisions recently rendered by the Supreme Court affect only the South, we will have difficulty in generating enough interest among all the Congressmen to get the relief we need. The Court seems to be target practicing using as targets isolated areas of the country until it gets the whole country under one roof. It is easy for Congressmen from the North and West to become complacent since they are not affected, and by the time their area comes under attack, the South will be unable and unwilling to stand with them.

The Health, Education, and Welfare Bureau has filed an integration plan in the Federal District Court in the case of Bivins vs. Bibb County and other parties have also filed plans in our county. We have had no violence or other discord among the students and both the Negro and White students have demonstrated an interest in maintaining freedom of choice. We would ask you to introduce legislation to take the question of education out of the jurisdiction of the Supreme Court and return the operation of the schools and the integration of schools to the state and local levels where it belongs. We in Georgia know what is best for our children and the future leadership of this state. In proposing this legislation, you will render the citizens of Georgia a great service and we are sure that your political future will not suffer because of such legislation.

Very truly yours,

Mr. and Mrs. H. P. SMITH.

MACON, GA.

Hon JOHN S. FLYNT, Jr.,
U.S. House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. FLYNT: As a white parent I am just sick over this school situation. Please do something so as to have Freedom of choice back again, both for children and teachers. This pairing of the schools in the county so as to put all children of certain grades in one section and then bus them around to other schools as they go to another grade. We have lived here in Jones County for 12 years and I'd like to keep my children in one school until they get out of grammar school and then stay in one high school.

What is happening to our country, the land of the free, I thought? The Supreme Court Justices, about 6 of them at least, should be impeached. They are dictators. They are soft on Communism and lawlessness.

I believe we have been pushed as far as we're going to be. The white people are ready to fight for their rights. I sure am.

I hope you will do something about this school situation. We need your help.

Sincerely,

Mrs. PAUL SIMPSON, Jr.

MACON, GA.

Hon. JOHN FLYNT,
House of Representatives,
Washington, D.C.

DEAR SIR: I attended a student protest meeting this past Sunday at the Macon Coliseum. Some 5,000 students and parents attended to protest the utter destruction of our public school system. If you had heard these young people plea for their freedom of choice; which is their God given right, I'm sure that you would do all in your power to return this freedom to them.

The South is watching their elected officials during this time of confusion. We all agree that changes in the Supreme Court are sorely needed. There may be changes in the Senate and House of Representatives if this unlawful act is not stopped.

As the youths stated from their platform they have accepted integration, but this is dictatorship. Please stand up and be counted.

Sincerely yours,

J. W. HARDEMAN III.

MACON, GA.

Hon. JOHN J. FLYNT, Jr.,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I know you are very busy these days, so I will make it short and to the point. I (and everyone I have talked to are) very dissatisfied with the way our government is run. It was always my thinking that the majority rules. It seems that the Supreme Court has sure messed up our country. With most of the members of the Supreme Court and their background I don't think they are really fit to rule our country and determine its future the way they are doing. You might think about all the trouble we have had in the schools since they ruled against prayer in the schools—dope, low morals, dropouts, etc. I think they have too much power. I think they actually have a grudge against our country, and especially the South. I think all states should be treated alike at least. The current decision shows they have no concern for us—only their dictatorial powers.

The Federal Government should stop interfering with our school system.

The parents should have the major say-so the way their children are educated and where.

Forced transfer and busing of students and teachers would seriously harm our educational system both educationally and emotionally.

I think the power to make the law should be taken away from the Supreme Court. In fact their term of office should be limited. I think each four years a new judge should be appointed or reappointed. Then each President will have a chance to appoint one.

A strict non-discriminatory qualification test should be given to each teacher, regardless of race to determine their qualifications not by racial balance. The white teacher should not be discriminated against because of her race. If they keep on there will only be colored teachers. Why should a young person choose to teach if they have to teach under such conditions—they can make more money somewhere else anyway.

The trend now seems to be to discriminate against the white to satisfy the black.

Lets get back to a democratic form of government—regardless of race, color, etc.

Many neighborhood schools have been built by the people of that community. They should have the right to build it the way they want to for their children.

Freedom of choice is the only way. If a child is made to go to school where neither he or his parents want him to go will not be happy and will not make good grades—therefore will drop out the first chance he gets.

Lets make this country free again. Put the government back in the hands of the people.

A disgusted citizen.

M. N. MUMFORD.

P.S.—I fought for my country and its freedom in World War II—what freedom?

MACON, GA.

DEAR SIR: I am sixteen years old and I am a student in the eleventh grade at A. L. Miller Senior High. I am in Beta Club, an honor society, and I am keeping my grades in order to stay in this club.

I love America and our democratic country and way of life. When I think of Russia and other Communist countries, I realize how lucky I am to be living in a "home of the free." Even though we do have a democratic country, we are subject to mistakes and we should profit by them. We should also try to prevent them from being made. I think taking away our "freedom of choice" would be a grave mistake! That is the Communists' way of doing things, *not ours.* This freedom taken away would hurt the Negroes as well as the Whites in every community. I do not mind Negroes going to my school, but I do not like being *forced* to attend a school. This is not a *racial* matter! It is a question of whether the Supreme Court has the *right* to take away our "freedom of choice" and *I* do *not* think they do. Parents should have stopped this before it started. They have failed their children. I am not marching to protest and my friends are not either. I am with my parents and supporting them. This is their chance to do something about the mistake they have made.

Violence isn't the answer. I feel that our Congressmen are. You have the support of the parents and what are you doing with it? Now is the time to act *legally!* Is it going to have to lead to violence? It would not if Congressmen would correct it. Violence is destructible and accomplishes nothing without great loss and it isn't the answer if our Congressmen would work now! It's never too late!

I have a right to my opinion and I don't think Congressmen are accomplishing anything by playing neutral. Take a stand one way or the other. Speak up for what you believe in. The greatest men of our country were willing to die for a cause they believed in. They didn't straddle the *fence!*

I would like you to know that you have my full support and a lot of other people's support. Would you please write me and tell me what you are going to do about it and how you feel?

Sincerely yours,

RUBY BENNETT.
Mrs. M. C. BENNETT, Jr.
M. C. BENNETT.
Mrs. WILLIAM BUCK.
WILLIAM C. BUCK.

MACON, GA.

Hon. JOHN J. FLYNT,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: The recent Supreme Court decision concerning school integration is a matter of great concern to the majority of the citizens of Macon and Georgia as a whole. Why the highest court in this country would make such a decision applicable to one section of the country only is something I and a lot of other people cannot understand. Georgians, and citizens in the entire Southeast love their children and want them to have quality education as much as anyone else in the United States and they pay taxes the same as everyone else. Why does the Dept. of Health, Education and Welfare have so much to say about what we do or do not do in our schools? Why should our children be used, and they are being used as if they were puppets, in order that some may realize their own selfish ambitions?

I have no objections to black children having good homes, food, clothing, education, etc., but why can't they live and let live? If the constitutional rights of white citizens have to be sacrificed in order that black citizens can have "special" rights, then it's time to board another "Mayflower."

The constitution says "no taxation without representation" but it appears that a majority of us are only receiving lip service. Members of Congress can always vote themselves a pay raise but it seems that people like myself, who really pay the taxes to keep the country going, are left out in the cold.

Why shouldn't parents of school children who are denied freedom of choice be exempt from school taxes?

Sincerely,

Mrs. Sybil Lively, Macon Ga., Mrs. J. V. Johnson, Macon, Ga., Mrs. J. S. Suretman, Macon Ga., Mrs. Ruth Holcomback, Macon, Ga., Mrs. H. G. Howell, Jr., Macon, Ga., Miss Alice Conner, Macon, Ga., Miss Lynda Edwards, Macon, Ga.

Mrs. Mary F. Taylor, Macon, Ga., Mrs. A. J. Lorck, Macon, Ga., Mrs. Wallace McKennon, Macon Ga., Mrs. H. J. Ferguson, Mrs. Barbara L. Hopson, R. L. Barlow, Macon, Ga., Mrs. Josie D. Meene, Miss Beverly Smith, Forsyth.

MACON, GA.

Hon. JOHN J. FLYNT, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Would you like to have my vote in the next election? What for? What good does my vote do? Our state senators and representatives do not have the power to do anything. Nor does their vote in government matters amount to a hill of beans. No matter how you vote the Supreme Court and the HEW are going to tell us what we have to do, and do it now!

I have written you asking if you were aware of the communist take over of the U.S. You stated you were aware of it. I don't believe they are trying to take over, they already have done it!

There has been so much said and done to give us our civil rights, but the courts and HEW have denied us our rights in every way.

We in Bibb county are having to go through turmoil now with a change of schools and students in the middle of the school year. The worst thing about this changing is no one will benefit from it.

The courts have said they don't care what kind of education our children get as long as it is an integrated one. The only thing the government is interested in is to make white black and to take away from those who have and give to those who don't want to do, with a lot of money paid to the government in between.

I am in the so called middle income bracket of about $150 a week. When I get my check after deductions, I have about $90 left to feed my family and pay the bills. My house is falling apart, I don't have a decent TV or radio, I can't keep up with the repair bills on my car and the government keeps hollering for More, More, More!!!

Congress gave itself a raise last year and who has to pay for it? Me! Thats who. What do I pay for? They have no say so in this police state that is run by a hand full of appointed men rather than the elected ones.

There are two groups that rule the nation today. The Supreme Court and the HEW. What do we need with the rest of the government?

Yours for taxation without representation.

JOHN M. WHITE, Jr.

Hon. JOHN J. FLYNT, Jr.,
U.S. Congress,
House Office Building,
Washington, D.C.

DEAR MR. FLYNT: I am sure that you share the concern of all other parents regarding the prospects of bussing school children from one neighborhood to another to comply with the Supreme Court ruling pertaining to integration. Many of my friends have expressed their feelings, and no doubt, you have received numerous other letters on this subject.

Please do something to help us! I have worked hard and tried to save to buy a house in a neighborhood near my friends and close to a school only to face the prospects of having to load my children into a bus and have them taken across town to some other school. Regardless of what the Supreme Court says, we feel that this is against all principles, and to be perfectly honest, we do not intend to let this happen.

I believe that you know me well enough to know that I am no radical, but this is something that really makes my blood boil. Can you do something to help us and is there anything that we can do to help ourselves?

I would greatly appreciate hearing from you on this matter and hope that next time you are in town you will drop by to see us.

Sally and I send our personal regards.

Sincerely,

R. DALLIS COPELAND,
Assistant Cashier.

MACON, GA.

Hon. JOHN J. FLYNT,
Congressman (Georgia),
Washington, D.C.

DEAR HONORABLE FLYNT: We are writing this letter in regards to the recent desegregation plan.

We live at 4561 Pinedale Drive, Macon, Georgia, directly back of the Minnie Burghard Elementary School, which our daughter Sandra attends. She is in the second grade and has a colored teacher, which is not our concern as long as she is well qualified. Our main concern is the fact of taking away the Freedom of Choice Plan and bussing students to a school away from their district. We feel this would cause much emotional upset to many children as in our case. Sandra gets upset very easily, and I'm sure if she was bussed to a school across town this would cause a major upset to her grades as well as to her emotional upset.

Before we bought a home we had in mind the future of our children's education and feel very strongly that bussing children across town to another school would be very unfair to the white people's Civil Rights.

It is felt that the Congressmen and Representatives of the State of Georgia should introduce legislation to elect the Judges of the Supreme Courts, rather than appoint them as in the present system.

The people should have a voice in the education of their children and if these Judges are elected, rather than appointed, they can speak for the people that support them.

We would very much appreciate any thought given to this matter and the decision to benefit all children and teachers as a whole and not just please a minority group.

Sincerely,

Mr. and Mrs. JOHN E. ROYAL.

MACON, GA.

Hon. JACK FLYNT,
House of Representatives,
Washington, D.C.

SIR: The recent federal court order to desegregate southern schools by 1 February has imposed a decided hardship on school boards, teachers, parents, and most of all the children.

As parents of two teenagers in junior high school, we see first hand what an order by a few can do to a majority in this section. When we purchased our home ten years ago, it was with the thought that when our children reached high school age, they could walk to school; we live within one block of McEvoy High School. Now, with the recent court order, we are told we must transport our children over three miles of dangerous highway (Pio Nono Avenue, with five lanes of traffic) to a predominantly colored school. Since both of us hold full time jobs in order to provide for our family, this will be practically impossible to accomplish.

All the good that has been obtained this school year is reversed with this change coming in the middle of a school year. Teachers will be reassigned, schedules rearranged, and facilities changed to meet conditions of a junior high class rather than junior-senior class. Quality education will not be attained as a result. Seniors will lose their class and school identity.

For the last three or four years our children have attended school under the freedom of choice plan. This year one of our daughters has two out of four main classes taught by Negro teachers. Our question is: what is wrong with the freedom of choice plan since the Negroes have been admitted to the white schools when they chose to apply? It seems that many of the Negro students prefer their own schools as evidenced by a recent march on city hall by 350 colored students from Ballard Hudson High School protesting the loss of their school identity.

Our hearts cry for a country in crisis. In making integration their only goal, the Supreme Court and some of our legislators are destroying quality education, and the children must suffer. Children do matter; they are this country's future leaders.

The principles for which our forefathers stood, mainly the importance of an individual and government by consent of the governed, could easily be lost. We beseech you to fight for freedom of choice in our schools and assure you that the people of this community, city, and county will stand behind you in any stand you take against recent court decisions.

Sincerely,

THOMAS L. and SYLVIA B. PIERCE.

MACON, GA.

Representative JOHN J. FLYNT,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FLYNT: In compliance with a decree from Federal Judges, the

faculties and staffs of our schools in Bibb County will be completely integrated in a few weeks.

Integration of the races is not my main concern, but the power of a judicial system which can step in and completely disregard the only reason for the existence of public schools—the welfare and improvement of children.

The effective date of the ruling is Feb. 1. This is not the beginning of a school year, not even the beginning of a grading period, but the middle of a school term. The teacher in practically every grade in every school will be changed. These people are being forced to assignments that are not of their choosing and in many cases to positions that they are not qualified to assume.

The greatest losers are the children. No teacher will know what has been taught in the preceding five months before he or she took the class; yet, in just four months the new teacher will have the responsibility of either passing or failing the student.

The Supreme Court and their Federal Judges have issued this drastic edict to only the deep Southern states. If the idea is right and beneficial, it should be made to apply to all states in like manner or to none.

School systems have been taken out of the hands of the local people whose children are in these schools and who are most concerned and who provided the personnel and funds to operate them.

Let me urge you to do everything in your power to:

1. Return school systems to local control and prohibit Federal interference.

2. Provide strict non-discriminatory qualification tests to all teachers to assure quality education to all students.

3. Raise the standards and quality of education for all students, not to lower and down-grade some so that others may qualify.

Education in our state faces the most serious threat in our life time. We are deeply concerned and shall appreciate any assistance from you and the power of your elected office.

Very truly yours,
Mr. and Mrs. J. H. McKIBBEN.

MACON, GA.

Hon. JACK FLYNT,
House of Representatives,
Washington, D.C.

SIR: I am very much opposed to total and complete integration in the middle of a school year. I feel the children will be greatly harmed, both emotionally and educationally.

Since this is the feeling of the majority of your constituents, I am sure you will extend every means possible to prevent this.

Respectfully,
JEAN FORDHAM.

MACON, GA.

Representative JOHN FLYNT,
Washington, D.C.

DEAR SIR: The people of our county are very disturbed with the possibility of a pupil change taking place February 1, 1970. I would like to voice my opinion of the subject as a citizen and a parent.

Changing pupils from one school to another is very upsetting to a child, especially the younger ones. A fifth grade child on through high school can cope with new situations much better than a first, through fourth grader. These young children, become very attached to their teachers and to make a change in the middle of the year would destroy what a teacher has worked for four months.

I would like to express my strong opposition to busing. Busing would take more personnel to run the bus, more maintenance and therefore, more money to run them. This means that *we* the people who are already taxed excessively, would have to pay the price. Busing is totally against our rights. We are free and independent people and should be able to choose which schools our children attend.

Please use your influence to help us.

Very sincerely,
(Mrs.) JANET K. COLLINS.

P.S.—We want to return control of the schools to local government.

MACON, GA.

Hon. Representative JACK FLYNT,
House Office Building,
Washington, D.C.:

February 1st is the date our courts have ordered our children to merge with the negroes. The teachers have already been switched to give our children the unqualified negro teachers. Our white race will be demolished if this keeps up. We live one block from the boys and girls high school. Our 7th grade daughter has looked forward to walking to school with her friends for years. Now she must go to a Black Jr. High, almost 2 miles away. Is this discrimination? Yes! I am sick of the federal government ruling our lives. If I had the money I'd leave this country.

Can't something be done to restore our faith in the United States? Please don't let the Communist take over our country. Think of the people that depend on you; not just your own family.

Sincerely,
Mrs. B. D. DEBOSE.

MACON, GA.

DEAR SIR: I am writing in regard to the recent court decision to step up integration in Bibb County in Georgia.

The transfer of teachers and possibly children in the middle of a school year is the most ridiculous thing I have ever heard. This certainly says that education was not even considered when this decision was made.

I have 2 children and I work in the schools closely with PTA and other groups and I know what is happening to the education of my children. They are not getting one. I am really disappointed that I have not seen any of our State representatives taking a stand for education and on our freedoms which are being taken away. We are no longer a land with freedoms. I think it is about time that we begin to think and act on this issue to prevent this from happening.

Sincerely,
Mrs. JAMES F. LUMPKIN.

MACON, GA.

DEAR SIR: I was one of the silent majority until now.

Because I am very, very much concerned with the way my two children may be forced to lose one year of their education and lower their educational quality, I am writing you this letter.

For the sake of all children, all teachers and our current quality of education, I pray you will be able to lead the great leaders of our country to understand that our educational system must not be destroyed by mass transfer of children and teachers during a school year.

I believe the Bibb County Board of Education has shown that it is willing to cooperate 100% in every way in order for our educational system to perform a better job. The freedom of choice plan, under which the Bibb County schools are now operating, has gone a long way in achieving integration as desired by some.

I, for one, am not for forced integration, nor do I believe the majority, both black and white, are for forced integration.

Surely you, along with the other great leaders of this country, understand the hardships on all races, which will result if mass transfer of children and teachers is forced upon the southern schools in February 1969.

I ask of you, and the power under your control, to do something and do it now to prevent the destruction of our public school system.

Sincerely,
JAMES F. LUMPKIN.

MACON, GA.

Hon. JOHN J. FLYNT, JR.,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FLYNT: It is hard for me to sit here and visualize what has happened to the South and how it happened. I realize the communists are calling the shots and are destroying our public education system in Georgia. You and I know that the Communists have called the shots for fifteen years integrating the hospitals and schools and our representatives in Washington don't seem to be having much to say about it. I wonder why.

Why does the U.S. Supreme Court and HEW pick on the southern states when there are northern schools with less than 2% integration? We have 40, 48, and 58% negro children in white schools and HEW is not satisfied. They won't be satisfied until the white women and girls are sleeping with negro men and boys and vice versus. I wonder how long this is going on. You know and I know it is not here to stay! I don't believe it is, but it is high time the people of the South take a stand and stick to it.

The Supreme Court and HEW was not satisfied just to integrate the schools but now they are busing the children all over town—the white children to negro schools and the negor children to white schools just to force integration. I don't understand it. I am a southerner and will be a southerner until I die. It looks like to me the southern representatives could figure out some way to ease this terrible problem here. We went along with integration but now they have gone too far and are driving it in the ground and it is time something was done about it. It is a pity that a handful of men sitting on the Supreme Court can knock down all the laws of the land and force on the South what they have forced on us. This used to be a free country (so called) but the only people who have any freedom in this country now are Negro people. We have, to my knowledge since 1930, fed the negro, protected the negro and aided the negro in every shape, form and fashion and now they have taken our schools and destroyed our public education. The Supreme Court and HEW won't be satisfied until the negros and whites are sleeping together. Our Miller Senior High School for girls in Macon is integrated and HEW plans to make it and other high schools co-ed. White boys in the past were not allowed on the grounds of the school but now negro boys are loitering in the entrance doors and making immoral advances to white girls but the law enforcement officers say there is nothing that can be done about it.

In my opinion instead of our boys fighting communism in Vietnam they should be back home cleaning out the communists from Washington especially those in the Supreme Court and HEW that are calling the shots on integration of schools. The only integration we can live with in the South is Community integration. We cannot live with spiteful over run busing integration.

Sincerely,
W. C. COOK.

MACON, GA.

Hon. JOHN FLYNT,
House Office Building,
Washington, D.C.

DEAR SIR: I am writing to you in reference to this plan of 60–40% integration. I would like to know why colored teachers and white are being moved just because a group of men say they have to. They are satisfied just

where they are. The colored teachers do not want to teach in white schools and the white do not want to teach in colored schools. The colored children, with an exception of a few, do not want to go to school with the white children.

Why is all this being forced on us? What about the white childrens civil rights? Help the colored children yes, but don't hurt others in doing so. The colored children have nice schools, if not nicer than the whites. We're not complaining.

This country is taxed to death now, why should we pay taxes to support public schools, and pay teachers salaries when we have to end up putting our children in private schools. If we put our children in private schools and continue paying taxes, we are paying for the negroes to attend our schools. The majority of these negroes don't pay any taxes. Is this what you call a democracy?

I have 7 children. We have college facing us with the oldest in 3 years, the following year we will have 2, the following year 3 in college. I can not afford private schools, if I could, I would prefer for my children to be exposed to public schools.

You take our money and tell us what we can or cannot do! If we don't pay our taxes you come and take away our homes, etc. We are supposed to have freedom of speech. Do we have it? I feel that this is very similar to communism.

Yours truly,

Mrs. J. Ray Wilson.

Macon, Ga.

Hon. Jack Flynt,
House of Representatives,
Washington, D.C.:

Please do something about this mass transfer of teachers and students the middle of the school year. We have done all the courts and HEW have required so far, but this is too much.

Tom D. Clay.

Macon, Ga.

Dear Mr. Flynt: Our family has become very much concerned and alarmed because of the interruption of classes in our local schools that will occur as a result of recent Court rulings. These Court rulings order the transferral of teachers and students during the school term and will serve little purpose but to create confusion and chaos. In addition they will cause added expense for each pupil for new school practice work-books and supplies. It will tend to create insecurity in the children, especially those in the lower grades because they will not be familiar with the new teacher, and the class may be further advanced than the class from which the pupil transferred. It will place undue hardship and burden upon the teachers to have to acquaint themselves with a whole new class of pupils and find out the learning capacity and ability of each pupil.

We have three children that will be affected by the order. Our neighbors and friends that have children are equally alarmed over such a court order that shows unfairness to the majority, dictatorial characteristics, lack of understanding for the school teachers and children, and discrimination against those who want to maintain a freedom of choice in our public school system. Furthermore, why is the court ruling being enforced in *only five southern states?* We seem to have exhausted all our means of legally having a fair public school system when the courts refused to accept our "Freedom of Choice" plan presented by our local School Board of Education.

Many people in this area are so dissatisfied and disgusted with the recent court orders that we would rather face imprisonment rather than bow to the heavy yoke of dictatorial power. Some say they will even bear arms.

I appeal to you that we have too much to lose to let our system of public education be destroyed. I hope the gravity of this situation will be recognized and something will be done about it immediatley.

Yours very truly,

Oliver J. Mullis.
Julia A. Mullis.

Macon, Ga.

Congressman Jack Flynt,
10th District Representative,
Washington, D.C.

Dear Sir: My child is now attending an integrated school in our immediate community. As a parent, I am *much* concerned that my child may be forced to move to another school in the middle of the school year.

The Bibb County School Board of Education has proved that it is willing to cooperate with integration procedures, but I feel the Supreme Court's mandatory ruling that students be moved by 01 February 1970 is very unwise. Since much shifting around would be necessary to meet the required ratio, much of the school year's learning would be hampered because students would have to relearn their teachers and teachers would have to relearn their students, and many valuable school days would be lost in this process.

Also, who would pay for the transportation? Taxpayers, of course. But it seems so foolish to waste taxpayers' money in bussing students all around the city just for the purpose of meeting a required integration ratio. However, if it is necessary, it is unreasonable to even consider moving such a large number of students during a school term.

Furthermore, why can't teachers decide where they want to teach just as other people decide where they want to work? Is it constitutional to force these teachers *and* students to be where they don't want to be? It seems that such an undesirable situation would interfere with the teacher's ability to teach and the student's ability to learn. Then what would we have accomplished?

Please reconsider this situation and the effect it would have on many families.

Respectfully,

Caroline K. Muecke.

Macon, Ga.

Subject: Abolishment of freedom of choice plan and establishment of forced integration of southern schools.

Hon. Jack Flynt,
House Office Building,
Washington, D.C.

Dear Sir: I know I will have been denied my rights of liberty and justice guaranteed by the Constitution of the U.S., if the new ruling of integration laws are enforced as they now stand.

As a citizen of this great nation, I have always abided by its laws, but fully intend to do all I can, physically, mentally, and financially, to have this Communist influenced ruling abolished!!

I have one son in high school, another in our University of Ga. My oldest son is a graduate of the University of Ga.—School of Pharmacy and now operates his own drug store.

Were it not for our public education, these boys would, no doubt, not have a good education.

I am not against integration, but feel that any method, other than "Freedom of Choice," especially dictatorial integration, will destroy the free system of education in the U.S.

Please, Mr. Flynt, do what you can to help every citizen of our country!

With the enforcement of this new ruling, every law-abiding, God-fearing, American is being betrayed!!

Yours for Americanism,

Mrs. V. H. Brounlee.

Macon, Ga.

Hon. Jack Flynt,
House Office Building,
Washington, D.C.

Dear Representative Flynt: In December I wrote urging you to do what you could about the impending school integration in Bibb County. Now it is a reality!

It is hard for me to understand how intellectual men on the Supreme Court could disrupt a school year with this ruling. Integration, yes, but a few months could not make any difference. Especially since this has *not* been implemented in the *whole* United States of America. It is detrimental to both races—as school in general will be closed for several weeks to prepare for this. What else can I do but let you know how I feel!

Sincerely,

Mr. Fred M. Hill.

Macon, Ga.

Hon. Jack Flynt,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Flynt: The recent Supreme Court decision requiring implementation of full integration of the Bibb County School system by February 1 has had serious effects on the educational processes of our community. Some slight indication from you or a member of your staff of some interest in this matter will be greatly appreciated.

Yours very truly,

Fred J. Greene, Jr.

Macon, Ga.

Hon. John J. Flynt,
U.S. House of Representatives,
Washington, D.C.

Dear Sir: We are writing to ask you to please help us in our fight for our public schools.

We think everyone, regardless of race, should have the chance of an education if they so desire. We do object, however, to anyone being forced to attend schools against their wishes. The Supreme Court has taken away one freedom after another and now they tell us that no longer can we have the freedom of choice in our schools.

Please, Mr. Flynt, stand with many Georgians and help in anyway possible to give us the freedom of choice in our schools.

We elected men to go to Washington as our representatives, but now the voice of the majority is being pushed aside and the eight Justices are ruling all. No more do we have a "government of the people, by the people and for the people."

If you can give us any assistance please do so, and if we can help—we are ready.

Sincerely,

Mr. and Mrs. Charles Thomas.

Macon, Ga.

Dear Congressman Flynt: I am a student at Miller Senior High School in Macon, Georgia. I am very much concerned with the proposed transfer of teachers in mid-term. By this time of year the students have gotten to know their teachers and know what is expected of them. I feel that if this transfer is put into effect at this time that the students would be at a great disadvantage. I think it would do great harm to the students to have to adjust to an entirely different teacher when the school term is almost over. I hope that you can use your influence to delay this transfer until school is dismissed.

Sincerely yours,

Laura Johnston.

Macon, Ga.

Dear Sir: In regards to the case of Bivins vs. Bibb Co.:

As citizens of Bibb County we ask you to

let us continue our school term in order and peace. To change our teachers and students in mid-term, to disrupt our school year, cannot be the right way. We ask you to help all our students and teachers by allowing our Freedom of Choice plan to stay in effect until the fall term.

Thank You,

Mrs. SANDRA S. LOWE,
TOMMY LOVETT.

MACON, GA.

Congressman JACK FLYNT,
10th District Representative,
Washington, D.C.

Help!

I petition you that our rights are being taken away. The Supreme Court ruling on integrating schools is bringing down the quality of education and creating chaos and confusion in our every-day life. When we no longer have freedom of choice in our schools we are certainly loosing the very foundation upon which this great country was built.

Again I petition you to do what you can to return the freedom of choice that rightfully belongs to a citizen of a supposedly democratic nation with so-called democratic leaders.

An outraged citizen,

Mrs. W. R. WHITTEN.

MACON, GA.

Re Bevins vs. Bibb County.

DEAR SIR: We ask your help in keeping our schools as they are until the fall term.

We ask you not to move our students or teachers.

Yours Truly,

Mrs. EDNA C. SAKELL.

MACON, GA.

President RICHARD M. NIXON,
White House,
Washington, D.C.

DEAR PRESIDENT NIXON: As a parent and taxpayer I am very much concerned about the recent ruling of the U.S. Supreme Court, especially the mass transfer of both teachers and students during a school year. In addition to costing more money, mass transfer will create emotional problems for both students and teachers. For those students who are already having difficulty in school, this forced transfer will create even more emotional problems and will probably cause many students to fail this school year. Also, the expense of transporting students will fall directly on each individual family, an expense that most families cannot bear and which should not be required. A revised Senate version of Title IV of the Civil Rights Act of 1964 states that "no part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance." The recent ruling of the Supreme Court demands the exact opposite. Not only will students have to be bused but HEW is forcing some of the schools to close (two in Bibb County alone). Closing schools at a time when classroom space is urgently needed is not only stupid and idiotic but is extremely expensive—an expense which will fall back on the taxpayer in the form of additional taxes to build more schools. An additional tax increase at this time would be very unpopular.

It is my understanding that the Department of HEW presents a bill to Congress, Congress passes it, then the President signs it into law; if and when the law is contested (through channels) the U.S. Supreme Court interprets the law. In view of recent actions, the Supreme Court and HEW rule the nation. The Department of HEW has been allowed to make decisions, and demand that they be carried out, decisions which should have been approved or disapproved by the Congress. These decisions have been backed by the Supreme Court. It is time for the Congress to "apply the brakes" to the Department of HEW and the Supreme Court and take control themselves. I also feel that members of the Supreme Court should not be appointed for a lifetime.

We are already faced with a teacher shortage. If the present ruling is allowed to stand we are going to be faced with a much more severe teacher shortage than we now have. Freedom of choice for students and teachers is the desired and logical solution to our problem, not a dictatorship telling people which school their children will attend and telling teachers where they will teach. It is past time for the Federal Government to return management of sovereign state's rights to the states. If the Department of HEW and the Supreme Court continue to dictate to the people of this country and the Federal Government continue to withhold federal aid (aid which rightfully belong to each state) for the specific purpose of enforcing total integration, then we are no longer a free country.

Congress has the power to raise their salary, each state General Assembly has the power to raise salaries of various officials—a salary which is more than the average *husband and wife* receives in two years, sometimes three and four years; salaries which we, the working majority or "Middle Americans," are paying. It is past time for our leaders to assume their duties and earn their fabulous salaries by representing the people who put them in office. It is time for "people loyalty," not "party loyalty." Loyalty to the middle Americans who possess numbers in manpower, dollars, determination, desire, guts and knowledge when aroused to unite and defeat.

As a very concerned, tax paying, registered voting resident of this state, I insist that you also be concerned about this very serious violation of the civil rights of the students and teachers. I also insist that any and all decisions concerning integration be applicable to all fifty states. In fact, the Federal Government and the higher courts should practice what they preach—equality for all throughout the entire fifty states.

Concerned Middle American,

Mrs. HARVEY H. BECKER.

Congressman JACK FLYNT,
Sixth District Representative,
Washington, D.C.

LEADER: As an outraged American citizen I am writing in concern to the desegregation of students. This is a big step away from democracy and a big step towards communism. It takes away from the freedom that an American student used to have in choosing a place of education. I am a junior! I have worked 10½ years to graduate from an excellent institution of education with hopes of higher education. To be a senior! It must have really been a long time since you've had the pleasure of being one. The privilege of graduating with friends you've known for 12 years, but NOW to bused to another school, deprived of a proper educational foundation for college and most important the freedom of choice of an educational institution.

I petition you to vote against this act of insanity and prosecution of American citizens. As a supposedly democratic leader, working for more freedom for his so-called democratic nation, I am pleading with you to return freedom of choice to students and future students and give us a better chance in life!

I promise you, if something is not done, this nation will soon see problems of mass confusion, primitive education, and one more step towards the crack in the unity of this great nation!

An outraged and disappointed citizen.

DIANNE WHITTEN.

Mr. Speaker, I have received many additional letters on this same subject from each of the 16 counties in our district, but there is only one that I want to refer to in the context of my remarks at this time. One mother of six children in LaGrange, Ga., writes as follows:

I have six children of elementary and junior high school age. These six children, ranging in age from seven to fifteen, will soon be attending five different schools instead of the two schools which they are presently attending. My two oldest are boys, ages 14 and 15. The next one is a girl, age 13. The next two are boys ages 11 and 9, and the youngest is a 7 year old girl. These six children have been attending two schools, one of which is 0.7 miles and the other is 1.2 miles from our home. Under the plan of reassignment, instead of having to walk a total of 4.5 miles per day they will have to walk or be bussed 21 miles per day. Converting that to the present total of distances traveled per week the total distance is 22.5 miles. When they are reassigned the total distances traveled per week will be 105 miles. If they could continue to attend the schools they now attend all six children could walk to and from school. When they are reassigned five children will have to be transported on a school bus and the sixth will be entitled to it if desired because of the distance from home to school.

She continues:

My husband is presently serving in the United States Air Force in Southeast Asia and I am working to provide our family with the bare necessities of life. It is important to me for my children of the same age group to be assigned to the same school so that if one of them is sick or gets hurt in school the others could look after them until I can be notified.

My husband and I purchased a home convenient to an elementary and junior high school so that each child would be within walking distance of a school that they could attend. My youngest child, seven years old, under the new assignment plan will have to be transported the greatest distance of all. This child is very small for her age and is a very nervous child.

I fear for her safety and health in attending a school so far away from her older brothers and sisters who have looked after her since she started school.

Mr. Speaker, this is a representative case and there are many other similar cases of which I do not have direct knowledge. This situation described by a very concerned and worried mother shows how ridiculous this artificial pupil assignment system has become.

I have received many letters from other parts of Georgia. I think I have received a dozen or more from each of the other nine Congressional districts. In one instance from a city outside the 6th Congressional District, I have received hundreds of such letters but for the purpose of my remarks today I shall stay within the Sixth Congressional District of Georgia.

In addition to individual letters which I have received direct from the writer, I include as a part of my remarks, an open letter written to the editor of the Macon, Ga., Telegraph which I think deserves to be included with the other letters which I have received from Macon which have been specifically included as a part of my remarks today. This letter in its entirety is included at this point:

EDITOR, THE TELEGRAPH:

I believe many parents will agree with the thoughts expressed in the following letter, a

copy of which was sent to Chief Justice Warren Burger of the U.S. Supreme Court, and will express their own feelings:

I am a parent who faces having her three children lose a half year of education as well as incur a far reaching emotional upset because of a court ruling forcing our school system as well as other Southern systems to completely integrate faculty and students by Feb. 1, 1970.

Though an effort in our own county is being made to stay the student integration directive until September, it will be just as serious a mistake and educational backset to allow the teacher change in mid-year. My second grade child had an upsetting change of teachers last year, and my hope for restoring his educational progress lay in a year's continuous teaching from one person. Now his teacher is being taken away.

The edict handed down by the Supreme Court in 1954 has been a bitter pill for many Southerners to swallow, but our Bibb County System has made progress toward achieving its goal. Many parents have sought refuge in the private school, but I have believed strongly in public education, and have shown my support by sending my children to public schools, when changes have meant some lowering of educational standards. In my heart and intellect, I have realized that integration of the schools, in the long run, would mean a better and more productive society for America. I have been willing to do my part in helping to realize this goal.

Granted there are districts in the South, as well as in the North, which have dragged their feet and done nothing. However, it is unthinkable to me that in the ruling no consideration was given to the thousands of both black and white children who will suffer because of this mid-year change of teachers, simply because the court wanted to make a point. Is it worth the price many children will pay in this lost year, just to have total integration one half year sooner?

Our highest court of the land has men who are capable of using the highest and noblest exercise of intellect and spirit. It is my earnest plea that The Supreme Court will weigh carefully the benefits gained by one half year of integration against the harm done to thousands of children, and rule in favor of the children.

Mrs. KENNETH DUNWODY, Jr.

Mr. Speaker, there have been literally hundreds of other letters published in Macon newspapers and at the appropriate time I shall include some of these when I have additional remarks to make on this subject.

This ridiculous situation which is presently being experienced in Macon, Bibb County, Ga., is new and novel to my friends, the people of Bibb County. However, it is not new to me nor is it new to the people, the school boards and the school administrators, of counties like Spalding, Troup, Coweta, Fayette, Monroe, Lamar, Henry, Jones, and others not only in Georgia but in at least 10 other States.

Mr. Speaker, there was one case so flagrant and so utterly ridiculous that I think that it should be reviewed at this time in order to point out the stupidity and tyrannical oppression which HEW teams, and HEW officials in Washington and in the field have been both vicious and vindictive against local school systems.

One of their actions was inflicted upon the board of education and the superintendent of schools of Fayette County, Ga., over 2 years ago during the period of December 1967, through February 1968.

Briefly, the situation can be described as follows:

For a period of several weeks the Fayette County school system and the Office for Civil Rights of the Department of Health, Education, and Welfare had been negotiating on the questions of compliance or noncompliance with the guidelines isued by the Department of Health, Education, and Welfare.

The Fayette County Board of Education and the county school superintendent did everything in their power to cooperate with HEW officials. I had attended and participated in a number of the conferences which took place both in my office and in departmental offices. Never during the nine terms that I have served in Congress, indeed never in my life have I witnessed the arrogance, and abusive use of raw, naked power demonstrated by HEW officials in these conferences.

Mr. Speaker, for those of our colleagues whose school boards and school administrations have never been subjected to this kind of treatment by Federal bureaucrats, it may be necessary to explain the procedure and practices which the Department of Health, Education, and Welfare employs in harassing local school boards and school administrators. Among other things, these practices and procedures consist of a series of written notices and personal conferences during which efforts are made to reach an understanding. From the time the first written notice is given a deadline is set within which such an agreement must be reached or else all Federal school boards will be cut off from the local school district.

During the entire preliminary negotiations, I never saw local school officials cooperate more or work harder to reach agreement and come into compliance, than Superintendent Eugene Bowers and the five members of the Fayette County, Ga., school board. They are reasonable men, men of goodwill, men interested in public education of all children and all people regardless of race, creed, or color.

Just as they were approaching the deadline, the school superintendent and the school board reached a tentative decision to meet every demand laid down by the HEW officials. Law requires that this action be confirmed at an official board meeting which was already scheduled for the following Tuesday night.

Superintendent Bowers requested verbally, by telegram and by registered letter, an extension of 10 days within which time they would hold a meeting and confirm the tentative agreement which had been reached. In writing and by telephone I notified the Department of Health, Education, and Welfare, at the request of Superintendent Bowers and the board of education, that I joined in this request for a 10-day extension. The 10-day extension was properly granted by a person authorized to grant such an extension.

Without notice to me, to Superintendent Bowers, or to a member of the Fayette County School Board, the Director of the Office for Civil Rights, Department of Health, Education, and Welfare without cause or justification arbitrarily revoked the extension previously granted in writing.

On February 8, 1969, by unanimous consent previously obtained, I addressed the House of Representatives and read into the RECORD the events which lead up to this shocking breach of faith by the Director of the Office for Civil Rights of the Department of Health, Education, and Welfare.

Mr. Speaker, I include as a part of the RECORD at this point the remarks which I made in the House of Representatives on February 8, 1968, as they appear in the CONGRESSIONAL RECORD, volume 114, part 3, pages 2783–2784:

CONCERNING AN EXCHANGE OF CORRESPONDENCE BETWEEN THE OFFICE OF CIVIL RIGHTS OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, AND THE BOARD OF EDUCATION, AND SUPERINTENDENT OF SCHOOLS OF FAYETTE COUNTY, GA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. FLYNT) is recognized for 60 minutes.

(Mr. FLYNT asked and was given permission to revise and extend his remarks.)

Mr. FLYNT. Mr. Speaker, on yesterday, February 7, 1968, an occurrence took place, the substance of which I consider of sufficient gravity to inform the House of Representatives. In order to present this information in chronological order, it is necessary that we review some letters by dates, addresses, and signatures, and other letters in their entirety, which make up an exchange of correspondence between the Office for Civil Rights in the Department of Health, Education, and Welfare and the board of education and the superintendent of schools of Fayette County, Ga.

This series of letters which constitutes the exchange of correspondence began on or about December 7–8, 1967, when on December 7, 1967, Mrs. Ruby G. Martin of the Office for Civil Rights addressed a letter to the superintendent of schools, Fayette County, Ga.

On or about December 8, 1967, Mr. Lloyd R. Henderson of the same Office for Civil Rights in the Department of Health, Education, and Welfare addressed another letter on the same subject matter to Mr. A. Eugene Bowers, the superintendent of schools of Fayette County, Ga.

On December 29, 1967, Mr. A. Eugene Bowers addressed a letter to Mrs. Ruby Martin outlining apparent conflicts between the two letters written on successive days by Mrs. Martin and by Mr. Henderson. This letter from Mr. Bowers to Mrs. Martin asked for a clarification of an apparent conflict in the substance of two letters.

As near as I can tell there was no reply or response from any source to Mr. Bowers' letter dated December 29, 1967.

On January 26, 1968, Mrs. Ruby G. Martin addressed a letter to Mr. Bowers stating that in her opinion an impasse had been reached and that it would be necessary to issue a notice of deferral which would have the effect of deferring all funds for new programs and activities for the Fayette County school system.

Upon receipt of the letter of January 26, 1968, Mr. Bowers on January 29, 1968, again wrote to Mrs. Martin telling her that the purpose of his earlier letter was solely to request a clarification and that an effort would be made to comply with such letter upon receipt of the clarification.

On January 30, 1968, Mr. Bowers called me in my office in the House Office Building and told me what had taken place. He told me that the next regular meeting of the Board of Education of Fayette County would be on February 6, 1968, and that he would like for me to submit an urgent request for a delay

or extension in the issuance of the notice of deferral until February 15 in order that the board could approve or reject a plan which he would submit to the board and which he felt confident that the Department of Health, Education, and Welfare, and specifically the Office for Civil Rights would accept.

On that same date, January 30, 1968, my office called Mrs. Ruby G. Martin to request this extension until February 15, 1968. Mrs. Martin was not in her office on the 30th and we left word requesting that she call back. On January 31, 1968, she did call back; the message from Mr. Bowers was transmitted to her and she replied that she would be glad to grant an extension until February 15. Whereupon I asked her to notify Mr. Bowers immediately, and she did. The letter from Mr. Bowers to Mrs. Martin, dated January 31, 1968, and Mrs. Martin's reply dated February 2, 1968, are as follows:

"JANUARY 31, 1968.

"Mrs. RUBY G. MARTIN,
"Director, Operations Division, Office for Civil Rights, Department of Health, Education, and Welfare, Washington, D.C.

"DEAR MRS. MARTIN: This letter is to make further request for delaying any further action on your part until we can prepare and recommend a plan designed to accomplish the purposes of the Civil Rights Act of 1964 to the Fayette County Board of Education on Tuesday night, February 6, 1968. If the Board approves the plan we will forward same to you by February 15, 1968.

"We hereby request delay in any further action by your office until February 15, at which time you would have the opportunity to review the plan submitted for your consideration.

"Sincerely,

"A. EUGENE BOWERS,
"Superintendent, Fayette County Schools."

"FEBRUARY 2, 1968.

"Mr. A. EUGENE BOWERS,
"Superintendent, Fayette County Public Schools, Fayetteville, Ga.

"DEAR MR. BOWERS: Your letter of January 31, requesting a delay until February 15, of enforcement action against the Fayette County School System has been received.

Your request is granted, and we look forward to hearing from you by that date. If we can be of assistance to you and your board, do not hesitate to contact us.

"Sincerely,

"Mrs. RUBY G. MARTIN,
"Director, Operations Division, Office for Civil Rights."

On January 31, 1968, Mr. Bowers sent me a copy of this letter—same date—to Mrs. Martin attached to an original letter—January 31, 1968—addressed to me, as follows:

"FAYETTE COUNTY PUBLIC SCHOOLS,
"Fayetteville, Ga., January 31, 1968.

"Hon. JOHN J. FLYNT,
"U.S. House of Representatives,
"Washington, D.C.

"DEAR MR. FLYNT: Enclosed you will find a copy of a letter of this date to Mrs. Ruby Martin. You will also find a copy of a letter from Lloyd Henderson dated December 8, 1967 and a copy of a letter from Ruby Martin dated December 7, 1967.

"As you know from copies of previous correspondence, this is not the first time officials of H.E.W. have sent conflicting statements to us. The plan which Ruby Martin recommended would not be feasible inasmuch as facilities would not permit implementation of her plan. Space simply would not permit implementation of her suggested plan.

"We sincerely appreciate everything you are doing in our behalf. We will keep you informed on activity between the Fayette County School System and the bureaucratic Department of Health, Education, and Welfare, 'a part of the great society.'

"We appreciate very much your getting a delay in action by the Office for Civil Rights to bring about an immediate hearing until February 15. This will give us time to get approval for evening classes in Business Education for the remainder of this school term and also time to get approval for additional NDEA projects in the amount of $12,000 and for additional allocations in Title I funds for this term of approximately $5,000.

"Sincerely,

"A. EUGENE BOWERS,
"Superintendent, Fayette County Schools."

I especially call attention to the last paragraph of Mr. Bowers' letter to me dated January 31, 1968:

"We appreciate very much your getting a delay in action by the Office for Civil Rights to bring about an immediate hearing until February 15. This will give us time to get approval for evening classes in Business Education for the remainder of this school term and also time to get approval for additional NDEA Projects in the amount of $12,000 and for additional allocation in Title I funds for this term of approximately $5,000."

Mr. Bowers told me over the telephone that he planned to begin the evening class in business education on February 5, 1968—open to members of both races—in order to demonstrate his efforts at and accomplishment of integration of classes prior to February 15, 1968. This is evidence of good faith.

He also planned to use the additional NDEA projects to encourage transfers of students and faculty to participate in these new classes to be funded by NDEA funds. I have no information of the purpose for which the additional $5,000 in title I would be used.

The application on file for the funds for evening classes in business education states the urgency of beginning classes by February 5, 1968, in order to give a full semester credit for these courses to students in both high schools in Fayette County.

Mr. Bowers sent me a copy of his letter to Mrs. Martin and I assume he sent her a copy of his letter to me since both were written and mailed at the same time.

I received both letters on February 1, 1968, and I assume Mrs. Martin received both letters on the same date.

Mr. F. Peter Libassi and I discussed this in my office on yesterday, February 7, 1968, for approximately 2 hours.

Upon my arrival in my office on yesterday, February 7, 1968, my office received a telephone call from Mrs. Ruby G. Martin of the Office for Civil Rights in the Department of Health, Education, and Welfare stating that a telegram was being sent to Mr. Bowers, or had already been sent to Mr. Bowers, telling him that the extension or delay until February 15, 1968, has been revoked. We asked Mrs. Martin why the extension or delay was revoked in such a preemptory manner. Her reply was that HEW has revoked the delay heretofore granted based upon "concrete" evidence which they had received that the Fayette County Board of Education was not acting in good faith when the request for the delay was made.

The telegram dated February 6, 1968, to Mr. Bowers reads as follows:

"Information has reached our office which indicated that your request for a delay until 15 February 1968 in initiation of Title VI enforcement action by this Department was not made in good faith.

"Therefore, we have asked our general counsel to initiate enforcement action against Fayette County School System immediately. In addition final approval of any application filed with the Department for Federal funds for new programs and activities is hereby ordered deferred.

"Your state education agency is also being notified that commitment of Federal financial assistance for all new activities are likewise to be deferred.

"Detailed letter to follow.

"(Signed) F. PETER LIBASSI."

Immediately following the conversation with Mrs. Martin, we called Superintendent Bowers and told him the contents of the telephone conversation with Mrs. Martin. He replied, "Yes, I have already received that telegram." Among other things, the fact that Mr. Bowers had already received that telegram indicated without question that the telegram from Mr. Libassi had been dispatched to Mr. Bowers prior to the time that Mrs. Martin called my office to advise of the action of revocation which the Office had taken.

Mr. Bowers tells me that the facts are, that on Tuesday night, February 6, 1968, the Fayette County Board of Education met and approved the recommendation of Mr. Bowers, the superintendent of schools, for the further integration of students and faculty in three of the Fayette County schools and included a plan for the orderly integration of the remaining schools in Fayette County.

I immediately requested a personal conference with Mr. F. Peter Libassi, Director of the Office of Compliance, the Department of Health, Education, and Welfare, and he agreed to come to my office at approximately 2:45 p.m. the same date. Mr. Libassi did in fact come to my office at approximately 2:45 p.m. this same date, and stated, that while he ratified the decision, the decision had not in reality been made by him. He stated that Mrs. Martin made the determination and asked him to ratify it, which he did. He was asked by me what evidence he had to support his conclusion that the Fayette County Board of Education and the Fayette County school superintendent had not acted in good faith. He refused to state what this evidence was. He not only refused to state what the evidence was, he refused to state the source either by individual or by category of such information upon which he had relied.

He told me that he had been told by another person, who had been told by still another unidentified person, that the Fayette County Board of Education had acted in bad faith. This is hearsay and rumor in either the third or fourth degree. It is not factual and it is not evidence.

Upon this third- or fourth-hand report of rumor and hearsay evidence, he deliberately revoked an extension which he had previously granted in writing. Relying upon this written extension of time, the school superintendent and the Board of Education of Fayette County formulated a plan which by any reasonable and objective evaluation complied with all rules, regulations, guidelines, and laws under which the Elementary and Secondary Education Act is administered.

This unprovoked and unjustified action which was taken by Mr. Libassi impugns the character and integrity of Superintendent Bowers, each member of the board of education and, through them, the character and integrity of that county.

His action has nothing to do with the adequacy of the action taken by the board of education on February 6, 1968. It demonstrates his own bad faith and his own incredibility. He revoked his own previous action without either evidence or facts and solely on a conclusion.

The action taken by Mr. Libassi is unworthy of a Federal employee or official.

I call upon him to reinstate his and Mrs. Martin's letter of February 2, 1968, and to extend his apology to Mr. Bowers and the Fayette County Board of Education. In the absence of such reinstatement and apology, I call upon the President of the United States to order the immediate dismissal of Mr. F. Peter Libassi and Mrs. Ruby G. Martin.

As a result of this vicious and vindictive action by officials in the Office for Civil Rights, Department of HEW, the Fayette County Board of Education was forced into a protracted hearing at the cost of several thousand dollars which could have been better spent educating the children of Fayette County.

With the Fayette County case, it is my recollection that the final agreement reached extensive expensive litigation and hearings resulted in the same agreement and especially the same plan which had been reached without the necessity of burdensome expenses and protractive hearing procedures.

Throughout the period of the Fayette County negotiations and proceedings and throughout many other similar proceedings in hundreds of other cases, these unreasonable, unqualified, and inexperienced HEW officials who deliberately harrassed and attempted to embarrass and humiliate school administrators and school board members who were acting in every way to make the very best of a distasteful and disagreeable situation.

There is an old saying that time dims all memories, so in order not to trust my personal recollection of what happened thereafter in February 1968, I include as a part of my remarks at this point, press accounts as they were reported by objective reporters at that time:

[From the Fayette County News, Feb. 14, 1968]

HEW, CONGRESSMAN FLYNT AT ODDS OVER FAYETTE COUNTY SCHOOLS

Fifth District Congressman John J. Flynt Jr. has demanded that President Johnson fire the government's top two compliance officers if they don't delay action against the Fayette County school system.

In a speech Thursday on the House floor, Rep. Flynt said the compliance officers demonstrated "bad faith and incredibility" when they revoked a grace-period granted to the Fayette system and then declined to explain why.

The Congressman from Griffin said the Department of Health, Education and Welfare compliance chiefs should give Fayette County additional time to negotiate, or be "dismissed" from Federal service.

The charges were made against Peter Libassi, director of HEW's new office for civil rights, and Mrs. Ruby Martin, the agency's operations chief.

The two compliance officials ordered HEW's legal staff to begin immediate enforcement proceedings against Fayette County's board of education Wednesday after revoking a previous two-week postponement. Earlier, HEW had granted the local system until February 15 to meet the compliance regulations, but rescinded its delay order, charging that Fayette County's request for more time was "not made in good faith." Originally, Mrs. Martin had written a letter to Fayette Superintendent A. Eugene Bowers which stated, in part: "We feel that we have exhausted our efforts to help you comply with the requirements of Title VI of the Civil Rights Act of 1964. There seems to be no way to overcome the impasse. Under the circumstances, we have no recourse but to recommend that your district be offered an opportunity for a hearing."

Following receipt of this notice local school officials requested a delay in enforcement proceedings until February 15. On Tuesday night, February 6, the Fayette County Board of Education took action relative to desegregation in the Fayette County School System as pertains to the 1968–69 school term.

On the morning of February 7, Supt. Bowers received the following telegram from Mr. Libassi: "Information has reached our office which indicates that your request for a delay until February 15 in the initiation of Title VI enforcement action by this Department was not made in good faith. Therefore, we have asked our general counsel to initiate enforcement action against the Fayette County Schools System immediately. In addition, final approval of any applications filed with the Department for federal funds for new programs and activities is hereby ordered deferred. Your state educational agency is also being notified that commitments of federal financial assistance for all new activities are likewise to be deferred. Detailed letter to follow."

Following receipt of the telegram, another HEW official called the Fayette County School Superintendent by phone asking him whether the board adopted a plan and if so the details of the plan. The Superintendent stated, in essence, in his reply that he did not feel that the matter could be discussed over the phone adequately. He also advised the HEW official that, in his view, he had been indicated as having acted in bad faith in requesting the delay of enforcement proceedings, and until the telegram sent by Libassi is revoked, he sees no need to discuss the plan any further. The HEW official continued to question the Superintendent, but Mr. Bowers advised the HEW official that he had no further comment to make at this time.

The HEW official stated that he would take the matter up with Mr. Libassi and see "where we go from here." The Superintendent replied that would be fine for him to do that.

During the course of developments, the School Superintendent was in contact with Senator Talmadge, Congressman Flynt and Senator Russell's office.

Congressman Flynt, on February 8, entered the entire proceedings in a speech lasting sixty minutes in which Congressman exposed the entire situation. His speech was entered into the Congressional Record on February 8, 1968. The Congressman also released to the press his records on the matter. He advised the School Superintendent that he is demanding that Mr. Libassi retract the telegram lifting the deferral and that he also apologize to the Fayette County Board of Education and the Fayette County School Superintendent A. Eugene Bowers.

Flynt said that in a conference Wednesday he had asked Libassi to tell him what evidence HEW had to substantiate its charges, but was told only that the agency's grounds were "irrefutable."

"He lied to me right in my office," Flynt charged in an interview later. "He told me he had complete evidence, but then could not produce any."

According to the Congressional Record of the U.S. House of February 8, Mr. Libassi, upon request by Congressman Flynt, went by Mr. Flynt's office for a conference. The Record of the House reports: Mr. Libassi stated that while he ratified the decision (to revoke the delay granted to Fayette County), the decision had not in reality been made by him. He stated that Mrs. Martin made the determination and asked him to ratify it, which he did. He was asked by Mr. Flynt what evidence he had to support his conclusion that the Fayette County Board of Education and the Fayette County School Superintendent had not acted in good faith. He refused to state what this evidence was. He also refused to state the source either by individual or by category of such information upon which he had relied.

He told Congressman Flynt that he had been told by another person who had been told by still another unidentified person, that the Fayette County Board of Education had acted in bad faith. Mr. Flynt stated that this is hearsay and rumor in either the third or fourth degree. "It is not factual and it is not evidence," Flynt stated further.

Mr. Flynt said that upon this third-or-fourth hand report of rumor and hearsay evidence, Libassi deliberately revoked an extension which he had previously granted in writing . . .

Libassi, contacted by reporters Thursday, declined to comment on Flynt's demand that he be fired, but re-affirmed HEW's contention that there was "evidence" that Fayette was not acting in good faith.

"The evidence we received," he said in an interview, "indicated the board has no intentions of adopting HEW's recommendations and was only going to use the delay to get approval for more funds."

The compliance chief refused to say what kind of evidence his agency had, but said it was "direct and substantial, such that any responsible federal official would have taken this action."

He said HEW "chose not to disclose the nature of the evidence just now because it was received inadvertently and some innocent people might be affected if it were revealed."

The HEW enforcement director said, however, that if the school board wanted to refute the agency's charges, it could submit a new desegregation plan immediately for compliance officers' examination.

"We are ready to re-open negotiations at any time,' Libassi said. "If Fayette County acts now, it can go on without losing a single dollar in federal funds."

In his speech to House members, Flynt said HEW had revoked the grace-period "without either evidence or facts, and solely on a conclusion."

He termed the HEW action "unprovoked and unjustified" and said it "impugned the character and integrity" of Fayette School Superintendent Eugene Bowers.

Flynt said the HEW telegram revoking the grace-period arrived in Fayette County "just as the school board was meeting to make plans to further integrate" three local schools.

He charged the agency's action was "unworthy of a federal employee or official."

The HEW proceedings now place Fayette in line for a cutoff hearing, and deferment of funds for new projects to the local school system.

Flynt said he thought Libassi owed the school district "reinstatement and an apology."

Barring that, he said, "I call on President Johnson to order the immediate dismissal of Mr. Libassi and Mrs. Martin.

On Monday morning, February 12, Superintendent Bowers received a letter from Mr. Libassi confirming the telegram which had been sent revoking the fifteen day extension and confirming that any new projects involving federal funds are deferred. Though Mr. Libassi referred to a hearing, he did not set a date for the hearing.

The Superintendent has not released the action taken by the board relative to action for desegregation for 1968–69 school term. He feels that the telegram sent by Mr. Libassi should be revoked and that an apology should be made by Mr. Libassi prior to releasing a plan. He said that Mrs. Martin and Mr. Libassi are completely in the wrong in revoking the delay before the fifteen day period was up. Mr. Bowers said he knows of no real evidence which HEW officials have that would justify such action, and he has not been advised of such evidence by HEW.

[From the Atlanta Journal, Jan. 14, 1968]

FACULTY AT ALL-NEGRO SCHOOL PROTESTS FAYETTE AID CUTOFF

(By Wayne Kelley)

WASHINGTON.—The faculty of Fayette County's only school with an all-Negro student body has issued a strong protest against federal action to cut off funds to the local board of education.

The protest from teachers at the Fayette County Training School was sent to Peter Libassi, director of the office of civil rights in the Department of Health, Education and Welfare (HEW).

Mr. Libassi last week ordered immediate action against the Fayette County Board of Education for alleged noncompliance with federal school desegregation guidelines. Funds for new programs were deferred Monday.

The move by Mr. Libassi cancelled an extension until Feb. 15 for consideration of the Fayette County board's desegregation plan. The civil rights director said he had "evidence" the Fayette board was only using the delay to obtain more federal funds.

But the faculty of the Fayette County Training School, 20 Negro teachers and four white, met last Friday and voted to register their position to the federal compliance action.

In a telegram to Mr. Libassi, signed by Principal R. J. Rowe, the faculty members claimed "the school board has made every effort to encourage students to involve themselves in integrated programs."

Mr. Rowe, a Negro, said Wednesday in a telephone interview that he does not know of a single Negro pupil who has been denied an opportunity to attend a white school.

"As far as I know, every child who has wanted to go has gone," Mr. Rowe said. "Things have been working very nicely."

The principal said he sent the telegram to Washington after the faculty voted unanimously in favor of the message. "Only one teacher was not for it, and that was because of doubts it would do any good," Mr. Rowe said.

The Fayette school system stands to lose an estimated $70,000 in federal funds if HEW wins its case.

In the telegram, the training school faculty asserted that "children can go to any school, regardless of their color, in Fayette County."

Faculty members said they were "shocked" by HEW action and said the school board members have been working around the clock to create a better school system for all the children of Fayette County.

The teachers asked that the action against the county school board be lifted. Mr. Rowe said he had not received a reply as of Wednesday morning. Mr. Libassi was not immediately available for ocmment in Washington.

According to HEW records, Fayette County had about 6 per cent of its Negro students in desegregated classes in 1967 and anticipated an increase to 7.1 per cent in the current year.

Four white teachers are on Mr. Rowe's staff at the Fayette County Training School and two Negro faculty members are in predominantly white schools. There are five schools in the county.

[From the Atlanta Constitution, Feb. 10, 1968]

TIME TO COOL IT IN FAYETTE

To say that tempers sometimes flare during negotiations between Southern school officials and desegregation compliance officers of the Department of Health, Education and Welfare is, of course, an understatement.

Negotiations in Fulton County degenerated into a name-calling contest recently, but at last reading things were straightened out. Now we have another flare-up, this one involving Fayette County schools, and the name calling was heard on the floor of the House in Congress.

Rep. John J. Flynt, Jr., whose district includes Fayette, charged that a HEW official "lied" to him about reasons for revoking a two-week grace period granted Fayette schools to meet desegregation requirements before facing a hearing to determine whether federal funds would be cut off. He demanded that the official, chief enforcement officer F. Peter Libassi and another HEW compliance officer be fired if the grace period is not reinstated.

It is not yet clear what Mr. Libassi said that so outraged Rep. Flynt. Presumably the reasons for revoking the grace period would be fully aired at the cutoff hearing. But if HEW figures are correct—that 93 per cent of the Negro pupils in Fayette County are attending segregated schools—school officials there have been dragging their feet in complying with the 1954 court ruling requiring "all deliberate speed" and the various desegregation laws and regulations promulgated since that ruling.

Furthermore, Mr. Libassi says that HEW is "ready to re-open negotiations at any time," adding: "If Fayette County acts now, it can go on without losing a single dollar in federal funds."

It would appear that now is the time for everyone concerned to calm down and to stop calling names and demanding scalps. It is time to start desegregating Fayette County schools and get on with the job of educating children.

YOU OWE FAYETTE COUNTY AN APOLOGY, MR. ATLANTA EDITOR

In the thinking of the editors of the Atlanta Newspapers, the perfect kind of government comes solely from that mecca on the Potomac River, Washington, D.C. They make no mistakes.

And viewed from Atlanta, the perfect respect toward Washington, D.C., and the federal government, is to have the citizens of the land get down on their knees three times a day, face D.C., and bow as long as they must to get the proper feeling of penitence. They don't necessarily have to say, "Allah!", but if they said "LBJ" it would help.

We get this idea from the editorial of Saturday's Atlanta Constitution concerning our school situation in Fayette County. We're about to be cited by the Department of Health, Education and Welfare, along with a score or more of other Georgia counties, about not integrating our schools fast enough.

Some little editor, hovering over Secretary of State Dean Rusk's phrase to "cool it" in fear that some other associate might steal it from him, rushed to use that phraseology in advising Fayette officials as to how they should receive Washington's words. Kind of equating those of us in Fayette County with the North Koreans, no doubt, since naturally we'd have to be wrong if Washington said so.

But the little editor did not take the trouble to check his news release from HEW, he naturally assumed they were right. He didn't talk to anybody from Fayette County. We happen to have other information as well as that from HEW.

E. Peter Libassi, of the Civil Rights Section of HEW, says our school board acted in "bad faith" and thus is going to get its federal funds cut off. His example of "bad faith," we learn from Congressman John J. Flynt's office, is a letter written by Supt. A. Eugene Bowers in which he (Bowers) thanked Flynt for an earlier delay in these citation proceedings, allowing Fayette County to get some federal money and start some new school programs, including night classes.

Libassi, it seems, assumed that this was all we were interested in—getting federal funds—and thus is revoking the delay period, calling the Fayette school board liars, in effect, and assuming "I'll show you by cutting off your money."

Libassi and Mrs. Ruby Martin, his associate who recommended the cutoff, should be fired, as Congressman Flynt demands. They do not have the perspective to deal with school integration matters.

Fayette County has worked school integration to approximately seven per cent. Atlanta and Fulton County have worked to about three to four per cent. Alabama's school integration is practically nil. Who's losing the funds? Naturally, Georgia. And Fayette County.

Fayette uses the freedom of choice plan of integration. In other words, a pupil, Negro or white, can go to any school in the county he so desires. The first year Negroes went to school with whites here, seven integrated the white schools. Then the number jumped to 40 the next year. This third year there are 51, and there would have been 64 except that 13 Negro students "chose" to leave the white schools and go back to the Negro school.

The Board of Education is working on a plan to integrate all of the schools, "in good faith," by eliminating the dual system by 1969—as ordered by the HEW. Did HEW take the trouble to wait until this local plan could be worked out this year? No, they didn't. They wanted it immediately.

HEW didn't know that bonds had to be voted and issued, a new school unit built at Peachtree City which is planned for full integration of pupils and faculty with no distinctions, and a new school built on Hood Avenue. And a revamping of Fayette Schools, under a plan recommended by a Georgia study group, would have eliminated the dual system in one swoop. Since there are only 600 Negro pupils of the total 2,600, and the percentage decreasing every year, the integration problem of schools is not as great in Fayette County as it is in many other counties. We'll soon have only a relatively small percentage of Negro pupils.

Knowing full well that most in Fayette County hold to the old traditions of segregation, school officials have gone slowly. But they, and all of the citizens, have determined that nothing, repeat nothing, would disturb the friendly relations between the races which have prevailed here for so many years. Law enforcement officials have been doubly vigilant to see that no "incidents" mar this record.

We believe Fayette Countians have performed their end of the bargain with fine speed, and in "good faith." But HEW and Washington's bureaucrats have not. Now, Fayette school officials are playing a waiting game. We don't blame them. Who knows what transpires in the heads of those bureaucrats.

Under the circumstances it is Fayette County which is playing it "cool."

Our officials are honorable people. They will do what is right. But they don't necessarily feel that a view from Washington is necessarily "the word" from on high.

We're calm in Fayette County, Mr. Atlanta Editor, "cool" no less. But we can understand your dither because the word from Washington changes from day to day, and it is awfully hard for you to know where you stand.

Now if you in Atlanta and Washington will just keep your mouths shut, or "cool it," we'll proceed to build a first class school system like we've been planning in the last few years, no thanks to you.

FEDERAL COMPLIANCE OFFICERS CONSIDER APOLOGY TO FAYETTE

(By Art Pine)

WASHINGTON.—Federal compliance officers were reported Wednesday to be considering making a public apology for having charged that a Fayette County request for a grace period was "not made in good faith."

Capital sources said the prospect was discussed and considered seriously at a secret meeting held at the White House late Tuesday, but no further action has taken place.

The sources said that Wilbur Cohen, undersecretary of Health, Education, and Welfare, asked at the meeting whether an apol-

ogy would "satisfy everybody" in the controversial desegregation case.

F. Peter Libassi, director of HEW's office for civil rights, declined to comment on the report, but admitted that Cohen was being kept "fully informed and briefed" on the controversy.

It was not disclosed what other officials attended the White House meeting on the case Tuesday afternoon. Cohen is widely known as HEW's operating director and top troubleshooter.

The report of the meeting was the latest development in the four-day-old feud between HEW's compliance agency and Fayette officials over the district's request for a delay in enforcement action.

Libassi said Friday the agency had revoked a 15-day grace-period it originally granted the district on grounds that the request was "not made in good faith."

The compliance chief said then his agency had "evidence" that Fayette officials were only trying to use the grace-period to get additional projects funded before deferral action took effect.

But he declined to divulge what the evidence actually includes—and still refuses. The action brought on a call for his dismissal from Rep. John J. Flynt Jr., D-Ga., and a storm of controversy.

Meanwhile, the principal and faculty of the mostly Negro Fayette County Training School sent a telegram to Libassi's office requesting that he reinstate the grace period, due to expire Thursday.

In the telegram, signed by R. J. Rowe, principal of the school, the faculty members asserted that the school board has made "every effort" to encourage students to take part in integrated programs.

Libassi acknowledged that HEW had received the telegram, but said the agency would not go back on its decision to begin legal action against the district.

"All this is distracting the issue," Libassi said of the storm over his earlier charges. "No one is questioning the integrity or character of the school officials—that's not the issue."

"The only real question," he said, "is whether 93 per cent of the district's Negro pupils are attending segregated classes—and the answer to that one is 'yes.' "

The HEW official said the school district can "reopen the matter anytime" by submitting a desegration plan his agency finds acceptable. "It's all up to them," he added.

Meanwhile, Georgia sources said they thought Libassi's "evidence might comprise a letter from Fayette School Superintendent A. Eugene Bowers to Flynt, which the congressman released Friday.

In the letter, Bowers admitted the district wanted its 15-day grace-period to "get approval for . . . additional NDEA projects in the amount of $12,000 and . . . Title I funds for . . . approximately $5,000."

But Flynt said Bowers told him in a telephone conversation the district planned to use the additional federal funds to accomplish "demonstrations" of its intent to desegregate.

Presumably, federal officials feared that if the district received approval of the additional funds before the end of the grace-period, it would take away some of the "bite" from HEW action.

HEW APOLOGIZES, STILL PUSHES FAYETTE

WASHINGTON.—Federal compliance officers Thursday apologized for charging that the Fayette County school board acted in bad faith, but declined to delay enforcement action against the district.

But Rep. John J. Flynt Jr., D-Ga., who has represented the school district in its dispute with the Department of Health, Education and Welfare, refused to accept the agency's demands.

The HEW apology came in a letter written to Flynt on Wednesday by F. Peter Libassi, director of the department's new office for civil rights.

In a three-paragraph letter, Libassi formally apologized for any remarks which may have "impugned" the character of Fayette officials, and urged the district to get on with desegregation.

The civil rights chief told Flynt it was not his intention to challenge the integrity of local officials last week when he revoked a 15-day grace period HEW had granted on Feb. 2.

"I want you to know that such was not my intention," Libassi said, "and that if anyone has taken my remarks in that light, I wish to extend to them my sincere apology and regrets."

Libassi also invited Fayette officials to submit a new desegregation plan for HEW review.

"Should an adequate desegregation plan be submitted," he wrote, "the enforcement proceedings would be terminated, and deferral of approval of applications for new funds would be immediately lifted."

The agency apology was made in response to objections by Flynt last week to an HEW telegram charging that the district's request for a grace period "was not made in good faith."

In the telegram, which revoked the 15-day delay and announced the beginning of enforcement proceedings against the district, Libassi alleged Fayette was using the delay to get more federal funds.

But the compliance chief refused to say what evidence he had to back up his charges—a factor that prompted Flynt to call for his immediate dismissal.

The grace period was to have expired on Wednesday.

In a letter rejecting Libassi's apology, Flynt said Thursday the HEW statement "in no way clarifies" the agency's action in revoking the 15-day grace period.

"Your charge of bad faith is still outstanding," Flynt wrote to the compliance chief, ". . . there can be no meaningful evaluation . . . of any plan by your office as long as your charge is outstanding."

Flynt told Libassi that the remarks contained in the HEW telegram "certainly impugns" the character and integrity of Fayette school superintendent A. Eugene Bowers and the local school board.

[From the Griffin Daily News, Feb. 16, 1968]

HEW APOLOGIZES TO FAYETTE SCHOOL BOARD

WASHINGTON.—Federal compliance officers from Health, Education and Welfare (HEW) apologized Thursday for charging that Fayette County school board acted in bad faith. But the federal officials would not delay enforcement of action against the school district.

F. Peter Libassi, director of the HEW civil rights office apologized to Fayette school officials in a letter to Rep. John J. Flynt, Jr., who had represented the school board in its dispute.

Fayette is in Rep. Flynt's Sixth District.

Libassi apologized for any remarks which may have "impugned the character of Fayette officials and urged the district to get on with desegregation.

He invited Fayette officials to submit a new desegregation plan. Should an adequate plan be submitted, the enforcement would be ended, he said.

In order to make it eminently clear that what took place did not involve a local conflict between races and that this was not and is not a racial issue, I include at this point a copy of a telegram sent by Mr. R. J. Rowe, principal, Fayette County Training School to the Office for Civil Rights, Department of Health, Education, and Welfare which is elsewhere referred to in one or more newspaper accounts. Mr. Rowe's telegram follows:

MR. LIBASSI, MRS. RUBY MARTIN,
Office for Civil Rights, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MRS. MARTIN AND MR. LIBASSI: I am a Negro and principal of Fayette County Training School, Fayetteville, Georgia. This telegram is sent to you at the request of the faculty of the Fayette County Training School. We feel that you have not been told the entire truth about the actions taken by the Board of Education of Fayette County, Georgia, to integrate our three white schools and one Negro school in Fayetteville, Georgia. We were shocked when we discovered that HEW had withdrawn Federal Funds to our school system. We were also disillusioned that they placed a charge of dishonesty against our present school board and its superintendent, because we know that they have been working around the clock to create a better school system for all of the children in the Negro and white schools. At the present time we have two Negro faculty members in the white schools, and four white faculty members in the Negro school. This has been most satisfactory to the entire school program. Children can go to any school regardless of their color in Fayette County. As a matter of fact, the school board has made every effort to encourage students to involve themselves in an integrated program. For instance, we have some Negro children who do not desire to take all of their subjects at the white high schools so they are transported from the Negro school to the white school to take the subjects they desire to take there. We request that the two-weeks postponement of taking any action against our schools be postponed for two weeks as we understand you had determined at first. We further request of you most urgently that you do not deprive our schools of Federal funds and that you send your investigators here to talk with individual students and their parents who are all happy with the activities and attitudes of the Fayette County Board of Education toward integration.

R. J. ROWE,
Principal and Faculty, Fayette County Training School.

Mr. Speaker, I shall have more to say on this subject at a later date.

Mr. CHAPPELL. Will the gentleman from Georgia yield to me?

Mr. FLYNT. I gladly yield to the gentleman from Florida.

Mr. CHAPPELL. Mr. Speaker, the people in my district are sick and tired of being the whipping boy of the Supreme Court and the Health, Education, and Labor Department.

During the past few weeks, I have rereceived several thousand letters, telegrams, petitions, and phone calls from residents of the Fourth Congressional District, protesting the use of busing as a means to achieve the racial balance which the Court and HEW feel is desirable.

The 1954 Supreme Court decision had the effect of making it unconstitutional to assign a child to a school because of his color. But the more recent decisions now are forcing school systems to assign solely on the basis of color. This is a complete reversal and children of every race and creed are being made to pay.

We all are upset, Mr. Speaker. We have, in one Court decision, lost another very vital and precious right—the right of neighborhood citizenry to have control over their schools. The Court's rulings have now reached a ridiculous

plateau and in so doing will destroy the neighborhood school and impose undue hardships on parents and children.

I long have opposed unreasonable busing. During my 12 years in the Florida Legislature, I continually spoke out against school consolidation when this required cross-busing of students. I oppose busing to achieve a racial balance.

Since coming to Congress more than a year ago, I have supported legislation which would prohibit busing to achieve racial balance. But, as is so often the case, the South stands virtually alone and we were outvoted.

In order to counteract this latest courtroom folly, I have introduced constitutional amendments—House Joint Resolutions 1054 and 1055—which will allow freedom of choice in school attendance. These amendments will make it unconstitutional for the U.S. Government to deny freedom of choice to any parent in the selection of a school for his child "directly or by means of a condition to the receipt of Federal degree of racial balance."

Mr. Speaker, I respectfully urge the Members of Congress to support these amendments so that we can return this right to our people where it belongs.

A SUMMARY OF THE FIRST SESSION, 91ST CONGRESS

The SPEAKER pro tempore (Mr. HOLIFIELD). Under previous order of the House, the gentleman from New York (Mr. ADDABBO), is recognized for 30 minutes.

Mr. ADDABBO. Mr. Speaker, it is an honor to represent the Seventh Congressional District, Queens County, N.Y., and a privilege to serve in this, my 10th year in the House of Representatives.

As previous reports during my tenure, this report to my constituents on the activities of the first session of the 91st Congress is reprinted at my own expense and sent to each household in the Seventh District. The purpose of the annual report is twofold—to cover highlights of the preceding year and to stimulate comments on what priorities should be assigned in the year ahead. The December adjournment has again resulted in the lateness of this report.

The 91st Congress has shown a keen interest in rearranging our Nation's domestic goals. The battleground in the Congress for establishing new priorities has been the Appropriations Committee, on which I serve. During the past year I have been privileged to participate in a number of far-reaching decisions on where to reduce spending and where to increase Federal activities.

DEFENSE SPENDING

Perhaps the most significant action taken by Congress in 1969 was the $5.2 billion cut in defense spending—the largest reduction in the military budget since the end of the Korean war. With the Defense Department budget now just below the $70 billion level, we can expect Congress to look for additional areas where military spending can be reduced. As a member of the Defense Appropriations Subcommittee, I supported these cuts in nonessential defense programs and anticipate further reductions next year, particularly in personnel levels at overseas bases.

EDUCATION

While this was certainly an economy-minded Congress, it also was a concerned Congress. As military spending was reduced, the first session voted to increase the appropriation for education programs by more than $1 billion. The Presidential veto has delayed approval of this increase but the controversy demonstrates that Congress expects to take the initiative in deciding which domestic programs should be stressed in the next year.

THE ENVIRONMENT

As U.S. involvement in the Vietnam war began to decline, many distinguished citizens and public officials urged that antipollution programs be given a high priority in the battle over available public funds. Congress responded by approving the creation of a Council on Environmental Quality to advise the President. In addition, Congress voted to spend over three times as much as the President requested to combat water pollution. In the next few years we will have to make important decisions on how we plan to protect our resources from threatened destruction and how we can improve the quality of our life. A primary concern must be the clearing and restoration of Jamaica Bay and Rockaway Beaches.

AVIATION

I voted against the appropriation for development of a supersonic transport for a number of reasons, among them the lack of knowledge about sonic boom and noise control; the potential cost of the program, and the failure of proponents of the SST to justify the economics of building a huge aircraft which cannot fly overland because of the boom problem.

I will continue to press for answers to these problems before additional funds are spent on the SST.

During 1969, I was also disappointed by the apparent unwillingness of the Federal Aviation Administration to enforce the Aircraft Noise Abatement Act of 1968, which I cosponsored. The FAA did issue its first regulations establishing maximum noise levels but all existing aircraft were excluded. In addition the FAA applied milder standards to aircraft under construction including the 747's.

A growing number of Congressmen have become aware of the seriousness of the aircraft noise problem and I hope that in 1970 the FAA will respond to the intent of Congress in authorizing Federal noise standards for aircraft. As a sponsor of the 1968 Noise Abatement Act, I will continue to prod the FAA and to work with my colleagues in the House who share the concern of my constituents.

In the New York-New Jersey area the selection of sites for fourth and fifth jetports remains an unresolved controversy. I have discussed the situation with Secretary of Transportation John Volpe on several occasions and have urged him to use the influence of his office to help settle the dispute which has caused an air transportation crisis. If State officials cannot find an acceptable site for at least one new jetport, then I believe Federal legislation will be necessary to construct a facility to accommodate increasing traffic and relieve congestion in the airways.

SOCIAL SECURITY

As the first session ended, Congress voted a 15-percent increase in social security benefits—5 percent more than the President requested. I will press for the enactment of the social security reform which I have introduced which will give realistic increases including automatic cost-of-living increases and proper and fuller coverages.

POVERTY

Congress extended the authority of the Office of Economic Opportunity for 2 years but reduced the appropriation for the antipoverty program to $1.9 billion.

HOUSING

Congress approved a $4.7 billion housing package which will provide increased low- and middle-income housing, Government-backed housing insurance, model cities, rent supplements, and neighborhood development.

HUNGER

Congress increased from $280 million to $610 million funds for the food stamp program. In addition funds are being made available to provide free meals to needy children. I believe there must be a complete reform of our welfare systems.

FOREIGN AFFAIRS

In 1969, the United States began to withdraw its troops from South Vietnam under a policy of "Vietnamization." Serious questions remain about the speed of future withdrawals, and lack of any progress at the Paris talks. I believe the American people will insist on a steady disengagement and we can only hope that obstacles will not be placed in the way of this scheduled withdrawal.

An important development in our foreign policy was the approval of a resolution by the U.S. Senate expressing the opposition of that body to future commitment of U.S. troops overseas without the approval of Congress.

As the session ended the situation in the Middle East threatened to explode and chances for a lasting peace in that troubled area seemed to be as slim as ever. I have pressed for direct negotiations between Israel and the Arab nations.

THE ECONOMY

Tax reform and inflation led the economic developments of 1969. Congress did not wait for the new administration to propose tax reform. The legislative branch took the initiative and passed a broad reform bill which plugged a number of loopholes and gave some relief but not enough to middle- and low-income taxpayers. The oil depletion allowance—most often cited tax loophole—was reduced from 27½ to 22 percent. The $600 personal tax exemption was increased to $750 over a 3-year period. I will continue to press for increased personal exemption, tuition allowances, transportation cost deduction.

Inflation continued to place economic pressure on middle- and low-income taxpayers, particularly those living on fixed

incomes. The tax surcharge which I opposed is due to expire the end of June, has failed to halt inflation and some economists are predicting continued inflation and a recession. This may well be one of the most serious problems we will face in 1970.

The budget for 1969–70 is as follows:

COMPARISON OF NIXON ADMINISTRATION BUDGET REQUESTS AND ACTION BY THE 91ST CONGRESS, 1ST SESSION—FISCAL YEAR 1970[1]

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	Total Nixon administration budget requests submitted to Congress	Amounts appropriated by Congress	(+) or (−) Congress amounts compared with Nixon budget requests
Bills for fiscal 1970:			
1. Treasury-Post Office (H.R. 11582) (net of estimated postal revenues appropriated)	$2,314,714,000	$2,276,232,000	−$38,482,000
(Memorandums: Total, including authorizations out of postal funds)	(8,821,727,000)	(8,783,245,000)	(−38,482,000)
2. Agriculture (H.R. 11612)	7,237,562,050	7,488,903,150	+251,341,100
3. Independent offices-HUD (H.R. 12307) (including 1971 advance)	15,512,969,600	15,111,870,500	−401,099,100
(Fiscal year 1970 amounts only)	(15,337,969,600	(15,111,870,500)	(−225,099,100)
4. Interior (H.R. 12781)	1,390,856,500	1,380,375,300	−10,481,200
5. State, Justice, Commerce, and Judiciary (H.R. 12964)	2,475,704,600	2,354,432,700	−121,271,900
6. Labor-HEW (H.R. 13111)	19,834,125,700	19,747,153,200	[2] −86,972,500
(Fiscal year 1970 amounts only)	(18,608,125,700)	(19,747,153,200)	(+1,139,027,500)
Legislative (H.R. 13763)	372,152,949	344,326,817	−27,826,132
8. Public works (and AEC) (H.R. 14159)	4,203,987,000	4,756,007,500	+552,029,500
9. Military construction (H.R. 14751)	1,917,300,000	1,560,456,000	−356,844,000
10. Transportation (H.R. 14794) (including 1971 advances)	2,090,473,630	2,143,738,630	+53,265,000)
(Fiscal year 1970 amounts only)	(1,840,473,630)	(1,929,738,630)	(+89,265,000
11. District of Columbia (H.R. 14916) (Federal funds)	228,842,000	168,510,000	−60,332,000)
(District of Columbia funds)	(752,944,300)	(650,249,600)	(−102,694,700
12. Defense (H.R. 15090)	75,278,200,000	69,640,568,000	−5,637,632,000
13. Foreign assistance (H.R. 15149)	3,679,564,000	2,558,910,000	−1,120,654,000
14. Supplemental (H.R. 15209)	314,597,852	278,281,318	−36,316,534
Total, these bills—			
As to fiscal 1970	135,200,040,881	129,595,765,115	−5,604,275,766
As to fiscal 1971	1,651,000,000	214,000,000	−1,437,000,000
Total, 1970 bills including 1971 amounts	136,851,040,881	129,809,765,115	−7,041,275,766
Bills for fiscal 1969:			
1. Unemployment compensation (H.J. Res. 414)	$36,000,000	$36,000,000	
2. Commodity Credit Corporation (H.J. Res. 584)	[3] 1,000,000,000	[3] 1,000,000,000	
3. 2d supplemental (H.R. 11400)	4,814,305,334	4,352,357,644	−461,947,690
Release of reserves (under Public Law 90-364)	(79,999,000)	(80,230,000)	(+231,000)
Total, 1969 bills	5,850,305,334	5,388,357,644	−461,947,690
Cumulative totals for the session	142,701,356,215	135,198,122,759	−7,503,223,456

[1] Presupposed passage Labor HEW conference report in form submitted as well as amounts in Foreign Aid appropriations conference as submitted.

[2] Although a reduction in the budget estimate of $86,972,500 is reflected in the total column of the bill, it must be made clear that the budget estimate column to the Senate includes $1,226,000,000 advance funding for ESEA for 1971 whereas none of these funds were included in the conference agreement. Deducting the $1,226,000,000, from the budget estimate column gives a comparison for fiscal year 1970 only and reflects the conference agreement over the budget estimates in the amount of $1,139,027,500.

[3] Shifted from fiscal 1970 budget, a portion of which is technically classified in the budget as "liquidation of contract authorization" rather than as new budget (obligational) authority.

SERVICE

One of my most important duties as your Congressman is to assist the people of the Seventh District and to strive for more efficient and accessible Federal services. I have proposed the construction of a complex of Federal buildings in Jamaica to house a number of Federal agencies such as the Social Security Administration, the Veterans' Administration, the Department of Labor, and the Federal courts.

In addition to projects for the benefit of our district, my Washington and district offices are ready to help with individuals' problems within my jurisdiction.

Since coming to Congress, I have attempted to be available at all times to any constituent who wishes to talk with me. As time permits, I attend meetings and social functions of civic, veterans, religious, and fraternal organizations, where I can meet with the people. For the convenience of my constituents, I maintain a full-time district office and my office in Washington is always open. Please write or call me at room 2440, Rayburn House Office Building, Washington, D.C. 20515, or at 96–11 101st Avenue, Ozone Park, N.Y. 11416.

BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF THE ALLEGED MENTALLY INCOMPETENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri (Mr. HALL) is recognized for 15 minutes.

Mr. HALL. Mr. Speaker, today I have introduced a bill, for the fourth time designed to protect the constitutional rights of individuals committed to Federal institutions on a charge of mental incompetency or insanity. The bill is similar to the one which I submitted in the 88th Congress and is identical to the one I submitted in the 89th and 90th Congresses.

This bill has drawn a favorable recommendation from the Judicial Conference of the United States and its major provisions have been supported by the New York City Bar Association.

In essence, the bill would amend chapter 313 of title 18, United States Code, with respect to the constitutional rights of mentally incompetent or suspect persons committed thereunder. The proposed amendments to 18 U.S.C. 4244, contained in the bill would:

First, require that a preliminary motion for a judicial determination the mental competency of the accused to stand trial be supported by a sworn, written statement based on personal observation by a responsible adult as to the mental condition of the accused;

Second, require a hearing on the preliminary motion at which the accused and his attorney should be present;

Third, authorize a psychiatric examination or temporary commitment for such examination, only upon an initial determination by the court "that there is reasonable cause to doubt the mental competency of the accused";

Fourth, limit the commitment, if commitment is ordered, for a "reasonable period, not to exceed 30 days, as the court may determine";

Fifth, require a further hearing on the issue of mental competency to stand trial if the initial report of the physician "indicates a state of present mental incompetency"; and

Sixth, guarantee to an accused found mentally incompetent and committed pursuant to the provisions of the statute, the right to a periodic reexamination, not more frequently than every 6 months, on the application of his attorney, legal guardian, spouse, parent, or nearest adult relative.

Mr. Speaker, I have submitted this bill to the three prior Congresses. Long hours of study, research, and deliberation have gone into its preparation. This study and deliberation have been augmented by consultation with many national legal and medical experts, in this particular field. Not only has consultation and concurrence been obtained from national legal experts, but invaluable counsel and advice has been received from the members of the Greene County Bar Association, of Missouri, located in the district I represent, and where is located the Federal Medical Center for Defective Delinquents, but from alienists, hospital authorities, and mental hospital superintendents. It would affect the Department of Justice, Federal Medical Center, St. Elizabeths Hospital, here in the District of Columbia, and so forth.

In conclusion, Congress enacted far sweeping civil rights legislation in the 1960's. However, these prior Congresses completely forgot the greater sphere of civil rights due to the emotionalism present at that time. Such lack of action has provided no relief to the mental incompetent or to the alleged insane. Therefore, as we begin a new decade, let this Congress be known as the one that restored civil rights, and due process to a class of citizens long neglected by the law. Let this bill be known as the Personal Rights Protective Act of 1970.

TRAFFIC SAFETY—EVERYBODY'S BUSINESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 10 minutes.

Mr. MICHEL. Mr. Speaker, traffic safety is becoming everybody's business. It is vital for the driver, the State, and the Federal Government.

It is the driver upon whom I wish to focus the spotlight right now. In particular, it is the young driver, not only in Peoria, but the one in each State of the Union. That is because these young drivers make up a vast percentage of the population in the United States.

Out of America's 103 million drivers, those between the ages of 20 and 24 constitute the most numerous group. For the country as a whole, 31.6 percent of all drivers are under 30 years old.

For the past several years, I have been working with Mr. Ralph L. Harris, who is the manager for Chrysler Corp.'s driver education programs, in the hope that I could secure for my constituents a community-oriented project, the express purpose of which would be to motivate our youth to safe-driving habits and highway citizenship; to inform our young boys and girls that they have got to drive safely to arrive safely.

We are all familiar with one community-geared activity on behalf of safe driving in which major auto firms participate, such as providing new vehicles to high school driver education classes on a no-charge, no-deposit basis. In one of our meetings, Mr. Harris revealed that Chrysler-Plymouth and Dodge dealers provided 12,000 such vehicles per year, helping to make possible behind-the-wheel, firsthand learning for over 2 million students.

I was also pleased to hear that students who have pursued driver education and have had the advantage of this behind-the-wheel experience have had 60 percent fewer violations and 30 percent fewer accidents. This substantiated the findings of Dr. Ross A. McFarland of the Harvard School of Public Health, and prominent members of the National Education Association. To quote Dr. McFarland:

> Trained drivers, especially those with formal instruction as beginners, tend to have fewer accidents.

Our community-minded planning materialized most satisfactorily when my constituents played host to a company of clean-cut, well-groomed, good-looking, young professional performers known as the Chrysler Spurrlows. I had the pleasure of witnessing a presentation of their unique attraction which is titled "Music for Modern Americans," in one of the Peoria high schools.

The show runs the gamut of musical divertissement from folksongs to "mod" numbers, with a liberal sprinkling of melodies that distinguish New York stage hits, both past and present. As I watched the musical proceedings, I thought to myself that for most of the young people in the audience, this would be the only time they would have the opportunity to see a dyed-in-the-wool, live, Broadway-type show.

Interspersed with the entertainment features is a vital driver education message of primary concern to young people. This message of safety is brought out through safety-oriented songs and sketches. The traffic safety essentials are in tempo with the times. They speak the language of our young people who, from the very start of the show, have identified themselves with the artists in this respect: Their average age is only a year or two behind that of the Chrysler Spurrlows. Mr. Harris told me that this near parity in age, and the "mod" approach to driver education are responsible for giving greater impact to one of the show's principal objectives. "That is," Mr. Harris explained, "instilling in the young spectator the motivation for a sense of maturity and respect behind the wheel."

Each show, such as the one I saw, features a short talk by a member of the respective State highway patrol. The students, most of them for the very first time, see the officer in a friendly light, a man who is very anxious to be their friend and to help them be good drivers. It was heartening to notice how he held the attention and gained the respect of the assemblage.

It was told that the Illinois State Police, like the State police elsewhere, welcome the opportunity to address the young students. Capt. Dan O'Brien of our Illinois State Police, for example, wholeheartedly endorses the role played by his officers in "Music for Modern Americans." He feels that the favorable rapport that is immediately established between officer and student augurs well for the development of good driving habits in the student. In addition, such a meeting fosters good public relations for the representative of law and order.

I was most impressed when I heard the enthusiastic, thunderous applause with which the performers—and this included our State patrol officer—were met at the close of this 50-minute show.

Before we parted company that particular morning, Mr. Harris informed me that as of May 30, 1970, the close of the sixth season, "Music for Modern Americans" will have played to more than 3 million students in close to 3,000 U.S. high schools. It will have spanned over 400,000 miles.

We, in Peoria, are fortunate to be a part of this driver education innovation, and to have had the opportunity to develop it into a community venture.

CONVICTION OF CHICAGO RIOTERS IS A VINDICATION OF MAYOR RICHARD DALEY, THE POLICE FORCE, AND THE PEOPLE OF CHICAGO

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

(Mr. PUCINSKI asked and was given permission to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, this is an historic day for America. The jury which has so hard and so long deliberated on the verdict in the conspiracy trial at Chicago has finally rendered its verdict late this afternoon. For those of us in this House who had worked hard to place into law a provision barring the crossing of State lines to incite riots, this is a day of great import and a day of great reassurance. I am very pleased that this jury has performed an historic mission today in finding guilty five of the seven defendants for crossing State lines to incite a riot.

Ironically, the jury in its deliberations found the seven defendants not guilty on the charge of conspiracy. I say ironically, because these seven defendants, who had so brutally maligned the judicial system throughout the whole period of this trial today find that indeed there is justice and there is relief for the aggrieved in this country. A jury after carefully listening to the evidence for 4½ months, in its wisdom, concluded that the charge of conspiracy was not proven and acquitted all seven of that charge. The jury also acquitted two of the seven defendants on the charge of crossing State lines, because in its judgment it felt the Federal Government had failed to make a case.

I believe, in convicting Davis, Hoffman, Dellinger, Hayden, and Rubin, this jury today has placed America for the first time in a long time on the road back to sanity in dissent. It has shown that it does not believe that people can travel all over this country and incite riots in communities, tearing up the very institutions that give these people the protection that they seek as free citizens.

I say it is historic for many reasons. It is an historic day because it restores our faith in the good judgment of our people. This jury of 10 women and two men, with its foreman, Mr. Edward Kratzke, has performed an historic mission. This jury has performed a public service beyond the call of duty of any citizen in America. For 4½ hard months this jury has been away from its families, its homes, its parental responsibilities, and has performed an historic mission.

During the closing weeks of the trial the jury had been sequestered, and during the 4 days of its deliberations the jury had been sequestered. I say that these are model citizens. These citizens deserve the gratitude of the whole Nation. God grant that we would have more citizens who would assume their duties and responsibilities of citizenship to accept the thankless job of serving on a jury of this nature. So I say this jury has restored our confidence and our faith in the whole judiciary. It has demonstrated that citizens can be trusted to sit in judgment over their peers.

This jury found that the evidence of conspiracy was insufficient to enter a conviction and as such, it found two of the seven not guilty of crossing State lines. Perhaps as important, however, in this judgment today and in this verdict the jury has set the stage for testing the very law that we passed in this Chamber, the law barring the crossing of State lines to incite a riot.

Now we have an issue that can go to the higher courts for proper appeal and review, and at some point in time this issue will be resolved in the higher courts. I believe the courts will sustain the action of this Congress. I believe the method and manner in which the provision barring the crossing of State lines to incite a riot was written would stand up under review.

I supported that amendment, I worked very hard for its enactment, and I cosponsored it because I have seen in the last decade the exportation of rioting in the country take on abominable proportions. We have ample evidence to show

that people from one part of the country the country to incite a riot. And we have seen the damage to this country and to cross State lines into another part of our institutions that has followed.

So I am most grateful to the jury of our fellow citizens for setting the stage today to make it possible for a review of this case.

I believe the trial judge in this case has earned the gratitude of the American people. I know of no judge in recent history who has suffered as much abuse, filthy assault, and barbaric behavior in the courtroom as has Judge Hoffman at the hands both of the defendants and the defense counsel. I am told the New York Bar Association is quite properly reviewing the proceedings of this case to see whether or not defense counsel should be tried in disbarment proceedings.

Lawyers have an extraordinary responsibility. They are officers of the court. They enjoy privileges that the average citizen does not enjoy as lawyers and officers of the court. They have a duty to provide exemplary service and exemplary conduct in the courts. If they disagreed with the conduct of the trial judge, or if they disagreed with his recommendations, or if they disagreed with his findings, there is ample machinery within the judicial system to test those findings or to appeal.

No person in his right mind and good judgment can defend the conduct of the defense lawyers in this case, any more than he can defend the conduct of the defendants.

I think Judge Hoffman has performed a great public service and has earned for himself a place in the judicial annals of this country, by handing down contempt citations against the defendants and the lawyers. He has restored some semblance of dignity to the judiciary.

Mr. Speaker, I have more than a passing interest in this whole case. I was one of the cosponsors of the amendment under which these defendants were tried, because as early as 1955, I have been speaking out in this Chamber against the growing trend in America toward what I call "mobocracy," which is rule by the mob, impatient with the established institutions which have brought this country to the greatest pinnacle of protection for the individual.

Mr. Speaker, those very people who have protested in these demonstrations are the very ones who have the greatest impatience with the established institutions of America; institutions which provide the greatest degree of protection and dignity for our citizens.

As early as 1963, I warned in this Chamber about the growing trend toward mobocracy. In the ensuing years we have seen a whole generation of Americans seriously question whether or not these institutions of freedom are sufficient to keep this Nation together. I think the jury in this trial today and throughout the trial has demonstrated that, yes, our institutions are sufficiently strong to provide the protection we need for our citizens.

But I have an even deeper interest in this whole proceeding. I am sponsor of the Legal Professions Development Act which is pending before the Judiciary Committee. It tries to set up a system of neighborhood legal clinics, where citizens can have available to them legal recourse for redress of injuries; have it available to them in the courts through neighborhood legal clinics.

Those who otherwise cannot afford counsel could seek redress through the aid of these legal clinics. It is like an expansion of our present legal aid system.

I believe in the majesty of the law in this country. When the time comes that the law fails our citizens, then indeed this Nation will go the way of other noble experiments in freedom and human dignity.

So I say, Mr. Speaker, as a sponsor of the Legal Professions Development Act, obviously I have a deep interest in the conduct of the judiciary and the method in which our court proceedings are being conducted.

When I saw what was going on in Judge Hoffman's court for the past 4½ months, and when I saw the assault upon the very institutions to which we look as free citizens for our ultimate protection, it became quite obvious to me that my concept could not make headway if our entire judicial system were destroyed.

So I am today really rekindling in my spirit, in my hope, and in my confidence that indeed we are on the right track when we urge our citizens to seek redress for their grievances within the sanctity and the majesty of the law itself.

Indeed, today is an historic day. I believe this jury deserves our eternal gratitude, the gratitude of all Americans. It was a brave jury. It was a jury which exemplified the highest spirit of citizenship.

I believe the judge deserves our highest gratitude.

I would hope that our very capable, hard-fighting chief prosecutor, U.S. Attorney Tom Foran, would not be too disappointed at having failed to prove a case of conspiracy. We know that conspiracy is a very difficult case to prove under current laws. So I would not be too disheartened if I were Mr. Foran, for the ends of justice have been met. We have indeed found a conviction of the five of those who were guilty.

We will not have a judicial review of the very law which made this prosecution possible. We hope, if the higher courts do indeed sustain this law—and I hope they will—we will then see the marshaling of a new era of stability in this country.

Nobody wants to deny dissent. Why, the vigor of America lies in dissent. President Kennedy once said that America is a continuing revolution. Of course we want citizens to have the right to speak out when they disagree. I would be the first to oppose any limitations on this privilege and freedom to speak out.

But I think what went on in Chicago in August of 1968 transcends all standards of human conduct and decency.

Today came the final judgment. We in Chicago said last August that those who tore up the town and tried to destroy that city and tried at all costs to frustrate one of the great institutions of free people, a national nominating convention, were guilty of anarchy. But no one among the sophisticates would believe us. There were those who insisted we were gilding the lily and that we were concealing facts; that somehow we were responsible for the rioting.

The jury today, after 4½ months of careful deliberation, has rendered a verdict. I say to you that the people of Chicago, its mayor, Richard J. Daley, its political structure, its citizens and its police force today stand acquitted in the eyes of the world.

We have suffered a great deal of indignity at the hands of those who tried to ascribe to us all sorts of motives. But I tell you the day of judgment came today. When that jury handed down its verdict of guilty against those who conspired against the city of Chicago and its people, against the Democratic Party, against our mayor, against the convention, I say to you that we had patience and that we have been all acquitted as citizens. Mayor Daley today stands 10 feet tall because he was right and the verdict today proves he was right.

I say to those who are so quick to smear the people of Chicago, its local government, its institutions, its leadership: look at this verdict today. I submit that they owe us an apology, because they tried to indict a city and its people.

The jury has spoken. It has spoken in open court under the procedure of highest decorum.

Of course they did everything they could to wreck this trial, because they came to this court with the same intention that they came to Chicago last August, to wreck our institutions.

No judge has been put to a more severe test than Judge Hoffman. They used every tactic and every technique of a wrecking crew to try to destroy the very institutions that have made this country great. I say to you that I am a proud American. I am proud of this country and proud of its institutions because 10 women and two men, citizens, had the courage to stand up and be counted after a long trial. I tell you this is a historic day in the annals of American freedom. It is a day that will go down in history as the day when 12 brave citizens tried to restore some semblance of dignity to this great republic.

Now, Mr. Speaker, I am glad to yield to the gentleman from New Hampshire.

Mr. WYMAN. I thank the gentleman for yielding.

I was interested in the gentleman's comments that the bar association of the State of New York is looking into the record with a view to taking appropriate disciplinary action in regard to the attorneys and their scandalous conduct before Judge Hoffman.

I would like to compliment the gentleman from Illinois on his presentation and make the comment that it is about time the bar association dealt with this type of disgraceful conduct. It seems to me that no attorney in any court is justified in comporting himself as Mr. Kunstler and some of the other attorneys in this case did. If they do, I do not believe that they should be permitted to remain in good standing as members of the bar.

Mr. PUCINSKI. I thank my colleague for his contribution.

Of course, I agree with him. The legal profession is our last hope in this country. The men who serve as lawyers are those who translate into meaningful terms the privileges of freedom. They are the great protectors of our rights.

I agree with my colleague that the conduct of defense counsel in this particular case put a cloud on the whole legal profession. There are thousands of lawyers all over the country who do not condone the conduct of these two lawyers. It is my hope that the New York bar which has jurisdiction over this matter will indeed study the record and study the reasons for the contempt citation as listed by Judge Hoffman and then will take the proper action.

Mr. Speaker, finally I would like to thank one forgotten individual in the whole case, a great district court judge about to retire, Judge William Campbell, for it was Judge Campbell who realized and recognized the action taken by this Congress in passing legislation to bar the crossing of State lines.

Judge Campbell in an historic decision instructed the Federal grand jury to look into the probable cause in this matter, and under his direction the jury did hold extensive hearings and the prosecutor presented the evidence and the jury returned indictments that served as the basis for this case. Judge Campbell topped off his great and illustrious career as a Federal judge with the great sensitivity that he has shown to the problem of growing mobocracy in America. We all owe Judge Campbell a great debt of gratitude.

Finally, Mr. Speaker, the quiet employees of the Federal courts in Chicago, under the jurisdiction of our chief marshal, John Meisner, who every day conducted themselves in an exemplary manner even though there were all sorts of provocations against them. The clerks and the marshals of the court for 4½ months conducted themselves in an exemplary manner and maintained decorum both in and out of the courtroom. The whole idea of frustrating this trial and the great efforts made in trying to defeat the trial and wear down the judge and the prosecutor and the Government employees who are needed to work in a situation like this—all of this failed and we as a nation owe an eternal debt of gratitude to the 12 citizens who today performed such a glorious service to our cause of freedom and dignity in America.

Mr. Speaker, I yield back the balance of my time.

SPONSORSHIP OF SEVEN ADMINISTRATION BILLS ON THE ENVIRONMENT

The SPEAKER pro tempore (Mr. HOLIFIELD). Under a previous order of the House the gentleman from Texas (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Texas. Mr. Speaker, I am proud to cosponsor the administration's primary series of proposals designed to combat the lethal menace of pollution. These bills mark but the first legislative steps in what will be the long and arduous process of reclaiming our environment.

Regrettably, where man's environment is concerned, we have sown the wind and we are about to reap the whirlwind. The signs are all about us. Our cities are becoming more smog-filled. Our streams are becoming more polluted. Our air carries ever-increasing amounts of chemical and industrial waste.

Civilized man has long seen the need for establishing and enforcing laws to protect individual rights and property rights. It was only in modern times, however, that society saw the need for protecting its shared surroundings from the ravages of man and industry; and even then, it acted slowly and reluctantly. Yes, Federal laws have been enacted and some efforts to stop pollution have been made, but the deteriorating condition of the environment demonstrates the bleak fact that present laws are just not getting the job done.

It is obvious that we can no longer afford to consider our air and water common property. It is obvious that we can no longer afford to let our air and water be abused without regard to the consequences. Instead, we must now treat air and water as scarce resources, and conserve them in the same manner as we do other scarce commodities.

In my view, the seven proposals which I and other concerned Members are introducing today provide the start of a much needed overhaul of the Nation's pollution laws in the areas of water and air pollution, solid waste management, parklands, and recreation. In perspective, the bills constitute a broad-based and coordinated restructuring of our existing laws, with some novel variations.

In essence, the measures:

First, amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purpose;

Second, authorizes the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes;

Third, establish an environmental financing authority as an instrumentality of the United States for the purpose of assuring that inability to borrow necessary funds at reasonable interest rates in the bond market does not prevent any State or municipality from carrying out a waste treatment project in partnership with the Federal Government;

Fourth, amend the Federal Water Pollution Control Act to, among other things, provide financial assistance for the construction of waste treatment facilities;

Fifth, expand the authority of the Secretary of the Interior to develop comprehensive water quality management and enforcement programs;

Sixth, increase the quantity and quality of State and local involvement in developing and supporting improved State and interstate water pollution control programs;

Seventh, improve the use and conservation of Federal land for the purpose of public recreation.

Mr. Speaker, it is going to cost a substantial amount of money to carry out these proposals. And there is no use kidding ourselves, this is just the beginning. In the long run, the fight against pollution will be a very costly one, but society, like individuals, must pay for its mistakes. The stakes are too high. The consequences of further inaction may be fatal to mankind.

THE NEWSPAPER PRESERVATION ACT: WHO NEEDS IT?

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Minnesota (Mr. MACGREGOR) is recognized for 15 minutes.

Mr. MACGREGOR. Mr. Speaker, Congress is currently being asked to carve out a new exemption to the antitrust laws. I have reference to S. 1520, the so-called newspaper preservation bill, which passed the other body January 30 and is now before the House Judiciary Committee.

I have taken particular interest in this legislation because it raises such vital issues. "Congress shall make no law," we are admonished by the Constitution, "abridging the freedom of the press." We are told by some newspapermen that S. 1520 has the effect, indirectly if not directly, of abridging press freedom. This in itself should alert us to the significance of our decision regarding its passage.

Beyond this, "media concentration" and competition in the realm of ideas and information have become prime topics of discussion throughout the Nation. Certainly the newspaper preservation bill bears on this growing national concern.

I was intrigued by an editorial comment on this bill in the New Yorker magazine of January 31, 1970. The writer likened it to the tree preservation service he has often seen trimming branches along New York's residential streets. He says he became curious as to how the trimming was supposed to preserve the trees, and upon investigation discovered that the trucks and men were sent out not by someone concerned about arboreal health, but by ConEdison, the local utility, to keep the branches out of their wires. Of S. 1520 the writer concludes, "It is most probably not a newspaper preservation bill so much as a publisher preservation bill," and he adds that "any newspaper that has to be preserved this way might as well be preserved in formaldehyde."

My study of the proposal leads me to conclude that it carries the potential for some very subtle effects on "media concentration" and the "maintenance of separate editorial voices." These effects are so subtle, in fact, that they have led two executive departments to opposite conclusions. In our committee hearings on the measure last September we heard

the Justice Department's representative, Assistant Attorney General Richard McLaren, condemn the legislation as unnecessary and not in the best interests either of the public or the Nation's newspapers. On the previous day we had heard Mr. Walter A. Hamilton, Deputy Assistant Secretary of the Department of Commerce, speak in favor of the bill as contributing to the maintenance of "separate news and editorial viewpoints."

I find the arguments of the Justice Department, which by the way are mirrored by the Federal Trade Commission, to be much the more persuasive.

Mr. Hamilton testified that "joint operating arrangements appear to be one way to bring stability to publishers experiencing economic distress." With this I certainly agree. The joint operating agreement brings together competing publishers who consolidate their production operations and thereby eliminate a great deal of duplication of effort and cost. Undoubtedly these arrangements have been the salvation of a number of newspapers among the 44 currently utilizing them. They have been so successful that I know of no one who seriously argues for their abolition.

But the point which seems to be missed by so many is that Congress does not need to adopt an antitrust exemption to preserve these "joint newspaper operations." I am persuaded that we should never write legislation—particularly antitrust legislation—which is not demonstrably essential.

When the Justice Department in 1965 originated its action against the daily newspapers of Tucson, Ariz., there was general agreement that the Federal district court would find the joint newspaper operation as conducted there violative of the Sherman Act. And of course the judge so ruled in 1968. Specifically he found that the newspapers, supposedly competitive, were joining in setting their advertising rates, and were pooling and dividing profits. Price fixing and profit pooling are per se violations of the antitrust laws.

Even before Judge James Walsh ruled, publishers utilizing the joint newspaper arrangements in 20 U.S. cities banded together to seek an antitrust exemption for their operations. The legislation benefits only newspapers so structured. Note that only 20 joint operations launched the legislative campaign. There are 22 joint operations across the Nation, but those in Miami, Fla., and Shreveport, La., have declined to participate in the exemption effort, a fact which came out in testimony before our subcommittee.

It seems apparent that the joint operators panicked at the prospect of an adverse court decision. Certainly their appeal, emphasizing the disasterous consequences if their joint operations were broken up, indicates blind fear. Because long before the U.S. Supreme Court affirmed Judge Walsh's decision, it became abundantly clear that joint newspaper operations are not themselves violative of the antitrust laws. It is only certain features of the operations which run afoul of the law. Joint printing from a single plant has never been challenged. Use of the same distribution system has been upheld as acceptable under the law. Use of a joint business office for purposes of accounting and billing has repeatedly been spelled out as acceptable.

I might point out that there are still 37 U.S. cities in which independent, wholly separate, daily newspapers compete and survive. I mention this because proponents of the newspaper preservation bill continually complain that their jointly produced newspapers could not possibly survive if separted. Somehow newspapers in the 37 fully competitive cities manage.

But no one is asking the joint newspaper operators to split up their printing, distribution, accounting and like operations. In fact, the January 26, 1970, order Judge Walsh has issued in Tucson sets a pattern for joint newspaper operations which is even more liberal in its detail. The Justice Department is willing to apply these same rules to the 21 other joint newspaper operations and they permit all I have mentioned heretofore, plus publication of a joint Sunday edition, the offering of combination morning-evening advertising rates, and joint sale of this latter combination.

In point of fact, the two Tucson dailies will be allowed to continue almost all of the economies they have enjoyed through the 30 years they have published jointly. Judge Walsh's order will result in their having to add only a handful of sales and promotion personnel—so few as to make this legislation truly unnecessary.

All that S. 1520 and similar House bills accomplish is to legitimatize price fixing and profit pooling. And neither of these activities constitute an economy. They only represent deliberate and every effective elimination of competition.

This brings me to some of the subtle effects to which I alluded earlier. Joint newspaper operations constitute the most formidable barriers to would-be newcomers who might aspire to publish a newspaper in the same market. The capital of two separate publishing organizations has been combined. The morning and evening newspaper markets are filled by two publications which support each other in their joint operations and resulting economies. Their offering of combination rates creates a tremendous pressure on advertisers to spend all their dollars with this one organization, since the discounts come when the advertiser uses both newspapers.

Again understand that the legislation is not posing an either-or choice. Failure to enact this antitrust exemption does not mean abolition of joint operations. It does mean, however, that they must operate, particularly in the area of advertising sales, a little further apart—more nearly at arm's length. The legislation would grant the joint operators special rights to manipulate rates and sales to their advantage—and to the disadvantage of suburban competitors.

Newspapers opposing adoption of the legislation, and they number in the thousands and include such prestigious publications as the New York Times, the Louisville Courier-Journal, the Washington Post, and the Wall Street Journal, know how much advantage the joint newspaper operations already enjoy, without special legislation. For example, Lee Enterprises, Inc., owns a total of 14 newspapers and 11 broadcast properties. Two of its newspapers are involved in joint newspaper operations. The company's prospectus graphically illustrates how much more profitable are these joint newspaper operations. While the corporation as a whole showed in 1968 an 11-percent rate of return after tax on stockholders' equity, the Lincoln, Nebr., property returned 16.4 percent after tax, and Lee's Madison, Wis., newspaper returned 22 percent after tax.

To the extent that the joint newspaper operations stand as barriers to the establishment of competing local newspapers, granting them additional rights heightens those barriers. It is this effect that raises the constitutional question. If the House passed S. 1520, would not Congress be making a law abridging press freedom by granting one publishing organization an unusual economic advantage over potential competitors?

Another very subtle effect of the legislation was mentioned by former Assistant Attorney General Donald M. Turner when he testified against the bill before the Senate in 1968. He noted that congressional action here would single out newspapers for special protection, and likely result in a general relaxation of antitrust enforcement in the newspaper field. Many newspapermen recognize the antitrust laws as their shield against overpowering competition. They want the antitrust laws enforced.

The foregoing provides reasons why the legislation is not needed and should not be adopted.

In addition, the language of the bill itself raises very serious questions. "Failing" is defined in the bill as "in probable danger of failure or appears unlikely to remain or become a financially sound publication." What constitutes a financially sound business? Is it one breaking even, or must it be returning an attractive rate on the investment, to be financially sound?

Once a joint newspaper operation qualifies under the bill for the exemption from price fixing and profit pooling, it is entitled to enjoy these unusual benefits in perpetuity. No one reviews the operation's profitability to determine whether the rights are still required for preservation of the two editorial voices.

New joint newspaper operations can be formed under the bill, but only with the written consent of the Justice Department. We suspect that in any other context, a piece of legislation calling for written consent of a Federal agency before newspapers could adopt a certain business structure would precipitate monumental protests from the Nation's publishers. The procedure smacks of governmental licensing. Yet, it is being sought, not opposed, by the bill's proponents.

Possibly in 1967, when the original failing newspaper bill was introduced by Senator Carl Hayden of Arizona, there was justification for at least exploring a special antitrust exemption for the 44 newspapers currently utilizing joint newspaper arrangements. Subsequent

events, and particularly the court order issued last month concluding the Tucson case, render unnecessary this unusual legislative remedy. Many newspaper organizations, including the 7,000-member National Newspaper Association and the Minnesota Newspaper Association, oppose the legislation for the reasons I have outlined. I hope the House of Representatives rejects this bill.

COMPREHENSIVE HEADSTART CHILD DEVELOPMENT ACT OF 1970

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. STEIGER) is recognized for 60 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, there has been a great deal of interest expressed in the Comprehensive Headstart Child Development Act of 1970 introduced by my colleagues, Mr. DELLENBACK, Mr. HANSEN of Idaho, Mr. ANDERSON of Illinois, Mr. AYRES, Mr. BELL of California, Mr. BUSH, Mr. COLLIER, Mr. CONABLE, Mr. ESCH, Mr. ESHLEMAN, Mrs. HECKLER of Massachusetts, Mr. MACGREGOR, Mr. MYERS, Mr. QUIE, Mr. RUTH, Mr. SCHERLE, Mr. SCHWENGEL, Mr. STAFFORD, Mr. TAFT, Mr. WYDLER, and myself to provide a consolidated, comprehensive child development program.

I would like to include the text of the legislation as part of my remarks at this point:

H.R. 15776

A bill to provide a consolidated, comprehensive child development program in the Department of Health, Education, and Welfare

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Headstart Child Development Act of 1970".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. The Congress recognizes the national need for child development programs for millions of children of working mothers and the importance of providing child development services essential to the healthy physical, social, emotional, and cognitive development of children who would not otherwise receive them. Congress further recognizes the need to gain a better understanding of the child development process and to develop effective programs which enhance this process. Finally, Congress notes the capacity of private enterprise to assume a significant part of the burden of providing high quality programs for young children. It is the purpose of this Act to assure sound development of all children during the first five years of life and to provide comprehensive early childhood development programs suited to meet the needs of children of working mothers and children younger than compulsory school attendance age; to enhance the economic self-sufficiency of families by making child development services available for children of parents who are not but who want to become employed; and to make Federal assistance in providing these services more effective and to use available resources more efficiently.

TITLE I—COMPREHENSIVE HEADSTART CHILD DEVELOPMENT PROGRAM

DECLARATION OF PURPOSE

SEC. 101. It is the purpose of this title to authorize Federal grants to States to assist them to maintain, extend, and improve existing child development programs; to develop new child development programs; to achieve maximum benefit from existing and new funds for the purpose of child development through better utilization of resources, planning, and coordination among programs; and to provide such educational, health, nutritional, and social services as a part of child development programs as may be required to enable every child to attain his full potential.

AUTHORIZATION OF APPROPRIATIONS

SEC. 102. (a) There are authorized to be appropriated $500,000,000 for the fiscal year ending June 30, 1972, $600,000,000 for fiscal year ending June 30, 1973, and $750,000,000 for the fiscal year ending June 30, 1974, and each succeeding fiscal year, for the purpose of providing assistance under this title.

(b) There are also authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1971, and for each succeeding fiscal year, for the purposes of making grants to State commissions.

ALLOTMENTS AMONG STATES

SEC. 103. (a) Sums appropriated under subsection (a) of section 102 and sums appropriated under subsection (b) of section 102 shall, subject to the provisions of subsection (d) each be allotted as follows:

(1) First, the Secretary shall reserve from each such appropriation such amount as he may determine, but not in excess of 3 per centum thereof, and shall allot such amount among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance.

(2) The Secretary shall allot 30 per centum of the remainder of each such appropriation among the States so that the amount allotted to each State bears the same ratio to such 30 per centum as the number of families having an annual income of less than $3,600 in the State bears to the number of such families in all the States.

(3) The Secretary shall allot 30 per centum of the remainder of each such appropriation among the States so that the amount allotted to each State bears the same ratio to such 30 per centum as the number of children younger than age fourteen with mothers who are regularly employed outside home in the State bears to the total number of such children in all the States.

(4) The Secretary shall allot 40 per centum of the remainder of each such appropriation among the States so that the amount allotted to each State bears the same ratio of such 40 per centum as the number of children younger than age six in the State bears to the number of such children in all the States.

(b) The number of children younger than age six, the number of children younger than age fourteen with mothers who are regularly employed outside the home, and the number of families having an annual income of less than $3,600, in a State and in all the States, shall be determined by the Secretary on the basis of the most recent satisfactory data available to him.

(c) For purposes of subsection (a), the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(d) If the allotment to any State under subsection (a) for any fiscal year from the amount appropriated under section 102(a) is less than the aggregate amount received by it, and by public and private agencies in the State, during the fiscal year ending June 30, 1971, under the Economic Opportunity Act of 1964 (other than section 221 thereof), title I of the Elementary and Secondary Education Act of 1965, and title IV of the Social Security Act for purposes for which assistance may be provided under this title (as determined by the Secretary), then the amount so allotted to it shall be increased to an amount equal to such aggregate amount, and the allotment to each State whose allotment is not increased shall be reduced pro rata (but not below such aggregate amount for such State) in the amount necessary to permit the making of such increases.

AUTHORIZATION OF ASSISTANCE

SEC. 104. From the sums appropriated under section 102(a), the Secretary shall provide assistance for child development programs approved by State commissions pursuant to State plans approved by him under section 106.

ELIGIBLE CHILD DEVELOPMENT PROGRAMS

SEC. 105. Assistance under this title may be provided for programs for—

(1) planning and developing child development programs, including carrying on of pilot programs to test the effectiveness of plans which have been developed,

(2) the establishment, maintenance, and operation (including the acquisition through lease, rental, or construction of necessary facilities and the acquisition of necessary equipment and supplies) of child development programs, including Headstart programs and day care programs for children younger than age fourteen to be carried on in group centers, family day-care homes, or in children's homes, or through other arrangements, and which may include activities such as—

(A) comprehensive physical, social, emotional, and cognitive development programs for children needing such assistance in order to profit fully from their educational opportunities and to attain their maximum potential;

(B) food and nutritional services, including family consultation to improve nutrition in the home environment;

(C) specialized social services designed to improve the home environments of children and to involve the parents in the child's development;

(D) a program of daily activities designed to develop fully each child's potential;

(E) other specially designed health, social, and educational programs for these children (including after school, summer, weekend, vacation, and overnight programs) which meet the purposes of this Act;

(F) direct parent participation in the development, conduct, and overall program direction as well as participation in activities designed to assist parents in meeting their family responsibilities;

(G) participation in program operation, where feasible, by paid para-professional aides and by unpaid volunteers, persons preparing for employment in child development programs, older Americans, and high school students and older children, provided that such participation be under the direct supervision of professional staff personnel; and

(H) identification of physical, mental, and emotional handicaps, referral of children with such handicaps for appropriate treatment, and incorporation within the program of daily activities of any special activities designed to ameliorate such handicaps, provided that separate programs are not organized solely for the handicapped children; and

(3) the establishment, maintenance, and operation of programs to teach the fundamentals of child development to economically deprived adolescent girls and economically deprived expectant mothers (including the lease or rental of necessary facilities and renovation or alteration of such facilities where necessary, and the acquisition of necessary equipment and supplies for such programs).

STATE COMMISSIONS AND STATE PLANS

SEC. 106. (a) Any State which wishes to participate in the program of assistance provided for in this title shall create for that purpose a State commission, and submit to the Secretary through the State commission a State plan for such participation. The membership of the State commission shall

be broadly representative of the public and private education, health, and child welfare agencies, including the State educational agency, community action agencies established under title II of the Economic Opportunity Act of 1964, and committees established under section 522(d) of such Act. In addition, not less than one-third of the membership shall consist of parents appointed from time to time (but not more often than annually) from among nominees selected in accordance with democratic selection procedures adequate to assure that they are parents of children who will be served by programs assisted under this title. For the purposes of the initial creation of a State commission, such parent representatives may, in accordance with regulations of the Secretary, be chosen from nominees selected by parents of children served under the Project Headstart program, title IV of the Social Security Act, and a committee established under section 522(d) of the Economic Opportunity Act of 1964 (if any).

(b) The Secretary shall approve a State plan which—

(1) provides that it will be administered by or under the direction of the State commission, and that such commission will, through the selection of programs for approval, effectively implement the State program required by paragraph (2),

(2) sets forth a comprehensive State program for providing child development services in a manner which—

(A) will recognize the relative needs of urban and rural areas in the State, and will insure that no area in the State which has high concentrations of economically disadvantaged children will receive less assistance for programs for such children than such area received for preschool and day care programs in the fiscal year ending June 30, 1971, under the Project Headstart program, title I of the Elementary and Secondary Education Act of 1965, and programs assisted under title IV of the Social Security Act.

(B) will give the greatest emphasis to programs to provide child development services to economically disadvantaged young children, give special emphasis to programs to provide child development services for children younger than age fourteen who are in need of day care, give emphasis to programs to educate economically disadvantaged adolescent girls and economically disadvantaged expectant mothers in the rudiments of sound child development practices so that they can provide healthful environments and care for their children, and consider programs to give child development services to other young children.

(C) will provide for an equitable allocation of funds between programs described in section 105(2) and those described in section 105(3),

(D) provides, subject to subparagraph (B), for assigning priorities among programs according to objective standards and methods which will assure that the highest priority is given to programs in areas having the highest concentrations of economically deprived young children and of children in need of day-care, except that this subparagraph and subparagraph (B) may be disregarded to the extent necessary to assure that Project Headstart programs, preschool and day care programs assisted under title I of the Elementary and Secondary Education Act of 1965, and programs under title IV of the Social Security Act which were assisted during the fiscal year ending June 30, 1971, may continue to receive assistance under this title for two years after the date of enactment of this Act,

(3) provides that, in the case of programs which include the construction of facilities (A) such a program will be approved only upon a showing that construction of such facilities will be more economically advantageous to the government than the rental or lease of facilities, and that a variety of building designs and techniques utilizing both new and conventional technologies have been considered in an attempt to provide the most economical and useful facility possible for the intended purposes, (B) the Federal assistance may be in the form of grants or loans and total Federal funds to be paid will not exceed 50 per centum cost of the construction cost, and (C) not more than 15 per centum of the State's allotment from funds appropriated under section 102(a) for a fiscal year shall be used for construction of facilities, and not more than 2 per centum thereof shall be used for grants for construction,

(4) provides that, insofar as feasible, programs will be approved only if there is participation of children from both advantaged and disadvantaged homes, and the priority of programs shall not be affected by the participation of advantaged children in programs intended primarily for the benefit of the disadvantaged,

(5) provides an opportunity for a hearing for every applicant which has submitted a program before the State commission makes a final determination adversely affecting it,

(6) provides that children in an area served by a program carried out by a local educational agency will in no case be denied the benefits of the program because of their attendance in nonpublic preschool programs or because of the intention of their parents to enroll them in nonpublic schools when they attain school age,

(7) provides that no program of a private agency, other than a nonprofit agency, will be approved unless the cost of the services to be provided are equal to or lower than the cost of comparable services provided by a public or private nonprofit agency, and such services meet the standards set for all other comparable programs assisted under this title,

(8) provides assurances satisfactory to the Secretary that the non-Federal share requirements will be met and sets forth the criteria to be used in fixing the Federal share in programs to which section 108(b) applies,

(9) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State commission from sums appropriated under section 102(b),

(10) provides for making such evaluations, assessments, and reports in such form and containing such information as may be reasonably necessary to enable the Secretary to perform his functions and enable the Congress to ascertain the effectiveness of this title,

(11) assures adequate linkage, coordination, and continuity between preschool and elementary school programs,

(12) provides that an application for assistance will be approved only if—

(A) the program meets the requirements of section 105,

(B) sufficient trained personnel will be available to assure attention to the needs of each child who is participating.

(C) no person will be denied employment in the program solely on the ground that he fails to meet State certification standards,

(D) the program will provide adequately for the physical, social, emotional, and cognitive development of the children who are participating,

(E) the applicant meets the day care requirements developed under section 522(d) of the Economic Opportunity Act of 1964.

(c) The Secretary shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing.

(d) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under subsection (b), finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of such subsection, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Secretary shall notify the State commission that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

JUDICIAL REVIEW

SEC. 107. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 106(b) or with his final action under section 106(d), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

MATCHING REQUIREMENTS

SEC. 108. (a) Not more than 80 per centum of the cost of providing services for economically deprived children or adolescents or expectant mothers under this title may be paid from Federal funds.

(b) The percentage of the cost of providing services for children other than economically deprived children or adolescents or expectant mothers under this title which is paid from Federal funds shall be determined under the State plan, but in no event shall more than 80 per centum of the cost of such be paid from Federal funds.

(c) The non-Federal share of the costs of programs assisted under this Act may be provided through public or private funds and may be in the form of cash, goods, services, or facilities reasonably evaluated, fees collected from parents, or from union or employer contributions.

(d) If in any fiscal year, a program in a State provides non-Federal contributions exceeding its requirements under this section, such excess may be used to meet the requirements for such contributions of other programs in the same State for the same fiscal year.

APPLICATIONS

SEC. 109. (a) Assistance under this Act shall be provided on the basis of applications submitted to the State commission and approved by it under the State plan and also approved by the Secretary.

(b) An application under this title may be made by any public or private profit or nonprofit agency, or by any employer of

fifteen or more working mothers of young children.

(c) The Secretary shall approve an application submitted by a State commission if it has been approved by the State commission and if the funds available in the State's allotment from funds appropriated under section 102(a) are sufficient to cover the costs of the program.

PAYMENTS

SEC. 110. (a) The Secretary shall pay from the applicable State allotment the Federal share of the cost of programs which he has approved. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(b) From each State's allotment under section 102(b), the Secretary may make grants to State commissions to enable them to develop and administer State plans.

(c) The Secretary shall make technical assistance available on a continuing basis to assist States to develop and carry out State plans under this Act.

CONSTRUCTION PROJECTS

SEC. 111. (a) If within ten years after completion of any construction for which Federal funds have been paid under this title the facility shall cease to be used for the purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

(b) All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

DIRECT FEDERAL FUNDING

SEC. 112. Where a State has not submitted a State plan under section 106, or the Secretary has failed to approve a State plan so submitted, the Secretary may act as the State commission for such State, and use State allotment to provide assistance in accordance with the provisions of this title.

REPEAL AND CONSOLIDATION

SEC. 113. (a) The purpose of this section is to consolidate early childhood, day care, child service, and preschool programs authorized by the existing laws referred to in subsection (b), so as to form a single coordinated Comprehensive Headstart Child Development Program in the Department of Health, Education, and Welfare.

(b) (1) Section 222(a)(1) of the Economic Opportunity Act of 1964 is repealed effective July 1, 1971.

(2) Part B of title V of the Economic Opportunity Act of 1964 is repealed.

(3) Section 162(b) of the Economic Opportunity Act of 1964 is amended by striking out "day care for children" and inserting in lieu thereof "assistance in securing day care services for children, but not operation of day care programs for children".

(4) Section 123(a)(6) of the Economic Opportunity Act of 1964 is amended by striking out "day care for children" and inserting in lieu thereof "assistance in securing day care services for children", and adding after the word "employment" the phrase ", but not including the direct operation of day care programs for children".

(5) Section 101 of the Elementary and Secondary Education Act of 1965 is amended by striking out "(including preschool programs)", and by inserting "aged five to seventeen" before the end of the sentence.

(6) Section 105(a)(1)(A) of the Elementary and Secondary Education Act of 1965 is amended by inserting "aged five or older" after the phrase "which are designed to meet the special educational needs of educationally deprived children".

(7) Section 312(b)(1) of the Economic Opportunity Act of 1964 is amended by striking out "day care for children".

(8) Effective July 1, 1971, neither the child-care services furnished under a State plan approved under part A of title IV of the Social Security Act nor the child-welfare services furnished under a State plan developed as provided in part B of such title shall include day-care services or any other organized child development program within the meaning of this Act, and section 422(a)(1)(C) of such Act shall not apply. The Secretary shall prescribe such regulations and make such arrangements as may be necessary or appropriate to ensure that suitable child development programs under this Act are available for children receiving aid or services under State plans approved under part A of title IV of the Social Security Act and State plans developed as provided in part B of such title to the extent that such programs are required for the administration of such plans and the achievement of their objectives, and that there is effective coordination between the child development programs under this Act and the programs of aid and services under such title IV.

TITLE II—NATIONAL INSTITUTE FOR EARLY CHILDHOOD DEVELOPMENT AND EDUCATION

DECLARATION OF PURPOSE

SEC. 201. It is the purpose of this title to focus national efforts to attain a fuller understanding of the processes of early childhood development and the effects of organized programs upon these processes; to develop from this research programs to enhance child development; to do so as rapidly as possible with the most effective use of available resources; and to assure that the results of such research and development are reflected in the conduct of program affecting young children.

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. (a) There are authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and for each succeeding fiscal year, for the purposes of section 203 below.

(b) There are also authorized to be appropriated $3,000,000 for the construction of a facility for the National Institute for Early Childhood Development and Education.

NATIONAL INSTITUTE FOR EARLY CHILDHOOD DEVELOPMENT AND EDUCATION

SEC. 203. (a) There is established in the executive branch of the Government, an independent agency to be known as the National Institute for Early Childhood Development and Education (hereinafter referred to as the "Institute").

(b) The activities of the Institute shall include, but not necessarily be limited to:

(1) research to determine the nature of child development processes and the impact of various influences and interventions upon them; research to develop techniques to evaluate and diagnose child development; and research to determine how child development programs conducted in either home or institutional settings might positively affect child development processes;

(2) evaluation of research findings and the development of these findings into effective products for application;

(3) diffusion of research and development efforts into the general practice of early childhood programs, using regional teacher demonstration centers and advisory services where feasible;

(4) production of informational systems and other resources necessary to support the activities of the Institute; and

(5) integration of national early childhood research efforts into a focused national early childhood research program, including the coordination of research and development conducted by the Institute and similar research and development conducted by other agencies, organizations and individuals.

GENERAL AUTHORITY OF THE INSTITUTE

SEC. 204. The Institute shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this title, including, but not limited to, the authority—

(1) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(2) to make such expenditures as may be necessary for administering the provisions of this title;

(3) to enter into contracts or other arrangements or modifications thereof, for the carrying on, by organizations or individuals in the United States, including other Government agencies, of such research, development dissemination or evaluation efforts as the Institute deems necessary to carry out the purposes of this title and also to make grants for such purposes to individuals, universities, colleges, and other public or private nonprofit organizations or institutions;

(4) to acquire by purchase, lease, loan, or gift and to hold and dispose of by grants, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this title;

(5) to receive and use funds donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Institute as stated in section 201;

(6) to accept and utilize the services of voluntary and uncompensated personnel and to provide travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code for persons in the Government service employed intermittently.

OFFICERS AND ORGANIZATION

SEC. 205. (a) BOARD OF GOVERNORS.—(1) The Board of Governors shall consist of twenty-five members to be appointed by the President, by and with the advice and consent of the Senate, and of the Director ex officio, and shall, except as otherwise provided in this title, exercise the authority granted to the Institute. The persons nominated for appointment as members shall be—

(i) eminent in the fields of education, psychology, the social sciences, basic science, medicine, or public affairs;

(ii) selected solely on the basis of established records of distinguished service; and

(iii) selected so as to provide representation of major points of view of child development leaders in all areas of the Nation.

In making nominations of persons for appointment as members of the Board of Governors, due consideration will be given to the recommendations for nomination which may

be submitted to the President by educational, scientific, or other organizations.

(2) The term of office of each voting member of the Board of Governors shall be three years, except that

(i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

(ii) the terms of office of the members first taking office after June 30, 1970, shall expire, as designated by the President at the time of appointment, eight at the end of one year, eight at the end of two years, and nine at the end of three years after June 30, 1970.

Any person who has been a member of the Board of Governors for six consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such sixth year.

(3) The Board of Governors shall meet at least once annually and at such other times as the Chairman may determine, but he shall also call a meeting whenever six or more of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail or by certified mail, mailed to his last known address of record not less than ten days prior to any meeting, of the call of such meeting.

(4) The Board of Governors shall establish the basic policies governing the activities of the Institute and shall modify such policies from time to time as it may deem appropriate.

(b) CHAIRMAN AND VICE CHAIRMAN.—An election of the Chairman and Vice Chairman of the Board of Governors shall take place at the first meeting of the Board of Governors following enactment of this legislation. Thereafter such election shall take place at the second annual meeting occurring after each such election. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such vacancy.

(c) DIRECTOR OF THE INSTITUTE.—There shall be a Director of the Institute (hereinafter referred to as the "Director") who shall be appointed by the President, by and with the advice and consent of the Senate, from a panel of at least three persons nominated by the Board of Governors. He shall serve as a nonvoting ex officio member of the Board. In addition thereto he shall be the chief executive officer of the Institute. The Director shall serve for a term of three years unless sooner removed by the President. In addition to the powers and duties specifically vested in him by this title, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by section 204 of this title, together with such other powers and duties as may be delegated to him by the Board of Governors; but no final action shall be taken by the Director in the exercise of any power granted by section 204 of this title unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director.

(d) POWER OF BOARD OF GOVERNORS TO CREATE COMMITTEES.—(1) The Board of Governors is authorized to appoint from among its members an Executive Committee, and to assign to the Executive Committee such of the powers and functions granted to the Board by this title as it deems appropriate; except that the Board may not assign to the Executive Committee the function of establishing policies.

(2) If an Executive Committee is established by the Board of Governors, it shall consist of the Director, as a nonvoting ex officio member, the Chairman of the Board of Governors, and not less than five nor more than nine other members elected by the Board of Governors from among their number. Any person who has been a member of such Committee for six consecutive years shall be ineligible for reelection during the two-year period following the expiration of such sixth year. Such Committee shall render an annual report to the Board of Governors and such other reports as it may deem appropriate. Supplemental or dissenting views and recommendations, if any, of members of the Executive Committee shall be included in such reports.

(3) The Board of Governors is authorized to appoint from among its members and others such committees as it deems necessary, and to assign to committees so appointed such functions as the Board of Governors deems appropriate for the purposes of this title.

(e) DIVISIONS WITHIN THE INSTITUTE.—(1) Until otherwise provided by the Board of Governors there shall be within the Institute the following divisions:

(i) A Division of Research.

(ii) A Division of Program Planning and Evaluation.

(iii) A Division of Development and Demonstration.

(iv) A Division of Resource Production.

(2) There shall also be within the Institute such other divisions as the Board of Governors may, from time to time, deem necessary.

ANNUAL REPORT

SEC. 206. The Institute shall make an annual report to Congress, summarizing its activities and accomplishments during the preceding year; reviewing the financial condition of the Institute and the grants, contracts, or other arrangements entered into during the preceding year, and make such recommendations as it may deem appropriate. Supplemental or dissenting views and recommendations, if any, shall be included in this report.

TRANSFER OF NATIONAL LABORATORY ON EARLY CHILDHOOD EDUCATION

SEC. 207. The National Laboratory on Early Childhood Education, established under the authority of the Cooperative Research Act, as amended (Public Law 83–531), shall be incorporated into the Institute as its substantive core; and funds equivalent to the amount allotted to the National Laboratory on Early Childhood Education during the fiscal year ending June 30, 1970, shall be transferred annually to the Institute, pursuant to section 2(c) of the Cooperative Research Act, for the five fiscal years following enactment of this legislation.

EMPLOYMENT OF PERSONNEL

SEC. 208. (a) The Director shall, in accordance with such policies as the Board shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this title.

(b) The Director may appoint, with the approval of the Board of Governors, a Deputy Director who shall perform such functions as the Director, with the approval of the Board, may prescribe and shall be Acting Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director.

(c) The members of the Board shall receive compensation at rates not exceeding $100 per day for each day engaged in the business of the Institute, and shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code for persons in the Government service employed intermittently.

COORDINATION OF RESEARCH

SEC. 209. (a) Funds available to any department or agency of the Government for the purposes stated in section 201 or the activities specified in section 203 shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Institute for such use as is consistent with the purposes for which such funds were provided, and the funds so transferred shall be expendable by the Institute for the purposes for which the transfer was made.

(b) The Secretary of Health, Education, and Welfare shall inform the Institute of plans for future grants, contracts, projects, and other activities authorized under this Act; section 426 of the Social Security Act; title IV of the Elementary and Secondary Education Act of 1965; the National Institute of Mental Health established pursuant to the National Mental Health Act of 1946 (Public Law 79–487); and the National Institute of Child Health and Human Development established pursuant to Public Law 87–838, at least thirty days prior to the execution of such plans and shall inform the Institute of the results or findings resulting from the execution of such plans.

(c) The Director of the Office of Economic Opportunity shall inform the Institute of plans for future grants, contracts, projects, or other activities pertaining to research or experimentation involving the enhancement of early childhood development or the establishment of programs to care for or to nurture young children, at least thirty days prior to the execution of such plans and shall inform the Institute of the results or findings resulting from the execution of such plans.

(d) Activities conducted by the Office of Economic Opportunity, by the National Institute of Mental Health, the National Institute of Child Health and Human Development, and activities authorized by this Act, title IV of the Elementary and Secondary Education Act of 1965, and section 426 of the Social Security Act which pertain to research or experimentation involving the development of programs to enhance the development of young children shall be coordinated with the activities of the Institute in a manner to assure—

(1) maximum utilization of available resources through the prevention of duplication of activities;

(2) a division of labor, insofar as is compatible with the purposes of each of the agencies or authorities specified in this paragraph, to assure maximum progress toward the purposes of this title.

(e) An Early Childhood Research Council consisting of the Chairman of the Board of Governors and the Director of the Institute, the Secretary of Health, Education, and Welfare, the Director of the Office of Economic Opportunity, and such other officials as they may designate, shall meet annually and from time to time as they may deem necessary in order to assure coordination of activities under their jurisdictions and to carry out the provisions of subsection (d) above.

TITLE III—FACILITIES FOR CHILD DEVELOPMENT PROGRAMS

PART A—MORTGAGE INSURANCE FOR CHILD DEVELOPMENT FACILITIES

SEC. 301. Title II of the National Housing Act is amended by adding after section 242 the following new section:

"MORTGAGE INSURANCE FOR CHILD DEVELOPMENT FACILITIES

"SEC. 243. (a) It is the purpose of this section to assist and encourage the provision of urgently needed facilities for child care and child development programs.

"(b) For the purposes of this section—

"(1) The term 'child development facility' means a facility of a private profit or nonprofit corporation or organization, licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the provision of child care or child development programs for one

hundred or more children younger than compulsory school attendance age as determined by State or local regulations or younger than age six in the absence of such regulations, or in conjunction with such programs for the provision of child care programs during nonschool hours for school-age children.

"(2) The terms 'mortgage', or 'mortgagor', 'mortgagee', 'maturity date', and 'State' shall have the meanings respectively set forth in section 207 of this Act.

"(c) The Secretary of Health, Education, and Welfare (hereinafter referred to as the 'Secretary') is authorized to insure any mortgage (including advances on such mortgage during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers a new child development facility, including equipment to be used in its operation, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor, approved by the Secretary, who shall demonstrate ability successfully to operate one or more child care or child development programs. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to minimum charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the general insurance fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $250,000 and not to exceed 90 per centum of the estimated replacement cost of the property or project, including equipment to be used in the operation of the child development facility, when the proposed improvements are completed and the equipment is installed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such term as the Secretary shall prescribe, and

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum on the principal obligation outstanding at any time as the Secretary finds necessary to meet the mortgage market.

"(4) The Secretary shall not insure any mortgage under this section unless he has received, from the State or local agency designated by State law to license and regulate child day care facilities for the State or the political subdivision of the State in which the child development facility covered by the mortgage is located, a certificate that (A) there is a need for such facility, and (B) there are in force in such State or the political subdivision of the State in which the proposed facility would be located reasonable minimum standards of licensure and methods of operation of child development facilities. No such mortgage shall be insured under this section unless the Secretary has received such assurance as he may deem satisfactory from the State or local agency that such standards will be applied or enforced with respect to any child development facility located in the State or locality for which mortgage insurance is provided under this section.

"(5) The Secretary shall not insure any mortgage under this section unless he has also received from the State commission authorized in title I of the Comprehensive Headstart Child Development Act of 1970 a certificate that the facility is consistent with and will not hinder the execution of the State plan.

"(e) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) (1) The Secretary shall have the same functions, powers, and duties (insofar as applicable) with respect to the insurance of mortgages under this section as the Secretary of Housing and Urban Development has with respect to the insurance of mortgages under other provisions of this title.

"(2) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this section; and, with respect to such mortgages, all references in such provisions to section 207 shall be deemed to refer to this section, and all references in such provisions (and in section 519) to 'Secretary' shall be deemed to refer to the Secretary of Health, Education, and Welfare."

PART B—NEIGHBORHOOD FACILITIES

SEC. 321. Section 703 (c) (1) of the Housing and Urban Development Act of 1965 is amended by inserting "child care," after "social,".

SEC. 322. Section 708(a) of the Housing and Urban Development Act of 1965 is amended by striking out "(2) $50,000,000 for grants under section 703," and inserting in lieu thereof "(2) $100,000,000 for grants under section 703,".

TITLE IV—TRAINING OF CHILD DEVELOPMENT PERSONNEL

SEC. 401. Section 532 of the Higher Education Act of 1965 is amended by adding at the end thereof the following sentence: "There is additionally authorized to be appropriated the sum of $20,000,000 for the fiscal year ending June 30, 1971, for programs and projects under this part to train or retrain professional personnel for preschool or early childhood programs, and the sum of $20,000,000 for the fiscal year ending June 30, 1971, for programs and projects under this part to train or retrain nonprofessional personnel for preschool or early childhood programs."

SEC. 402. Section 205(b) (3) of the National Defense Education Act is amended as follows, by adding after the word "nonprofit" the phrase "early childhood program," by striking out "and (C)" and inserting in lieu thereof the following: "(C) such rate shall be 15 per centum for each complete academic year or its equivalent (as so determined by regulations) of service as a full-time teacher in public or private nonprofit child development programs or in any such programs operating under authority of title I of the Comprehensive Headstart Child Development Act of 1970, and (D)".

SEC. 403. The Secretary of Health, Education, and Welfare is authorized to award grants to individuals employed in child development programs operating under the authority of title I of this Act and to such programs for the purposes of meeting the costs of inservice training for professional and nonprofessional personnel to be conducted by the child development program, by a community or higher education institution, or by a combination thereof.

SEC. 404. There is authorized to be appropriated for the purpose of section 403 the sum of $5,000,000 for the fiscal year ending June 30, 1971, and for each succeeding fiscal year.

TITLE V—FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAM

SEC. 501. (a) The Secretary is authorized to make grants for the purpose of establishing and operating child development programs (including the lease, rental, or construction of necessary facilities and the acquisition of necessary equipment and supplies) for the children of employees of the Federal Government.

(b) Employees of any Federal agency or group of such agencies employing one hundred and twenty or more working mothers of young children who desire to participate in the grant program under this title shall:

(1) designate or create for the purpose an agency commission, the membership of which shall be broadly representative of the working mothers employed by the agency or agencies, and

(2) submit to the Secretary a plan approved by the official in charge of such agency or agencies, which:

(A) provides that the child development program shall be administered under the direction of the agency commission;

(B) provides that the program will meet the Federal Interagency Day-Care Requirements;

(C) provides a means of determining priority of eligibility among parents wishing to use the services of the program;

(D) provides for a scale of fees based upon the parents' financial status; and

(E) provides for competent management, staffing, and facilities for such program.

(c) The Secretary shall not grant funds under this section unless he has received approval of the plan from the official or officials in charge of the agency or agencies whose employees will be served by the child development program.

SEC. 502. (a) No more than 50 per centum of the total cost of child development programs under this title during the first two years of such programs' operation, and no more than 40 per centum of the total cost of such programs in succeeding years shall be paid from Federal funds.

(b) The non-Federal share of the total cost may be provided through public or private funds and may be in the form of cash, goods, services, facilities reasonably evaluated, fees collected from parents, union and employer contributions.

(c) If in any fiscal year, a program under this title provides non-Federal contributions exceeding its requirements under this section, such excess may be used to meet the requirements for such contributions of other programs applying for grants under the same title, for the same fiscal year.

(d) In making grants under this title, the Secretary shall, insofar as is feasible, distribute funds among the States according to the same ratio as the number of Federal employees in that State bears to the total number of Federal employees in the United States.

SEC. 503. There is authorized to be appropriated for carrying out this title during the fiscal year ending June 30, 1971, and each succeeding fiscal year, the sum of $5,000,000.

TITLE VI—GENERAL PROVISIONS

PART A—EVALUATION OF FEDERAL PROGRAMS FOR EARLY CHILDHOOD DEVELOPMENT

SEC. 601. (a) The Secretary shall make an evaluation of Federal involvement in child development which shall include—

(1) enumeration and description of all Federal activities which affect child development;

(2) analysis of expenditures of Federal funds for such activities;

(3) determination of efficiency, effectiveness, and results of such expenditures and activities; and

(4) such recommendations to Congress as the Secretary may deem appropriate.

(b) The results of this evaluation shall be reported to Congress no later than eighteen months after enactment of this legislation.

(c) The Secretary may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this part.

SEC. 602. The Secretary shall establish such procedures as may be necessary to conduct such an annual evaluation of Federal involvement in child development, and shall report the results of such annual evaluation to Congress.

SEC. 603. Such information as the Secretary may deem necessary for purposes of the annual evaluation shall be made available to him, upon request, by the agencies of the executive branch.

SEC. 604. There are authorized to be appropriated for the fiscal year ending June 30, 1971, and each succeeding fiscal year, such sums as may be necessary to carry out the provisions of this part.

PART B—OFFICE OF CHILD DEVELOPMENT

SEC. 621. The Secretary shall establish in the Department of Health, Education, and Welfare an Office of Child Development which shall be the principal agency in that Department for programs and activities relating to child development and which shall, unless otherwise specified, carry out the provisions of this Act.

PART C—FEDERAL INTERAGENCY DAY-CARE REQUIREMENTS

SEC. 631. For purposes of this Act, the following exceptions shall be made to the Federal Interagency Day-Care Requirements established pursuant to section 522(d) of the Economic Opportunity Act of 1964:

(a) The total ratio of children to adults in day care centers may not exceed seven to one for children aged two to three years old; ten to one for children aged three to four years old; and fourteen to one for five-year olds.

(b) Where day care is being provided for children who are not from low-income families, the requirements regarding social services, arrangements for medical and dental care may be waived for such children.

(c) Where the administering agency contracts for services with private proprietary organizations, "assisting in the development of the programs and approving applications for funding" may be changed to "advising in the development of programs and applications for funding."

(d) The requirement providing "for priority in employment to welfare recipients and other low-income people" may be changed to provide "for equal opportunity for welfare recipients and other low-income people for employment".

PART D—FEDERAL CONTROL NOT AUTHORIZED

SEC. 641. No department, agency, officer, or employee of the United States shall, under authority of this Act, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction or administration of any educational institution.

PART D—DEFINITIONS

SEC. 651. As used in this Act—

(a) "early childhood" and "young children" shall refer to children younger than six years of age or to children who have not entered public school, whichever is older.

(b) "child development programs" shall be those programs which provide the educational, nutritional, social, medical, and physical services needed for children to attain their full potential.

(c) "economically disadvantaged children" means children of families having an annual income (as determined by the State commission pursuant to criteria established by the Secretary) insufficient to provide a home environment conducive to learning, or who are recipients of aid to families with dependent children under a State plan approved under title IV of the Social Security Act.

(d) "programs" means full- or part-day or night programs conducted in child development facilities, in schools, in neighborhood centers, or in homes. It also includes other special arrangements under which early childhood child development or child care activities may be provided.

(e) "Secretary" means the Secretary of Health, Education, and Welfare.

(f) "State" includes the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(g) "construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

"POINTS OF REBELLION"—CONDUCT NOT BEFITTING A MEMBER OF THE SUPREME COURT

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New Hampshire (Mr. WYMAN) is recognized for 60 minutes.

Mr. WYMAN. Mr. Speaker, I am deeply concerned by the publication of a written statement of views by a sitting Justice of the Supreme Court openly encouraging violence in the United States if dissenters in certain causes do not get their way. I refer to the book "Points of Rebellion" written by Justice William O. Douglas and scheduled for publication tomorrow.

I have just completed a careful reading of this book. It dismays me that one garbed in judicial robes and protected by life tenure should from on high seek to further provoke discord and strife in our land. Unquestionably many of the issues to which the author addresses himself are capable of enlightened improvement by both the executive and legislative branches of our Government as well as the private sector.

But, Mr. Speaker, this land of ours is still the land of the greatest individual freedom and opportunity in all this world. It is not the captive of the FBI nor the CIA nor the military-industrial complex as Justice Douglas suggests. Neither is the United States in the control of superracists or anti-black men. Views urging that it is or that this is the situation or asserting it to be fact are paranoiac. Moreover Justices ought not to take public positions on issues that may well come before their Court. Free speech and dissent is clearly a recurring issue before the High Court. Certainly, Justices have no business contributing to domestic discord by thinly veiled incitement or encouragement to violence.

Mr. Speaker, if it can be said that a stock transaction of Judge Haynsworth was a disqualification for the High Court, or, as urged by some, that statements in a political campaign 20 years ago by Judge Carswell is an objection, how vastly worse to have this kind of provocation willfully distributed from the apparent safety of incumbency by one already on the Court. All of this is wholly aside from previous statements of Justice Douglas urging recognition of Red China or declaring his commitment to his personal interpretation of the first amendment as amounting to absolute license which he has frequently written or declaring his personal convictions that relate to the Court's continuing failure to permit control of the pornographic smut that floods the Nation.

Now the public writing of these personal views on rebellion exceeds the proper bounds of conduct on the part of a member of court of last resort in our judicial system.

Its publication in my opinion constitutes conduct incompatible with judicial good behavior. It is surely high misdemeanor sufficient to warrant removal from the High Court. We have enough troubles in America without the fires being willfully fanned by the extra-judicial writings of a sitting member of the Court. Justice Douglas should resign from the Supreme Court forthwith. If he does not resign, he should be removed.

No longer can it be contended that future silence would constitute reparation because the harm has been done and the Justice, by his own choice, his own writings, his own stated convictions, stands cast before litigants in America as a partisan and not as a judge.

The following are some quotations from the book, "Points of Rebellion," written by Justice William O. Douglas. And he, I might note, is described as an incumbent of the U.S. Supreme Court on the cover of the book on which "Points of Rebellion" is printed in red.

At page 6, and I quote:

> Yet American protesters need not be submissive. A speaker who resists arrest is acting as a free man. The police do not have carte blanche to interfere with his freedom. . . .
>
> Our obsession is in part the product of a fear generated by Joseph McCarthy. Indeed a black silence of fear possesses the nation . . .

At page 14, referring to faculty members on institutional campuses in America:

> Very few faculty members have a revolutionary fervor or insight. . . .
>
> Students rightfully protest; and while all of their complaints do not have merit, they too should be heard as of right, and not be compelled to resort to violence to obtain a hearing.

Page 29, and I quote:

> The tendency of these mounting invasions of privacy is the creation of a creeping conformity that makes us timid in our thinking at a time when the problems which envelop us demand bold and adventuresome attitudes.

Page 41:

> The Pentagon has a fantastic budget that enables it to dream of putting down the much-needed revolutions which will arise in Peru, in the Philippines, and in other benighted countries.

Page 53:

> The major parties are controlled by the Establishment and the result is a form of political bankruptcy.

Page 56:

Where there is a persistent sense of futility, there is violence; and that is where we are today.

The use of violence is deep in our history. . . .

The two parties have become almost indistinguishable; and each is controlled by the Establishment. The modern day dissenters and protesters are functioning as the loyal opposition functions in England. They are the mounting voice of political opposition to the status quo, calling for revolutionary changes in our institutions.

Yet the powers that be faintly echo Adolf Hitler, who said in 1932:

"The streets of our country are in turmoil. The universities are filled with students rebelling and rioting.

"Communists are seeking to destroy our country. Russia is threatening us with her might and the republic is in danger. Yes, danger from within and without.

"We need law and order."

Page 63:

The vital problems will require a great restructuring of our society.

Page 70:

The upside down welfare state helps the rich get richer and the poor, poorer.

Other subsidies receive a greater reverence. Railroads, airlines, shipping—these are all subsidized; and those companies' doors are not kicked down by the police at night.

Then at page 71—referring to the poor on welfare:

The police are empowered to kick down the door of his home at midnight without any search warrant in order to investigate welfare violations.

On page 78:

The use of violence as an instrument of persuasion is therefore inviting and seems to the discontented to be the only effective protest.

On page 88:

People march and protest but they are not heard. * * *

Violence has no constitutional sanction; and every government from the beginning has moved against it.

But where grievances pile high and most of the elected spokesmen represent the Establishment, violence may be the only effective response.

On page 91:

Guatemala and Brazil are token feudal situations characteristic of the whole world. They represent a status quo that must be abolished.

On page 92:

The special interests that control government use its powers to favor themselves and to perpetuate regimes of oppression, exploitation and discrimination against the many.

There are only two choices: A police state in which all dissent is suppressed or rigidly controlled; or a society where law is responsive to human needs. * * *

There must be created an adult unrest against the inequities and injustices in the present system.

On page 95:

George III was the symbol against which our Founders made a revolution now considered bright and glorious. 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.

Mr. Speaker, this is the same line that has been taken by Marxists and Leninists from time immemorial.

Paul Sweezey, an admitted Marxist, urged the same thing nearly 20 years ago to classes on a campus in New Hampshire. With Leo Huberman he edited the Monthly Review in New York City which echoed the same view—which in substance is that violence which is used to preserve and protect our existing government and our existing regime is unjustified, but violence to overthrow it and to change it or to restructure it, in the plain implication if not incantation of Mr. Justice Douglas, is justified.

What we have before us is not a question of free speech. This book and these views from a citizen of the United States are entirely constitutional. Such writing is the undeniable right of an ordinary citizen. But from a sitting Justice on the Supreme Court they are grievously harmful to our system of Government. If one wishes to act as an agent provacateur in this land, he may not do so and continue as a Justice of the same High Court that is constantly called on to determine the permissible limits of freedom of speech and the right of dissent in America.

Justice William Douglas has impeached himself by his own choice and he should be removed from the Supreme Court of the United States.

NATIONAL KIDNEY DISEASE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I am introducing legislation today known as the National Kidney Disease Act of 1969 which would provide for the funding of $74 million in the next 5 years for construction, planning, and research, and equipment grants for cooperative medical programs relating to kidney disease.

There exists an enormous gap between scientific discoveries which have made possible to keep thousands of kidney patients alive, and the lack of adequate funds to implement proven life saving treatments. This concern was voiced by the National Kidney Foundation when it unanimously endorsed this legislative proposal. The foundation quoted an estimated figure of over 100,000 citizens that will die from kidney and kidney related diseases this past year. Of these an estimated 10,000 cases of end stage kidney disease are ideally suited for treatment with the artificial kidney machine or transplantation. However, only 1 to 3 percent of the treatable patients will actually receive this care because of the lack of funds for trained personnel and facilities.

No parallel situation exists that I know of in medicine where techniques have been developed for the diagnosis and prevention of diseases which would save lives, and yet, at the same time, people continue to die from the disease because of the lack of funds and facilities for diagnosis and treatment. When you stop to think about it, this is truly a sad situation.

Up to the present point, there have been approximately 60 Members of both sides of the aisle cosponsoring this bill. My hope is that more of my colleagues will move to back this bill so that those individuals that might have a chance to live may be given that opportunity.

I know from sad experience with several cases in my own district the crying need for this legislation and program.

Mr. Speaker, I insert a draft copy of the bill:

Section 2. *Declaration of Policy.*—(1) The lack of trained individuals, available facilities, research and equipment for the diagnosis, evaluation, treatment and prevention of kidney disease is a major health problem.

(2) Techniques have been developed for the diagnosis and prevention of disease which would save lives, and yet, at the same time, people continue to progress to chronic kidney disease and death only for the lack of facilities for diagnosis and treatment.

(3) Basic research is needed into the nature of diseases of the kidneys and the problems of kidney transplantation; in developing mass testing procedures for the early detection of kidney disease; and for the development of more effective and economical devices for blood purification.

(4) There is an urgent need for a comprehensive program to combat kidney disease through the combined efforts of the Federal, State and local governments, medicine, universities, nonprofit organizations and individuals.

Section 3. (a) *Purposes:* To encourage cooperative arrangements in the field of kidney disease to secure for patients the latest advances in the diagnosis and treatment of kidney disease.

Appropriations: Appropriations are authorized for construction planning and equipment grants for cooperative medical programs relating to kidney disease; $8 million for FY 1970; $11 million for FY 1971; $17 million for FY 1972; $18 million for FY 1973; and $20 million for FY 1974. The maximum Federal participation in the costs of construction of facilities and built-in equipment grants is 90%.

Planning Grants: The Secretary, after consultation with the National Advisory Council on Kidney and Kidney Related Diseases (established by the new Section 1005) is authorized to make grants to public or nonprofit private agencies for planning the development of comprehensive medical programs. Applications for grants must meet criteria including the designation of a local advisory group, comprised of concerned professionals and the lay public, to advise in the formulation of plans for establishment and operation of the Regional Medical Program.

Cooperative Medical Program Grants: The Secretary, after consultation with the National Advisory Council on Kidney and Kidney Related Diseases, is authorized to make construction, planning and equipment grants to public or non-profit private agencies for the establishment and operation of cooperative medical programs. Grants under this section may be made only if it meets criteria and is recommended by the local advisory group. The usual financial reports and Davis-Bacon Act compliance is specified.

National Advisory Council: The Secretary shall appoint a National Advisory Council on Kidney and Kidney Related Diseases which

shall consist of the Surgeon General and 16 leaders in the fields of fundamental sciences, medical sciences, or public affairs. They serve four-year staggered terms. The Council shall advise and assist the Secretary in the preparation of this title, consider all applications for grants under this title and make recommendations to the Secretary with respect to approval of applications for and the amounts of grants under this title.

Special Treatment and Training Centers: The Secretary is authorized to establish and maintain a current list of facilities capable of providing the most advanced methods in the treatment and diagnosis of kidney disease.

Section 3(C).—An Office of Kidney Disease and Kidney-Related Diseases is established within the Health Services and Mental Health Administration. All of the functions of the National Institutes of Health relating to kidney disease or kidney-related diseases shall be performed by such office.

NEW LEFT WAGES PSYCHO-WAR ON POLICE OFFICERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, once again it appears that the war on crime has difficulty in distinguishing friend from foe. And once again it appears that the Black Panthers are the shock troops for the Red jackals.

It seems that nearly 10 years ago the then Attorney General of the United States, the late Robert F. Kennedy, was determined to dethrone Teamster President James R. Hoffa. In this particular war a great deal of unauthorized bugging and wiretapping took place in the major cities of the land, and volumes of interesting conversations were recorded and indexed.

Whether the guiding light behind the anti-Hoffa crusade was Walter—Carry on the fight for a Soviet America—Reuther, as has been rumored, is immaterial. The point is that the tapes exist.

The administration's new U.S. attorney for the district of New Jersey named in 1969, one Frederick B. Lacey, wasted no time in releasing and less time in publicizing and vouching for the accuracy of some 1,200 pages of the so-called De Carlo tapes in which many alleged Mafia kingpins chattered freely about their control over various officials and law enforcement officers of the State of New Jersey.

None of the tapes appear to have included conversations with any of the accused public officials, although their names were quite freely bandied about.

The evidence also appears to indicate that the parties whose conversations were being taped were well aware of the fact, and may have used the opportunity for some slander or horseplay—merely the free mention of important names.

In any event, it is important to note that many dedicated public servants, after decades of devoted service, were publicly smeared, and for no apparent reason. The Department of Justice, possessor of the Martin Luther King tapes which seem to have freely circulated for the titillation of the elect, did not display the same reluctance to protect the character of police officers who were only discussed by known or suspected Mafiosa as it is in concealing the actual voice of King and his questionable companions in actual liaison.

The appointment of Mr. Lacey as U.S. attorney is in itself a very strange thing. His son, Fred Bernard Lacey, Jr., was publicly identified as long ago as July 1967, in hearings before the Joint Legislative Committee on Un-American Activities of the State of Louisiana as a member and leader of the Maoist Communist Progressive Labor Party in New Orleans, and a frequent associate of such other identified Communists as Carl and Anne Braden—all of which evidence was then made available to the Attorney General of the United States.

It would seem that such an involvement in such an organization by Mr. Lacey's son and namesake would make it impossible for Lacey to discharge his duties as U.S. attorney in a district where violence and subversion by the New Left are matters of record. At the very least, an intriguing question of conflict of interest is raised.

We are indebted to the courageous investigator Frank Capell for his extensive research and timely publication of the background of this unusual affair, as well as to the legislative committee in my State of Louisiana for its well documented investigation of the New Left in New Orleans.

I insert Mr. Capell's report and the pertinent sections of the committee's report in my remarks:

[From the Herald of Freedom, Feb. 6, 1970]

LEGAL LIBEL OF LAW ENFORCEMENT

During the days when Sen. Joseph McCarthy was exposing Communist infiltration into government, a great cry went up from "liberals" and even some conservatives that he was destroying reputations, that he could not prove what he said, that innocent people were being smeared by unfounded charges. Eventually, with the blessing and collaboration of the Eisenhower government, Sen. McCarthy was "discredited" and silenced, eventually by premature death. People piously declaimed that they agreed with his aims but not his methods of achieving them. "McCarthyism" is now a scare word among liberals and stands for all that is bad in a public (or even private) individual. McCarthy and Hitler vie for first place on the hate list of American liberals, villains incarnate.

Now comes a hero, with nationwide publicity, doing exactly what McCarthy did, but his target is not Communism (far from it). . . . it is "organized crime in New Jersey." The A.C.L.U. has made little noises (they want F.B.I. agents indicted) and some public figures have protested, but the worst U.S. Attorney Frederick B. Lacey has been accused of is an ambition to run for public office as a result of his attacks on public officials and law enforcement officers. In the U.S. Senate, Sen. John McClellan has called attention, however, to the danger in the precedent set in New Jersey by officials of the U.S. Department of Justice in releasing transcripts of illegal F.B.I. electronic surveillance devices for public consumption. He traces it back to the Alderman rule, based on a Supreme Court decision on March 10, 1969 in Alderman v. United States. Sen. McClellan states:

"In that case, the Court had held that a Federal criminal defendant with standing to object to evidence derived from an unlawful Government electronic surveillance must always be allowed to examine confidential Government files on the surveillance, in his effort to show that the evidence presently being used against him is 'tainted.' . . . the opinion expressed no requirement that a trial judge ordering disclosure on motion of a defendant limit his order so that it compels public disclosure only when that is in the interest of justice. The failure of the Court to have placed such limitations on the rule . . . seemed to me gravely to threaten the public interest in effective prosecution of organized crime, the reputations and privacy of individuals, and the rights of defendants."

The first public revelation of the results of the illegal FBI "bugging" and wiretapping came in LIFE magazine which published excerpts from conversations between members of La Cosa Nostra in Chicago and Miami. The second was the release of the "DeCavalcante tapes" (13 volumes of transcripts of wiretaps and "bugs") by U.S. Attorney for New Jersey, David M. Satz, Jr. and Donald Horowitz, his assistant. In this particular case the defendant's attorney had neglected to request that disclosure be limited to himself and his clients when he exercised his rights under the new "Alderman rule," in June 1969. The third and most sensational revelation was January 6, 1970 when New Jersey Federal Judge Robert Shaw released the so-called "De Carlo tapes," and ordered them made public in spite of a request of the defendant's lawyer that this not be done. The result was the smearing of the reputations of many public officials and law enforcement officers whose names had been tossed about loosely by the gangsters whose conversations had been taped . . . even the governor of the state, Richard Hughes, the N.J. Attorney General, Arthur J. Sills, and a U.S. Congressman. Although Judge Shaw ordered the release of the tapes, the N.Y. Times of January 9, 1970 brought out the fact that U.S. Attorney Frederick B. Lacey, Sr. had sought their release.

Publicity, rather than due process of law, would now seem to be the Justice Department's secret weapon, to be used against other police departments also. Lacey has been so busy appearing on television, at news conferences and making speeches that one would wonder how he has time to attend to his U.S. Attorney duties which he assumed only September 2, 1969. He told a gathering of priests, ministers and rabbis at a luncheon of the Jersey City Priests' Association recently that "the public must be aroused" and aid in the fight against "bribery and corruption." He said the Justice Department had directed him to "step in with all of our investigative forces" if federal violations exist and if state, county, and municipal authorities do nothing about them. His publicity campaign however, is not so damaging to "organized crime" as it is to public officials whose names are mentioned by the gangsters in private conversations, and who are unable to offset the bad impression it makes upon the public even though they deny any involvement whatsoever. Lacey's campaign against "organized crime" will not make the streets of New Jersey any safer from militant Negro groups and their white accomplices such as caused the "Newark riots" of July 12–17, 1967. This is when the sudden desire of state and federal authorities to rout out gambling and its associated evils became so urgent . . . better this than stamp out the Communist influence in the riots.

During the period of July 12 to 17, 1967 in Newark, N.J. there were twenty-three homicides and three related deaths, many injuries and millions of dollars in losses through fire, bombed buildings, stolen or destroyed merchandise, etc. A ten-member Commission on Civil Disorders of New Jersey heard testimony from Newark Police Director Dominick A. Spina who testified that the riot was planned deliberately. He furnished proof of conspiracy in the form of leaflets and documents which the Commission suppressed, as an honest investigation would have had to disclose a Com-

munist conspiracy in the riots, deaths and destruction, based on Director Spina's volume of evidence, given in testimony in March 1968. This seems to have set the ball in motion. By July 1968 there was an attempted assassination of Director Spina in which militant Negroes were suspected. He escaped a shotgun blast miraculously by stooping down to pet his dog at the moment it was fired. Illegal measures having failed to take care of him, Spina was then indicted by an Essex County Grand Jury in July 1968 on four counts of "nonfeasance," claiming that the Newark Police Department failed to crack down on gambling. Tried and acquitted of the charges, Spina returned to his position of Newark Police Director, completely exonerated.

Up to September 1969 the U.S. Attorney's Office in Newark had maintained a cooperative relationship with the various New Jersey police departments. Then came the crime buster, Mr. Lacey, sworn in on September 2, 1969 and pledging a "vigorous crackdown on organized crime" of whose importance he had only recently become aware, actually through the "DeCavalcante tapes." He later stated in a speech to the N.J. Chapter of Sigma Delta Chi (national journalism society): "My education really only began with the DeCavalcante 'tape' materials so courageously released by my predecessors, David Satz and Donald Horowitz." Senator Clifford P. Case, who sponsored Lacey for his new job, said that with the new United States Attorney on the job, "these people are going to be on the run." Lacey immediately named as his chief assistant Herbert J. Stern, a young lawyer working for the Justice Department.

Using investigations begun by his predecessor, Lacey quickly sought from federal grand juries indictment after indictment and during two months of his "open war" on organized crime led three federal grand juries to the indictment of 78 persons on charges ranging from illegal gambling to extortion. Among those indicted was Hugh Addonizio, mayor of Newark. All the while Lacey was publicly proclaiming the terrible situation in the State of New Jersey in which "organized crime" had taken over just about everybody and everything. On January 5, 1970 began the trial of Angelo DeCarlo and three co-defendants on charges of extortion conspiracy, the indictment having taken place the previous August before Lacey's appointment. De Carlo's defense attorneys asked presiding Federal Judge Robert Shaw for permission to read any transcripts of electronic surveillance or wire tapping involving their client to determine if any evidence being used at the trial had been illegally obtained, at the same time requesting that the tapes not be made public. The judge granted the first part of the request but refused the second and thereby caused much excitement.

The tapes consisted of 1200 pages of alleged conversations between Mafia figure, Angelo De Carlo, and several underworld characters. They were the result of an illegally planted electronic device in a building, used by DeCarlo, in 1961 and continuing over a period of several years. At the time of the "planting" Robert Kennedy was Attorney General of the U.S. and he was using the services of a private detective agency for illegal work when J. Edgar Hoover refused to go along with his requests. Tossed out to a shocked public by the instigation of Lacey and the order of Shaw were 1200 pages of edited, interpreted and filled-in conversations between people whose credibility is most questionable. Since these underworld characters had known for at least a part of the time that they were under surveillance it is even possible that they deliberately used names to involve persons who would NOT go along with them. The bragging of De Carlo and his underworld associates involved a long list of law enforcement authorities allegedly influenced by, under control of, bought by, or "in the pocket of" the gangsters. They included two superintendents of state police, prosecutors, a sheriff, police of various ranks and, of course, Director Spina of Newark, who has been a prime target of the left ever since he exposed the Newark riots as a Communist-inspired conspiracy.

Even before the tapes were released, U.S. Attorney Lacey was already undermining public confidence in law enforcement officials and destroying the morale of the police departments, thus giving aid and comfort to the Communists who are constantly trying to undermine the police. In November 1969, having been in office only two months, Lacey made a speech at Seton Hall University, concerning which the N.Y. TIMES of November 29, 1969, stated: "Frederick B. Lacey, the U.S. Attorney for N.J. asserted tonight that organized crime had purchased the allegiance of judges, police officers, politicians, businessmen and union leaders across the state. As a result, he said, organized crime is 'taking over' the state—its local and county governments in particular."

Lacey must have known he would have to arrange for the release of these illegal tapes to substantiate these accusations against law enforcement and other public officials. Lacey failed to state, even after the tapes were released, that many of these law enforcement officers have unblemished records of 20, 25 or 30 years service for their communities or state, with numerous commendations. Police Director Spina had 29 years of service with the Newark Police Department and came up through the ranks, studying law while working, and graduating from Rutgers University Law School, at that time Newark Law School. Lacey has been quoted as stating that he does not believe that people with long public service will suffer by the fact that their names were mentioned by the "vermin," as he characterizes the underworld figures. He is completely wrong in his opinion, if indeed this really is his opinion.

The tapes contain information useful to the F.B.I. or polce in running down possible leads but the end result has been to eliminate the possibility of the future use of this information, legally that is. U.S. Attorney Lacey knew that the information on the tapes was illegally obtained (thus putting the F.B.I. in an unfavorable light), that they are hearsay evidence and not admissible in court, that not a single conversation was between a law enforcement official and the gangsters and that many of the taped conversations could have been pure braggadocio or even a warped sense of humor, if nothing more sinister such as deliberate involvement of the innocent. The tapes were obtained from 1961 to 1965 during a period when Bobby Kennedy, the Attorney General of the United States, was having phones tapped and illegal electronic devices planted all over the country in a fishing expedition to get some evidence to use in his vendetta against Jimmy Hoffa.

Before the release of the tapes, while Lacey was publicizing the terrible shape the State of New Jersey was in, he appeared at a two-day workshop involving attorneys general and law enforcement officers from many states which was held at Woodbridge, N.J. The N.Y. TIMES of November 12, 1969 stated:

The United States Attorney for New Jersey said today that the "rottenness of organized crime and its stench has permeated to terrifying levels our municipal police forces and governments, our county law enforcement agencies, and even our state levels from time to time.

The official, Frederick B. Lacey, spoke at a two-day workshop . . . on the problems of organized crime. He conjectured as to the consequences "if Mark Rudd and other young rebels and protestors" against the adult Establishment "knew what we know about municipal corruption in this country."

Mr. Lacey suggested that if youthful protesters were aware of the facts governing the relationship in some areas of the country between organized crime and municipal policemen and administrators, their protests might be that much more "genuine" in their foundations.

Lacey would probably call his son, Frederick B. Lacey, Jr., "a young rebel and protester" also even though he has been officially identified as a Communist. In Report No. 9 (July 14, 1967) of The Joint Legislative Committee on Un-American Activities of the State of Louisiana on The Spartacist League and Certain Other Communist Activities in South Louisiana is found the testimony of New Orleans Police Department Sgt. David Roland Kent. As part of his official duties in the Police Intelligence Unit, Sgt. Kent had infiltrated into the Spartacist League and as a result had come in contact with various Communists. Testifying concerning the Progressive Labor Party, Sgt. Kent stated: "Progressive Labor Party evolved from the Progressive Labor Movement, which is a Maoist-Communist, revolutionary organization; it has a chapter in New Orleans; the Southern organizer, Ed Clark, resides in New Orleans." He then stated the full name of the individual as Edward Hughes Clark, Jr. and described him as having been a paid employee of the Progressive Labor Party, an individual with contacts all over the country through Progressive Labor and one who had traveled to Communist Cuba and Czechoslovakia. He advised that Clark was on a first name basis with Communists Carl and Anne Braden.

Sgt. Kent then identified as a member of the Communist Progressive Labor Party, Fred Bernard Lacey, Jr. and testified that Clark and Lacey were roommates. The Committee Counsel, Jack Rogers, then introduced the Criminal Identification Police Department photo of Frederick Bernard Lacey, Jr., No. 123940, date of arrest 11–7–66, identified as Exhibit 5.

Referring to the subversive Movement for a Democratic Society, the most radical group of its kind in the South, another witness, lawyer Donald A. Meyer, indicated that the organization was headed by a triumvirate of Fred Lacey, Ed Clark and Bob Head. On page 123 of the Report is shown a list of persons who attended the New Orleans Committee to End the War in Vietnam Workshop on September 30 and October 1, 1966. On the list appear the names, among others, of Fred Lacey, Anne Braden and James A. Dombrowski, all identified Communists. On page 138 of the hearings is Exhibit 44 which is a photograph of Frederick B. Lacey, Jr. participating in a New Orleans demonstration with the Progressive Labor Party.

On page 181 of the Report we read:

"The Committee is sending copies of this report to the United States Department of Justice, the Attorney General of the United States, the Attorney General of Louisiana and all the District Attorneys of this State. . . .

"The Committee finds that the 'Spartacist League' and the 'Progressive Labor Party' are Communist organizations and are subversive within the meaning of the laws of this State. The Committee further finds that the now dormant 'New Orleans Committee to End the War in Viet Nam' was a Communist front organization. The Committee further finds that the 'New Orleans Movement for a Democratic Society' is in fact a Communist front organization."

We must wonder, since the Justice Department received the above information, how U.S. Attorney for New Jersey, Frederick B. Lacey, Sr., could have received a security clearance for his sensitive position when his own son has been publicly identified as a member of the Communist Progressive Labor Party. Lacey, who refers to the likes of Mark Rudd as a "youthful rebel," must know that

Rudd and his cohorts in the SDS have been involved in the Communist conspiracy to undermine the police. However, Mr. Lacey himself has actually done more harm to public confidence in law enforcement with his unwarranted and vicious attacks. Certainly the Mafia and other gangsters should be prosecuted but then so should the real directors of organized crime, the Crime Syndicate, of which the Mafia is only a small portion. While Italian names seem to predominate in the sector of "organized crime" that Mr. Lacey is at war with, the majority of the top members of the Crime Syndicate do not have Italian names.

While "organized crime" is supposedly busy taking over New Jersey, Communism is moving ahead in the conquest of the whole country. But then a prosecutor with a revolutionary Communist son might not be interested in that.

Senator John L. McClellan, Chairman of the Government Operations Committee and a former prosecutor himself, stated on the floor of the Senate on January 19, 1970 (Congressional Record, 1–19–70, p. 130), regarding the release of the "Mafia tapes:"

"Each revelation of overheard Mafia conversations has included passages imputing corruption and other crime and immorality to numbers of identified public officials and private citizens. Each of them has, as a result, been judged without Judicial process by a substantial segment of the public, and doubtless many have been found guilty by the newspaper readership. I suppose that some are innocent, maligned by boastful hoods fencing for status and power, and that others are guilty tenfold of what was said of them in the transcripts. However, innocent and guilty alike lack any wholly effective means of cleansing their reputations. Civil lawsuits for defamation, such as that brought by a New Jersey county prosecutor based on allegations against him in the De Carlo logs . . . are very difficult to maintain and at best offer only partial redress. Punishing a defendant to whom disclosure of logs has been made for further disseminating them in violation of a protective order is seldom possible, since it requires proof beyond a reasonable doubt and the other incidents of a criminal trial, and it can never rectify the harm done to an individual whose privacy or reputation already has been harmed by the further disclosure."

In the case of the DeCarlo tapes, however, it was not the defendant who was "further disseminating" but the federal authorities and U.S. Attorney Lacey in particular. In fact he has gone so far as to say, without offering any proof except the unsupported word of gangsters, that "Only 2 per cent of the tapes contained gossip—the rest was important information the public had a right to know." Lacey made this statement after he won his big case against "reputed top Mafioso Angelo (Gyp) De Carlo" and his codefendant Daniel (Red) Cecere, at his inevitable news conference. They were convicted under the federal "Truth in Lending" law, based on charges of extortion and loansharking.

We cannot help but wonder if Mr. Lacey would approve of the release of tapes, should they exist, of conversations between two Communists in which they could conceivably say, "We don't have to worry about New Jersey. We have the father of Comrade Lacey who is a big shot there."

[From Report No. 9 of the Joint Legislative Committee on Un-American Activities, State of Louisiana, July 14, 1967]

THE SPARTACIST LEAGUE AND CERTAIN OTHER COMMUNIST ACTIVITIES IN SOUTH LOUISIANA

* * * * *

Q—Sgt., are you acquainted with an organization known as the Progressive Labor Party?

A—Yes, sir, I am.

Q—What can you tell us about this organization?

A—Progressive Labor Party evolved from the Progressive Labor Movement, which is a Maoist-Communist, revolutionary organization; it has a chapter in New Orleans; the Southern organizer, Ed Clark, resides in New Orleans.

Q—This organization is oriented basically toward Red China, is that correct?

A—Yes, sir, that's correct.

Q—What can you tell us of Ed Clark? Do you know his full name?

A—Edward Hughes Clark, Jr.

Q—What can you tell us of Ed Clark's occupation?

A—I'm not sure of his present employment right now. I know that he was formerly a paid employee of Progressive Labor. He received a monthly stipend; he is from Eastern Kentucky. He has contacts all over the south and all over the country through PL; he's been to Cuba via Czechoslovakia.

Q—Do you know anything of his friendship with any other persons who have been identified as Communists in the past?

A—He claims to be personally friendly with the identified Communists Carl Braden and Anne Braden; he's on a first-name basis with this couple.

Q—How do you know this?

A—In my presence, he spoke to Mrs. Braden, addressed her as "Anne"; he made a long-distance telephone call from a meeting in New Orleans at which I was present. He asked to speak to Carl and subsequently spoke to Anne.

Q—What's his organizational connections in New Orleans other than the PLP?

A—He claims to be very friendly with certain individuals who have been identified as officers in the Southern Conference Educational Fund, which is a cited "Communist Front".

Q—Does he take any part in the New Orleans Movement for a Democratic Society?

A—Yes, sir, he is quite active in this organization; he feels that our New Orleans home-based organization is the most radical group of its kind in the south. He prides himself in his organizational ability to have managed to create and raise multi-issue political questions, not only on the American foreign policy in Southeast Asia but also on Africa and also the domestic policy of the United States.

Q—Is he effective in this work?

A—Very effective.

Q—Who else do you know in this organization?

A—His roommate, Fred Lacey, Frederick Bernard Lacey, Jr.

Q—Is Lacey a member of the Progressive Labor Party?

A—Ed Clark, on one occasion, identified Fred to me as a member of the Progressive Labor Party.

Q—Are Clark and Lacey white or colored?

A—Both white.

By Mr. Rogers:

Mr. Chairman, at this time, we offer into the record, a police mug shot of Fred Lacey.

By Senator Knowles:

Let it be made a part of the record.

By Mr. Rogers:

Q—Sgt., will you elaborate somewhat on the functions of the New Orleans Committee to End the War in Vietnam and its successor, the current organization called the New Orleans Movement for a Democratic Society? Didn't they have some kind of a conference last fall?

A—Yes, sir, the organization was primarily organized to protest the U.S. policy in Vietnam.

* * * * *

A—None whatsoever.

Q—Had you ever met him before that?

A—Yes, I met him in company of Mrs. Collins and Bob Head, several other people in September '66.

Q—At the conference, that was?

A—Yes, sir.

Q—Did Jack Brady accept you as a fellow Communist, Sgt.?

A—Yes, sir.

Q—Did he make any inquiry about any other people that you know as Communists?

A—Primarily he asked Mark, Richard and me how his friend Joe Verret was and also he inquired about Ed Clark.

Q—Sgt., who is the legal advisor to the Spartacist League in New Orleans?

A—Well, officially since Don Meyer has been accepted as a candidate member, I can only presume that he would be the official counsel for the New Orleans local of the Spartacist League. However, prior to his appearance in the organization, SL and PL and the New Orleans Committee to End the War in Vietnam, resorted to a fellow member, Jack Peebles. Now, by a fellow member, I mean a member of the New Orleans Committee to End the War in Vietnam.

Q—Who is Jack Peebles?

A—He's a local attorney. He's white, formerly associated in law practice with Benjamin Smith and Bruce Waltzer, He is a high-ranking officer in the Southern Conference Educational Fund and he's highly thought of by both Joe Verret, the entire Spartacist membership and Ed Clark.

Q—Has Joe Verret ever spoken to you about him?

A—Yes, sir, we have discussed certain matters wherein the Sparticist members needed legal advice pertaining to public demonstrations, etc., and also, he has spoken of Peebles having made financial contributions toward Spartacist League programs.

Q—Do you know whether Peebles would give his advice to Joe Verret after these occasions or prior to their taking place?

A—He'd give advice whenever it was sought, however, I recall that he would give advice prior to our engaging in some legally questionable areas, as far as public demonstrations and passing out handbills and this information would be sought before the actual time came for us to participate in the activity.

Q—Have you ever attended any meetings of any kind at his home?

A—Yes, sir, I have attended two or three meetings of the New Orleans Committee to End the War in Vietnam at his residence and it was at one of these meetings that we were arranging and organizing for this Workshop that was held in September. It was from his home phone that Ed Clark called long distance to Louisville and spoke to Mrs. Anne Braden.

Q—What connecton did Jack Peebles himself have with setting up the lecturers for this conference?

A—Well, the actual working requirements for setting up the Committee were delegated to various committees. I don't recall exactly what committee he was appointed to or volunteered for.

Q—Do you know of anybody that he personally invited to speak as a lecturer?

A—Yes, sir, the question was raised at a meeting after the conference that he issued an independent invitation to Mr. Buch from the "Bring the Troops Home Now" newsletter, which is a Socialist Worker's Party sponsored publication calling for immediate withdrawal from Vietnam.

Q—The Socialist Workers Party is, in fact, a Communist organization, is it not?

A—The Socialist Workers Party, yes sir!

Q—The Benjamin Smith that you mentioned, is he the same Benjamin Smith who is the former treasurer of the Southern Conference Educational Fund and a registered agent of Castro Cuba?

A—Yes, sir, he is.

* * * * *

Q—Has he any connection with Stokely Carmichael?

A—I understand that he claims to be a friend of Carmichael and when Carmichael

was in town last month he was reported to be a bodyguard of Carmichael.

Q—Do you know where he lives and with whom?

A—Yes, sir, he lives with a Dr. Dubinsky, who is a white university professor at Tulane University and Cathy Cade, who is a white female, and a student in New Orleans, and they reside at 1538 North Tonti Street, New Orleans.

Q—Now, Sgt., would you give the Committee some of your overall impressions and conclusions drawn from your own personal experiences as to the activities of the various Communist organizations and individuals in the New Orleans area with whom you've come in contact.

A—Yes, sir. It was my discovery that New Orleans is, in fact, considered to be a location that has a high consciousness of politics. This has been stated by Ed Clark of Progressive Labor who feels that he is quite an authority on this and he is confident that New Orleans is one of the more progressive southern cities, more progressive than any other location in the south toward the radicalization of young people. It's a healthy climate for new-left groupings and individuals. It was my observation that some of the leadership in the various organizations that I came in contact with were not natives of New Orleans or Louisiana for that matter. Of course, that's with the exception of Joe Verret, who is a lifelong resident of New Orleans and seems to have developed his political philosophies almost independently. I also observed that the general program of the new-left people that I encountered was ultimately to achieve in the black community a higher level of political consciousness, and by this I mean to raise questions in their minds as to their political, economic and social status in American society.

Q—Was this directed also toward the raising of questions in their minds as to their loyalty to the United States?

A—Yes, sir, this is a criteria, I would say, in recruitment, particularly by Spartacist, to ascertain how an individual feels in general toward his country, and the vehicle through which this evaluation can most easily be made is the policies of United States government in Southeast Asia. This is quite controversial and it provides the Spartacist League and the Progressive Labor Party and the members of the New Orleans Committee to End the War and the New Orleans Movement for a Democratic Society with a guage to a prospective members' feelings in general about the government, how much opposed or how much in favor of the government the individual may be. This is primarily in the white community. Now, by comparing the death rate, the casualty rate in Vietnam in the American and the free west side and also in the Communist or the South Vietnamese side, the radicals have been able to identify non-white persons, citizens of the United States, with non-white alleged victims of atrocities in Vietnam and they also like to correlate the statistical casualty rates of non-white members fighting in the United States Armed Forces in Vietnam. This is a tremendous inroad, you might say, that they have made and it affords them a relatively easy opportunity to reach out, to communicate with other people to ascertain their personal feelings toward the government and our policy. On the home front they apparently have as a goal the elimination of what they call the class system of society, the power structure, the bureaucracies. They feel that their program provides the classless base, an equal, free, democratic society where there will be no particular advantages given to any one group or groups, whether it is industrial or social or what have you.

Q—In the event society is not willing to be destroyed peacefully, have they made any statement of their principles in regard to how they hope to bring this about?

A—Well, generally speaking, at this period in history, they feel that their primary objective is to raise the political consciousness of the worker, both black and white, against the financial, the affluent community, and of course, the classic position is that once they have achieved a certain numerical position, they will be able to forcibly take power away from the majority, which is according to their feelings on financial and political power, and this is naturally done through violent revolutionary regroupment of society.

Q—Mr. Chairman, has the Committee or the Chair any questions to ask of Sgt. Kent?

* * * * *

Q—Under whose leadership are they operating at the present time?

A—Probably a triumvirate of Fred Lacey, Ed Clark and Bob Head.

Q—Are not Ed Clark and Fred Lacey both known members a a Communist organization known as the Progressive Labor Party?

A—They have been designated by Joe Verret and Mark Klein as belonging to this organization and I know that Ed Clark, at one time, was on PL's—was a PL employee on their payroll. He is not, at this time, to the best of my knowledge.

Q—The Progressive Labor Party is a Maoist-Communist group, is it not?

A—It's been described that way to me, yes.

Q—Mr. Meyer, you mentioned a man by the name of Bob Head as being one of the current leaders of the MDS. Is not Bob Head a former member of the Spartacist League?

A—He was not a member of the Spartacist League when I was in the organization, but I understand that he was either a candidate member or a full member, I don't know which and there is a distinction in this as far as these people see it. But he has subsequently resigned.

Q—What is his wife's name?

A—He has a common-law wife, I believe.

Q—Do you know her name?

A—I believe it is Darlene but I would have to see her to point her out to know that's who it is, but I believe it is Darlene.

Q—Do you know where she's employed?

A—I heard she's employed by the NASA authority, either at Boeing or Chrysler, I don't know which.

* * * * *

Braden, incidentally, was convicted, and was later released from a fifteen-year term in the Kentucky penitentiary under a U.S. Supreme Court decision nullifying the sedition statutes of the State of Pennsylvania and other states including Kentucky. Other featured lecturers at this conference included Jack Brady, identified as a Communist in the testimony of Sgt. David Kent, and Peter Buch, previously identified as a member of the Communist "Socialist Workers' Party," the Trotskyite parent organization of the Spartacist League.

This particular conference was of extreme importance to the radical left movement in New Orleans. Its title "Southwide Organizers' Conference" indicates its obvious purpose, to train radical leadership. It was controlled and conducted by Communists from beginning to end. The next two documents demonstrate some of the activities and propaganda of the New Orleans Committee to End the War in Viet Nam. They show the Communist "party line" on the Viet Nam war.

The final document of this group Mr. Chairman, is a nine-page statement written by Mark Klein, one of the New Orleans Spartacists, analyzing the New Orleans Committee to End the War in Vietnam and its evolution into the "New Orleans Movement For a Democratic Society" under the leadership of Ed Clark. Clark, as the Committee has been told in previous testimony, is a Communist of the Maoist variety, being the Southern Representative of the Communist "Progressive Labor Party." This statement is a well-written explanation of the entire background and activities of the New Orleans Committee to End the War in Viet Nam, the internal rivalry between the Trotskyite and Maoist Communists and the formation of the New Orleans Movement For a Democratic Society under Ed Clark's leadership. The writer at one point refers to Clark as a "Stalinist," but later he develops Clark's Maoist ties. This document is an extremely interesting analysis of some of the inner workings and rivalries of some of the Communist groups in New Orleans. It clearly shows that both the New Orleans Committee to End the War in Viet Nam and the New Orleans Movement For a Democratic Society were and are controlled lock, stock and barrel, by the Communists.

* * * * *

The next picture is one of Frederick Bernard Lacey of the Progressive Labor Party and Marimar Benitez, a former member of the Spartacist League, in the same demonstration. The next document is a picture of both the front and back covers of the magazine "PL" published by the Progressive Labor Party. These show the nature of subjects important to the Progressive Labor Party and also the participation of Ed Clark as a writer for this magazine. The progressive Labor Party is militantly Maoist in its policy, following the anti-Moscow party line of Red China. The next document is the cover of a bulletin published by the Progressive Labor Party showing the contents of the bulletin. The last two documents in this group are photographs of the front-page headlines of two issues of "The Militant," the weekly publication of the "Socialist Workers' Party." The Committee will no doubt remember the famous picture of Lee Harvey Oswald holding a rifle and a copy of "The Militant." These newspapers are samples of the "party line" of the Socialist Workers' Party, whose member Peter Buch was a lecturer at the Southwide Organizers' Conference.

Mr. Chairman, one of the key "issues" exploited by the Spartacist League is the question of so-called "Police Brutality." All Communists as a matter of policy hate the police as symbols of "Capitalist Oppression." They honestly expect all policemen to be killed when the violent revolution comes about and in fact have actually killed most of the police of every country they have ever taken over. I offer for the record three documents which show the Spartacist League "party line" as to the police. These are all handbills handed out in the New Orleans area by the Spartacist League, the most recent one only last month. These handbills are calculated to stir up resentment and hatred of the police. They are a classic prelude to actual violence and demonstrate a Communist technique which has been used in every city in this nation where violence and rioting has taken place. They portend some dangerous plans for the city of New Orleans whose police force is already undermanned and overworked.

The connection of New Orleans attorney Jack Peebles to the Spartacist League was explained to the Committee in the testimony of both Sgt. Kent and Mr. Donald Meyer. I now offer for the record a picture of Jack Peebles. He is an obvious link between the Communist front Southern Conference Educational Fund and most of the radical left activities in New Orleans. On the SCEF side he is reported to be a Vice President of that organization and he is known to be closely and personally associated with Carl and Anne Braden.

The federal crime of "Advocating overthrow of government," commonly called "sedition" is defined at some length in the United States Code, Title 18, Section 2385, which provides a maximum penalty of twenty years imprisonment. Much of what is shown

in the evidence in this report clearly falls under the provisions of this federal law, but there have been no prosecutions under this law! In the State of Louisiana the United States Department of Justice has allowed the federal crime of sedition to be committed with impunity, despite many clear decisions of the Supreme Court of the United States holding that this federal statute was fully constitutional. It may be noted in passing that the laws of the various states covering the crime of sedition have been substantially emasculated by the decisions of the Supreme Court of the United States.

The Committee is sending copies of this report to the United States Department of Justice, the Attorney General of the United States, the Attorney General of Louisiana and all the District Attorneys of this State. The enforcement of law lies with them, not this Committee. The trend of decisions of the Supreme Court of the United States in recent years has not inspired the confidence of this Committee that the constitutional and statutory law applicable to the facts in this report will be interpreted without bias. We pray that this trend will not be continued.

The Committee finds that the "Spartacist League" and the "Progressive Labor Party" are Communist organizations and are subversive within the meaning of the laws of this State. The Committee further finds that the now dormant "New Orleans Committee to End the War in Viet Nam" was a Communist front organization. The Committee further finds that the "New Orleans Movement for a Democratic Society" is in fact a Communist front organization. The Committee re-affirms its prior findings that the "Southern Conference Educational Fund" is a Communist front organization. Although the headquarters of this notorious organization have been moved from the State of Louisiana to the State of Kentucky, it is currently being led by two people well known and publicly identified as Communists, Carl and Anne Braden.

LITHUANIAN INDEPENDENCE DAY

(Mr. KLUCZYNSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KLUCZYNSKI. Mr. Speaker, 52 years ago today, on February 16, 1918, Lithuania became a free and independent country. I thus insert in the RECORD the proclamation from the mayor of the city of Chicago, Richard J. Daley, and the statement of Petras P. Dauzvardis, Consul General of Lithuania:

PROCLAMATION OF THE CITY OF CHICAGO

Whereas, 717 years ago the Kingdom of Lithuania was founded and fifty-two years ago the independence of Lithuania was restored; and

Whereas, Lithuania, once a leading power in eastern Europe has been a victim of conquering forces through the years; and

Whereas, Lithuania, after a struggle of 120 years for independence, regained independence in 1918 and as an independent nation made great economic and social progress; and

Whereas, in World War II, Lithuania became a victim of Communist and Nazi invasion, bearing since then the terrors and sorrow of subjugation and the loss of human life and liberty; and

Whereas, in Chicago, thousands of citizens of Lithuanian descent have by all possible means demonstrated their concern for the plight of the enslaved people of Lithuania and will continue to do so until Lithuania is once more a free and independent country:

Now, therefore, I, Richard J. Daley, Mayor of the City of Chicago, do hereby call upon the people of Chicago to never lessen the fight for the freedom of that nation which has given to our city thousands of their sons and daughters who have become greatly respected citizens of our community to, on February 16, LITHUANIAN INDEPENDENCE DAY, address our representatives in Congress urging that action be taken to continue focusing attention on the plight of these defenseless slaves of Communism.

Dated this twenty-eighth day of January, A.D., 1970.

RICHARD J. DALEY,
Mayor.

STATEMENT BY PETRAS P. DAUZVARDIS, CONSUL GENERAL OF LITHUANIA

The restoration of Lithuania's Independence was declared by the Lithuanian National Council on February 16, 1918 at Vilnius—the capital of Lithuania. The Declaration was ratified by the Constituent Assembly of Lithuania on May 15, 1920—50 years ago.

The Treaty of Peace between Lithuania and Soviet Russia was signed in Moscow on July 12, 1920. By this treaty Russia recognized the sovereignty and independence of the State of Lithuania with all juridical consequences resulting from such recognition, and voluntarily and *forever* renounced *all* sovereign rights possessed by Russia over the Lithuanian territory and people. Nineteen years later, on September 28, 1939, the very same Soviet Russia signed a secret agreement with Nazi Germany to destroy the sovereignty and independence of Lithuania and to partition its territory between them.

Carrying out its part of the secret agreement with Hitler, the Soviet Union in June 1940 invaded, forcibly seized, and perfidiously annexed Lithuania.

This armed seizure and occupation, and illegal appropriation of Lithuania by the USSR was denounced in no uncertain terms by the Governments of the United States, Great Britain, and most of the other free and law- and freedom-respecting countries. To this day the free world firmly refuses to recognize the lawless annexation, and continues to recognize Lithuania and the other two Baltic States as existing, independent States temporarily under duress, and their pre-war, non-communist diplomats.

The United States Government (on July 23, 1940) branded the Soviet aggression as:

"The devious processes whereunder the political independence and territorial integrity of the three Baltic Republics—Estonia, Latvia and Lithuania—were to be deliberately annihilated by one of their more powerful neighbors,"—the Soviet Union.

The Government of Great Britain, in the words of Prime Minister Winston Churchill, described the annexation of the Baltic States thusly:

"They were acquired in shameful collusion with Hitler. We have never recognized the 1941 frontiers of Russia. . . . The Baltic States should be sovereign, independent republics."

President Eisenhower and Prime Minister Churchill declared, on June 29, 1954:

"As regards formerly sovereign states now in bondage, we will not be a party to any arrangement or treaty which would confirm or prolong their unwilling subordination."

In his speech before the General Assembly of the United Nations, Soviet Premier Alexei Kosygin condemned collusion and stated:

"Attempts by any State (logically this includes the Soviet Union) to conduct an aggressive policy towards other countries, a policy of seizure of foreign lands and subjugation of the people living there."

This describes exactly what the Soviet Union did and is doing in Lithuania.

Just a few months ago the Soviet Union proposed an appeal to the United Nations requesting that "All members of the UN withdraw troops from foreign territories occupied . . . by the armed forces of some states . . ."

The Soviet Union's demand for withdrawal of foreign troops from foreign lands, without withdrawal of the Soviet troops from the Baltic States of Estonia, Latvia and Lithuania, is *sheer red hypocrisy.*

YOUNG AMERICANS IN CANADA

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, on January 21, I reported to our colleagues on a trip that I took to Canada in late December to learn more about the 50,000 young Americans who have emigrated to that country primarily to avoid the draft and military service.

Since that time I have received statements from some of the young men I met in Ottawa in which they attempt to describe the reasons why they left this country and their present life in Canada. I appended two such statements with the thought that their observations would be of interest to my colleagues. For the sake of their privacy their names have been omitted.

In addition, I am also setting forth a letter received from the National Council of Churches making known the continued concern of that organization with this difficult problem.

I remain hopeful that responsible and rational dialog can begin in this Congress about the large number of young Americans who are in Canada and are going to Canada every day that passes. And I hope that other Members of Congress will go to Canada with an open mind to observe this situation and report back their conclusions to this House.

The letters follow:

DEAR CONGRESSMAN: On the 26th of June 1969 I deserted from the United States Army and subsequently began a new life in Canada. The purpose of this statement is to document the reasons for this act and certain experiences prior to it.

Prior to being drafted I was an Architect qualified to practice in Pennsylvania. I designed and supervised construction of a medical auditorium and parking garage, both now complete. I was deeply involved in urban planning work with a Philadelphia planning office. I received public praise from Dr. Mark Shedd, Superintendent of Schools, Philadelphia, for a research project on ghetto education, and received two design awards from Drexel Institute of Technology. I say all of this only to combat the public image of a deserter as one who is a misfit and unable to adjust to modern society. The times have changed and rational, intelligent people are doing what was previously "unthinkable" after being forced into a choice between few morally acceptable alternatives. In the military itself I was able to cope with many brutal, dehumanizing situations. I was sent to an Army NCO training program in which I was named "Honor Graduate" and promoted to the rank of Staff Sergeant. In my case as with many others I have met, the idea of a deserter as one who is unable to accept discipline and the rigors of military life is not true, though I certainly do not believe that any human being should be forced to undergo such treatment.

The whole period of time that I spent in the military was a time of conflict within myself, a time of sorting out of values, and a time of determining what I really was. Even before being drafted I had firm beliefs

that the Vietnam War was not morally justified regardless of the merits (if any) of the stated goals of the United States. I found no justification sufficiently valid to support the destruction of a people through war. The reasons for my conflict were rather concerned with the role and responsibilities of an individual when ordered by his country to commit acts which to him are morally unacceptable. Towards the end of this period I knew that the ultimate responsibility for one's actions does indeed lie with the individual, and that social forces must be secondary to this. I was left with two choices: refusing orders to Vietnam with a resultant period in military prison, and desertion to a foreign country. Both alternatives were extremely difficult to contemplate. The final decision to come to Canada was based on the grounds that this period of my life should be constructive rather than wasted. Since coming I have become a counselor to new arrivals for a Canadian counseling group and believe that this usefulness is far more valuable than the unnoticed act of martydom implied by choosing prison.

Prior to leaving I felt that I should try all legal opportunities open to me, however futile. For the first time I realized that I was a Conscientious Objector in the legal sense of that term.

I made application for this status in Oakland, California. Army regulations provide seven days for preparation of the application. On the fifth or sixth day (depending on interpretation), while I was typing the final draft, I was placed under guard with the intention of being shipped to Vietnam. The officers in charge refused to accept the application. A Writ was obtained from Federal Court in San Francisco by my lawyer and was effectively served on the Post Commander preventing my shipment. My application was subsequently received, expedited to Washington and back, denied, in three days. The reason given for denial was that my objection was based on "a personal moral code and not sincere religious training and belief". That these events did in fact occur can be verified with my lawyer, Mr. Steven Arian, 345 Franklin Street, San Francisco, and in the records of the Federal Court.

As a counselor I have talked to many of the new refugees from the United States. Their reasons for coming are many and varied: opposition to the very idea of a draft system, escape from exceptional brutality in the military, refusal to participate in the Vietnam War. The common factor is that they are individuals reacting to a situation sufficiently intolerable to make them forfeit their rights to life in the country of their birth. Few are politically motivated. The overall picture becomes a sad statement of what America is offering its young people. I personally feel little bitterness; only a profound grief that this is what has happened to the country that I loved.

DEAR CONGRESSMAN: When the question of the draft began to threaten, I felt that I should find out what it was that I would be defending. After a great deal of reading and listening to lectures on both sides of the question, I came to the same conclusion that many government officials, including Mr. Nixon, have arrived at. That, of course, being that the United States should not be in Vietnam, and should withdraw its forces as soon as possible.

With this in mind, I could not allow myself to be used to further an injust cause.

To add imeptus to this already strong feeling was disgust felt when examining the draft and its inequities. Within a city each board can treat deferment cases differently, and even within a single board identical requests are not given the same consideration. It takes twelve men to send a man to prison, but only three to uproot a man from his home and family and place him in a position of extreme danger.

I could not have remained out of the service as a conscientious objector, because under fire self preservation is an overpowering force. However, I would not allow myself to be placed in a position of kill or be killed.

With these feelings, the only decision was to remove myself from the situation. Although coming to Canada does seem to have been the easy way out, it does solve the problem of being forced to destroy a people who have been wronged. It allows me to live a normal life without fear of being arrested for my convictions. Also, this will hopefully encourage others to follow the same pattern, which should awaken the government to the public dissatisfaction with the present policy and slow rate of deescalation.

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST,
New York, N.Y., February 11, 1970.

Hon. EDWARD KOCH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KOCH: Word has reached me about your visit with U.S. draft-age emigrants in Canada and I wish to commend you on the concern you are showing about their human situation. There is great need for a more open consideration of the motivation which has taken many of these young men out of our country and the right which should be theirs to respond to the dictates of their conscience.

Two years ago the National Council adopted a Policy Statement which identified certain responsibilities which Christians have with reference to conscientious objectors. Among these were:

Pastoral and material care of the individual and his family

Exploration and testing of the individual's views within the Christian community

Interpretation of the moral legitimacy of the individual's position, even if the majority of the church does not agree with him

Protection of his legal rights, including the right to counsel

Pursuit of judicial review or amendment of unjust statutes

Enactment of laws more nearly conformable to moral principles.

In the light of the above action, the General Assembly of the National Council of Churches two months ago approved the development of a pastoral ministry to American refugees in Canada, in cooperation with the Canadian Council of Churches.

Even in the midst of war we need to respect the right of conscientious dissent and maintain relationship with those who find it impossible to conform to demands with respect to the Vietnam War. I am grateful to you for your courageous act and for the report which you made to the House of Representatives on January 21. I trust that you will receive support from your colleagues in the Congress and from all citizens who wish to keep our society open and free.

Sincerely yours,

DAVID R. HUNTER.

SELECTIVE CONSCIENTIOUS OBJECTORS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, about a year ago I introduced a bill to amend the Military Selective Service Act of 1967 by clarifying the definition of conscientious objector so as to specifically include conscientious objection to military service in a particular war. In April of 1969 eight of our colleagues joined me in cosponsoring this clarifying amendment.

I welcome the recent report of the Subcommittee on Administrative Practices and Procedures to the Senate Judiciary Committee which included among its recommendations the further consideration of alternative service for selective conscientious objectors. The subcommittee and its chairman, the distinguished senior Senator from Massachusetts, Mr. KENNEDY, have provided in the report a number of recommendations in anticipation of the Congress considering comprehensive draft reform this year. The subcommittee concludes that the question of selective conscientious objectors is "a vital one."

The subcommittee correctly points out that the case now pending before the Supreme Court, United States against Sisson, raises the issue whether the status of selective conscientious objection is constitutionally required. Therefore, whether or not the Congress decides to act on this important matter for its own good reasons, the issue can not be avoided if the Supreme Court finds there is a constitutional necessity for a selective conscientious objector status.

The institution of the draft and the unnecessarily strict interpretation of the conscientious objector laws by the Selective Service System have posed and continue to pose an agonizing dilemma for young men of conscience in this country who are opposed to participation in a war for ethical and moral reasons. Since 1968 a clear majority of Americans are opposed to our continued participation in the Vietnam war. The young men I speak of cannot oppose the war in theoretical comfort. They are of draft age and must choose. They are caught in a dilemma where they are forced to serve against their moral beliefs or face self-imposed exile or criminal prosecution. It is time that this Congress remove this unnecessary and cruel burden through the establishment of a selective conscientious objector status.

I urge my colleagues to join in the cosponsorship of legislation to effect this goal.

I insert for the RECORD the Kennedy subcommittee recommendations on this matter:

A STUDY OF THE SELECTIVE SERVICE SYSTEM: ITS OPERATION, PRACTICES, AND PROCEDURES, TOGETHER WITH RECOMMENDATIONS FOR ADMINISTRATIVE IMPROVEMENT

C. DOCTORS, MINISTERS, AND CONSCIENTIOUS OBJECTORS

The subcommittee recommends that special treatment be continued for medical personnel, ministers, and conscientious objectors, and that the issue of alternate service for selective conscientious objectors be given further consideration.

The subcommittee heard no evidence on and recommends no change in the present statutory treatment of medical personnel and ministers. It does urge that Congress consider affording special treatment to selective conscientious objectors. A case now pending before the Supreme Court, *United States* v. *Sisson*, raises the issue of whether such special treatment is constitutionally required. If the Court finds that it is, then Congress will have to implement the decision with appropriate legislation. But even if the court finds that there is no constitu-

tional necessity for a selective CO status, Congress should consider the question.

The argument in favor of selective CO's is simply that young men who have ethical and moral beliefs against a particular war should not be treated differently than young men who have sincere religious beliefs against all wars. The argument against special treatment for selective CO's is that it is administratively impracticable and may also create new inequities in the draft system.

The administrative problem is how to determine who is a sincere selective CO and who is merely trying to avoid military service. It has not always been easy to determine sincerity under the traditional test for CO's; under the more expansive standard the task would become more difficult. President Brewster of Yale University has suggested a way to meet this difficulty. His proposal is that anyone who requests a selective CO status should be granted it, but should then be required to undergo noncombatant service of comparable risk to that undergone by draftees. Presumably this does not mean that every selective CO must go to the battlefield. All that would be required is that the same percentage of selective CO's as draftees be subjected to battle risks and that in all other respects—pay, length of service, separation from families, et cetera—selective CO's and draftees be treated equally. If it proves impossible to subject selective CO's to equal risks then they could be required to serve for a longer time.

As President Brewster himself acknowledged, this proposal will not please those who do not believe they should be subjected to any risks or should play any role in a war they deem immoral. But it has the advantage of mitigating administrative problems and of reducing the possibility that selective CO status will create new inequities. It has been suggested that selective CO exemptions would inevitably favor the more educated and articulate registrants, who are more likely to present an informed basis for their objections to a particular war. The Brewster proposal, by eliminating the need for a registrant to demonstrate his sincerity, removes this potential inequity.

The subcommittee believes the question of selective CO's is a vital one. It recommends therefore that the Congress consider the questions at the earliest opportunity.

THE PROBLEMS OF AMERICA'S FIRST CITIZENS

(Mr. MEEDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MEEDS. Mr. Speaker, seldom have I seen a more succinct, perceptive, and informed presentation of a national problem than this series of interpretive articles that recently ran in the Seattle Post Intelligencer newspaper of Seattle, Wash. It was written by Miss Hilda Bryant, human relations reporter. The articles were written following 4 months of full-time research and personal visits to 32 Indian reservations in eight States.

Miss Bryant taped interviews with elected officials of about 50 different tribes representing Northwest, Southwest, South, East, and Plains Indians, and interviewed Government officials concerned with Indian affairs beginning with Secretary of the Interior Walter Hickel, and Indian Commissioners Robert Bennett and Louis Bruce, through Members of Congress, and officials of all the major Indian national organizations.

This series is an attempt to bridge the gap stretching between the condition of America's first citizens and the general knowledge of his condition on the part of the average non-Indian American.

Therefore, I include the series in the CONGRESSIONAL RECORD for all thinking Americans to read:

SERIES BY HILDA BRYANT

I

American Indian militancy has not yet echoed the black's renunciation of the label pinned on him by the white man. "Indian" was the initial misconception of the white man about the American red man.

Christopher Columbus made that mistake. He thought he had stumbled on to the continent of India, so he called the first natives he came upon "Indios."

They weren't, but adventurers who followed him picked up the name, and by the time the European white man discovered the error, the name had stuck.

It was not the last misconception the white man has held about the native American.

Today, almost 500 years later, those aboriginals popularly thought of as "vanishing Americans" are with us still and in numbers almost as great as they totaled in 1492.

Other popular misconceptions include such myths as:

The Indian is a ward of the government.

The Indian reservation is a form of concentration camp.

The government makes a regular per capita payment to the Indians for their subsidy.

Indians don't pay taxes.

Hundreds of Oklahoma Indians are oil-rich.

All Indians drink alcohol excessively.

There is a single cultural tradition of dances, artistic crafts and music among American Indians.

Older Indians still "speak Indian."

Since Seattle is one of a half dozen major urban centers where off-reservation Indians have concentrated, the general level of sophistication here regarding the original Americans may be higher than average. But the facts of the Indian condition as it exists in today's world have escaped most non-Indian Americans.

There are, for example, 652,000 American Indians in the United States, only 150,000 less than the estimated number inhabiting the entire country when Columbus landed.

And the American Indian population is growing twice as fast today as is the non-Indian population, black and white together.

The unemployment rate of American Indians is 37 per cent. That is 10 times the national unemployment rate and about six times the average black unemployment rate.

The Bureau of Indian Affairs reports this year that there are 75,000 American Indians who are "functionally illiterate."

Although there are 3,000 Indians in college this year, compared to a mere 400 seven years ago, well over half of those 652,000 Indians are under 25. So the proportion of youth in college is still dismally low.

The infant mortality rate for Washington Indians is the highest in the United States including the remote areas of Alaska. And the average life span of the Indian is 44 years. The national average is 64 years.

In 1967 the average Indian family income was $1,500. It hasn't improved significantly in the intervening two years. Unemployment on some reservations reaches a shocking 80 per cent throughout some seasons of the year. Housing is abysmal.

Since Indians are not permitted to mortgage trust land, and since the general family income level is so low, they find it virtually impossible to obtain home improvement loans.

An Indian may own his own land but he may not sell it without getting permission of the secretary of the interior unless he takes his land out of the tax-free trust relationship.

The whole question of the tax status of American Indians requires clarification for most non-Indians. Indians are not "wards" of the government and they do pay taxes.

In 1924 Congress made American citizens of all American Indians. But only since 1948 have all American Indians been permitted to vote. Before given the right to vote they were subject to military draft and they have served in numbers disproportionate to their population in all of this nation's modern wars.

In World War I, for example, 14,000 served, and in World War II, 25,000. Indians fought also in the Revolution, the Mexican and Civil War and in Korea and Vietnam.

Indians pay local, state and federal taxes, as do all citizens except when treaties, special agreements or statutes exempt them. Most tax exemptions which have been granted to them apply to lands held in trust for them and on the income from those trust lands.

This trust relationship means that the government is the trustee of Indian property, not the guardian of the individual Indian. There is no guardian-ward relationship between the government and the Indian except in the case of minors who have inherited land or incompetents who require extra protection.

However, there has been much misunderstanding about just what powers a trusteeship gives to the trustee. And too often the authority has been abused by what Sen. Henry Jackson describes as the "papa-knows-best" attitude of the Bureau of Indian Affairs.

Jackson is the chairman of the Senate Interior and Insular Affairs Committee, the most influential congressional body that deals with Indian Affairs.

Some Indians do receive per capita payments but these are not from the government, but from their own tribes. The money comes from income received from tribally owned enterprises or resources such as sales of timber and lease of land. It may come from a claim settlement against the government, but this is not a government handout.

Rather, it is payment for a loss to the tribe or to an individual Indian when a treaty was violated or when someone, usually the government, encroached upon the rights reserved to the tribe by that same government. These rights include water, mineral, timber and land interests and fishing, hunting and wild rice gathering and shellfish or root digging rights.

Senator Jackson is proud of the Indian Claims Commission Act of 1946 which he authored. The bill gave to the Indians for the first time the judicial machinery to litigate their legitimate claims against the government. Jackson declares with a tinge of bitterness:

"Some of my critics have never heard of it."

Jackson has been attacked in a new book just edited by the Citizens' Advocate Center in Washington, D.C., as a "pro-termination list," who was instrumental in getting rid of Indian Commissioner Philleo Nash when he resisted the effort to extinguish the Colville Indian tribe and reservation. In a subtle reference to Jackson as "a great conservationist," the book questions his commitment to Indian land and water and fishing interests.

Jackson terms the Claims Commission Act "the most important legislation in the interest of Indians outside the annual appropriations bills for their health, education and welfare."

Jackson said:

"This is the most far reaching effort to try to resolve the justifiable complaints of the Indians since we passed the very first legislation affecting the Indians. Prior to my bill

the Indians had to come in and get a special act of Conrgess, then they were required to go to the Court of Claims.

"It's interesting that these critics don't even talk about this. And this goes to the heart of the whole Indian controversy."

Jackson also points with pride to his Senate Interior and Insular Affairs Committee's action in prodding the Bureau of Indian Affairs to enlist the agencies of the Poverty War in behalf of the Indians who were eligible by law for its benefits.

Jackson is an outspoken critic of the BIA bureaucracy because of what he considers to be its vested interest in self preservation and expansion of the BIA kingdom.

The much-maligned BIA has triggered deeply ambivalent attitudes among American Indians. Many freely criticize the Bureau but when outsiders jump on the "knock-the-BIA" bandwagon, the Indians close ranks and defend "their agency." It is, after all, the only government body that is devoted to their interests. The BIA may be fumbling, bureaucratic and paternal but it's all theirs.

European misconceptions about the American red man have played a dramatic role in the political evolution of several nations. Indian historian Alvin M. Josephy, Jr., in his newly published book, "The Indian Heritage of America," says that philosopher Jean Jacques Rousseau's vision of the natural man was based upon his conception of the Indians as a race of happy people who lived close to nature, innocent childlike and free.

Other liberal philosophers in Europe, who's argument did much to influence the revolutionary movements of the United States and France, compared the condition of Europeans "in chains" with the Indians who lived lives of freedom, Josephy said.

Indians were not entirely "innocent, childlike and free," nor did they all fit the popular stereotype of "the noble red man." Neither did they all fall into the other popular stereotype of the savage, brutal, bloodthirsty subhuman.

These distinctions may be better understood by the white man today. But there persists the idea that American Indians are one people, a single cultural entity with a single body of culture and an "Indian language" which is now dying out.

The fact is that diversity among American Indians is much more striking than the acknowledged threads of "Indianness" that bind them as a distinct race.

Although much of the colorful Plains Indian tipi culture and the feathered headdress and beaded, fringed leggings have been borrowed and adapted by many non-Plains tribes, the differences between the arts and dress and rituals of the Southwest and Northwest Indians are dramatic.

Even within the Northwest tribes the coastal fisheating Indians and the mountain tribes are comparable in cultural diversity to the Scandinavians and Italians.

There are today a total of 263 American Indian tribes, bands or pueblos by BIA count.

There are in addition, 300 Native Alaskan communities composed of Indians, Aleuts and Eskimos.

There are eight major linguistic groups and a hundred different Indian languages. When Columbus landed here in 1492 about 800,000 Indians spoke a total of 300 different languages.

But more important than these intra-Indian cultural distinctions are the basic differences between the white and Indian cultural orientations. These discrepancies have resulted in such psychological trauma for the Indian that social tragedy, such as alcoholism and suicide, have become epidemic among them.

The Indian does not share the Judeo-Christian European traditions that make individual ownership of land, the thrift ethic, individual competition, year-round employment, and time-clock enslavement the highest of virtues.

These Caucasian-Indian cultural conflicts, their results and how some Indians and others are resolving them, will be described in the articles to follow. Although complete assimilation of the Indian into the mainstream of the dominant American culture has been for decades a national goal, the Indian has stubbornly resisted this swallowing up of his identity.

His effort to preserve his Indianness, and to build a viable economy on the reservation so that future Indians will have a credible choice as to which culture they want to live within, has received a recent boost from President Nixon.

The Indians of America intend to hold the President to his promise to them that:

"The right of self-determination of the Indian people will be respected, and their participation in planning their own destiny will be encouraged. Termination of tribal recognition will not be a policy objective and in no case be imposed without Indian consent."

II

The American Indian of Washington State harbors a deep and profound suspicion that the paleface, who pipes an appealing new tune these days, still intends to lure the red man off his own land.

Or at least lull him into a deadly hypnotism long enough for the white man to acquire the deed to his real estate. Or his priceless water rights. Or his rare Ponderosa pine stands.

James Jackson, hereditary chief of Western Washington's largest tribe, the Quinault Indians, retells an anecdote from tribal oral history to illustrate how the Indian regards his historical dealings with the white man here:

"The Indian was sitting on a big log and the white man came along and the Indian reached out and said, 'Come on, white man, come and sit on my log,' and he gave him a hand. Pretty soon the white man began moving over a little bit, then a little bit more and pretty soon down off the log the Indian went. So he reached up and said, 'Help me up on the log.' But the white man said, 'No, this is my log!' "

Quinault Tribal Chairman Jim Jackson has a firm perch on his log and he isn't inching over for white real estate exploiters; pushy, trashy tourists; clam-digging trespassers; the State Fish and Game Department or even other Washington Indians.

Jackson explained:

"We're not going to develop a reservation and then have the outsiders come along and tell us, 'Well, move over, you've had it.' When the beaches (28 miles of prime Pacific Ocean shoreline just above Moclips) are developed we want it to be done by the tribe or by members of the tribe and controlled by the tribe."

The Quinault Tribal Council closed the popular ocean beaches of the reservation to non-Indians last August when they became littered with trash left by tourists, when historic rock formations were defaced by painted slogans and chiseled initials, and when a white land developer began using the beach as a construction dump.

The Quinault Indians cite treaty, executive order of President Ulysses S. Grant, and decisions by the U.S. attorney general to support their contention that they and they alone may determine the conditions under which all land within the boundaries of their reservation is used.

This authority is not diminished simply because some of that reservation land happens to be owned by white men any more than a city council's authority is diminished over private homeowners who have property within city limits.

The Yakima Indian tribe, largest in the entire state, owns a choice stand of Ponderosa pine and the priceless waters of the Yakima River which are viewed by the Indians as targets of the white man's manipulative greed.

The Makah Indians hold leases to Neah Bay waterfront properties and they own a progressive fish-protein plant.

The Lummi Indians have an aquaculture project on Lummi Bay and waterfowl hunting grounds. Uranium has been discovered on the Spokane reservation.

Although none of these land resources are adequate to provide a viable economic base for any of the tribes, such assets are viewed by the Indians as prizes coveted by the white man.

And the average Indian can reel off half a dozen precedents to support his suspicion, usually cases drawn from his personal knowledge.

Issue

The whole issue of land is basic to a misunderstanding that has persisted over the four centuries since Columbus accidentally stumbled onto the red man. The Caucasian simply has no comprehension of the subtleties inherent in the Indian's feeling for the land.

A stately Kaw Indian of Oklahoma, now Bureau of Indian Affairs Superintendent for the Shoshone-Bannock Tribes Southern Idaho, described it like this:

"The land means something to the Indian. It doesn't just mean dollar signs in the eyes of the Indian. It means home. The Indian non-immigrant—this is his land, and this is the way he feels about it. He wants to hold onto his land and to pass it on to his children. You separate an Indian from his land and you've done him a great injustice."

The white BIA superintendent, who enjoys unusual rapport with the reservation Indians of the Yakima Tribe, observed:

"I think there is a lot of what we can call an identity issue related to the land for the Indian. You know, if I buy land it's either to make money or to put a house on, but the Indian's feeling about land is entirely different.

"At the same time, the Indian will quickly tell you that where, under the treaty, the Yakimas had 10 million acres, they now have 1,200,000 acres. The tribal leadership feels strongly its responsibility to assure the retention of land for their children as yet unborn."

Distinction

This primitive distinction between the Caucasian and the Indian is basic to the premise upon which this series exploring the American Indian is based:

The American Indian argues that his goals in life differ from those of the white man. Nor are the Indian's ideals the same as the modern white man's.

The Indian's traditional life style conflicts with that of his Caucasian counterpart and he is wrenched out of his tribal culture and reshaped to fit the middle class white cultural mold (assimilated) only at great psychological risk.

This is the assertion made repeatedly by the American Indian, whether he is Montana Crow or his bitter foe, the Northern Cheyenne. Whether Nez Perce or Blackfeet, Navajo or Chippewa, Pueblo or Sioux, Yakima or the maverick Quinault, who has refused to join the Northwest Affiliated Tribes. On this point all agree. Quinault Tribal Chairman Jackson puts the issue of "Indianness" bluntly:

"The biggest problem for the Indian today, as I see it, is the plan to put the American Indian in the mainstream of the American way of life. I see no reason why everybody has to be the same.

"We're people of a different culture and we have different values. We can't teach our kids to believe in things we don't believe in ourselves. The conflict of values arises in

our view of nature, for one example. We respect and revere nature.

"Competition among ourselves is another difference. The person who was the biggest success in the Indian way of life was the man who gave the most to the tribe—the old Potlatch tradition. You didn't compete with your neighbor, you tried to help him."

Wayne Williams, business manager of the Tulalip Tribe, cites the 1887 General Allotment Act as the most overt attempt by the government to apply the WASP cookie cutter to the red man. The act parceled out Indian trust lands to individual Indians for farms. Williams says:

"The argument was that in order to civilize the Indian he must be broken away from communal living. Northwest Indians lived all winter together in longhouses. This evil and hindering practice must be destroyed, they thought.

"Make the Indian a land owner. Make him a farmer. Make him like the white man—this will civilize him."

Williams, who has the physical features of a white man, described what his Indianness means to him.

"I am not part Indian. I'm an Indian who is part white. And that is of significance to me. I've felt this way all my life. My earliest recollections are of my grandparents telling me of my Indian heritage.

"I was always proud of being an Indian. I don't look Indian and this causes conflict to a certain extent. It was difficult until I was able to sort out in my mind who I am and to whose drumbeat I would march.

"I finally made peace with myself and with my role in life. My problem was relating certain ideas embodied in Christianity which run counter to some of the Indian cultural traditions."

Have-nots

Williams added:

"We traded away the good life—which for us was wealthy—for our present status as a have-not people. At the time our treaties were negotiated, there had not been a conflict between the Northwest Indians and the whites. We were not beaten. The white man was in the majority and their officials were just trying to insure our peacefulness.

"And they got it. And they got it because our people didn't understand the language, and the interpreter spoke in Chinook jargon, and the treaty language had to go through two interpreters."

He noted that whites find the special treaty-bargained status of the Indians hard to accept. He said Indians are considered "super citizens" because of their special privileges.

"If these privileges permitted us to live above the standards of white people I'd agree. But they don't. The rights were paid for in full by our people and we intend to use our special privileges to improve the lives of our people.

Williams added:

"Plenty of people in this country have special privileges—farmers, industries, oil companies. That's the name of the game."

Culture

Colville Indian Mrs. Lorraine Misiaszek, who is in charge of all BIA public school subsidies for Indian children in this state, tries to help educators to recognize cultural differences as critical to successful teaching approaches.

"We lived in very close harmony with nature and with each other. Each moment of our lives was highly valued. Time was not measured by seconds, minutes or hours. Indians live on a here-and-now-basis.

"Because the tribe relied upon the cooperation of all its members and lived and shared communally, the qualities the Indian valued most highly were personal integrity, individual autonomy, a demonstrated concern for the community.

"Positive virtues were rewarded by admiration. Negative actions were punished through ridicule, primarily, except for serious offenses. Forced exile or even death might be exacted.

"Traits that were discouraged included boasting of one's accomplishments, loud or immodest behavior, stinginess, stealing and lying. Promises broken were considered the same as lying.

"Today American Indians find themselves in a society based on an economy calling for highly competitive ability. The ultimate goal is financial success and upward social mobility. An entirely new set of standards is imposed on the Indian today and he questions whether to accept them since to do so means he must repudiate all the deeply ingrained values of his own culture."

Hostility

Mrs. Misiaszek is convinced that many Indians accept the white man's value system outwardly but not inwardly. As a result, she says, "many Indian people have developed a deep hostility toward society as a whole. The inner conflict is manifested by a growing alcoholism problem and a high suicide rate among youth."

She says that the Indian who makes it on his own economically—on the white man's terms—has been forced to repudiate the tribal value of sharing with others. He is often viewed by Indian friends and relatives as "stingy" and is alienated from them. He retaliates by rejecting his race and his ethnic identity entirely and in the eyes of his tribe becomes a renegade.

Nor is the Indian any more like the black man than he is the white man. There are similarities between their cultural heritages which include centuries of racial discrimination, but generally the black man understands as meagerly as his white brother the distinctions of the Indian and often expresses a different, though equally paternalistic, attitude toward the Red Man.

III

The black person commonly makes the mistake of assuming that the red man shares his cause and needs only to be prodded into joining the demonstrations, protests and even violence of the Black Revolution.

He knows the Indian has suffered racial discrimination similar to his own experience. He knows most American Indians live on reservations which the black man often equates wrongly, with a concentration camp.

He is aware that the Indian shares the pervasive, grinding poverty that is characteristic of the inner-city resident, the unhealthy deteriorated housing, the shocking high unemployment rates.

The black knows his American history textbooks distorted the reports of the Indian wars, the land grabs of the white man and motivation behind the savagery expressed by many tribes.

The black suspects the rape of the Indian culture parallels the rape of his own and he wonders, since the red man was never enslaved by the whites, why the Indian has passively accepted his fate.

A Washington State student of Northwest Indians who has lived 14 years with the Quiault Tribe, Harold Patterson, has made a detailed comparison of the two minority races in the interest of demonstrating that the youth of the Negro race and the youth of the Indian race require different approaches if they are to be adequately educated.

Patterson is a white principal in the employ of the only all-Indian public school board in the state.

He has been described by a Washington Colville Indian leader as "the white man who knows more about Indians than any other Caucasian in Washington."

Share

Patterson points out that blacks and Indians share many social and economic handicaps.

The European majority deprived both of decisionmaking roles, and on similar grounds—the Indians had land and the Europeans wanted it; the Negroes had manpower, and the Europeans wanted that.

Both races, though they were entirely competent human beings in control of their environment when they came into contact with the white man, were considered by him to be ignorant, incompetent savages.

They were dealt with by the exploitive European in such a way as to deprive them of their competency over their native environment and to close the doors to them when it came to adapting to the imposed white European way of life, Patterson said. He added:

"It is impossible to change this pattern quickly. That which happened by a process must be reversed by a process."

What blacks and others have interpreted in Indians as passivity and apathy is rather "professional non-participation," according to Patterson.

"It is their way of survival by waiting out the game."

He said that when we (white men) have made all the mistakes it is possible to make, we might just get around to asking the Indians to participate with us in a joint venture.

The blacks won't play the waiting game any longer. They were brutally enslaved, their families were forcefully broken up, their language forbidden, marriage forbidden, native religions forbidden—they became quickly a race without a culture, without family ties, and without a coherent oral history.

Exposed

A hundred years of freedom on paper has been in many respects meaningless and they have been directly exposed to the white man's methods of manipulating his environment.

Blacks borrowed his successful methods of revolt—the union striker's technique, the boycotter's technique, the labor movement's violence, the psychological warfare of the mass media.

But the Indian family has not been as systematically torn asunder—although the federal government has wrenched children from parents and shipped them far away to government boarding schools.

Still, the strong ties of clan and family remain.

The Indian was conquered, but he never lost his entire land base—he has always known the pride of ownership and his land is sacred to him.

The Indian's native languages persist and are still spoken widely on reservations in spite of a determined federal policy to wipe them out because they posed a basic threat to total assimilation of the Indian.

The oral histories are still repeated to the children of the tribes by the old Indians.

The arts, crafts, ceremonies and sports of the native culture have been modified but they are still distinctly American Indian and they not only persist but are being everywhere revived.

Even the traditional fishing, clamming, wild-rice gathering and other means of livelihood are still widely practiced among modern American Indians.

And in the great cities where the Indian youth were "relocated" and planted by the Bureau of Indian Affairs firmly into the non-Indian American mainstream, pow-wows, feasts and ceremonies are observed by Indians who have sought each other out and organized.

Blatant

And so the results of slavery that maimed the black race, though they sometimes superficially resemble the scars exhibited by other racial minorities, should not be mistaken for being identical with them.

An Indian is hostile for different reasons and will express his hostility in different ways.

For a black to assume he can speak for the Indian is a demonstration of paternalism as blatant as any policy conjured by the much-maligned BIA.

And basic to the Indian psychology is his knowledge that he is the Original American.

He speaks of himself as a non-immigrant. He thinks of the white man as an invader. He has a strong sense of history and it makes for a strong sense of cultural identity.

Patterson observes that assimilation into the mainstream American culture is open to the Indian any time he chooses to accept it.

It has been urged upon him as a federal policy for years and he has successfully resisted it.

Complete assimilation of the black man in America however, still is not available. Patterson puts the issue this way:

"On the basis of race and race alone we say to the Negro:

" 'You have your place, stay in it!'

"To the Indian we say:

" 'Get out of your place, stop being an Indian and lose yourself in our culture.' "

Patterson says the white man effectively smashed the Negro culture, and so the question of cultural clash, so basic to the Indian today, is not properly a subject for comparison between the black and the Indian.

Retreat

The Indian can always retreat within his "cultural shell" when the outside world becomes intolerable, but the Negro has no place to hide, Patterson said.

He believes that this fact, as well as his cultural trait that requires dignity and restrained expression of emotion, explain the Indian's unwillingness to participate in mass demonstrations, civil disturbances and social activism.

Patterson sees the black "acting out" his frustrations because he is "deeply involved in the system, and he cannot escape that involvement, so he strikes out against it."

But the Indians, according to the white man who has come to know them so well that he has almost melted into an all-Indian culture, "will turn his frustrations inward, he will embrace poverty, disease, alcohol or any other lethal medium for fulfilling his death-wish."

Chief Joseph of the Nez-Perce nation whose father for 30 years befriended the white man only to be betrayed by a deceptive treaty, finally led his Indian band against the U.S. Army in Washington Territory.

After a series of victories and defeats in wars over lands that had been secured by treaty, Chief Joseph finally led his people on a 1,000-mile walk to Canada.

Thirty miles short of the border he was stopped by Col. Nelson A. Miles whose soldiers outnumbered the Nez Perce, two to one.

In surrendering, Chief Joseph delivered the words that have become the classic Indian expression of resignation:

"I am tired of fighting. Our chiefs are killed. The old men are all dead. It is cold and we have no blankets.

Tired

"Hear me my chiefs. I am tired; my heart is sick and sad. From where the sun now stands I will fight no more forever."

Patterson explained:

"The Indians resent being identified with Negro militancy. They do not want to be drawn into civil strife. They have manifested their dissatisfaction by nonparticipation and the whole impact and message of that method would be lost if they resorted now to the total involvement of civil strife."

Perhaps the most widely known and highly respected Indian political leader in the nation, former Indian Commissioner Robert Bennett, had this to say about red versus black revolutionary goals:

"Equality is no motivation for an Indian—because, right or wrong, Indian people feel what they have is better than what they would have if they were equal with the white man.

"Equality for the Negro is total motivation.

"We say what we've got is better to begin with, why should we want to be equal? Irrespective of what your judgment or mine might be, this is the way the Indians feel."

Bennett, who is now an official of the University of New Mexico, said there is no doubt about the boost the Indian Power concept of self-determination has been given by the black revolution. He said:

"While Indian political leadership may have thought this way even before Negro leadership did, their numbers were too small to have an effect."

But Bennett is cool toward the idea of black-red coalitions, He said:

"My suggestion to the Indian is this:

" 'You have an organization, you're small, you need help, go to these people (the Urban League, the National Association For The Advancement of Colored People, etc.) and ask for their support of your resolution. But don't join them—you're too small.'

"The Poor Peoples' Campaign is an example of what happens to Indian people—they get pushed aside.

"When I talk to the people in terms of Red Power, I tell them that there are too few of them to make any kind of political impact at the national level, but that right out in their local communities where the action is, they can have impact.

"They can be on the school board, on the city council, on the county commission. And I tell them that economic power means political power.

"You can march down the streets of Albuquerque because you feel the police department isn't treating your tribal members properly. It will have no effect on the police department.

"But you can go to the president of the Albuquerque bank and tell him that you are withdrawing your tribal funds from his bank because of the way your people are being treated by the police.

"All it will take is one telephone call from the bank president to the mayor who will call the police chief."

Motivation

Bennett explained that the motivation of the Indians is to work out a relationship with the federal government that is satisfactory to them.

They want to assume control of their own resources and communities and still be recognized as Indians, both tribally and individually. They want two viable cultures as the Pueblo Indians have.

Ponca Indian scholar Clyde Warrior said:

"When a people is powerless and their destiny is controlled by the powerful, whether they be rich or poor, they live in ignorance and frustration, because they have been deprived of experience and responsibility as individuals and as communities.

"If the Indian does not understand the modern economy, it is because he has never been involved in it. Someone has made those decisions for him.

"Handouts do not erode character. The lack of power over one's own destiny erodes character."

IV

The national Indian youth newspaper, Americans Before Columbus, has issued an editorial call to American Indians to sponsor an all Anglo-Saxon Ceremonial. It would be held at a New Mexico Pueblo (town) for the benefit of the local merchants and it would be run exclusively by Indians.

The editorial described the event:

"White people from all over the country will be invited to come in their colorful native costumes and demonstrate their exotic square dancing and waltzing. Camping facilities and outdoor latrines will be made available to them.

"They will be invited to demonstrate their native culture. Such things as hamburger-making, aspirin swallowing, nagging wife exhibitions, TV watching contests and divorce filing will be presented.

"The purpose of the Ceremonial will be to preserve white culture."

The editorial was a not-so-gentle spoof of the annual Indian Ceremonial put on each year in Gallup, New Mexico, entirely by whites and for the financial benefit of white merchants.

The event is the target of a crusade this year by the National Indian Youth Council. Membership in the NIYC is about 1,500 but the influential organization represents the views of a much larger segment of youthful American Indians.

Its executive director, Gerald Wilkinson, an under-30 North Carolina Cherokee, explained the philosophy of the NIYC:

Identity

"We are radical in the sense that we want to preserve our identity in a world that conceives of that as a radical concept.

"We are radical in the sense that we want changes in the Indian situation and in that we want to remain Indian in a world that wants to deny us our Indianness."

The activist group is subsidized by grants from the Field Foundation, the Presbyterian, Lutheran and Methodist Churches, and Project Upward Bound. With such Establishment backing it does not come as a surprise that "activism" is defined by this group as "taking stands on all sorts of things" like last summer's protest against job discrimination in the Bureau of Indian affairs (BIA).

The NIYC also offered its moral support to the Washington State Indian fish-ins and even went so far as to send a few members to Frank's Landing. Wilkinson said the NIYC might form a coalition with other minority groups such as blacks or Chicanos, but his enthusiasm for the idea was mild.

His national organization introduced a resolution condemning acts of vandalism by a militant West Coast Indian youth group which demonstrated against Interior Secretary Walter Hickel at the convention of the National Congress of American Indians this fall.

Sentiment

And therein lies the clue to the political sentiment of the NIYC—the resolution condemned the tactics, but not the cause of the radical United Native Americans.

This small organization, founded at Berkeley's University of California campus by militant Lehman Brightman, has adopted the protest tactics of the most militant blacks and its causes are often promoted in the national Black Panther newspaper.

Michael Benson, 18, a Navajo who is an active member of the NIYC and also head of a smaller moderate movement to enroll Indians in eastern Ivy League colleges, explained why the NIYC makes no wholesale condemnation of Brightman's Red Power radicals:

"One thing about Indians is that a lot of the time we don't agree with one another—like the older people don't agree with the younger people. But we are all Indians and if we cut each other down we aren't going to get anywhere."

It was an expression of a new bid for national Indian unity that is evident in adult Indian politics and in youthful Indian dissent.

The Brightman group had lined the lobby of the Albuquerque Hilton Hotel just before Hickel's appearance at the NCAI meeting. They carried picket signs bearing Indian adaptations of the slogans of the black revolution.

The same small clutch of demonstrators disrupted Hickel's speech repeatedly by booing, shouting insults and heckling. The disparity between even the most hostile adult Indians and these Red Power youth was revealed by the reaction of the 800 elected Indian leaders waiting to hear Hickel, whom all of them suspected and some of them had earlier condemned.

Applause

This adult Indian audience interrupted Hickel's uninspired speech half a dozen times with applause which drowned out the heckling of the youth. When Hickel concluded his remarks he was given a standing ovation.

The incident provided a graphic illustration of two phenomena: the gaping chasm that is the Indian generation gap and the clear and positive disapproval by the mass of Indians of Red Power tactics.

The generation gap is revealed by the comments about the two most widely known Indian militant youth, Lehman Brightman and Washington's Hank Adams:

Navajo Tribal Council official Carl Todacheene was describing the beautiful old marriage traditions of the Navajo when he interrupted himself to explain:

"Those kids who were writing on the wall (defacing Hilton Hotel mural), they don't know these things. I don't care for the guy that made that speech—the one in the red shirt (Brightman). He can stay in Berkeley. He don't need to come around. This man is a teacher—a college teacher. What does he want?"

Brightman's "kids" had scribbled offensive slogans and four-letter words with black felt pens across a hotel lobby wall mural and across the faces of two white pioneers in an oil painting. The damage was estimated by the hotel to run up to $8,000. The NCAI convention passed a resolution which was proposed by the National Indian Youth Council condemning the act of vandalism and its perpetrators.

Another Navajo, just over 30, Tom Acitty, said of Brightman:

Voluntary

"My whole idea about Indians griping about being mistreated is that he was in the city voluntarily, it was his decision to leave the reservation. No one told him to leave. If the man makes a decision to go someplace it is his responsibility to handle it. If he is proud of himself and if he has the knowledge to take care of his own family he should be able to live anywhere."

A national organization representing the urban Indian, American Indians-United, testifies to the lack of Indian unanimity on that sentiment, however.

An Indian political leader of the Northwest, Tandy Wilbur, Sr. who is business manager of the Swinomish Tribe at LaConner, said of Brightman:

"The Indians would be very slow to recognize him as a leader or spokesman. One hundred per cent of the Indians on reservations would reject him."

Wilbur, who has known fish-in activist Hank Adams "since before he was a militant," said of him:

"Hank Adams is a publicity hunter and he can't hardly get along with himself. Demonstrations are in his blood. He's very intelligent and articulate but young—their knowledge is so narrow. It's right there in front of their face."

Tomorrow: An 18-year-old national Indian youth leader describes how modern Indian youth differ with their elders and what the term militant means to the Indian student.

V

In spite of almost unanimous adult disapproval of Red Power tactics of a segment of youthful American Indian dissenters, their ranks are swelling and their voices are being heard.

Those voices are often strident, the logic simplistic, the demonstrations, such as the Indian occupation of Alcatraz, symbolic.

And some of the adult Indian leadership in the nation is insisting that these protestors be given a forum even when their message is discordant to the mature Indian ear.

One such national adult leader is former Indian Commissioner Robert Bennett who moderated a youth panel at the National Congress of American Indians convention last month.

Asked his personal opinion of the young radicals, he replied:

"My reactions to the activities of young militants is the same as most of the Indian leadership and that is that this is not an acceptable kind of behavior. What will happen if these young people continue this kind of behavior is that they will find themselves representing no one but themselves.

"They will not be a voice for any substantial group of Indian people and they will find they are leaders without followers. There are only 3,000 Indian college students all together and there is no unified voice among them."

This year's Pulitzer Prize winning novelist Dr. N. Scott Momaday who teaches English at Berkeley where Lehman Brightman is an instructor in art, said there aren't more than 40 Indian students on that campus and they are not all Brightman-type radicals.

Warpath

The Brightman organization, United Native Americans, Inc., in its newspaper The Warpath, contends that there were only 15 Indian students enrolled at Berkeley this fall. But the UNAI organ which screams for Hickel's impeachment in a 72-point-type front page banner, reports that there are now UNAI chapters on the campuses of Santa Cruz, Davis and Cal State in Los Angeles as well as at Berkeley. And Brightman has sympathizers among the bright and articulate Navajo students at the University of New Mexico.

Michael Benson, president of the Organization of Native American Students, is a Navajo who attends Ohio Wesleyan. He considers himself a responsible advocate of Indian Power. He was in favor of demonstrating at the NCAI convention against Hickel, he'd like to see him impeached, but he participated in the picketing at the Hotel Hilton only "after the UNAI protestors got rid of some of the signs."

"Some of those signs weren't too good. I wasn't in on the disruptions of Hickel's speech but I would have heckled him at the beginning, then I would have let him speak.

"You know I think we really agree on the issues—like about Hickel. It's just that we differ on how to go about it. We have what we call militants but within the militants we have degrees. For example Lehman Brightman is the most militant one I've seen yet.

"There are other groups like mine and the National Indian Youth Council who believe in passing out pamphlets but we wouldn't break windows or throw rocks."

"We would allow ourselves to get arrested if we knew we were right. In a lot of places policemen arrest Indians illegally for no reason. I agree with the Washington State fish-ins. They tried to get arrested, that's good. That way it involves more people and they get more publicity for their cause—I think that method has worked."

Then Mike Benson, who is still only 18, said some significant things about militancy and the generation gap:

Normal

"A lot of us don't consider ourselves militant. We just consider ourselves normal. It's just that in the past Indians haven't spoken up that much. My mother, when she talks to an Anglo person, she lowers her voice and makes it sound better. My aunt does the same thing. We (the youth) don't do that.

"And another thing—I heard of a case where a Navajo guy went into a movie where nobody under 18 was supposed to go. He didn't see the sign. So they threw him out and he didn't ask for his money back. You know what an Anglo kid would do. He would say, 'Give me my money back.' and he would probably get his money back. But not many of our people speak up anymore.

"Now a lot of our young people—that's what they're saying—that we should speak up. We don't say we're militant, we just say, let's speak up. The older Indian people see the Negroes on television and they don't like that.

"But I don't condemn Brightman. Because I think some people are so angry that when it becomes time for him to speak he doesn't know how to speak. It's so built up inside him that he gets carried away and I don't condemn him for that."

The Indian young people's anger at Walter Hickel, Nixon's Secretary of Interior, was kindled when he "held up" the BIA funding of $2 million plus while he interviewed a parade of highly qualified Indian leaders to find a successor to Indian Commissioner Robert Bennett who had resigned.

Hickel finally picked a little known urban Indian of wealth from New York City over the Indians' own choice because, he said, "he had to find a man the Senate would confirm." The Indians interpreted this as a purely political move and as blatant evidence that the white man must be appeased at the expense of the red man.

Hickel

Later Hickel compounded his problems with the Indians when in Seattle last July he made the comment, "The Indians will always have the crutch of being able to go back to the reservation. They must cut the cord sooner or later and become involved in American society."

Hickel also said in Seattle, "I feel Indians have been overprotected by the U.S. Government. They need to be permitted to become involved in decisionmaking and also be permitted to make their own mistakes."

His insensitivity to the repeatedly expressed desires of the Indians which his own contradictory remarks disclose have frustrated and disappointed more than just alienated Indian youth. Hickel's Seattle comments triggered an immediate request by the Northwest Affiliated Tribes executive council, meeting in Portland, that he appear before them and explain himself.

In a private hotel huddle with the Northwest's top Indian politicos Hickel succeeded in extricating himself from his foot-in-mouth hangup but hardly in winning the blind confidence of the American red man.

And the youth are still selling "Impeach Hickel" bumper stickers along with "Custer Had It Coming" and "Kemo Sabe Means Hunky" buttons. And along with N. Scott Momaday's hauntingly beautiful "House Made of Dawn" Pulitzer Prize novel, the Indian youth are quoting Vine Deloria's Indian Manifesto, "Custer Died For Your Sins."

More than one half of the American Indians in the United States are under 25. Although only a handful are "militant," few of them share the patience of their tribal elders. According to Mike Benson, "We need louder voices.

"We don't need to throw rocks or anything," he told the 1,800 registered tribal leaders at the NCAI convention last month, "but we don't think tribal resolutions are enough."

Others are claiming squatters' rights to the island of Alcatraz where they are demanding that the government build them an educational center. Still others are asking Congress for $250,000 to beef up the meager BIA college scholarship fund for Indian youth and to put Indian student counselors in universities.

The students are especially bitter that the BIA has budgeted $25 million for vocational training for them but only $3 million for college. They announced, "The racist policy that Indian young people are best at working with their hands must cease!"

VI

The staggering proportions of the physical and environmental health problems among Indians bear a direct relationship to their poor record in education and employment.

Middle ear disease (Otitis media) has replaced tuberculosis as the leading disease among American Indians. Some 80 per cent of all Alaska native children suffer from it and other forms of ear infection which can bring loss of hearing. In some areas of Alaska as high as one-fourth of the Eskimos have ear damage that causes loss of hearing.

Trachoma, an eye disease which can bring blindness, runs as high as 60 per cent among children on some reservations.

Indian infant mortality rate is highest in the nation and among Western Washington tribes it is higher even than in remote Alaskan villages. Out of every 1,000 babies born on reservations, 32.2 die during their first year. On some reservations the rate is much higher and has been recorded recently at a rate almost twice as high as in the Negro ghettoes of the nation.

Mental health on Indian reservations has deteriorated as the stresses of the '60s widen the gap between life styles on and off the reservation. Homicide rates last year among the Indians were three times higher than among all other races. Suicide rates were one and one-half times higher than the all-races rate.

Lethal accidents, which many Indian leaders interpret as an extension of suicides; cirrhosis of the liver, attributable to alcoholism; homicides and suicides took 22 lives out of every 100,000 Indians in 1964. It was triple the national rate. Suicide alone among Indian youth between the ages of 15 and 19 in 1964 was triple the national rate.

Outbreaks of suicides, called "suicide epidemics," forced the United States Public Health Service to establish emergency clinic facilities on certain reservations last year. For many years suicide rates have been about 15 per cent higher than that of all other races, Dr. Erwin Rabeau, director of the Indian Health Service, said.

But in 1967 there was a startling 50 per cent increase in Indian suicides. And in that same year the Indian homicide rate went from 14.5 to 19.9 which is about a 35 per cent increase, he noted.

Although there have been suicide "outbreaks" among the Quinaults; the Shoshone-Bannocks of Fort Hall, Idaho; the Northern Cheyennes of Montana; the Dakota Sioux and the Navajo of the Southwest, former BIA Indian Commissioner Robert Bennett feels strongly that the "epidemics" have been blown out of proportion by non-Indians.

Bennet said:

"You hear about the suicides at Fort Hall. There's a girl's boarding school in the East with a much smaller population than the Fort Hall reservation and it has had more suicides in one semester than Fort Hall has had in two years.

"Nobody hears about that. But an Indian commits suicide at Fort Hall and it goes all over the United States that these kids are killing themselves off. The worst thing you can do if an epidemic starts is to publicize it."

Contrary to general non-Indian belief, such practices, born of a philosophy alien to the European white man, have not disappeared from the modern Indian mind nor from the reservation.

A Washington State Indian who is well educated told of a tribal official of other years who had misappropriated tribal funds and finally trapped himself in his own manipulations. The tribal official had committed suicide and the Indian observed with approval: I'm not so bothered by suicides as other people are. I think there are conditions when suicide is quite appropriate. For this particular Indian leader it was perfect. Suicide was a complete admission of his guilt. It settled it."

The reporter asked:

"Then you don't believe in the reformation of individuals?"

The Indian answered:

"Not for him. It wouldn't have been just."

He said that his thinking was representative of a significant portion of his tribe regarding this particular case.

An epidemic of eight suicides and several more unsuccessful attempts among teenagers of the Quinault Tribe was stopped dramatically when the national Poverty War brought a youth recreation program to the reservation in 1965.

The Quinault Tribe was the first one in the state to apply for and win federal funds for its self-designed community action program. It included a variety of attempts to involve the Indian youth. The experiment works so well that now the Quinaults have replaced their "suicide problem" with the most progressive youth program in the nation.

Far from being alienated, the Quinault Teen Council built its own education summer camp last summer, is building a teen center right now and has purchased and painted a school bus which the youths use for reservation clean-up forays and for transportation to urban recreation.

Teen Council members hold full membership on every adult Quinault Tribal Council committee and have just been delegated as the agency which will administer the use of the Pacific Ocean beaches when the Quinault Tribe reopens regulations to the non-Indian public.

Although the drug fad has not yet reached reservation Indian youth except for isolated outbreaks of glue-sniffing, teen-age drinking and the fatal accidents and delinquency associated with it are a serious problem on virtually every reservation in the country.

On the Nez Perce Reservation at Lapwai, Idaho, drinking among teen-agers is common in spite of the sheriff and his deputy who patrol the half-white, half-Indian village of Lapwai. The teen-age daughter of BIA Superintendent Tom St. Clair who has spent the past six years with the Nez Perce, said:

"The kids almost all drink. They can go right behind the bar and get it. Or they just have someone go in and get it for them."

It was the same story on a dozen other reservations and it seemed to matter little whether the law and order jurisdiction lay with the BIA, the county or the Indians themselves.

Alice Chenois, executive director of the Quinault Community Action Program, described the situation there:

"Our kids don't really get into trouble. It's just that they drink on weekends. Sale of liquor to minors is covered under the BIA law and order code but they have not enforced it here. They will drive by a teenager who is drinking in plain sight and not do anything about it. We have complained to the BIA but they have not improved in this area.

"We had break-ins recently here in the tribal office. The cigarette machine was cleaned out. The Tribal Enterprise had a break-in and a valuable calculator was stolen and a portable television set, but nothing has been done about it.

"So this is our law enforcement and the kids know this. They know just exactly where that policeman is all the time. They know that that policeman is not going to bother them. It's a major factor in what goes on with the juvenile problems here."

On the Yakima Reservation at Toppenish the juvenile delinquency problem is even more serious because the county and state have all jurisdiction over Indian juveniles. The youth detention program in Yakima was recently cited by the Christian Science Monitor as one of the most inadequate in the nation.

The Yakima Tribe now has a parent group which meets twice monthly just to work on juvenile problems and the alcohol problems of both youth and their parents. Other tribes have invited Alcoholics Anonymous onto the reservation.

Although liquor sales are prohibited on reservations unless the tribe itself exercises local option to legalize it, bars flourish in reservation border towns. Of the 263 tribes in the nation only 55 have chosen to legalize the sale of liquor and many popular Indian religious groups teach abstinence. Two major native Indian religions, the Native American Church and the Indian Shaker Church, both forbid consumption of alcohol by their faithful.

Although the Public Health Service took over medical assistance to Indians in 1955 and since then health conditions have improved dramatically, Congress still fails to allocate per capita expenditure for Indians equal to that spent by Public Health for the rest of the American citizens.

In 1969 only $203 per person is being spent to keep American Indians healthy. But $267 will be spend per capita on all other Americans to provide them public health services. Dr. Rabeau observed:

"So in essence what we are saying is we are spending $64 less per capita for a group of people who are laboring under all the structures and stringencies of poverty, of geographical isolation, of cultural differences and poor nutrition.

"When you multiply that difference by 405,000 people (the number of Indians who actually are residing on reservations) you are talking about $26 million less."

U.S. Rep. Julia Butler Hansen listened this summer to Dr. Rabeau's account of how his health division complied with a 1969 personnel freeze required under Public Law 90–364. He said savings from permanent positions he had not been permitted to fill in the Indian Health Service totaled something over $2 million.

Rep. Hansen observed for the record:

"When we place a dollar savings in the book I want to relate it to the fact that you have testified that we have not met our needs for eyeglasses for the Indians; we have not met our needs for health facilities; we haven't met our needs for psychiatric treatment and we haven't met our needs in sanitation facilities.

"Anybody can save $2 million if they are willing to write off $2 million worth of vital health services for people.

"I take a very dismal view of this kind of business."

Much of this is due to the shockingly substandard housing, unsafe water and unsatisfactory or simply lacking waste disposal facilities on reservations.

In the past nine years the Indian Health Service has provided running water and some form of toilet plumbing for more than 39,000 Indian families. That represents a little over half of the Indian families under the jurisdiction of the IHS.

By the end of this year the IHS will put sanitation facilities into 3,530 units of new or improved housing which other agencies have constructed for or by Indians.

VII

The 10,000 Oglala Sioux of the South Dakota Pine Ridge Reservation, second largest in the nation, are the proud Indian descendants of Crazy Horse, Red Cloud, Black Elk and other plains chiefs, who did so much to write the legend of the noble red man.

The land they finally settled for, following bitter wars over broken treaties, includes 100,000 acres of badlands and has a mean temperature of 47 degrees which drops as low as 40 below zero in winter and shoots up to 120 degrees in summer.

Well over half of Crazy Horse's children endure these extremes today in homesteads made of sticks chinked with mud which has a "shade" of pine boughs spread over a frame made of four corner poles. Extra bedrooms for both summer and winter are wall tents thrown up on the windy plains which form the treeless yards for these primitive dwellings.

Some of the log shacks have two rooms. Light comes from kerosene lamps. Information comes not via telephone but through moccasin grapevine.

There is no plumbing. Water is hauled more than a quarter mile or else dipped from closer ponds, streams and bogs—invariably contaminated. Usually a root cellar, a corral and an outhouse are located somewhere near the house and its sleeping tents.

Although there is an ambitious new housing program now transforming this primitive situation on the Pine Ridge Reservation, there are few roads alleviating the severe isolation of rural Sioux families. Until a network of roads can be built by the Bureau of Indian Affairs (BIA) there will be no electricity, running water or plumbing for many of these new houses.

It's a problem Eugene Rooks is working on. He is the Sioux director of the Tribal Housing Authority. He already has requested from the BIA "one of the biggest road building projects ever conceived for a reservation." But he has other options if the network of roads is a bit delayed in arriving.

Rooks explained:

"The people who need houses the most are the older Indians and they do not want to live in low rent houses. They prefer to live in what they call their 'tegmima' (a Sioux word for the tiny log houses described above) on their own land.

"They say, 'This is my land. I have lived here all my life and I want to continue to live here until I die.' So what we are trying to do for them is to build them houses on their land without modern plumbing or such."

"We will make their houses better than what they have but they will be far less expensive than a modern house. Public Health will have to approve every site we select before we will build. This way we won't end up with houses in places where we can't service them with water and electricity."

Rooks is talking about "transition housing," an experiment tried by the Department of Housing and Urban Development for the Rosebud Sioux Reservation just east of Pine Ridge. In less than two years 375 transitional houses which had bathrooms but few other amenities and cost (with plumbing and electricity) $4,300 each, were built and sold for $10 down, to extremely poor Sioux families.

The Indian owners pay for their transitional homes at $5 per month over a five-year period. They have two bedrooms, a living-dining room and a kitchen in addition to the bathroom. They are insulated. What's more, most of the owner-families were employed in the construction of the units.

Surveys since the project was completed show that about a quarter of the new owner-families have put in lamps and desks for study purposes, 32 per cent have bought washing machines and a whopping 78 per cent have purchased sheets and towels for the first time and were using their bathtubs at least twice a week.

As a result hospital admissions at Rosebud are down 30 per cent and the daily patient census is down almost 40 per cent.

Before the transitional housing experiment at Rosebud these very poor people had been living in dilapidated log huts, small army tents, flimsy tar paper shacks, abandoned chicken brooders, tumbledown huts and occasionally, an automobile body.

Rusty cream cans were used for water storage since water had to be hauled from long distances. Most of the floors were made of dirt which became soaked and muddy during rain because the roofs leaked. In winter walls were plugged with mud and cardboard.

Bedbugs and lice swarmed unchecked, children's bodies festered with sores from dirt rubbed in them and respiratory diseases flourished. The incidence of tuberculosis among Rosebud people in 1965, just before the project was launched, was 18 times higher than the rest of the nation's and nearly three times as high as the rate on all Indian reservations.

William Carmack, assistant commissioner of community services for the BIA, estimates that it would take 49,000 new houses and 19,000 repaired houses to "clean up the Indian housing dilemma in one fell swoop."

He said the 49,000 homes involves the replacement of the present 35,000 Indian homes that are not repairable plus 14,000 for Indian families who have no home at all.

However, the budget request he submitted for 1970 will repair only 3,750 Indian homes and build only 200.

Carmack asked, in addition, for 1970 seed money to help the tribes take advantage of HUD housing called Turnkey III. This program replaces what has been a sweat equity effort called mutual help housing. With Turnkey the Indian families can move into the finished house earlier and through their maintenance of it they can contribute to the equity.

HUD housing on reservations now under construction is expected to total 4,000 units by the end of this year. This total includes mutual help housing, low rent housing and the new Turnkey projects.

The dismal housing conditions do not exist exclusively on isolated Dakota reservations. Wisconsin Indians are not geographically isolated but the reservation housing generally lacks plumbing and sanitation facilities, has no furnaces, offers little or no privacy, is much too small per unit to meet the minimum needs of the families. On some reservations such as Winnebago, the houses are apt to be wigwams or hogans made of bent birch saplings and covered with tar paper.

Many Stockbridge-Munsee Indians are still living in homes built or remodeled in the '30s with WPA funds. The Mole Lake Chippewa Indians received 18 houses from the government in the '30s but none of them have been maintained by the government since. Because they are located on untaxable land it is virtually impossible for the Indians to get repair loans. The low income of most Indians makes private loans out of the realm of possibility.

It is a problem that is repeated on almost every reservation, although Spokane tribal leaders deny that the dilemma exists for them. The casual observer would expect that there is much that the Indian himself could do to improve his own housing. However appearances are deceptive.

In most cases the Indians do not own the house nor the land on which it stands. This lack of ownership coupled with the fact that the house was put there by the government in the first place has led the Indian to think that the government has the responsibility of maintenance. The Indian holds the idea that since the building belongs to the government and he is merely a tenant he has no responsibility to make repairs. Besides, he can barely scrape together enough money for groceries; house repairs will have to wait.

The 10 Wisconsin Indian reservations have been engaged in a $3 million housing program begun in 1965 but all housing being built on the 10 reservations together totals less than 150 units, according to a survey made by the Wisconsin Human Rights Commission.

The Montana Blackfeet Tribe has just launched a housing construction industry right on the reservation near Glacier National Park. The Indians will build prefabricated houses in the tribally-owned plant. Last year all the great Montana Indian reservations put together only had 512 units of new housing under both low rent and mutual help programs.

A survey by the Blackfeet Tribe of the housing needs on its own reservation showed that out of 980 dwellings 660 were either in need of replacement or major repairs. And just to accommodate the swelling Blackfeet population the tribe needs 24 additional new housing units each year. And beyond the 980 dwellings now in use, 100 more are needed just to accommodate present reservation families.

Of the 10,000 enrolled Blackfeet, Tribal Secretary Carl Kipp said 5,800 live on or near the reservation.

BIA Superintendent Tom St. Clair of the Nez Perce Reservation in Idaho explained that mutual help housing was initiated by the first Indian BIA commissioner, Philleo Nash. The mutual help concept began with cooperation between HUD which provided the funds, the BIA which provided the supervision and the Indians who provided the labor. It was extended through the requirement that all the Indians build all the houses together before any single family moved in. This way enthusiasm for sticking with it to the end was sustained.

St. Clair said, "They are really lovely houses. The only criticism I have of the program is that the people who are eligible are only those families who earned a very small amount of money. Those young couples who are struggling and need the low cost homes but made too much money to qualify lost out."

Bill Schlick, BIA superintendent on the Yakima Indian Reservation, said 30 per cent of the houses on the reservation need repair, a total of 400 houses.

His agency services 7,000 Indians, not all of them live within the boundaries of the reservation. There is a little Indian enclave called Rock Creek in which HUD will fund 25 new low rent units this year. Schlick said the housing program for the Yakimas has been spotty in its success.

"I'm not sure we have a good fix on the number of people who actually want to move in and do some reasonable maintenance on a house. We've had self-help out of White Swan. That is sweat equity. It was, as it has been at many places, very slow. And I think people got discouraged with that. I think the tribe will look hard at how much of that they want. The low rent and Turnkey is much more effective."

There are tribal types of funding for new housing when there are sufficient tribal funds. The comparatively poverty-stricken Northern Cheyenne Tribe won a land claim against the government in 1964 which brought them $3.9 million. Of this $1,000 was made available to each tribal member to be spent for family improvement.

Most of this "family plan" money was used by the Cheyennes for home improvements. One hundred forty-two new homes were built, 44 old ones were remodeled and 93 mobile homes were purchased. In addition 13 more new homes were bought by adding the family plan money to other financing through FHA.

Next door in Montana, the Crow Indians used judgment funds from eight million acres they lost through the second Fort Laramie treaty to build 255 new homes. In addition 223 more homes were remodeled and 65 already existing homes were purchased by tribal members. Even this did not solve the Crow housing dilemma. Now mutual help housing has added 40 more houses to the reservation.

In Washington State there is mutual help and low rent housing either in use or on the drawing boards of all the major reservations. But none of the programs begin to solve the housing shortage for Indians here. In Taholah, the major village on the Quinault reservation, 10 Indian families and several non-Indian technicians have been unable to find housing and are forced to commute from off the reservation.

But the availability of high grade building materials and the ingenuity of an unorthodox BIA construction engineer named Lawrence Loucks have combined to produce a 20-unit housing development in Taholah that is unique in the nation.

Loucks began buying up building materials and storing them in the Taholah longhouse more than three years ago, picking up stock at low prices whenever he could get it.

Because of the salty sea air and winter coastal storms which might cut out electricity, Loucks added chimney flues for Franklin stoves and obtained exterior.

He also called on roofing shakes people, lumber people, paint and stain dealers and unabashedly asked them to contribute to the Quinault low cost housing effort by offering special prices. Then Loucks taught the Indian women to be carpenters, painters and roofers with skill equal and surpassing that of the men.

He also worked with tribal officials and their Tribal Housing Authority head to adapt the basic design of the three-bedroom homes to meet the wishes of the future occupants. The roofs are cedar shakes. The houses are detached and non-prefabricated. They are all electric and the wires are buried underground. They are built with inclosed laundry and back entry rooms stained in the bright colors so preferred by the Indian families.

The houses cost $6,500 each. They are on tribally-owned trust land for which the owners have long-term leases. The streets, curbs, sidewalks and water lines were installed by the Indian Health Service which has a health clinic in Taholah.

Out of 94 homes in the village the tribe found that 70 were in serious substandard condition. So there will be 50 more mutual help and low rent units going in as soon as the first 20 are occupied.

In 1966 the other Quinault village of Queets got 23 new homes. These were built by the BIA. Since then two out of the 23 have been severely damaged and are not now occupied. BIA Superintendent for Western Washington George Felshaw observed that 21 out of 23 new houses still in good repair after four years of normal wear and tear by large families is a pretty good ratio.

VIII

Tom Acitty, a Navajo Indian of New Mexico, thinks he was about six or seven when he and his brothers and sisters were "rounded up and sent to school."

"They weren't sure about your age," he said, "but if your arm was long enough for you to reach over the top of your head and touch the opposite shoulder, you were of school age." He demonstrated the traditional Navajo test by making a halo around his head with his right arm.

Acitty is a graduate of Indiana's Taylor University. Just over 30, he is the director of the Navajo Experimental Adult Education Project, which is the newest extension of the two-year-old Navajo Community College. Vice-president of its board of regents, Navajo Carl Todacheene, added details of the Navajo educational philosophy.

"In the olden days the cream of the crop of children was hidden at home so the truant officer couldn't find them. They were valuable around the hogan (Navajo house) and as shepherds. So the brightest and most aggressive kids missed out on school.

"Only the physically handicapped, the lazy, the weakling or those who were disobedient and didn't respond to our tender-loving-care type of home discipline went to school. In a way, illiteracy among the Navajos was our own fault."

Education has been mandatory among the Navajos only since 1946. It was resisted by the 120,000 native Americans who contend that they are "Navajos first, Indian second." Todacheene, a high official in the tribal council who is as suavely turned out as a Wall Street broker, is just one generation away from the practice of which he spoke.

He told of a highly educated Navajo tribal chairman who was sent to school only because he inadvertantly exposed his toes under the curtain behind which he was hiding to escape the government official who had visited the reservation to round up the school-aged youngsters. It was a parental conspiracy gleefully joined by the kiddies to circumvent the all-pervasive influence of the invading white man.

The war changed all that. Both Todacheene and Acitty were in the Marines. They boasted of the heroic role the Navajo language played in confounding even the Japanese secret code-breakers. The war took the Navajo men off the reservation and into the urban centers to enter wartime industries. They circulated. They made money. When they came back they spread the gospel of education.

The Bureau of Indian Affairs helped the Navajos catch up in education with a variety of compensatory programs, among them a five-year concentrated program that forced Northwest Indian children out of their BIA boarding school in Oregon so the Navajos could have it.

Now the Navajos have established the first all-Indian-run college and have a second demonstration of Indian-run education, Rough Rock Elementary school. Navajo Community College has 272 students and offers programs in vocational-technical training, continuing education and college parallel courses.

The Navajo Nation is successfully keeping all but the children of its migrant workers in school, has attacked the average 4th grade reading level and 40 per cent illiteracy of its adults with Acitty's Experimental Adult Education Project, and is sending its youth to college on tribal scholarships.

Navajo youth whose parents can't speak English are already learning the glib phrases of the Red Revolution. Many of the more moderate Navajo college students now speak fluently and influentially through the National Indian Youth Council and Kiva Club, both headquartered in Navajo country.

But the longest and most successful experiment in a uniquely Indian approach to elementary education has drawn the eyes of the nation to a village on Washington State's Pacific beach where the Quinault River empties into the sea.

Taholah Public School is the only all-Indian elementary school in Washington State. It is the only school with an all-Indian school board which hires, fires and makes every other decision affecting the education of its children.

It is the only school in the state, according to the state director of Johnson-O'Malley Funds (the federal subsidy for Indian children in public schools) where Indian youth are not "swallowed up by the majority culture."

It is also the only school where they are taught their ancient Indian language along with English. They learn regularly in art classes the legends and meaning behind the Totem clan symbols that represent their tribal families. They learn the ancient chants, songs and ceremonial dances of the Quinault Tribe, which are as different from those of the Washington Makahs as are polkas from the highland fling.

But more basic than the introduction of tribal arts into the curriculum is the philosophy of education which principal Harold Patterson has developed over 14 years with his educator-wife Shirley.

The evidence of this philosophy is obvious as one walks into Mrs. Patterson's kindergarten. The room is full of black-eyed, chubby-faced, dusky-skinned five-year-olds.

Except for Joeli, who is only four. Barefoot, greenthumbed Rueben insisted Jolie is only four.

Rueben introduced himself to the alien reporter, announced that he is five and showed off his burgeoning pencil skills by drawing a very ingenious figure two. His left thumb nail was painted green to show him where to start the figure but he ignored the clue.

When he finished coloring his number he stored his fat, green pencil between two toes and swung his bare feet patiently while he waited for the next assignment.

Rueben's teacher and his Indian teacher-aide from the village, who hopes to become a certified teacher herself, understand that Indian children do not exhibit the same exuberant curiosity as white children and that they are only comfortable in attempting something new after they feel competent that they will not fail at the task.

An Indian child is taught not to manifest curiosity in the presence of an adult since this is impolite. Yet the entire motivation in the ordinary white classroom is curiosity. The teacher hopes to elicit questions. But the novice in the all-Indian classroom will find questions do not spring easily from the lips of Indian children nor are they eager to display their knowledge of the answers before the rest of their classmates.

The Indian child who lives an essentially noncompetitive culture will often pretend he doesn't know the answer if one of his peers has been put on the spot before the class and failed to answer. If one fails, often all will share his failure voluntarily in an effort to save his self esteem.

Also, his peers may punish him if he shows an eagerness to supply answers in class, because he is becoming too much like a white child. They will accuse him of becoming "white Indian." To become like a white man is to become a social climber and this is despised, Patterson explained.

Mrs. Patterson mentioned incidents in which Indian teen-agers purposely use indian-distortions of English words in order not to sound "uppity" or white.

Patterson observed:

"The Indians have security within their own society and when they are forced into the mainstream (as in public schools) they feel very uncomfortable so they withdraw to protect themselves.

"They find that the public school system is structured and designed to make something out of them other than Indians. He may be there physically but he has withdrawn and is not participating until finally he just drops out."

The drop-out rate among Indian school children is the highest in the nation. It varies for different reservations but the national average is 42 per cent.

Another basic difference between the Indian and the non-Indian is his trait of intuitive thinking rather than analytical thinking. Traditionally, the Indian learns through experience, but in school he is expected to abstract everything.

In an integrated school, the Indian child can seldom compete with the non-Indian

child who practices analytical thinking as a normal lifestyle.

The reservation Indian child also enters school with a language handicap. Many Indian children live in homes that house three generations and usually the grandparents still speak the native language. In more remote reservations of the Dakotas or the Southwest, the native language is spoken as a first language even by the children.

Even when the youngsters speak English, it is usually a provincial adaptation of the language and ingrained errors in grammar and construction must be removed before new language forms can be taught.

Thus, even many of the graduates of the Taholah all-Indian school with its Indian-tailored curriculum fall below the average level of the public school sixth grader, Patterson said.

To compensate for this discrepancy, most of the Indian tribes in the state and many across the nation have recently developed their own summer education catchup projects for their youth.

IX

H. G. Wells said, "Human history is a race between education and catastrophe."

Former Indian Commissioner Robert Bennett quoted Wells when he asked the Bureau of the Budget this year for a substantial increase in the allocation for Indian education. Bennett told the budget bureaucrats, notorious for their low priority concern about the plight of the Indian:

"We need to change the government's posture, which says to young Indian people: '$25 million to be barbers, clerks and mechanics but only $3 million to be teachers, doctors, lawyers and other professionals.'"

The Indians themselves have been trying to prepare their youth to cope with the courses they will need if they are to qualify for college by offering summer school.

One of the most dramatically successful of these Indian summer programs is the Yakima Indian Nation Youth Camp at Camp Chaparral in the high mountain country of the Yakima reservation, which is closed to non-Indians. The students' feeling that this is their land and their program has unexpectedly enhanced the success of the experiment.

The youngsters who are selected to participate are under-achievers who average two school years below the level of the non-Indian students of the same age. There are three dormitories, each housing 25, in the mountain retreat. This year a fourth is being added by the tribe.

In addition to competitive sports and music the students study science in nature and arts. Their concentrated daily study is in English, math and reading. They are tested as soon as they arrive and a battery of professional tests are administered during and at the end of the four-week education camp. The results revealed by the tests have been little short of phenomenal.

California Achievement Test scores show that the average growth for each participant last summer was the equivalent of six months. Twenty-three students, almost a quarter of the camp enrollment, showed a gain of one full academic year. The highest gain for a single individual was the equivalent of two years and seven months of school.

Two other students showed gains of almost two full academic years and a fourth-grade student climbed in language from third grade to six grade level in the four-week period. The same students gained almost as dramatically in reading and arithmetic.

Thirty-seven other students gained from half to almost a full academic year in their concentrated attack upon the bread-and-butter courses. In the entire camp last summer there were only four who showed no gains and three regressions. The losses and no-gains were explained in terms of lack of motivation.

Camp Chaparral was designed for 100 students between the fifth and 10th grades. Since there are many youngsters who need educational propping in the summer and many who were barred because of the limited facilities of Camp Chaparral, a Valley Supportive Education project was added. It lasted eight weeks, from 8:30 a.m. to 3 p.m. with lunch included.

The tribe built longhouses at three reservation sites to make the program accessible to all. At both projects Indian educational aides were employed and this experiment has proved highly successful. In the Valley Program, too, the average gain was one academic year or more.

Spokane Indians have looked at the deficiencies in the educational system their young people have passed through and decided it was in critical need of a "refocus." The trouble with the typical public school system was summarized by a Yakima Indian Poverty War aide, Mrs. Hazel Miller. She observed tartly:

"I don't know how you would take it if you were processed through an Indian life as we are processed through your culture and education. An Indian is a displaced person. You are trying to turn us into your ways. An Indian must learn about himself. I don't believe the Indian knows who he is."

And so the Spokane "refocus" aims to build pride in Indian heritage. The three-pronged attack on the blurry self-image includes Saturday sessions in Indian folklore, fine arts, crafts and modern Indian psychology. It also features counseling designed to fill in the gaps for Indian youth that the white-oriented public school student counseling spawns.

The third emphasis is on in-service workshops for those teachers of the Spokane School District and parochial schools who come most in contact with Indian children. The teachers learn non-oral ways to involve very young Indian children who have not learned at home how to verbalize ideas. They will learn how to ease a child into the frightening American competitive system.

And the teachers will learn about the myriad of outside influences that will shape the Indian child's response in class and this knowledge will help the teacher feel less threatened by the performance of the child.

The entire project will be funded with Title III federal money and is expected to cost about $200,000. The program will produce a new history text researched and written by a former member of the New York American Heritage editorial staff.

In spite of these bright spots in the Indian education picture the prevailing situation across the nation is bleak. In several states the public school system in rural areas is so weak that the Bureau of Indian Affairs provides the only schools available other than the still popular mission schools.

But even in states such as New Mexico and Arizona where the public school system is beefed up by BIA boarding schools, Navajo Todacheene sighs with discouragement. He said, "There is still no place to study when a child comes home to a two-room cabin without electricity or plumbing or space. And it's hard to study when you're hungry."

Todacheene is a member of the Navajo all-Indian school board. It is one of the few in the nation. Even BIA schools rarely have Indian school boards. Some have Indian advisory councils. This year has been proclaimed the year that federal policy will embrace the establishment of Indian school boards for all-Indian federal schools.

Some Indians see that move as too little and too late. Dr. Lional deMontigny, a Chippewa Indian medical doctor from the Rocky Boy Reservation of Montana, is working to get the public school district boundaries drawn so that his school district includes only Indians. This way the school will be subsidized by the Johnson-O'Malley federal funds that subsidize Indian youth in public schools.

Federal impact funds, were all the low-income Indian students gerrymandered into one district, could provide really compensatory educational programs as well as decent school buildings, deMontigny contends.

The doctor reports that his reservation annually sends up to 70 Indian youths to high school in the surrounding white towns but the highest number of Indian students who have been graduated in one year is three.

He also confirms reports by Indian leaders in the Pine Ridge Sioux Reservation of South Dakota who say that white public school officials take a head count of Indian students the first week of school in order to get per capita Johnson-O'Malley funds. Then when the Indian students drop out or move away school officials simply keep on accepting the funds as though the Indians still were in school. In South Dakota the Indians went to court to get this practice stopped.

The uneven quality of BIA schools has been the target of reformers and crusaders from the days of the scandalous rigid and authoritarian Carlisle Institute of Pennsylvania to today where, Congresswoman Julia Butler Hansen reports children are forced to run around with cooking pans to catch the rain water falling through their leaky dormitory roof on one reservation.

For several years the House Committee on Appropriations, which Mrs. Hansen heads, has ordered the Indian Bureau to "develop a straight-line educational administration." This would mean that the BIA headquarters in Washington could introduce new educational policies which would go directly into operation on the local reservation.

As it is, contends Mrs. Hansen, area officers, such as the Portland office of the BIA which has authority over the Northwest reservations, can with immunity choose to disregard educational directives from its Washington superiors.

The only BIA school which has received unqualified praise from both Indians and non-Indians is the American Institute of Indian Art at Santa Fe. Two of its gifted graduates from Washington's Clallam Tribe Lower Elwa Band taught valuable Indian drama and arts classes to Seattle's Indian poverty-level children last summer.

But in spite of general discontent with BIA educational programs, the 1,800 elected delegates from three-fourths of the Indian tribes in the nation who met last month in Albuquerque passed a unanimous resolution to retain the BIA intact within the Department of the Interior.

Proponents of moving the education component out of Interior and into Health, Education and Welfare, most of them white "Indian specialists," were soundly outvoted by the nation's Indians who have finally decided that it will be they, not non-Indian experts, who will determine their children's future.

X

Hollywood actor Dustin Hoffman was on the Crow Reservation in Montana last summer making the movie "Little Big Man." The script of the Custer massacre film called for 20 Indian men for speaking parts, 20 Indian horsemen to act as Crow scouts for General Custer and 400 Indian men between the ages of 15 and 40 with horses to portray warrior Indians.

It was a non-typical example of the seasonal employment that plagues the reservation Indian and results in a general standard of subsistence well below the national poverty line. More typical is the logging, fishing, firefighting, agriculture and recreation guide employment that has been the traditional livelihood of the Indian.

Because the Indian has come to recognize the need for establishing a viable economic base if he is to attain his goal of self-determination, tribal business councils have been working with the Bureau of Indian Affairs to lure industry onto the reservation.

Critics of the BIA and non-Indian "Indian experts" have charged that only small, marginal industries and firms already on their last legs have been involved in the wobbly experiment.

The charge is unfair and smacks of paternalism. Such critics ignore the Indians' desire to make their own decisions and their own mistakes in developing their own economy. Take the experience of the Crows for example.

Crow Tribal Chairman Edison Real Bird explained, "As a leader I've got to provide a philosophy of ownership—'this is my business, this is my ranch, this is my home this is my cow.' This is what we've got to develop for the tribe in general and so that is why we have to develop as many new goals as we can through government agencies and through private industry.

"We own the Big Horn National Recreation Area, which is the first joint-venture between an Indian tribe and the National Park Service. I wrote for our tribe the memorandum of agreement in which the Crow Tribe assumes all the income-bearing projects and all non-income-bearing projects belong to the National Park Service.

"I included all the safeguards for the tribe, and I made it not in perpetuitity because, after all, you have to leave some of the decision making policy to the future Crow Indians."

The Crows have been learning from their mistakes.

The tribe built a factory building and invited a carpet manufacturer to lease it and employ reservation Indians. It failed. So the tribe "sent out feelers" and got the largest carpet industry in the world, Mohawk carpets by Mohasco, to take over the factory. They have been employing about 75 reservation Indians and slowly training them as they work in all areas of the operation. The factory is operating two shifts and is expanding. All employes except for a top management team sent in by Mohasco are Indians.

Another factory provided by the tribe in the tribal industrial park first housed U.S. Automatics, which also failed. But before poor white management and lack of capital sunk the electronics firm it had trained some 65 members of the tribe.

Leo Vocu, the Oglala Sioux director of OEO at Pine Ridge in South Dakota, second largest reservation in the nation, said there have been two fishhook factories and a moccasin factory on the Sioux reservation which have gone broke. It was not due to Indian labor ineptness since the Sioux show through testing that they are superior in manual dexterity. The competition of foreign cheap labor forced the fishhook operations to move to Mexico.

Now a new moccasin factory which hires only Indians below management level employs 102 people and produces 1,000 pairs of soft sole footwear each day. And the Tribal Council has established the Pine Ridge Development Co. to bring in more industries. Fifty per cent of the available labor force remains unemployed.

Pine Ridge has opened a tribally owned shopping center complex and is planning to develop for its tourism potential its extensive badlands. They lie reasonably close to Interstate 2 which crosses the reservation. The development will include a motel, curio shop, restaurant and museum.

But the most interesting effort of the Sioux at Pine Ridge is Vocu's OEO-initiated New Careers Project. It is the only Indian one in the nation in spite of the fact that New Careers would have been a natural for the BIA to have launched a hundred years ago.

New Careers takes unschooled adults or drop-outs and puts them to work part time as para-professionals, say in BIA office jobs, while filling in the gaps in their academic training. As they complete their education they are learning on the job and eventually it is possible to get a college degree and enter professional status.

It may be the most successful OEO program in the nation in spite of deep fund cutbacks that only the nationally popular Head-start program has escaped.

Vocu said that the Indians do not want to remove the BIA. Rather, they want Indians to be given top positions in it. He said the Indian Health Service under U.S. Public Health is more oriented to this philosophy than is the BIA.

The Navajos who refused to educate their children at all until just 23 years ago and already boast the first all-Indian college, have also made a great leap forward in reservation industry.

Fairchild Camera Corporation's Semiconductor Division at Shiprock, New Mexico builds electronic devices so intricate that they function in Apollo's moon communications, guidance and gyro systems.

All but 24 of Fairchild's nearly 1,200 employes are reservation Navajos. Of 33 production supervisors in the semiconductor plant, 30 are Navajos. The plant has been on the Navajo reservation since 1965 and has steadily expanded until it is today the nation's largest non-government employer of Indians.

On the western side of the Navajo reservation is the massive sawmill operation and forest management program at Window Rock, Arizona. One of the largest sawmills in the nation, the Navajo mill employs several hundred Navajo people.

But even the smallest reservations have lined up on the new industrial frontier. The Swinomish at LaConner were among the first. Many years ago Indians on the 7,000-acre reservation which lies along Puget Sound constructed two salmon fishtraps. Although it was a tribal industry the BIA retained control of Swinomish tribal funds and all tribal monies from the venture were disbursed by the protective bureau.

Then in the 1940's the Swinomish Tribe decided to go into the oyster harvesting business. The BIA superintendent in power over Western Washington tribes at the time objected to the tribal decision. But the strong leadership of Tribal Senate Chairman Tandy Wilbur Sr., prevailed and the BIA relented.

The oyster business flourished under the tutelage of a Japanese firm hired as consultants and managers by the tribe. The Orientals taught the Swinomish Indians their own age-old secrets of harvesting shellfish. At first the BIA withheld funds for the venture with the Japanese but again the tribe won the argument, only to discover that racial discrimination against the Orientals confronted them in the village of LaConner.

It took a few years of fighting prejudice, paternalism and the competition of the shellfish market but the successful oyster enterprise began in the 1940's still thrives on the Swinomish tidelands and a recent BIA survey indicated there is good potential for expansion.

Recently the resourceful Swinomish succeeded in getting Congress to enact a land use law specifically for them. It permits the Swinomish to enter into leases up to 99 years in length. Lease arrangements have been limited to 25 years and big developers of industry who need longer to amortize their large investments weren't interested.

The new law also permits the Swinomish Tribe to use its income from leases as collateral. The tribe has already taken advantage of this feature to buy two strategic tracts of land to consolidate its own properties. Swinomish land was almost all allotted to individual Indian tribal members years ago and now the tribe is buying back land which, shared in multi-ownership as allotments, had been rendered almost useless.

XI

Unemployment on Indian reservations averages about 40 per cent and at certain seasons of the year some reservations have 80 per cent unemployment.

Most of the Indians who wish to feed, clothe and educate their children, house them adequately and meet all their health needs are forced to leave the reservation and find jobs in the urban centers whether they want to or not.

This lack of choice has influenced the Indian to seek to bring employment opportunities to the reservation but the effort has won only partial success so far.

Breeders

An example of pervasive non-Indian influence over the economy of reservations is illustrated by the desire of the Idaho Nez Perce to build a tribal Appaloosa stud operation in order to capitalize on the Nez Perce legend which names them as the original breeders of that beautiful horse.

Red Heart, a Nez Perce with a herd of Appaloosa, has such good ones that he furnishes them to the movies. Other tribal members have small herds. But the feasibility study ordered by the tribe indicated that developing a stud operation would require a very large investment of tribal funds. On the advice of their non-Indian legal counsel they abandoned the venture.

It was their attorney's opinion that there was adequate employment opportunity in the surrounding cities and in the extensive lumbering operations so that developing industry on the reservation was not practical. Another case of persuading Indians not to make their own mistakes. But while industry abounds outside the boundaries of the Nez Perce reservation, Indian unemployment there is shockingly high.

Race bias

BIA Superintendent Tom St. Clair reports that racial discrimination in Lewiston and in the area around the Lapwai agency is higher than he has ever before encountered in his career in the Bureau. It is a definite factor in the high rate of unemployment and in the reticence of Indians to seek work off the reservation.

The Nez Perce have no tribal land suitable for an industrial park, they have talked of building a tribal motel near an historic site, but they have invested most of their tribal funds in the stock market on the advice of their attorney. And so their youth leave the reservation and few return.

Former Nez Perce Tribal Chairman Richard Halfmoon put it this way:

"Those of our tribe with talent go away to Seattle and to Denver and to Los Angeles and Oakland and they never come back to the tribe. Oh, they come back for visits, but that is about all. There is nothing on this reservation to hold anyone—there's no employment. There's no opportunity whatsoever."

Unfortunately, Mr. Halfmoon's observations are only too accurate when applied to most Indian reservations today. But the redeeming aspect is that there is hope today where yesterday there was only cynicism or despondency.

With the Office of Economic Opportunity and its Poverty War planning grants which turn into project grants, Congress permitted the Department of Health, Education, and Welfare to do for the Indians what it has never permitted the Bureau of the Indian Affairs to do—make outright grants of government funds for development.

With a bit of prodding and an embarrassingly late start the BIA has now assumed the role of agency coordinator and is actively seeking help from the Small Business Administration, the Economic Development Administration and OEO and HUD and the Department of Labor in building on reservations a viable economic base.

The BIA reported to Congress that at the end of this year there will be 150 different industries on Indian reservations offering job opportunities to 10,000 Indians. A year from now, when these plants reach full capacity, they will employ well over 15,000 Indians right on reservations. And now the BIA is asking for seed money to begin a drive to launch Indian entrepreneurs.

George Hubley, head of the BIA economic development programs, reports that General Dynamics employs 98 Indians in missile component assembly in Defiance, Arizona; Ami-Zuni has put 36 Pueblo Indians to work on electronic memories in New Mexico; Western Superior is employing 60 making undergarments in Arizona; the Rosebud Sioux are building their own prefabricated homes and also harnessing cable for Rosebud Electronics in South Dakota; Indians are building furniture for Sequoyah in Oklahoma and for White Swan Industries in Wapato, Washington.

Payroll

The annual payroll of the 150 industries combined is well over $30 million. The ratio of Indian workers in those industries to non-Indian is about 70 per cent. This fact, together with two new innovative programs initiated entirely by Indians, makes the future for Indian reservation economics significantly brighter than ever before in the blotted history of the American Indian.

The new program with highest potential for the Indian economy is the National Indian Development Organization Project. A feasibility study financed by an EDA grant was followed by a Ford Foundation grant of almost $95,000.

This private bundle has subsidized a team of legal consultants who are now designing a national organization to provide credit for the economic efforts of both individual Indians and Indian tribes.

The second innovation is a partnership effort between private industry and the Cherokee Nation initiated by a top Cherokee who happens to be at the same time president of Phillips Petroleum Company, W. W. Keeler. He is principal chief of the Cherokee Nation, appointed to that position by the President of the United States. Although the Cherokee Nation was "civilized" in colonial times and is one of the most sophisticated of all Indian tribes, it is not permitted by Congress to elect its own Tribal Chairman.

Cherokee Nation Industries, Inc., was set up last year through the effort of Keeler's special Phillips division devoted to developing partnerships between Indians and private industry. It manufactures electrical switches, relays and receivers for Western Electric Company. Western Electric trains all Cherokee Industries employes.

Objective

Next project is the Phillips program for training Indians in all phases of management of the electronics manufacturing business. Objective is to create Indian-owned enterprises that can stand completely alone.

Washington State Indians have taken significant steps to build reservation economy using their natural resources.

Colville Indian rancher Dutch Anderson has been named Conservation Farmer of the Year and this year Quinault Tribal Chairman James Jackson was awarded Chicago's Indian Council Fire "Indian of Achievement for 1969" citation. Jackson's efforts to establish the Quinault National Fish Hatchery, ocean beaches and in providing leadership in tribal business activities were cited.

Colville Indian cattlemen have been turning their Rhode Island-sized range lands into controlled grass grazing areas and in the past six years have more than doubled the cattle supported by it.

The Idaho Shoshone-Bannocks have irrigated their rolling hills of sage and cheatgrass and now part of that range is growing expensive Idaho potatoes on a profitable lease arrangement. At the end of the 16-year lease the Indian owners will have their land with its irrigation system installed.

On the Spokane Reservation uranium being mined, on the Yakima Reservation Indians have combined an industrial park with farms and orchards and sawmills to handle yearly yield of 157 million board feet of Ponderosa Pine.

The Western Washington Makahs have an experimental fish-meal processing plant on Neah Bay called the Cape Flattery Company. Although it now produces mostly a high protein powder to fortify livestock and poultry feed, the fish meal can be refined into a tasteless, odorless high protein additive for human diets.

The Bellingham area Lummi Indians have a Puget Sound aquaculture project. The Lummi's flexed their jurisdiction muscle and recently closed 25 miles of their beaches to the white man. The acquaculture firm is attempting to develop new sea life products in Lummi Bay.

None of these ventures is capable of providing an economic base that will support even today's reservation population. And that population is exploding at three times the national rate. Two savvy BIA superintendents summed up the Indian economic picture:

William Schlick of the Yakima Agency observed, "You know, we've had a lot of pressure, a lot of emphasis on people-development programs since 1964. But the tribe has got to be able to maintain and develop its resources simply as an economic base. Because they don't see and I don't see any time in the foreseeable future when there's going to be a big decrease in the reservation population."

And a former newspaperman from New Mexico who now heads the BIA agency on the Northern Cheyenne Reservation in Montana, John (Bob) White, commented:

"I think we have to break the chain of dependency the government has created. The greatest crime against the Indian is the destruction of the independence of what was perhaps the most independent man that ever walked God's green earth. We must restore this independence and we can't do it by providing new crutches."

XII

There has been a national reawakening to the value of the American Indians' varied traditions. Funds of the Poverty War are reviving historic Indian arts, dances, languages and encouraging Indian theater.

For Indian youth this stirring of their ancestral heritage, which for some had been moribund, has triggered a certain ambivalence.

Some find living in two worlds traumatic. Others have managed a comfortable cultural synthesis.

At Browning, Mont., Blackfeet teen-agers resolved the dilemma of cultural clash last spring by cutting out early on their high school senior prom to catch the final hours of a tribal Pow Wow on the reservation.

In Albuquerque this fall Indian youth leaders attending the National Congress of American Indians convention found their number almost equally divided between a rock 'n roll dance in the Hilton ballroom with The Tribesmen and an impromptu pow wow on the seventh floor with a couple of delegates who brought their drums along.

Clarence Pickernell, a Quinault Indian artist and school teacher, attributes the reawakening of interest in tribal arts and cultural traditions to the relocation policy instituted by the Bureau of Indian Affairs in the decade of the '50s. The BIA screened Indians on the reservation and then sent the most promising off to such cities as Los Angeles, Denver and Chicago to training centers.

The program is strongly criticized by Indians because too often the government abandoned the relocated Indians after they had settled them in the big cities. Then if the Indian lost his job or ran into any of a myriad of difficulties he became stranded in what to him still was alien territory.

Pickernell said this traumatic experience caused many Indians to realize how much they needed depth and strength to their cultural roots. In the city where they could not melt into the mainstream culture they found they had lost touch with their own and an identity crisis compounded their problems.

Pickernell said:

"A decade ago I would have said the culture and traditions were gone, dead. But when I came back from overseas (where he taught school in the Orient) a change had taken place. There was a spontaneous Indian reawakening. They needed to rediscover their culture."

In recent years a few high schools have included traditional Indian arts in their curriculum. The Shoshone-Bannocks of Southern Idaho have succeeded in getting painting, moccasin and beadwork into the large Blackfoot High School where most of their young people are enrolled. Now the tribe is writing a new version of Idaho history to submit to the school board.

In Montana Blackfoot country the Browning High School offers Indian history but not Indian arts. Some Navajo Indian schools operated by the BIA still forbid the use of the native language on campus while other tribes, including the Washington Quinaults are reducing their languages to writing so that they may be taught in the Indian school.

Campuses

Hot on the heels of the black studies advocates have come the Indian studies enthusiasts to the university campuses. Minnesota, Michigan and Berkeley are building Indian studies degree programs. Others such as the University of Oklahoma are internationally known for their pools of American Indian expertise.

In Washington, Gonzaga University at Spokane is the site of a new five-story Pacific Northwest Indian Center designed to preserve Indian cultures and promote Indian studies and Indian leadership in the Northwest.

The fact that there are exactly 250 different ceremonials, dances, feasts and sporting events listed on the American Indian Calendar published annually by the BIA testifies to the strength of a culture that has survived prolonged federal crusades to swallow it up in the American mainstream.

Now the pendulum has swung back toward the Indian position which always has insisted that the two cultures have a lot to offer each other. Typical of the new view is the OEO Indian crafts classes on the Yakima Reservation.

Tribal Chairman Robert Jim said the old Indians teach the tribal language, basket weaving, beading, making moccasins and buckskin tanning. Jim said the young parents respond to this opportunity most enthusiastically since they are the generation which lost out on the emphasis on tribal arts.

He told of an Indian woman who agreed to teach basket weaving who said she hadn't made a basket in 50 years. The Yakimas have a unique porcupine needle craft that is distinctively their own.

The Nez Perce have corn husk bag weaving that is intricately beautiful and unique in the nation. The Swinomish of Hope Island weave cedar bark baskets. The Arizona Papagos make coil baskets. The South Dakota Sioux throw elegant pottery of light clay while the New Mexico Indians are famous for their rare black pots that resemble African ebony carvings.

Totem

The highest arts of all originated among the Western Washington tribes of the totem

tradition. They wove cloth on looms before the European influence arrived.

And the Indian who probably is doing more than any other man to revive this high art is a great grandson of three Indian chiefs who signed the treaty that created the Quinault Reservation.

Clarence Pickernell grew up in a traditional home where his two grandmothers and his great-grandmother lived. They taught him the oral history of the tribe and they spoke the Quinault language.

His father is a fisherman and his father's father was among the last of the whalers. His grandfather was an artist who carved classic totem poles to use in his whaling purification rituals. His grandson inherited his artistic gift but not his primitive Indian faith which held the totem pole to be sacred as an instrument of worship and not an object of art.

From the time he was 8 years old he was subjected to a "steady diet" of the history of the tribe, the geneology of the Pickernell family, the Quinault folk tales, the music, the meaning behind the totem clan symbols of the wolf, the bear, the eagle, the whale, the frog and beaver. Now he is passing it on in a course called Quinault Tribal Heritage for Taholah elementary school children.

Pickernell said that he lived in two cultures without making a conscious choice between them until after college. But maintaining this double-exposure "doesn't always work," he said. "Many times you run into a situation where you aren't accepted by the white culture so you are forced to go back to your own."

But his own culture has been richly rewarding as he has pursued the disappearing Quinault traditions and retrieved them for his tribe. His maternal grandfather was wealthy and held a place of prominence in the tribe because of the elaborate potlatches he was able to give. Only one Taholah resident carries on the Potlatch tradition today but the celebration is vividly remembered by many who grew up during the days of expansive gift-giving.

Potlatch

In the old days the potlatch gifts featured hand woven blankets of cedar bark base with the totem designs woven into the fabric. But as soon as loomed woolen blankets became available the resourceful Indians adapted their age-old tradition to include the softer material on which they appliqued wool felt totem designs.

Now Quinault ceremonial robes and modified ponchos may be part nylon and the intricate totem designs are cut out of colorful iron-on tape. The decorative shells of barter have been replaced by flat pearl buttons.

Another example of selective acculturation is the modern Quinault racing canoe. It still is a dugout but no longer does the Indian build a fire on the cedar log to scoop it out. He employes a chain saw.

He also takes a dim view of paddling from Taholah upstream to Lake Quinault. The racing canoes now have powerful outboard motors and have been redesigned to enhance bouyancy while retaining their superior ability to skim swiftly through both rapids and shallow waters.

The potlatch culture is still very much alive in the dance troupe of Taholah elementary school youngsters that Pickernell has choreographed and costumed. He has taught the Indian 6th graders the distinctive drum beats, varying tempos and artful steps of the potlatch dance. This reenactment of the potlatch celebration in dance makes his troupe popular at Indian rodeos, school functions in other cities and at the Ocean Shores tourist mecca.

But beadwork, carved ivory, miniature papoose dolls and other Indian artifacts are being mass produced these days by the Orientals and pushed in souvenir shops by white merchants.

A Seattle Indian group headed by Eskimo Robert Lupson is seeking state legislation to separate Japanese curios from hand-made Indian items to protect the gullible non-Indian tourist and the interests of true Indian craftsmen.

Lupson said that one Seattle firm hires Eskimos to run the machines that turn out ivory pieces which then are sold as "made by Eskimos."

At Glacier National Park entrance the village of Browning, Mont., has more souvenir shops selling fake Indian crafts than it has shops selling valid Indian items even though the town is entirely within the boundaries of the Blackfeet Reservation.

The Indians are being undersold right out of their own market, a form of de facto culture theft. It's more subtle than the 1907 law that abolished the potlatches of the Northwest Indians because, according to Seattle Indian Center director Pearl Warren, "they were too savage."

XIII

The full-blood Kaw, tall, copper-toned with classic Indian features, spoke softly. He couched the sticky question in the consciously polite terms and reasonable tones of mature Indian leader:

"Why don't people understand our Indians better? Even on the peripheral areas of the Indian reservations—the people who live next door to these Native Americans, these Original Americans—know so little about them. All they seem to know is what they see on television."

The question was posed by W. A. Mehojah Jr., the Indian Bureau of Indian Affairs (BIA) superintendent on the Fort Hall, Ida., reservation of the Shoshone-Bannocks. But his observation was born of extensive experience in Oklahoma where he grew up among his own people, in South Dakota among the Sioux, in Montana among the Chippewas, and among the Cheyennes where he has served the United States government for the past 18 years.

And one key segment of American Indian life about which non-Indian Americans are perhaps more unenlightened than about any other is religion.

Are American Indians predominantly Roman Catholic as Spanish Americans are thought to be? There are probably more Catholic Indian missions on reservations than any other.

Or are they Protestant? Or Pagan?

Or do they still retain the primitive religions of the old aboriginal cultures? Do American Indians believe in one God or in many gods?

Such questions have no answer because they are based on the prevalent myth that an Indian is an Indian and what is true of one red man is generally true of them all.

Many Indians are Mormons. Many are fundamentalist Pentecostal. Many are Catholic, Methodist, Presbyterian, Episcopalian. And many still worship the way their ancestors did, particularly among the Southwestern Pueblo tribes.

But the most interesting development among American Indians related to their religions is the evolution of two new nativistic movements that illustrate the Indian's synthesis of the white man's culture with his own on his terms.

Both are practiced widely among Northwest tribes. The Native American Church, better known as the peyote cult, has been traditionally strong among the Shoshone-Bannocks, the Indian Shaker Church is indigenous to the Northwest Coast and is a denomination of 22 churches between Northern California and Southern British Columbia.

Oliver LaFarge, twice president of the Association of American Indian Affairs, observes that Indians who hold strongly to tribe and tradition make excellent Christians. They bring to Christianity, he said, a sense of the constant presence of religion in daily life and a habit of participation in religious activities that non-Indian Americans would do well to copy.

One non-Indian who recognized these spiritual values and chose to assimilate them within his own experience is Harold Patterson, the principal of Taholah Indian Elementary School on the Quinault Reservation. A convert of the Indian Shaker Church, this former Baptist believes that this native religious movement combines the best elements of the Christian faith with the best elements of traditional Indian worship.

Patterson described the movement and then explained how it has synthesized the two cultures without doing violence to either, thus permitting the Indian to remain Indian and still be fundamentally Christian. Contrary to popular belief, the Indian Shaker Church has no connection with any other Shaker movement but is strictly an indigenous Northwest Indian movement. It began at Mud Bay, near Olympia. The founder was John Slocum, an Indian who, before his conversion, was what contemporary Shakers call "a sinful man." Missionaries had been only moderately successful with the Indians because they offered a brand of Christianity that the Indians were unable to understand or accept within their cultural milieu.

Patterson said the Indians have always associated religion with manifestations of spiritual power. These traditionally included power to heal the sick and to display feats of magic. He said that when missionaries offered them a ritualistic form of religion which was oriented toward the Bible and hymnbook with a formal service its appeal was minimal.

The guardian spirits, the song, the dance and the drum held a much stronger appeal for the Indian people. Belief in the shaman or Indian medicine man and in the powers of good and evil in conflict were deeply held. It was believed that John Slocum had come under the disfavor of the shaman, who had injected his power into Slocum, who became deathly sick and appeared to die.

His body was laid out and a canoe was dispatched to Olympia for a casket but it was delayed. As his relatives sat by his body they observed it become rigid in death. But to the complete amazement of them all Slocum revived before his casket arrived.

Some Shakers believe he was merely in a deep trance induced by the enemy shaman but most today are convinced it was an authentic resurrection—a conviction which makes it easy for them to accept the Christian doctrine of the resurrection of Jesus.

Patterson contends, however, that the Shakers did not make a messiah out of John Slocum, as some historians have written. To the Indians he was merely "a witness and a messenger and a founder of their branch of Christianity."

Slocum, who spoke only the Indian language and could not read English described his experience "after death" as a trip, without his body, into the sky where he was not admitted because he was told by an angel that he and his people were unclean and not worthy to enter. His sins, he said, were written on a black cloud and his virtues, which were insignificant, on a shining cloud. He was told to preach repentance and to build a church and to tell the people that if they would change their ways a "great medicine would come down from heaven which would be a power that could be used only for good."

Slocum's message was enthusiastically received by many Indians. His converts immediately stopped drinking liquor and gambling and became cooperative in their dealings with the white man. But their forms of worship were upsetting to the white missionaries.

They often held services all night long.

Their songs were Indian chants and songs often without words. The Shakers were charged with practicing Indian pagan rites in the name of Christianity and the movement was outlawed by the Bureau of Indian Affairs. Several of the Indian Shaker leaders were arrested and put in jail in Centralia.

The charge of paganism was hard to prove or disprove since none of the Indians spoke English. The Centralia judge brought in a Presbyterian minister who understood the Indians and had him listen in court to sermons preached by them.

They prayed, waited for "the Spirit to move them," and then "prophesied." The Presbyterian minister was startled to find that much of their inspired teaching were close to verbatim admonitions from the Bible they could not read. He pronounced the Indian Shakers orthodox in their Christian doctrines.

Later an Olympia justice of the peace helped the Shakers incorporate as a legal denomination so that they would be protected under the state law which secures freedom of religion.

The "promised medicine from heaven" came not to John Slocum first, but to his wife, Mary. He fell ill and she went out to the river bank to pray. A great shaking came upon her and she began to sing. She returned to her husband and "brushed off his body and moved her shaking hands over him" and he was immediately cured. At the same time others in the room began to tremble. This phenomenon was hailed as the great medicine which would be a power for good.

The Indian Shakers do not use the Bible in their church services. In spite of this they have remained orthodox for 100 years. The Indians have built their lives upon oral history. Even today the tribal historians do not put their stories in writing. They received the "word of God" as an oral revelation and they prefer it this way. They say their faith did not spring from the Bible but is confirmed by it.

Patterson said that the existence of the Indian Shaker Church may be directly due to the insistence of white missionaries that the Indians "slavishly reject the cultural expressions which are the basic orientation of their lives and become white people."

The Indian Shakers use hand bells, ritualistic face-level handshakes, songs received inspirationally, and dancing in their pewless sanctuaries.

But candles are used too. The Indians cross themselves and they face the altar to pray and wait for the Spirit to move them to speak. These are similarities readily recognizable to the Catholic and Quaker denominations.

But there is a distinction vital to the Indian between the use of the bell and the drum. The drum was traditionally used to invoke a strong stand against calling up familiar spirits as being evil, "coming from the other side."

They acknowledged that this power could be used for good but that it was often used by the shaman to hurt rather than to heal and therefore it must be considered to come from "the devil." They insisted that God had taken that power away from them and replaced it with the Shaker power which could only be used for good.

This aspect of the dogma threatened to interfere with the rebirth of the Indian culture in the Indian elementary school. The parents were finally convinced that the drum rhythms taught in school were distinct from any religious significance and were merely social and artistic expressions of authentic Indian culture.

Clarence Pickernell, Quinault, is a Roman Catholic but he says that the Indian church is supported by all the Indians in his village even though many of them are active members of two other Protestant churches there. He too gives money to the Shaker Church and enlists in its projects.

Navajos Carl Todacheene and Tom Acitty, one a Catholic and the other a Methodist, both admitted an affinity to the nativistic religious movement of the Navajo people and participated in its healing sings vicariously.

The peyote cultists incorporated into the Native American Church as a practical protection against attacks against them for using the psychedelic cactus. The "visions" caused by eating the buttons of the peyote plant are today regarded as methods of experiencing God. The peyote rituals begin in the early evening and run throughout the night culminating with a feast in the morning.

When the religion started in Mexico before the 19th Century the peyote ceremony was an annual event. Now the adapted religion permits the ritual to be held anytime but to be legally protected the practitioners must use the peyote buttons only as a religious ceremony with all the attendant trappings.

These include "the staff of life," thought to be Christ's staff by some tribes; the burning of fragrant cedar powder, the feather fan, the rattles, the crescent altar enclosing the fire, the drum. The peyote itself is considered sacred and its consumption is a form of communion.

Indian student Oliver LaFarge says that the peyote session is anything but an orgy. In the North when the peyote button is scarce, a single button may be placed on the altar without anyone eating it. The cultists claim that their adherents don't drink and are excellent citizens. Navajo Todacheene, although not a peyote eater himself, testifies to the high morals and good citizenship of the members of the Native American Church.

The plant, which in the Christianized peyote groups, is considered the medium for experiencing God, is believed to cure sickness. Because of its relation to both the old pagan religions and to Christianity, the movement has triggered violent controversy. But it is popular among many Indian tribes today and its adherents are multiplying.

LaFarge interprets the newer religious adaptations as examples of the most hopeful choice by primitive peoples who have been overwhelmed by a totally alien culture. The other two choices are total rejection of the higher culture and unrealistic attempts to preserve the old Indian ways in purity. For many years the Navajos chose this alternative and refused to educate their people.

The other extreme is total assimilation into the newer culture and abandonment of the old one. Many Indians have chosen this route but LaFarge contends that usually the Indian who cuts himself off from all his tradition is an incomplete and uneasy man.

And so the healthiest choice is to accept just those aspects of the new that are valuable and keeping that which is still good of the old. This to a significant degree, has been accomplished by the new Indian-Christian movements.

XIV

On July 4, 1968, there was a new flag flying over the Capitol Building in Olympia. It was red and emblazoned on it were the words, "Indian Power." The only clue to the identity of the flag planters was a series of black footprints up the wall of the Temple of Justice.

The incident was reported in The Renegade, the official newspaper of the Survival of American Indian Association. The name of the news sheet is appropriate because the new breed Indian activists who are the outspoken proponents of contested treaty fishing rights are viewed by the mass of reservation Indian as renegades.

The Indian fish-in protesters' cause is not as much in disrepute as is their tactics. The prevailing view of other Indians about the demonstrations inviting arrest at Frank's Landing on the Nisqually River was expressed by Chief Alex Sherwood, head of the Spokane Tribe:

"What do they gain by this? Not a thing. They are overstepping their bounds."

Used

Spokane Executive Secretary and former tribal judge Glenn Galbraith added:

"They are being used by Marlon Brando and Dick Gregory. It wouldn't be permitted on the Spokane Reservation.

The intrusion of Hollywood actors and black militants into the Indian rights controversy with the State Fisheries and Game Commission is both scorned and resented by many Indians in the state. Quinault Tribal Business Manager Joe De La Cruz said Brando and Gregory would not be permitted to step over the boundary onto the Quinault Reservation.

Another youthful Quinault Indian, fisheries specialist Guy McMinds, put the controversial Hank Adams and Al Bridges, who have led the fish-in protest, in the Indian perspective this way:

"These people are fighting a losing battle because they are right in the population center and the sportsmen are powerful and the various agencies dealing with them are powerful.

"And their tactics are alienating Indian people. So when you alienate Indian people from your cause and alienate the sportsmen and the commercial fishermen, who are you going to rely on but those few people down at Frank's Landing.

"The attitude here (on the Quinault Reservation) is we're going to work through the established agencies and try to keep the communication lines open to obtain our necessary goals. We are, even with our ocean beach closure, working through established agencies.

"We will try to work through influential people to try to establish an area of understanding rather than an area of misunderstanding."

Pressured

However, McMinds admits this may not be possible with the State Game Department which pressured the University of Washington to dismiss him when he answered an invitation by the Hoh River and Quillayute Indians to speak for them in their off-reservation fishing dispute last year.

The issue at stake was similar to the Frank's Landing controversy—Indians setting nets at points in the rivers where sportsmen and commercial fishermen insist the supply of spawning salmon will be jeopardized.

The Indians argue that there is no proof that such netting causes elimination of a species of fish, that sports and commercial fishermen are not being forced to conform to existing conservation laws and that the state has no jurisdiction over treaty-negotiated historic Indian fishing grounds.

Those claims have bogged down in courts all the way to the U.S. Supreme Court in a long series of test cases but no clear definition of Indian fishing rights has yet emerged.

The murkiness swirls around the Supreme Court instruction to state game departments to prove the regulation being imposed "is necessary for the conservation of fish."

The recent Hoh and Quillayute Rivers confrontation which established "an area of misunderstanding" between McMinds and the State Game Officials was triggered by nets set by the Indians inside the boundaries of Olympic National Park. Frustrated state game wardens have no jurisdiction over the park and the federal officials failed to pick up the cause and fight it for them.

And so the State Game Department took its problem to the Grays County sports columnists, who didn't bother to report the other side of the argument.

Two sides

There are two sides. The state says the Indian poses a special threat to salmon because he fishes upstream. With nylon mesh nets the Indian conceivably could catch all the salmon that return to spawn and thus wipe out an entire run.

The Indian replies that the fish was returning to spawn just as much when he was caught by the sports or commercial fishermen downstream or even in the open seas.

McMinds argues the State is not regulating its off-shore troll fisheries and until it can get control of its sportsmen and off-shore troll fisheries it is unfair to regulate the Indians. He argues that the 4,000 troll licensees each year are not following the existing state regulations.

The Indians also point out, that 91.4 per cent of all the fish taken in the state are taken by non-Indians and the argument that less than 10 per cent of the entire season's catch landed by Indians threatens the future of fishing for the state is unconvincing.

If the vast commercial and sports fishing and dam construction were restricted first, the Indians say they would be more amenable to curbing their practices.

The state insists that Indians are already getting special treatment and that piecemeal control of a total ecological problem simply will not work. The fact that Indians have their own conservation regulations only adds to the confusion with two sets of regulations being applied to the same waters.

The state says the kind of overall management of the salmon resources that is necessary to insure a supply for everybody, Indian and non-Indian alike, is threatened by the partial regulation approach.

Set nets

The Indian finds it provocative that set nets are used extensively by commercial fisheries, which also use radar and other devices to find entire schools of fish. It is only the upstream nets of the Indians that are prohibited. And, of course, the ruling against nets does not infringe at all upon the practices of the sports fishermen.

The state replies that the stocking of streams with steelhead was done at great expense of the sportsmen and was not financed by the taxpayer. Therefore, the Indian is catching fish the sportsmen paid for.

The Indian notes that the State Game Department is subsidized entirely by the hunting and fishing licenses of sportsmen and is therefore not the neutral governmental body that should be designated as technical manager of all fish resources on lakes and streams.

The Indian would like to see a truly neutral study by federal authorities to discover just where the blame lies for the decrease in salmon runs.

XV

Western Washington Indians are historically "fish eating" tribes.

They have an affinity for fishing that is like their deep-rooted feeling for their land, Both are inextricably bound up in racial identity and economic survival.

When the Indian yielded to the white man's demand for his land he took pains to retain for himself and his descendants his historic right to fish in his "usual and accustomed places."

Now he sees this remaining claim threatened by powerful white forces which he has little hope of defeating. And he resents the white man's accusation that he is insensitive to the laws of conservations.

Conflict

James Jackson, hereditary chief and tribal chairman of the Quinaults, explained why Washington's "fish-eating bands of Indians" who have depended historically for their sustenance on fishing always are at odds with the State Fisheries and Game department:

"I think we are proving that our conservation methods and regulations are probably better than theirs. They are working better. And there's no doubt that the fishing runs of the Pacific Coast are going down hill due to pollution, industrial wastes, dams.

"There's more to rearing fish in the Columbia River or any river with a dam in it than just putting in a fish ladder. The adult fish is designed by nature to go so far up that river and spawn in so much water. By the time they dam those rivers up and put that fish ladder in there—all right, the adult fish will find and accept that fish ladder.

"But with the lack of current above the dam, by the time he finds his way on up there past maybe two or three dams, then he finds his spawning bed is covered with 30 or 40 feet of water, he is late and he is not going to lay healthy eggs.

"This is because he's been designed through thousands of years to go from this point to that point in a certain length of time and lay his eggs when they are ready and healthy.

"And then when the little ones come out of the gravel after he does find a place to spawn, do you know that they have decided that the best way to get little fish down over a dam is to dump them over the spillway?

"That's what they've come up with. That little fish is supposed to go downstream in a certain length of time and when he reaches the ocean the currents are going a certain way and they take him to his ocean feeding grounds.

"As he comes down through this series of dams with their lack of current, going either through the turbines or over the spillway, maybe by the time he reaches the ocean the currents are going the other way. You're not going to have much of a survival rate.

"So the Department of Fisheries has a problem in that they can't come out and say the dams are destroying the fish, or that the cities are destroying the fish, or the highway construction is destroying the fish. They can't come out and say that civilization is destroying the fish.

"And then you have this powerful sports fisherman lobby. The sportsmen want to fish in these rivers. And they have to listen to them because that's where the votes come from. So who else is left? The Indian.

"So they say, 'Oh, these Indians are destroying the fish.' And yet if they look at the record they'll find that in the State of Washington the Indian fisheries take in less than 10 per cent of the total catch. And yet we're supposed to be destroying the fish.

"I don't know, but probably back in the Dakotas they told the Plains Indians that they were the ones that destroyed the buffalo!"

Appeal

The Washington State Chapter of the American Civil Liberties Union has filed a brief in Washington State Supreme Court appealing the conviction of four Muckleshoot Indians who gill-netted eight steelhead in the Green River in 1966.

The ACLU argues that the state fish and game law that was violated is unconstitutional on the grounds that the state may not exercise jurisdiction over Indian affairs including fishing rights reserved by treaty without permission of the United States and the tribe in question.

The brief also claims that the state discriminates by treating unequals equally. Perhaps that is a peculiar exception to the American norm of equality, but as it applies to Indians it is an exception bargained for by the United States government, the ACLU argues. The state may not deny that Indians have a special right to have their interests considered when the state allocates its fish resources.

The U.S. Supreme Court ruling in the Puyallup Tribe case last year held that the Indians possessed off-reservation rights to fish at the usual and accustomed places, but that they were subject to such state regulation as was "reasonable and necessary to preserve the fishery" as long as the state did not "discriminate against the Indian."

Treaty

The Puyallup Tribe case would have been decided differently if the terms of the treaty had preserved the right to fish "at the usual and accustomed places in the usual and accustomed manner." Because, of course, gill nets were not used by Indians and commercial fishing was done by few tribes in the days of Isaac Stevens and the treaty-signing chiefs.

This raises the question of whether or not the manner of fishing is protected by treaty or whether it is subject to state regulation. It's another question still legally unresolved.

But the alternative which was chosen by the trial court in the Puyallup case has its hazards. The court ruled that the Puyallups no longer were a tribal entity because their reservation had been transferred to private ownership except for the tribal cemeteries.

But on the same day that the U.S. Supreme Court handed down its ruling on the Puyallups, it ruled in the Menominee Indian tribal termination case that Menominees' fishing rights were retained even though their tribe had been extinguished.

If the Indians were to lose their treaty fishing rights they then could claim compensation for them from the government. This is usually far costlier than simply permitting the Indians to fish in their accustomed places.

The real issues unresolved in the fishing rights controversies have provided what more than 100 years of suppressed hosility in a conquered people failed to produce—a rallying cause for protest. Although Indian militancy is still viewed with disfavor by the traditionalist majority, the Indian Power activists are picking up respectable support and their grievances are being heard across the nation.

Hank Adams, the youthful founder of the Survival of American Indian Association and national Indian spokesman in the Poor Peoples' Campaign, is under contract to write a book on the Puyallup Tribe fishing case for Macmillan publishers. He now is in Washington, D.C., putting his case eloquently between hard covers.

There is a growing hard core of Indian "renegades" who will not let the fishing rights issue be swallowed up in the smoggy rhetoric of the high court ruling.

XVI

"We have always considered termination a dirty word," the Executive Secretary of the Spokane Tribe explained.

But Glenn Galbreath's sentiment provides a sharp contrast to that of his Colville Indian peers on the adjoining reservation. They have been carrying on a flirtation with the idea of termination since 1956.

"Termination" means cutting off federal supervision and trusteeship of the property of an Indian tribe and over the individual enrolled members of that tribe.

In the Eisenhower administration it was the national Indian policy to work toward "termination." This policy was almost unanimously opposed by Indian tribes and triggered such hostility from them that the policy was completely abandoned by Presidents Kennedy and Johnson.

Now that another Republican administration is in power there is again widespread fear of either overt or de facto termination. President Nixon, Vice President Agnew, Secretary of the Interior Hickel and Indian Commissioner Louis Bruce have each made it a point to assure elected Indian leaders that "this is not a pro-termination Administration."

But in spite of national sentiment oppos-

ing tribal terminations, the largest reservation in this state, the Colville Indians' one million plus acres and 4,600 enrolled members, is actively seeking to extinguish itself.

The United States Senate has three times unanimously passed a termination bill sponsored by Senator Henry Jackson. But three times the House has failed to act on the controversial bill. Currently it is in limbo again waiting for a move by the House.

And while the legislation is arrested, demagoguery flourishes, misinformation flies and partisans rally forces on either side of the raging debate the bill has spawned. It would be hard to find an Indian in America who isn't familiar with the Colville termination controversy and who isn't willing to pass a personal opinion on the merits and demerits of the case.

The reservation, to such Indians as Chief Alex Sherwood, head of the Spokane Tribe, "is the only thing left for the Indian." The Bureau of Indian Affairs is still needed "to give the Indian help and support."

But to Colville Tribal Business Council Chairman Narcisse Nicholson the reservation is "a system of tribal sovereignty that can only serve as a questionable device for control of the Indian's property for purposes having nothing to do with the needs of most of the membership." He says BIA controls are "oppressive," and deny the Indian the "right to exercise freedom of choice."

The Colville Tribal Business Council, ruling body of the tribe, has withdrawn the tribe from membership in the Northwest Affiliated Tribes, the Western Intertribal Coordinating Council and the National Congress of American Indians because each of those influential bodies passed resolutions condemning Colville termination.

But this action doesn't mean that there is unity within the Colville tribe itself on the issue of termination. The Council is split wide open with a persistent minority membership carrying its cause into the halls of Congress.

The factions on the Council stand at 10 for termination and four against. Of the 10 members who favor termination, four of them are only one-eighth Indian. Since 1937 the blood quantum requirement for enrollment in the Colville tribe has been one-quarter degree.

Because the children of these "breeds," as the full-bloods refer to them, will not qualify for any inheritance from the tribal assets, these "white-Indians" are considered to have a vested interest in termination that is essentially selfish.

On the other hand, the "white Indians" or "breeds," criticize their less assimilated brothers and sisters for "racism" and a clannishness that has retarded progress.

And beyond the membership of the Tribal Council the quarrel over the question, "When is an Indian an Indian?" extends to the voting privileges of all enrolled members.

Indians with only one-eighth degree Colville blood have one vote each. Full-blooded Colville Indians have one vote each. Enrolled members of any blood degree living off the reservation may vote by absentee ballot, but enrolled members on the reservation are expected to go to official polling places to vote.

Children under 21, even though they may be full-blood Colville enrolled members of the tribe, may not vote and their parents may not vote for them. These tribal constitutional quirks are viewed with passionately differing interpretations by the two camps.

Nicholson, head of the pro-termination forces on the Tribal Council, charges that measuring tribal rights by blood degree is a "direct attack on the enrolled member's prior rights of inheritance and is suggestive of penalizing him for the natural integration that has taken place."

He does not answer the question which is the ultimate extension of that logic: "Why is an Indian no longer an Indian if he has but one-sixteenth degree of Indian blood, also the natural result of integration."

Seventy-five per cent of the enrolled adults of the Colville Tribe do not live on the reservation and are predominantly mixed-blood. The reservation Indians feel that their lifestyle and the future security of their children is being decided by outsiders who are barely Indian and have no stake in the future of the Colville Tribe.

To look at the controversy with perspective, one must look first at the history of the Colville reservation. It is not a treaty reservation but was created in 1872 by executive order. It was more or less a prisoner of war camp for Nez Perce combined with a corral for an assortment of different Indian tribes. Eleven separate Indian bands were forced together, each of which had owned and occupied separate sections of the Northwest.

Strife followed this forced concentration of Colville with Spokane, Kalispel with Couer d'Alene, Flathead with Nez Perce. And since the Nez Perce had been at war with the U.S. Army over broken treaties pacification of the Coleville Reservation was the first order of business for the BIA.

Each band tended to segregate itself by area within the reservation. The displaced bands did not mingle freely with the local white among the Nez Perce and Flatheads with Washington's white citizens was rare.

And so the resolution of the Tirbal Council calling for a termination bill explained the problem in these terms:

"We cannot pretend that true tribalism exists on the Colville Reservation. Knowing the lack of it we cannot, in the name of a collective tribal society, permit misuse of authority to further worsen a situation of inequity. The tribal membership has little reason to plan for a common destiny."

Historically this contention may be documented by the fact that, except for day to day business, the members who make up the Confederated Tribes of Colville have not tolerated any thought of long range plans requiring a unity of purpose. Several proposals that would have established tribal enterprises to exploit the tribe's considerable assets have been soundly rejected by tribal referendum.

An effort by Indian Commissioner Philleo Nash to get the tribe to accept a BIA loan to build a tribal saw mill in order to reap the fullest benefit of its extensive forests of Ponderosa Pine and fir was spurned because the investment would take a bite out of the per capita payments individual members receive from land leases and sale of timber.

The Colville Tribal Chairman said that even Poverty War programs which have boosted the economy on at least 200 reservations across the nation were not invited by the Colville Tribe because most of them would require 10 to 20 percent matching funds.

Although the Colvilles are considered an affluent tribe, its members believe their assets should be converted to cash and divided among individual members.

Only education scholarships, a youth camp, insignificant acquisitions of land parcels and a burial fund have claimed a share of the tribal income. And those per capita payments will even be immune from the cost of carrying out termination.

xvii

The American Indian sees "defacto termination" in non-Indian moves to rob him of his historic water, mineral, fishing, tideland and shoreline rights.

There is more than one way to force the red man "into the mainstream," but the most overt effort has been to liquidate the assets of the reservation and divide them up among the enrolled members of the extinguished tribe.

The case for Colville termination is based on the demonstrable fact that the assorted Indian bands of the confederation have never become a homogenous group. Most of the Colville Indians integrated with the surrounding white society and have to a great extent competed successfully.

A few did not mix or intermarry and continued to live on the reservation and remained dependent upon the services and support of the BIA. The reservation exists primarily for their benefit. "The many tribal members continue to subsidize and support the few in the name of a non-existent collective tribal society," the Tribal Business Council told Congress.

The argument includes the contention that repeatedly the majority of adult enrolled tribal members have voted for termination. Most of the enrolled members are sophisticated in the ways of the world outside the reservation and are ready for full assimilation in the mainstream of the dominant culture.

Convert

By permitting these Indians to convert their reservation assets to cash they will be able to make investments that will earn money on the principal. Tribal ownership of the great Colville forests does not permit that and according to Tribal Chairman Nicholson. "To keep Indians tied to these forests today is almost like telling them that they have to use the horse and buggy in the jet age."

George Snider, another member of the Colville Business Council, insists:

"The greatest heritage the Indian has is the right to live beside the other citizens of the United States as equals. This they have earned. He will derive a better life for himself and his children. Do not hold this right from him."

Of course the Indian already has the right to live beside other American citizens. All he needs to do is exercise it. At the present time he can own his Indian land allotment on the reservation, share the tribal trust land on the reservation and at the same time live off the reservation and make the same kind of living any white American citizen makes. No one "holds that right from him."

However there is at least one pro-termination family that is urging passage of the Colville bill on the ground of principle. Frank Moore, owner of the reservation Smoke Shack near Nespelem, and his daughter Dawn Leonard, said this:

"The American Indian is the only federally segregated racial minority in the U.S. and it is time it came to an end. We do not believe in the reservation system and we're fighting for a principle."

Privileges

They maintain that if the Indian were made a full citizen and were given full privileges and full responsibilities he wouldn't have so many problems. As it is there are so many overlapping jurisdictions that it's almost impossible to interpret the law under which an Indian must live.

The Moore family argues that the reservation system discriminates against whites and other non-Indian Americans.

And the pro-termination forces are asking for what they call "self-determination, freedom of choice and freedom from an oppressive burden of responsibility normally borne by the entire citizenry." This reference is to the tribe's responsibility for the extensive forests which furnish the tribe's primary income.

They argue that they should be permitted the right to decide to convert their land, trees, water, mineral and hunting rights into cash if they choose to. The responsibility to future Colville Indian generations is an individual family responsibility, not a tribal one. And that enrolled members, even if they were adopted into the tribe or have only one-eighth part Colville blood, are constitutionally tribal members with the full privileges that accrue to real Indians.

Their vocal opponents begin building their

case by hacking at the basic premise that a majority of the Indians favor termination. They cite as unfair the practice of "mandatory absentee balloting" which makes it easier for an off reservation, educated and sophisticated "white-Indian" to vote and understand what he is voting for than for the reservation Indian, less acculturated who is expected to go to a polling place to exercise his franchise and then may not understand the issues.

Legitimate

They argue that any legitimate trustee arrangement includes a proxy voting system so that the minors who have a legal share in the property can get their will expressed. Parents of enrolled Indians under 21 should vote for their children, they argue.

Harvey Moses, one of the minority members of the Colville Business Council, points out that these enrolled minors total more than half the population of the tribe and have a powerful interest in the issue of termination that requires expression.

Lucy Covington, another Business Council member, feels strongly that tribal assets do not belong alone to the current generation of Colville Indians but that future generations have a right to share in them as well. She added:

"The law allows only a blood relative of a deceased to inherit his private property. The relationship to inheritance here is similar to our tribal property or to the reservation."

Mrs. Covington is a direct descendant of the Colvilles' famous Chief Moses and the Entiet Chief Reaching for the Sky, both treaty signers for the Yakima Confederation. She ranches on the reservation and lives in Chief Moses' homestead. She has been an articulate foe of termination for 15 years, making many trips to Washington at her own expense to lobby for the continued existence of her tribe.

And other Washington tribes have a vested interest in the fate of the Colville tribe. Intermarriage between enrolled members of the Colville tribe with the Yakimas, Spokanes, Quinaults and Coeur d'Alenes complicates the inheritance picture.

Interest

Any interest a Colville has in a piece of Indian land on another reservation will suddenly become nontrust and subject to sale, taxes and alienation as soon as the Colville Tribe is terminated.

Coeur d'Alene Tribe, close neighbor of the Colvilles, considers the Colville termination bill "a repudiation by the federal government of its historic responsibilities to Indians." They reject the principle of permitting a simple majority of the voting adults of a tribe to wipe out an entire tribe along with its reservation.

Oswald George, Coeur d'Alene Tribal Chairman, charged:

"This principle conceals a basic deceit behind a facade of plausibility and pious platitudes. The question to be asked is not what do a majority of the tribal members want to do but has the federal government actually fulfilled its historic trust responsibility to the Indian people.

"That there are many Indians ready for termination is obvious. That there are many members who are nowhere near ready for termination is equally obvious. That is not a decision to be left to the caprice of either competent or incompetent Indians. Fully assimilated and economically and socially emancipated Indians who have moved into the mainstream should not be able to vote out of existence the Indian status of their less fortunate brothers."

George added:

"If there must be termination, let there be termination of all the non-Indians who contaminate the tribal rolls and perhaps of those fortunate few who have been actually able to walk from the teepee to a status of economic, social and cultural equality."

There is also the frustrated few caught in the crunch between the two factions. These include Senator Henry Jackson who declares with a sigh:

Frustrated

"All I want is an end to all this demagoguery and misinformation that is going around. I've insisted since the beginning that the tribe itself decide on its own future. Our policy is one of self-determination and I believe that termination is a matter that the Indians themselves should resolve."

The BIA Superintendent who presides over the adjoining Colville and Spokane Reservations, Elmo Miller, has already ridden the storm of one major termination, the Klamaths in Oregon. Miller says of the Colville controversy:

"The policy of the Bureau is to find out the will of the people and to work with them to carry that out."

If the Colvilles are successful in their plan to terminate, the BIA staff of about 115 persons would be absorbed within the Bureau system as they were when the Klamath Tribe extinguished itself in 1954. Miller has been in the Bureau system for 29 years and is up for retirement in 19 months. He said:

"If I were here when they terminate I'd help all the people I could. I have a strong feeling for the older Indians who've grown up in the system and I'd like to help make the transition easier for them.

"It might be the only reason I'd not retire in 19 months. This is not just a job. It's more like family."

So the problem revolves around the simple issue—how do you ascertain what is, in fact, the will of the people?

There are signs that the Colville Business Council will support a compromise plan first proposed by former Indian Commissioner Robert Bennett. It calls for a "remaining group" which would reside on and develop a reduced reservation which would remain in trust and under the supervision of the BIA.

Wardship

The plan would permit the Indians who resent BIA control and what they interpret to be "wardship status" to cash in their share of the tribal assets and become mainstream Americans.

Those Indians who value their tribal identity and feel they have a large stake in the reservation and do not feel oppressed by the BIA would be free to develop their tribal assets together.

The risk in this solution to the dilemma lies in the extent to which the reservation would be trimmed. If the present enrolled Indian youth and children are not permitted their full share of the trust lands, this largest of all Washington State reservations would be hopelessly fragmented.

The present stalmate has reduced a potentially rich and beautiful tribal community to a static, undeveloped rural tract which offers nothing to inspire the youth who grow up on its mountains to stay on it or return to it.

XVIII

The Bureau of Indian Affairs is 145 years old. It was born in 1824 to the War Department which raised the unwanted infant under military austerity until the offspring reached the difficult teen years.

At 15, the BIA was taken away from its authoritarian parent and put in the custody of the Department of the Interior which already had many quarrelsome progeny.

The Interior family includes Commercial Fisheries, Sports Fisheries and Wildlife, Mines, Reclamation, Land Management, Outdoor Recreation, Geological Survey and the National Park Service. It also has two people-oriented Bureaus, the Office of Trust Territories and Indian Affairs.

Many thoughtful Indian leaders are deeply disturbed by the obvious conflict of interest represented by these divisions of the Department of Interior but there is little consensus as to how to solve the dilemma.

Since the Indian Health Service was removed and put under Health, Education and Welfare it has prospered but the move failed measurably to provide a panacea.

An illustration of the conflict of interest within the Department and within Sen. Henry Jackson's Senate Committee on Interior and Insular Affairs is the Red Cliff and Bad River Chippewa Reservations versus the proposed Apostle Island National Recreation Area Act.

Both Indian tribes are living on their pre-Columbus-owned lands on the Lake Superior shoreline. The Department of Interior wants to include that shoreline with the Apostle Islands of Superior as a National Park.

The government hopes to buy that Lake Superior lake front property for $15 per acre. This year's real estate prices for waterfront property in that area run from $25 to $100 per foot.

Fighting

The government is also labeling the project a "National Lakeshore" rather than a national park because that term permits the government to construct and operate any type of business desired within the lakeshore area.

And the act offers no guarantees that the fishing, hunting, trapping and wild rice gatherings rights of the Indians would be preserved. Phillip Gordon, 30, the tribal chairman of the Red Cliff Band of Lake Superior Chippewas, is devoting his career to fighting the bill. He told Sen. Jackson's committee:

"My attorney tells me that when a trustee of white man's property has a conflict of interest he must resign as trustee or not exercise his vote against the interest of the beneficial owner or he becomes subject to penalties.

"When a member of the board of directors has to vote on a resolution in which he has an interest, the outcome of the election must be determined by a majority of noninterested directors or it is not binding.

"Why should the Indian be treated differently? Why should the Secretary of the Interior, who is committed to the formation of this park, be allowed to vote for any Indian, let alone for one who is mentally incompetent or who cannot be located? Is this the white man's way of teaching us democracy?

"If our children's interests are to be protected, why should not their parents, rather than the Secretary of the Interior, cast their votes?

"Above all, why should a vote of 25 per cent of the tribal rolls voting in favor of the acquisition—consisting of the Secretary of the Interior voting in his own interest in the name of children, incompetents and absentee Indians—be able to defeat the wishes of 75 per cent of the tribe consisting of competent adults who live on the land?"

Gordon added bluntly:

"I reject this idea as more of the paternalistic garbage that the federal government has fed to the Indians for too many years."

John Belindo, Kiowa-Navajo, executive director of the National Congress of American Indians until last month when the post went to Washington State's Bruce Wilkie, echoed Gordon's sentiment. Belindo told the senators:

"This legislation represents a classic illustration of why the Department of the Interior, whose primary responsibility is federal land and resource management, has totally failed in its responsibility to administer Indian Affairs and to serve the human needs of the Indians under its jurisdiction.

"Simply stated, it is because the two interests are in continual conflict, as they are

in this bill, and the needs of the Indian have always come second to the other purposes of the Department.

"The time has come when white men, even senators, should stop protecting the Indian from the supposed infirmities of his own character, and start protecting him from the demonstrable rapacities which the white man has inflicted upon him, especially those proposed in the name of beneficence. We might start with this bill."

The problem of paternalism in the Department of Interior's BIA is decried by Sen. Jackson who calls it the BIA's "Pappa knows best approach" and who charges the BIA with being preoccupied with self-survival and extension of the BIA kingdom.

Jackson said, "I don't think there is any question at all that the career people in the BIA, many of them, do everything they can to encourage the Indians not to terminate. Speaking of conflict of interest—can there be a greater one? There are more and more and more Indian officials that are supervising Indians with less and less help going to the Indians. These are facts. Just look at the figures.

"I'm not condemning anyone individually, but it's there, they discourage Indians from making their own decisions. Not all of them. There are a lot of fine Indian officials that work for the Bureau who try sincerely to improve their situation.

"But let me just point out one area of trouble. When the OEO antipoverty program got underway I was dismayed to find that the bureau people were doing nothing to make the antipoverty program available to the Indians who are worse off than any segment of American society.

"Our committee had to really move in on the Bureau and say to them, 'Look, these people are eligible for help, you ought to be familiar with the laws of the United States.'

"Our committee insisted that they set up an action office in each Indian area that would be familiar with all the federal programs that are available to all citizens so that the least they could do would be to advise the local Indian people of their rights. They hadn't done that until we forced the issue."

In spite of Senator Jackson's fuzzy perception of prevailing Indian hostility toward the issue of tribal termination, his nudge which steered OEO to the reservation proved to be the key to unlock the BIA's strongbox labeled reservation management. For the first time the idea of Indian self-determination became functional.

Self-determination is synonymous with ideas like "risk," "venture capital," "learning mistakes" and "maximum feasible participation."

And those concepts were not born in the tradition-encrusted Bureau of Indian Affairs. They were made meaningful for the Indian by direct grants from the Poverty War's Office of Economic Opportunity.

On at least one Washington State reservation an OEO funded program of recreation and employment of youth has been credited with dramatically halting a teenage suicide epidemic and replacing it with one of the most promising youth-run programs in the nation.

But there is, if not a reason, at least an excuse for the BIA's failure to innovate as the OEO has done, Congress has never permitted the Secretary of the Interior to make outright grants directly to Indian tribes and tribal groups for programs they have devised for themselves. This power has ben given by Congress to OEO and the Secretaries of Commerce and Labor.

In 1968 Indian Commissioner Robert Bennett formally approached the Bureau of the Budget and requested this power for Interior. The question is, why did not the BIA demand this authority as soon as Commerce and Labor got it?

A second question is, why has the BIA been so cautious in encouraging Indian tribes to contract reservation management services from them? This arrangement for permitting Indians to learn how to handle the responsibility for their own resources has been an option of the Bureau since 1910 but it has been used sparingly.

The problem, of course, is that self-help grassroots projects are almost invariably inefficient, unorthodox, unprofessional, sloppy and just plain risky. Often they fail. When they succeed it's embarrassing to the Establishment.

And the bold concept for letting the poor among racial minorities experiment with the taxpayer's money is barely five years old. It's an idea only reluctantly accepted.

For example, since the Reorganization Act of 1934 the Bureau has been free to let the Indians draw up their own reservation budgets. But Quinault OEO Director for Community Action Alice Chenois said that this year for the first time the Quinaults were asked to participate in the BIA Budget planning. And that budget is for 1971. Miss Chenois said:

"We still run into the old bureaucratic line and for us, this takes too long. We aren't willing to wait for one or two years for things to happen."

The Indians themselves have not hesitated to spell out their desires about how to streamline the Bureau of Indian Affairs. The national organization that represents nearly all reservation Indians in the nation, the National Congress of American Indians, in January of this year asked President Nixon to do the following things:

Appoint an Indian to the Indian Claims Commission.

Offer Congress legislation which would make the BIA an independent commission or agency.

Eliminate from the Bureau excessive reporting requirements and red tape and provide direct access for Indians to top administrators.

Grant veto power to tribal governing bodies in working out local BIA Agency budgets.

Eliminate BIA area offices (such as the Portland umbrella agency) and use the money saved for buying technical advice desired by the tribes and subject to their approval.

Grant to the tribes working capital and equipment so they can contract with the BIA to manage the resources of their own reservations.

Last year an Oneida Indian who has worked with his own people for 36 years and finally worked his way up to position of Indian Commissioner, spoke candidly to the members of the Bureau of the Budget about American Indian desires.

Robert Bennett, without the indorsement of the Department of the Interior, made these recommendations:

That the Bureau of Indian Affairs be made into a strictly professional organization and its name changed.

That all non-professional services be contracted to individual Indians or tribes under the authority of the 1910 "Buy Indian" Act.

That all existing BIA installations including agency compounds, be turned over to tribes or tribal housing authorities on condition that the Indians enforce law, zoning codes and provide community services.

That wherever professional services can be offered by individual Indians or tribes, contracts for such services be executed under the "Buy Indian" Act.

That the Secretary of the Interior be given the same authority for grants of funds for Indian programs to Indians that are now granted to Commerce, Labor and OEO.

That the service area of the BIA be extended to Indians anywhere who are found to be neglected and not receiving adequate services from the communities.

That new position of Assistant Secretary of the Interior be created for the people-oriented BIA and the Office of Territories.

Bennett told the Bureau of the Budget that all of those recommendations were based on the policies indorsed by President Nixon in his message of March 6, 1968.

President Nixon said:

"I will oppose any effort to transfer jurisdiction over reservations without Indian consent . . . The right of self-determination of Indian people will be respected and their participation in planning their own destiny will be encouraged."

XIX

The late Utah Republican senator who was head of the Indian Claims Commission in 1967 used to be fond of observing: "The sooner we can get the Indians into cities the sooner the government can get out of the Indian business."

This blunt comment by Sen. Arthur Watkins was typical of official thinking about "how to solve the Indian problem." The idea was assimilation. The method was "re-location." The Bureau of Indian Affairs was told to make it work.

In 1956 the BIA began a program of urban employment assistance that now offers training in 1,189 courses at 442 accredited schools in 30 states. Indians are subsidized while they are trained and placed in jobs in the city. For some Indians it is a traumatic experience but many have learned to cope and have stayed, seeking out other re-located tribesmen for company.

But many more Indians migrate to the city on their own and once off the reservation the BIA is no longer legally responsible for them. They are full citizens of both nation and state and eligible for federal and state welfare, employment, public health, educational and Poverty War services.

In addition, if they know about it, they can go to the Indian Health Service in many large cities and get their basic health needs met for the first year off the reservation.

This is in stark contrast to the situation that prevailed between 1915 and 1934, according to Dr. Lionel deMontigny, a Chippewa Indian medical doctor formerly with the Indian Health Service. He said that in those years unless an Indian had a clean bill of health he was not permitted to leave the reservation.

To the middle class, white, urban citizen, it comes out sounding like the Indian is a super-citizen who enjoys not only the government services available to the non-Indian but also a whole range of additional government services for which the non-Indian is ineligible.

But Dr. deMontigny has answers for those who ask why Indian Centers have sprung up in all the major cities of the nation; why American Indians-United has been formed to unify all urban Indians; why the American Indian Movement is a militant urban-based organization, why urban Indians are demanding help from the BIA.

deMontigny explained:

"The Indian leaves his tribal community and comes to the city to institutions built by white people and served by white people. And they are all-powerful. He has never learned to take advantage of these institutions—in fact that is a foreign concept to him.

"Indians have been treated with condescension all their lives and they emerge as unsure of themselves and they can't survive in the city. Indians don't form inferiority complexes spontaneously. They have been victims of low expectation which is a form of racism, prejudice.

"People behave to a great extent in the fashion expected of them. American Indians have for the most part, participated in the fulfillment of the prophecies made about them by non-Indians.

"Because of the colonial system that ex-

ists on the reservation the Indian has not been permitted to learn through experience. He has been sealed off from experience and so the trauma that he suffers in the transition from reservation to city is the direct responsibility of the federal government."

Robert Lupson, president of Kinatechitapi, an all-Indian organization formed here last year to serve the estimated 6,000 Indians in the city, has other answers for the puzzled non-Indian who wonders why his red brother can't cope.

"Sixty per cent of the Eskimos who come here don't know how to take a bus or how to use a telephone or how to communicate with non-Eskimos."

Lupson is an Alaskan Eskimo who is married to a Montana Chippewa Indian. Lupson's wife, Joan, was recently employed as social worker for the Central District of the State Welfare Department. She is the first Indian case worker hired by the state to serve this city's 6,000 Indian families whose annual income averages between $4,000 and $6,000.

Lupson can reel off the addresses of Seattle's Indian ghettos. He points out that the mayor can look out his office window and see the apartment complex in which eight urban Indian families live where the hot water is turned on for just one hour in the morning and one hour in the late afternoon and the tenants use their ovens to supplement the heat.

That ghetto is "backed up to the Episcopal Church," he said. Pockets of Indian poverty exist in Ballard, Queen Anne, Delridge Way and other middle class white neighborhoods. His Kinatechitapi organization is compiling documented cases of racial discrimination against Indians in Seattle to present to the Washington State Board Against Discrimination and the Human Rights Department of the city.

Many Indians come from out of state to Seattle and when they run out of money they can't get back home. They are conditioned to the direct health services of the reservation clinic or IHS hospital and they find that Seattle has neither.

Usually the displaced reservation Indian has little understanding of why he can't get Indian federal services in the city and less understanding of how to obtain ordinary federal and state services non-Indians receive.

Adelbert Zephier, 27, a Yancton Sioux, came from South Dakota six months ago because his brother, a member of Labor Local 242, said there was lots of construction work here. Although Zephier is a high school graduate and spent 11 months in the Air Force, he could only get clean-up jobs in Seattle.

Zephier said, "My brother is satisfied with that kind of work, I guess, but I'm not." He enrolled in carpenter training at Seattle Opportunities Industrial Center and his welfare check pays the rent until he can qualify for work.

He said the hardest part of adjusting to urban life is, "You don't get to know people. At home you know everybody around you. But here you feel alone. It's a strange thing."

He'd like to go back to school but to qualify for the BIA subsidy during training he would have to go back to the reservation in which he is enrolled and apply. And he has no money to do that. He said, "I'd like to go back if there were anything to do there."

Clarence Milton, 23, Tsimsian Indian of Alaska, brought his wife and two sons here about six weeks ago. He, too, is enrolled in SOIC carpentry course. He heard about SOIC from his brother who is in welding. Milton's family found housing in High Point Project. They are on welfare while he gets his training.

Milton said, "I dropped out of school in the 11th grade. I was a non-union longshoreman but the ships only came in once in a great while."

He says transportation in the city is the biggest problem—and washing clothes and getting medical care. His wife washes diapers in a tub by hand. He has gone to Seattle Indian Center to get bus tokens to tide him over between welfare checks.

Pearl Warren, Makah Indian director of the Seattle Indian Center, said the center is not intended to be a reservation right in the middle of town but it is there to offer emergency social service to urban Indians. Last year it solved immediate and urgent problems of 3,917 Indians and substantially more this year.

The center supplies emergency groceries, clothes for both adults and children, Christmas boxes and Thanksgiving baskets, infant layettes and offers marital, premarital, family counseling. It also refers Indians to other services for which they are eligible.

The center serves as a social meeting place for group dinners, social dancing and powwows. And it sponsors the only Indian statewide Upward Bound educational program in the nation. It's one of 42 such urban Indian centers in 16 states.

Michael Smith, 18, is a Sioux who grew up in Seattle and discovered his "Indianness" by attending the Wednesday night Indian Center dances. His father works for Boeing Co. and Mike has been educated in Seattle's de facto segregated schools. He's now helping the Indians occupy Alcatraz.

It was at the Indian Center that he met Canadian Indian George Abbott of the Thompson Tribe. Abbott, 19, travels freely across the U.S.-Canadian border under the Jay Treaty between Britain and the Northwest Territories. He finished high school at Queen Anne High in Seattle.

He began going to the Indian Center to meet friends because of the social cliques in high school and the ego-hangup of so many of the white students, he said. He traveled to Europe with the Seattle All American Indian Dancers last summer.

Last week George and Mike collected a carload of blankets and nonperishable foodstuffs and headed back to Alcatraz to rejoin their tribesmen who hope to persuade the government to turn the rocky island over to them for an Indian educational cultural and spiritual center.

A still different type of urban Indian are the members of landless tribes. Clifford G. Allen is tribal chairman of the Snohomish Tribe, one of Western Washington's 13 landless tribes. Allen, who lives in Auburn, before retirement was a "powder man" (dynamite) in Seattle's Local 440 and made his living in heavy construction.

He said, "The first mistake our ancestors made was not taking a reservation." He is concerned with the problem of retaining Snohomish tribal cultural traditions without a home base. The government paid only $1.10 per acre for the land the Snohomish yielded to the white man, Allen said.

In Minneapolis where there are 10,000 Indians, a militant urban organization calling itself the American Indian Movement (A.I.M.) has a volunteer Indian Patrol. The patrollers wear red jackets and carry low powered walkie-talkies. They patrol the downtown streets frequented by Indians on weekend nights. They break up fights, avert fights and prevent confrontations with the police.

They take intoxicated persons home, the injured to the hospital and during the winter they sit in their cars and monitor the concentration and activity of squad cars in the area.

In addition to their concern over police-community relations, the A.I.M. members sponsor an Indian Dance Club and cultural heritage programs, help urban Indians find housing, jobs and they have confronted mainstream religious denominations to demand reparation funds for the Indian.

Entirely Indian and without any federal or state support A.I.M. has won the confidence of the Honeywell Corp. and has become a recruiting agent to bring Indians into the factory. It is demonstrating what can be accomplished by non-Establishment Indians of many different tribes who play down their cultural diversity and unify on the basis of their "Indianness."

A.I.M. has called upon the Bureau of Indian Affairs to allocate $500 million for urban Indian programs and has urged the Department of the Interior to redesign the BIA to serve equally the urban and the reservation Indian.

There is nothin to indicate that such a request will be taken seriously by either the Department of Interior or the BIA.

But the special handicaps of the over-protected reservation Indian who is forced to the city to find both training and employment but is ill-equipped either culturally or educationally to cope with urbanization, are being recognized by the government.

Ponca Indian scholar Clyde Warrior describes the Indian buffalo hunt and comments, "In those days we were not 'out of the system,' we were the system and we dealt competently with our environment because we had the power to do so.

If an Indian does not understand the modern economy it is because he has never been involved in it. Someone has made these decisions for him. Handouts do not erode character—God gave the buffalo as a gift to us and that alone did not erode our character.

"The lack of power over one's own destiny erodes the character."

NIXON SPEAKS OUT AGAINST HUNGER, SEEKS END TO SCHOOL MILK PROGRAM

(Mr. MEEDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MEEDS. Mr. Speaker, I was impressed deeply by President Nixon's December 2 speech at the convening of the White House Conference on Hunger and Malnutrition.

He spoke forcefully of our moral obligation to end hunger in America, to make sure that each of our citizens enjoys a balanced diet. At one point the President remarked:

> A child ill-fed is dulled in curiosity, lower in stamina, and distracted from learning.

We on the Education and Labor Committee agree wholeheartedly with the President and have written several bills during the past 4 years to improve the national school lunch program. The latest measure, H.R. 515, is nearing final action in the Senate.

One area which needs to be expanded, in my view, is the pilot effort in providing school breakfasts. First begun in 1966, the project recognizes that children of working mothers and children living in isolated rural areas sometimes leave home without a good, hearty breakfast. As a result, they can be listless and inattentive during the critical morning classes.

It came as a shock, Mr. Speaker, to learn that President Nixon wants to eliminate all funds for one of the most successful child nutrition programs in history; the special milk program. All $104 million would be cut from the fiscal 1971 budget.

Each year more than 17 million American children are furnished milk in elementary and high schools, nursery schools, day-care centers, settlement houses, summer camps, and other nonprofit institutions. Through the special milk program, more than 3 billion half-pints are consumed annually.

The Government's investment pays a healthy dividend in stronger bodies and keener minds. Milk is rich in bone-building calcium and is a valuable source of protein, vitamin A, vitamin B–12, and riboflavin.

The President has indicated that the cost of the milk program would be offset by increasing funds for other child nutrition efforts. Facts, however, refute this claim. The President's budget requests an increase of only $7 million in various child feeding programs.

To make sure that our children continue receiving low-cost nutritious milk, Congress has only to take the simple step of making the special milk program permanent. Last year the House voted 384 to 2 to do exactly this. With a permanent authorization and with annual appropriations of $125 million, we can help achieve what the President intended in his fine speech of December 2.

OUR MARGIN OF LIFE

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, Bill Potter, the outdoor editor of the Joplin, Mo., Globe, recently devoted his entire column to a review of a book entitled "Our Margin of Life."

This book, written by Master Farmer Gene Poirot of Golden City, Mo., was the inspiration for the "cropland and water restoration bill" which I have proposed to the Congress as one way to help solve the Nation's farm problems. It is most apropos to this time of considering environment of man and ecological influences thereupon.

I am sure that the name Gene Poirot is not unfamiliar to those Members of the Congress who are interested in agriculture. His book has been made available to many of the Members. Others have journeyed with me to southwest Missouri to tour his farm. Still others have witnessed his testimony before the Committee on Agriculture.

As Bill Potter says:

Gene Poirot writes with the soul of a poet, the mind of a philosopher, the heart of a humanitarian, and the voice of experience. His logic should not be ignored, nor his vision of national soil restoration negated by the whim of the bureaucrat.

I recommend to all, the reading of this article, and I further recommend the reading of Gene's book "Our Margin of Life."

The article follows:

[From the Joplin Globe, Jan. 18, 1970]

POTTERING AROUND

(By Bill Potter)

During the past week, I got some book learnin' and it wasn't planned that way.

It was a pleasant and profitable experience that turned an unexpected bout with a virus bug into an adventure in agronomy that finds this commentator groping for the right words with which to express my thanks to the author of "Our Margin of Life."

Before making a stab at reviewing this documentary of one man's battle of independence in what could—at best—be called a war of survival, let me set the stage.

The 159-page book was published by Vantage Press in 1964. This was the year I started pottering around for The Joplin Globe. In those six years I often heard of Gene Poirot but it was not until last October during the GROW meeting at Roaring River that I had the opportunity to set for a spell and visit with this gracious gentleman from Golden City.

Soon after New Year's Day I received a copy of his book with the fly leaf inscribed by the author. It was my intention, after first perusal of the volume, to read a chapter each day and probably review this admirable piece of forthright literature sometime next month.

But that ol' virus decided different and last Sunday night as I left the newsroom reeling from his sudden blow, I finally stuck my nose in Gene's book Tuesday afternoon. Two chapters later I was hooked—but good. My travel plans for those two days of "pottering" were sure shot but I'm telling you neighbor, they couldn't have been spent more profitably. Reading the nine absorbing and challenging chapters of "Our Margin of Life" was a rewarding experience.

Okay Potter, what are you saying? You've made your point about having a miserable head cold and an extra day off from work and all that jazz, but what about the book. Soooooooooo....

"Our Margin of Life" is one man's plea for a program that wouldn't exactly become a politically acceptable plan. It's too sensible and it's too simple for that.

This Poirot—authored volume deals with one crucial subject as lived and overcome by one farmer—soil restoration. He calls for a national soil restoration program. The Poirot plan would do away with all the federally oriented controls over food or fiber in price or acreage. This idea, of course, in my opinion is where Gene loses the bureaucratic bunglers who sit in their walnut paneled offices far away from the battle of survival, look at some charts, hold some costly conferences and then decide what's best for the individual farmer.

This is a book with character and amply reflects the character of the author in his fight to survive on his own acreage.

In the very first page of the first chapter, one paragraph gave me a clue to the exciting reading that certainly must follow.

Discussing "Mother Nature's Law of the Prairie," Gene writes:

"The once great prairies with their fruits and wildlife nourished our nation through its weak infancy. They nourished it again through its reckless and wasteful adolescence. The nation now has reached a maturity which should make it capable of recognizing that the prairie can no longer give that which it does not have, and that, as man destroys it he destroys himself."

It doesn't take long for the descriptive dialogue of the author to warm the reader up to the subject at hand. Actually, Gene's document is a case history of how the Golden City farmer with an insatiable inquisitiveness made the most of what he had and, without any government plans to pick him up by the bootstrap that he might just exist, used two very simple and elementary traits to win the battle over eroded soil. He simply used the God-given power of observation as he toiled on his acreage in those early days. The other characteristic was a profitable combination of sheer guts and patience. Add to these common sense and hard work and you have the Gene Poirot story—success.

By the time you get to chapter 3 concerning "Lost Margins in Abandoned Farms" you should really be aroused. Let me digress.

Not too long ago in the newsroom. I was processing an AP story which reported the fact that the number of individual farms had dropped considerably during 1969. It's too bad those more than 89,000 farmers who gave up their small farm operations last year couldn't have been exposed to the Poirot philosophy. In this particular chapter, the author makes much of the unspoken words of Mother Nature in her reminder to all who engage in farming (or other phases of conservation which deal with the soil) that "her simple law of conservation commands that we hold the soil in place and return to it that which was taken."

I would suggest at this point that "Our Margin of Life" needs to be read by others than farmers who, as we say—till the soil. In this book there is a challenge to everyone who is interested in today's top crisis—survival. Even if you have a vegetable garden that may not be producing as you think it should, you'll find sensible suggestions. The same for the horicultural buff who delights in growing flowers. Or if you want to review a true-to-life Horatio Alger story—you'll find it in this volume by Gene Poirot.

What is our margin? A good question and simply answered by the author on page 143 when he says, "Our margin includes not only food, good health and human welfare but also those values written into our Constitution and taught by Christianity."

And what is necessary for our survival. On page 53, Poirot points out:

"The law of the prairie teaches things necessary for our survival. There is no other way to get them. It appears that federal legislation should have this law as the point of beginning. It is too late to begin after the crop surplus has been created, or the farmers have experienced poverty or the consumer has demonstrated his hunger. Such troubles do not come from the farms where the law has been obeyed."

I just can't tell you how very much "Our Margin of Life" has meant to me. I hope you will read it, too, if you haven't already had that privilege.

It is startling in concept but very real in it's vision of a better life for all America. If there is ever a Hall of Fame for conservationists, Gene Poirot certainly deserves that honor.

This man writes with the soul of a poet, the mind of a philosopher, the heart of a humanitarian and the voice of experience. His logic should not be ignored nor his vision of national soil restoration negated by the whim of the bureaucrat. Man's very survival could well depend on the Poirot philosophy.

DEMOCRATIC POLICY COUNCIL STATEMENT DEMONSTRATES PARTY IS WITHOUT A PROGRAM AND UNAWARE OF ITS LEGISLATIVE RESPONSIBILITIES

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, the former chairman of the Democratic National Committee chose February 10—the day we began our traditional Lincoln Day recess—to insert in the RECORD a copy of the Democratic Policy Council's statement "America in the 1970's." Having now had the opportunity to review this statement, I can only conclude that it was released at the beginning of a congressional recess in the hope that it would escape congressional and public notice.

This statement provides documentary evidence that the Democratic Party is without a meaningful program, and unaware of reality. It seems unaware of the domestic and foreign consequences of the policies they pursued during the 1960's. It is unaware of the nature of the legislative program which the President has recommended to the Congress. And finally, it appears unaware of its own legislative responsibility as the party controlling the legislative branch to get on with the people's business and act upon the comprehensive program of reform recommended by the President.

Given this kind of blindness to reality, it is not surprising that according to the most recent Gallup poll an increasing percentage of the American people approve of the way President Nixon is handling the Presidency.

In any event, it is certainly appropriate that this statement was entitled "America in the 1970's." The Democratic Policy Council should be concerned about the 1970's because many of its members are directly responsible for the problems we must face today. After all, the council's chairman, former Vice President Humphrey, was a key policymaker in the 1960's and thereby contributed mightily to our present plight.

The Democratic Policy Council report claims, and I quote:

> It is the Congress to which the American people must increasingly look for leadership . . .

And yet, what do the American people find when they turn to the Congress for leadership? They find the Congress is controlled by a pack of aging Democrats with both feet firmly planted in the past and their seats of power planted firmly on top of any reform measures which might threaten the archaic establishment to which they are wedded. To the younger Democrats the "challenges of the seventies" has nothing to do with the issues of a new decade; to them the "challenges of the seventies" are the problems encountered in dealing with their septuagenarian leaders who maintain a death grip on the reins of power in the Congress.

It is rather interesting to note, in this regard, that although the report makes reference to "an outmoded governmental structure incapable of dealing with the complex demands of contemporary society and the economy," the Democrats have mysteriously confined their reformist zeal to the executive branch. No mention is made of the urgent need to overhaul the Congress. It seems that the Democratic Policy Council intentionally sidestepped this issue for fear of stepping on some of those grand old marble toes.

After an almost unprecedented record of footdragging and inaction by the democratically controlled first session of the 91st Congress, I am certain the American people must be bewildered by the council's statement that Americans must look to the Democratic Congress for leadership. Thus far, the Democratic Congress has been insensitive to the President's call for major reforms.

The Democratic Policy Council calls for a shift of resources away from war-related programs to human needs, yet it fails to acknowledge that this is what the Nixon administration has in fact accomplished. The fiscal year 1971 budget contains more money for human resources than for national defense. In spite of continued improvements in our military forces, national defense will claim a smaller percentage of the budget in fiscal year 1971 than in any year since 1950. The 1971 budget for national defense is $10 billion below that projected by President Johnson.

After 8 years of proliferating Government programs, unwillingness to use stringent evaluative procedures on concerning existing programs, and failing to take corrective actions regarding obsolete Federal programs while they held the administration, the Democrats are now interested in eliminating these unneeded and obsolete programs. This change of heart is indeed welcome and I hope that we can now anticipate cooperation in implementing the specific recommendations of this character in the President's budget message.

Former Vice President Hubert Humphrey's Policy Council calls for a "restructuring of our instruments of Government." Those of us on this side of the aisle welcome our Democratic colleagues to the banner of governmental reform so that it may be made both more responsive and responsible. During the past session of Congress, however, I detected little Democratic enthusiasm for acting on a broad range of governmental reforms. The postal reform bill—so urgently needed—continues to languish in the Post Office and Civil Service Committee because of Democratic opposition. There has been no action on the President's recommendation for restructuring of our present hodgepodge of manpower training programs. Grant consolidation legislation remains in committee also.

The most far-reaching governmental reform of all, the President's revenue-sharing plan, has been greeted by a conspiracy of silence at this end of Pennsylvania Avenue. No action is slated on this legislation. It was not even mentioned in the Democratic Policy Council statement on America in the 1970's. Apparently, revitalized State and local governments and increased opportunities for meaningful citizen participation in Government that would accompany revenue sharing are not a part of the Policy Council's vision of America in the 1970's. The Republicans believe in strengthened State and local government and in sharing the Federal Government's superior tax resources with States and communities and have put forward a program to that end. As yet, we have had no Democratic alternative. I can only conclude that Democratic silence on this major issue means opposition to revenue-sharing. Hubert Humphrey is seldom without words unless there is a powerful reason for it.

Using his executive authority, the President himself has done a great deal to restructure the Federal Government. Among his actions are the following:

Establishment of four new Cabinet level domestic Councils.

Revival of the National Security Council.

Establishment of common regional boundaries and headquarters for field operations in the major domestic departments.

Creating of a new office of child development.

Reorganization of the Office of Economic Opportunity.

Reorganization of the ICC.

A good sign in the Democratic council's statement is that Democratic leadership are now apparently aware, as they never were while they held responsibility for the Department of Justice, that we have a national crime problem. I hope that this new awareness of this problem will mean that we can expect speedier action on the President's anticrime legislation in this session than was the case in the first session. The Democratic statement complains of under-funding Federal anticrime programs. Yet, President Nixon requested additional anticrime funds for fiscal year 1970 and then had to wait until December 1969—6 months after the new fiscal year had begun—for these funds to be made available by a Democratic Congress. The fiscal year 1971 budget provides about $1.3 billion for crime reduction, nearly double the outlays in 1969. The President has proposed a $190 million increase in outlays for the Law Enforcement Assistance Administration to provide aid to the States.

The administration also is criticized in the field of education. Here again we find the Democratic Party opposed to reform and innovation. In 1969 the Democrats in this House sought to extend the Elementary and Secondary Education Act for 5 years until 1975—1 year after President Nixon's current term in office. This was a blatant attempt to prevent reform and innovation in our most basic Federal school legislation. Detailed reports by the Southern Center for Studies in Public Policy and the NAACP in 1969, however, documented a number of instances in which the funds for educating low-income children were misspent. The Office of Education has organized a special group to follow up on these studies and correct abuses where they exist. The administration is also preparing its recommendations for improved Federal education programs.

The council's report laments the fact that inadequate funds are provided for educational research. I hope that council's concern for educational research will be imparted to my colleagues on the other side of the aisle. It should be noted that this Democratic Congress failed to vote the $25 million requested by the President for innovation in elementary and secondary education. These funds would have been used to develop and test promising approaches for student achievement—such as new ways to teach reading and the use of older children to teach younger children.

Democratic refusal to vote these modest research and development funds comes at a time when the United States is spending less than one-half of 1 percent of its total investment in education on research. I look forward to a bipartisan effort to provide the funds needed for educational research so that we may,

as the President has requested, get more for our education dollars.

If members of the Democratic Party are truly concerned about the quality of education, they will cease to delay needed educational appropriations the way they have in this Congress. An HEW appropriations conference report was not reported to this House until December 1969. We still have no appropriation's bill and the school year is half gone. This sort of timing—which makes intelligent budgeting by local school officials almost impossible—is the responsibility of the majority party in Congress. Late funding results in wasted funds and frequently in the purchase of unneeded equipment, instead of well-planned programs and quality teaching.

The policy statement contains little concerning welfare reform other than suggestions that a great deal more should be spent in this area than the President has recommended in his family assistance plan. The record amply demonstrates that the Democratic Party is incapable of reforming the current welfare system which they created. There were no suggestions of reform during the years when they held the executive branch. Only the Nixon administration has had the courage to say the present system must be junked and a totally new work-incentive program instituted in its place. Unlike the Democratic policy statement, the administration has proposed a concrete plan to relieve the States and local units of between 10 and 50 percent of their welfare costs.

Hopefully, the council's concern for our cities' mass transit problems will carry over to the leaders of the House Banking and Currency Committee so that hearings can be held on the President's mass transit plan, which has now passed the Senate.

Likewise, I hope that the council's concern about hunger and malnutrition will result in speedy action on the President's program to combat these dread problems that exist within our affluent society. Certainly, the President, through his message to Congress, his convening of a White House Conference on Food and Nutrition, and his Executive actions to expand the food stamps and commodity distribution programs, has provided needed leadership in this area.

The council has rightly noted that "the consumer legislation of the 1960's needs strengthening." I hope this attitude will insure prompt action on the President's consumer protection legislation.

One of the most reassuring aspects of the council report is the fact that the Democratic leadership has apparently become aware that inflation is a serious national problem. We welcome our colleagues to this battle—though it must be admitted their enlistment is a bit tardy. It was the massive deficits of the 1960's—between July 1965 and July 1968, the Federal Government ran a deficit of $37.8 billion—an alltime record for deficit spending except for World War II—that disrupted cost-price stability and allowed inflationary momentum to develop. Although the budget-busting votes of many Democratic Members have weakened the administration's capacity to deal with inflation, we look forward in this session to renewed Democratic interest in curbing inflation. I hope that the rhetoric of the council report will be matched by deeds on the floor of the House. However, the Democratic record of "taxing less and spending more" during the first session of this Congress is not encouraging.

The council's report quite rightly takes note of the need for action to deal with the critical problems we confront in saving and restoring our environment. This is not a partisan issue. Together Republican and Democratic Members of Congress and the President can act thoughtfully and expeditiously to take the actions needed while there is still time. I look forward to speedy action on the President's seven environmental proposals early in this session.

CAMPBELL SOUP CO. RECOGNIZED FOR OUTSTANDING ACHIEVEMENTS IN THE CONTROL OF WATER POLLUTION

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, Mark Twain is reported to have said that everybody talks about the weather but nobody does anything about it. Lately, everybody is talking about environmental pollution, and I am happy to assure you that the Campbell Soup Co. for one is doing something to stop it. In fact the Campbell's plant in Paris, Tex., has won the Gold Medal Award presented by the Sports Foundation, Inc., on February 3, for corporate achievement in the control of water pollution. This award was based on studies and recommendations by nationally recognized experts in the field of environmental pollution control. It is a wonderful example of what an enlightened industry can do to preserve our environment.

The Paris, Tex., plant has an outstanding water pollution control system combined with a splendid example of land conservation practice. Each day, the plant releases 3.6 million gallons of food products waste water, but rather than letting this go into local streams after perfunctory treatment, the Campbell's plant uses the waste water for irrigation, making the runoff completely safe for release and at the same time producing a needed by-product—high quality hay.

The company's water purification system at Paris is an overland flow spray irrigation system which is unusual in that it uses nature's own cleansing action to purify the waste water. When Campbell decided to build a soup processing plant in Paris, it purchased almost 500 acres of eroded land, a former cotton field, which had been deteriorated gradually over the years by poor farming practices. The field was graded and terraced and special grasses were sown. Intensive cultivation, fertilization, and irrigation were practiced until the grass had formed a thick sod. From the time the plant went into operation in October of 1964, the waste water generated by the plant has been filtered to remove sizable food particles and then pumped to the field where it was sprayed over the field irrigating the grasses. Of the water applied, about 20 percent percolates down through the soil, 10 to 30 percent is lost by evaporation and transportation, and the remaining 60 percent returns to the local surface streams as runoff. By the time the runoff water leaves the site, however, the biochemical oxygen demand—BOD—is reduced from the 550 to 900 parts per million at which it first emerges from the plant to 2½ to 10 parts per million—far below the minimum standards established by Texas laws and regulations. This is an incredible 99 percent efficiency. The system is also 90 percent effective in removing nitrogen and phosphorus.

In addition to producing a very high quality effluent, the process reclaims a high percentage of waste nutrients. These nutrients fertilize the grasses which are then harvested as a by-product hay crop. An analysis of this hay shows that it has high nutritional value ranging up to 23 percent crude protein, and feeding tests reveal that cattle exhibit a marked preference for hay grown on the disposal site. An additional attribute of the surface filtration method is that it functions in all types of severe weather conditions without reductions in efficiency.

Mr. Speaker, this is a meaningful accomplishment and certainly reflects great credit upon the concerned and imaginative executives of the Campbell Soup Co. Not only does this protect the environment of the immediate area, but it serves as a model for those industries throughout the Nation which produce waste water suitable for this type of purification.

In considering this accomplishment, however, it is important to note that this is nothing new on the part of Campbell Soup. The company started this project about 12 years ago, in 1958, long before the present concern over water pollution had developed. Campbell Soup Co. is no newcomer on the pollution control scene, but rather went into Paris, Tex., with this system in mind and made it a reality. The company recognized that this was a largely untested approach to pollution control and that it might cost more to develop than a conventional system. Under the outstanding leadership of Campbell's President, W. B. "Bev" Murphy, the company gladly accepted the challenges and the risks involved and used old-fashioned ingenuity and hard work to make its plan work.

While developing one of the best water purification systems going, the company also did something about another problem which is the subject of increasing concern—overcrowded cities. By locating a plant in Paris, Tex., Campbell Soup gave the whole area a tremendous economic shot in the arm and helped attract people to a rural area and away from teeming cities.

Mr. Speaker, there is considerable cynicism of late about the motives and activities of our Nation's businesses, but if all of our business leaders had the foresight and concern for our environment which the officials at Campbell's soup have demonstrated, I think we would see a new respect develop for the

business community. The fact is that our corporations with their tremendous know-how and remarkable ingenuity can act to stop pollution and to reduce the population pressures on our cities. The Campbell Soup Co. and its president, Mr. Murphy, have shown us how to do both.

PRESIDENT NIXON PROVIDING REAL LEADERSHIP

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, President Nixon's foreign policy report submitted today is a highly articulate and thought-provoking thesis which, if properly supported by the Nation's legislative leaders, will result in bringing about a true position of arbiter of peace for the United States in a world whose present turmoil could easily engulf this and all nations. It is a document which necessity has helped create and it points a practical way to peace—not only for this Nation in its dealings with peoples of other nations—but for the hope of the peoples of other nations which seek a just deal from the United States.

Increasingly, it is being recognized that we cannot continue to place ourselves in the often untenable position of protector of freedom for all nations. This policy was not conducive to a genuine contribution to peace and did not meet the needs of today's world. As the Chief Executive has so eloquently stated.

> Peace must be far more than the absence of war. Peace must provide a durable structure of relationships which inhibits or removes the causes of war.

And it is with this statement that the President will strike a responsive chord in all nations, friend or foe. His views, in this regard, on the present circumstances in the Middle East are incisive and direct, and his message dealing specifically with the Asia and Vietnam situation should be read carefully by each Member of this and the other body.

We are entering a new era in terms of a refined foreign policy and subsequent executive and legislative action in foreign policy matters. I applaud the "Nixon Doctrine" as a workable and energetic doctrine for the United States to pursue. It offers no vague promises, nor does it hold out deceptive euphoric promises of the millenium. It is a reasoned, defined goal which America can achieve and—in achieving it—gain many new friends in the process.

History has begun to look closely at the decade just passed with its disorders and semianarchy. President Nixon offers an opportunity to achieve orderly development of profound changes in national posture—changes which, I believe, will result in a new position of leadership for America in this world through mutual trust.

Mr. Speaker, President Nixon is providing leadership in the field of foreign affairs the likes of which America has not known in many years. History will record the "Nixon Doctrine" as a dynamic change in direction for the United States; a change that materially contributed by reestablishing the United States as a world leader, not because of her strength, though strength is a mainstay of the formula, but because of her compassion for man and man's eternal desire for freedom in every country in this troubled world.

A BILL REMOVING OBSTACLES TO THE INSURED LOAN PROGRAM FOR WATER AND SEWER FACILITIES BY THE FARMERS HOME ADMINISTRATION

(Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing legislation to increase the capacity of the Farmers Home Administration to make insured loans to assist rural communities in acquiring a clean, adequate water supply and modern sewage treatment facilities, and in solving solid waste disposal problems. The legislation would also facilitate the use of insured loans to assist rural communities in establishing good soil conservation practices, shifts in land use, water control, and recreational development. My bill will remove obstacles that now prevent the Farmers Home Administration from carrying out their statutory authority to assist rural communities in meeting these needs.

Under the Consolidated Farmers Home Administration Act of 1961, the Farmers Home Administration is authorized to make grants, direct loans, and insured loans to assist rural communities in acquiring adequate water systems and sanitary sewer systems, as well as for other purposes. Due to budget constraints, grants and direct loans have been circumscribed. The success of the program therefore depends on an adequate level of insured loans being available.

Under the insured loan program, when localities are unable to market their tax-exempt water and sewer bonds for less than 5-percent interest, the Farmers Home Administration is authorized to purchase them for the agricultural credit insurance fund at 5-percent interest. The Farmers Home Administration then sells these obligations—guaranteeing the payment of principal and interest—to the public at prevailing interest rates. The difference between the market interest rate the purchaser receives from the agricultural credit insurance fund and the 5-percent interest the fund receives from the issuing locality is provided from appropriations of the Farmers Home Administration. Since the amount of obligations that may be in the agricultural credit insurance fund at any given time cannot exceed $100 million, the leverage of the program depends on turning over or revolving obligations that are purchased.

In 1962, the President's Committee on Federal Credit Programs, for a variety of reasons, recommended against any guarantee of tax-exempt obligations by the Federal Government. After discussions with the Treasury Department, the Farmers Home Administration agreed in July of 1967, that it would not insure any more tax-exempt loans. This prevented sale or rotation of the tax-exempt obligations in the agricultural insurance fund. With the exception of $50 million worth of bonds sold in the fall of 1968, no tax-exempt bonds have been sold out of the fund since July of 1967. The agricultural credit insurance fund is currently holding $24 million in tax-exempt loans that cannot be sold.

The Department of Agriculture reports that there are over 34,000 rural towns without adequate water systems and 44,000 towns without adequate waste disposal facilities. Between December 1967 and December 1968, the Farmers Home Administration rejected over 3,000 requests for $600 million in loans and $300 million in grants—almost $1 billion—for water and sewer systems.

Additionally, the Farmers Home Administration is continuing to receive requests from public bodies for assistance in irrigation, drainage, and other soil conservation practices to serve farmers, ranchers, and other rural residents. Many municipalities seek financial assistance to develop public recreational facilities, such as lakes, parks, playground areas, and other facilities.

Mr. Speaker, there is an urgent need for a clean and adequate water supply, modern sewer treatment facilities, and solutions to the problem of solid waste disposal in all areas of our country. Congress established the insured loan program of the Farmers Home Administration to assist rural communities in meeting this need. A workable basis for removing these obstacles to the insured loan program must be found so that the program can meet these important needs.

The inability to market tax-exempt loans substantially reduces the capacity of the Farmers Home Administration to meet these needs as Congress intended. My bill will get this program moving again by taxing the interest on loans sold out of the agricultural credit insurance fund. While this will involve an additional interest supplement to make the loans competitive, the Federal Government will realize a net savings since the revenue lost by failing to tax the interest on these bonds exceeds the additional interest costs that will be incurred.

I want to make it crystal clear that the bill does not in any way affect the right of States and localities to issue tax-exempt bonds. It simply provides that when these bonds are purchased by the Farmers Home Administration for the agricultural credit insurance fund and subsequently sold to the public pursuant to a Federal guarantee, the interest is taxable. Since these bonds are backed by the full faith and credit of the United States, they enjoy the security of a Federal obligation and the interest paid to the purchasers of these bonds should not be exempt.

I strongly commend President Nixon for assigning the highest priority to combating pollution and improving our environment. This is a battle that I began waging over 20 years ago, when I first introduced legislation—which has now become law—to encourage industry to

install pollution control facilities. It is a battle that must be waged on all fronts, with all the weapons at our command, as rapidly as possible.

Our battle against pollution is being mobilized late in the day. We simply cannot afford to permit weapons provided by the Congress to combat pollution to lie around idle. By breathing new life into the loan program administered by the Farmers Home Administration for our rural communities, we can take an important step in mobilizing all of our efforts against pollution.

REPORT ON VIII INTER-AMERICAN SAVINGS AND LOAN CONFERENCE, MANAGUA, NICARAGUA, JANUARY 25 THROUGH JANUARY 30, 1970

(Mr. PEPPER asked and was given permission to revise and extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it was Mrs. Pepper's and my privilege to attend the Eighth Annual Inter-American Savings and Loan Conference held in the beautiful capital of Nicaragua—Managua. This was the sixth Inter-American Savings and Loan Conference which Mrs. Pepper and I have attended. All of these conferences have had enormous significance in encouraging and assisting in the establishment of a savings and loan system throughout Central and South America and thereby in encouraging thrift and in aiding in the building of homes in all that vast area. The eighth of these conferences held in the lovely city of Managua and in the most gracious host country of Nicaragua was a highlight of all of these conferences in its character, in the hospitality extended to the guests and in the accomplishments of the conference.

The Honorable Stanley Baruch who has since the inception of these conferences served with great distinction as secretary general did an outstanding job as secretary general of the eighth conference in Managua. I am pleased to present to my colleagues the very excellent report of this Eighth Inter-American Savings and Loan Conference which Secretary General Baruch has prepared. My colleagues and those who read this RECORD will derive profit and pleasure from reading Mr. Baruch's able report, which follows:

REPORT ON VIII INTER-AMERICAN SAVINGS AND LOAN CONFERENCE MANAGUA, NICARAGUA, JANUARY 25 THROUGH JANUARY 30, 1970

The VIII Inter-American Savings and Loan Conference was the largest international meeting ever held on any subject at any time in the history of Nicaragua. By every conceivable standard of measurement it was an outstanding success both for the six hundred foreign visitors as well as the Nicaraguan hosts.

The Conference, sponsored by the Agency for International Development, the National League of Insured Savings Associations, and the Inter-American Savings and Loan Union, was the eighth in a series of strikingly successful annual meetings which, from the start, have been the most important Inter-American forums held each year to consider matters related to housing finance and the problems of urban shelter. The previous meetings had been held successively in Peru, Chile, Ecuador, Venezuela, Argentina, Brazil and the Dominican Republic. They have provided an incredibly fruitful opportunity for all of the highest public and private sector officials responsible for housing finance and savings and loan activities throughout Latin America to meet with each other and with a large and prestigious complement of savings and loan leaders from the United States to discuss their respective experiences and to establish international contacts from which fruitful dialogue would continue throughout the coming year.

The Conference this year included several innovative features and was honored by the highest level of institutional representation. Fausto Zelaya, President of the Nicaraguan Housing Bank, together with President Somoza and the private savings and loan associations served as hosts for the Conference. Stanley Baruch, A.I.D. Director of Housing and Urban Development, served for the eighth successive year as Conference Secretary-General. Almost all costs of the Conference, which this year were in the vicinity of $175,000, are underwritten by the Conference hosts. These costs, however, according to the official calculations, were offset by more than five hundred percent by the expenditures of the large contingent of foreign guests. Even this impressive calculation is less significant than the advantages to Nicaragua of exposing the resources and talents of an otherwise little known country to a huge number of policy-making foreign personalities who would otherwise never have had any opportunity to become familiar with it.

The *most* important benefit for Nicaragua, however, and for the hosts was the incredible prestige accruing to the Nicaraguan savings and loan system as a result of being honored by having Nicaragua serve as the site of the Conference. The savings and loan system is already the largest source of housing finance in the country, and should expand at an accelerated pace as a result of the impetus deriving from the meeting.

President Somoza supported the Conference with all of his prestige and energy. The colorful and impressive inauguration ceremony was presided over by President and Mrs. Somoza, the first time in the series of conferences that the First Lady participated in this part of the program. From that time until the Conference terminated with a reception and dinner offered by the President for all delegates at the Palace, President Somoza met regularly with selected individuals and small groups of important delegates for cocktails, luncheons, dinners and just plain meetings. In his speech and in all official statements concerning the Conference, the President very vigorously supported the savings and loan system and boasted that he had a very important role to play in transforming it from its previous unacceptable condition as a contract type system to its current status as an unqualified free savings system. He also appeared to be very pleased with the way in which the spectacular new Ruben Dario Theater accommodated the complex meeting logistics and also concerning the way in which the brand new Intercontinental Managua served efficiently as the hotel headquarters.

For the very first time in the history of the conferences the President of the United States sent a personal representative to deliver a message to the delegates. Daniel Hofgren, who is an Assistant to the President and who by a happy coincidence was associated in the past with the Nicaraguan housing guaranty program, delivered a personal message from President Nixon, a copy of which is appended to this memorandum. Similarly, the United States had its highest representative in the history of the conferences in Deputy Assistant Secretary Robert Hurwitch. In the past, U.S. representation was headed by the Deputy U.S. Coordinator, U.S. Ambassador to the host country or USAID Director. The Inter-American Development Bank, which had previously been a conference sponsor but which is not in that role this year, also had its highest representative in Executive Vice President T. Graydon Upton. An additional innovation this year was the invitation extended to very distinguished Latin American personalities who were not necessarily directly involved in housing finance matters. In this category there appeared Carlos Saenz de Santa Maria, CIAP leader, who addressed a plenary session on a wide range of matters relating to Latin American affairs.

Perhaps the most unique departure from the previous conferences was a very special session during which two North American Congressmen met in a private meeting room with an extraordinarily select group of Central American Congressmen to discuss matters of common interest. The two U.S. Congressmen were Claude Pepper, Democrat of Florida, and Ben Blackburn, Republican of Georgia. The Central American group consisted of six of the most powerful and influential Nicaraguan Congressmen headed by the President of the Nicaraguan Congress and the Presidents of the Congresses of Honduras, El Salvador and Costa Rica. The meeting lasted three and one half hours behind closed doors and permitted a very frank, constructive and uninhibited exchange of views. Congressman Pepper was so impressed by the occasion that he will recommend that it be made an official part of the future Inter-American Savings and Loan Conferences.

Since the largest and virtually exclusive source of international loans to assist housing and urban development activities in Latin America is through the A.I.D. Latin America Housing Investment Guaranty Program, and since the principal source of U.S. loans under that guaranty has become the U.S. savings and loan industry, there was substantial focus on this relationship as a specific and omnipresent part of the program. Legislation passed in 1967 and 1968 permits U.S. associations to invest up to one percent of their assets in housing programs guaranteed by A.I.D. Unfortunately, the start of the Conference coincided precisely with the announcement in the United States that interest rates paid to savers by commercial banks and savings and loan associations were being substantially increased. The impact of these changes and the general condition of the U.S. capital market affects the availability of U.S. loans for the housing guaranty program. The Conference, however, provided an opportunity for Latin borrowers and U.S. lenders to develop a firm relationship and a substantial number of firm commitments were consummated.

Nevertheless, the availability of additional U.S. loans and their cost will figure heavily in all of our advance planning for the current calendar year.

The program also focused on the development of secondary mortgage markets in competition for savings among different types of banking institutions and on the appropriateness of savings and loan portfolios which include loans for other than single family housing mortgages. William Ross, Deputy Under Secretary of the U.S. Department of Housing and Urban Development, who is also Chairman of the Board of the Federal National Mortgage Association (Fannie Mae), conducted this phase of the program with a highly specialized back-up panel of experts.

Mr. Bryce Curry, President of the Federal Home Loan Bank of New York, described the functioning of the Federal Home Loan Bank System and explained how his Bank is using its new legislative authority to serve as a conduit through which individual savings and loan associations from the United States may participate in a less cumbersome way in our housing guaranty program. A select panel of outstanding experts

on the guaranty program conducted a brisk discussion with the delegates following Mr. Curry's speech.

For LA/HUD, the Conference constitutes the most concentrated work period of the entire year. One full day prior to the start of the Conference is devoted to a meeting with all USAID Housing and Urban Development Officers to plan for the year which lies ahead. In addition, since every LA/HUD client is represented at the Conference, it is necessary to hold at least one extensive meeting with each of the country groups concerning the whole spectrum of relationships. Although exhausting, this is one of the most valuable parts of the Conference.

In addition to meetings with all of the A.I.D. field staff and with each of the A.I.D. clients, my meetings were held with each of the following groups: 1) chief of country delegations; 2) heads of central savings and loan systems; and 3) presidents of savings and loan leagues.

The panoramic spectrum resulting from all these meetings provides the best opportunity during the entire year to communicate on matters vitally important to the success of the Latin America housing programs. These fringe benefits added to the already spectacular Conference program achievements made the entire effort most gratifying.

On the basis of a formal letter or request from the President of Panama, the Chiefs of Delegation agreed to the designation of Panama as the site for the next conference which will be held the last week of January 1971, and also agreed to the designation of Peru as the tentative site for the tenth conference in 1972, ten years after the first conference was held in Lima.

The creation of savings and loan systems throughout Latin America, which is what the Conference is all about, comprises one of the most spectacular and enduring achievements of the Alliance for Progress. Not one of these systems existed prior to the time that bilateral technical assistance programs were initiated in 1957. Now there are 170 savings and loan associations in ten countries with 1,000,000 savers and savings totalling $500,000,000. 200,000 houses have been financed with mortgages totaling $700,000,000. Thus, savings and loan associations of Latin America have become the most important and largest suppliers of housing finance in the hemisphere, thereby accommodating one of the most important aspirations of the new and vitally significant middle class.

STANLEY BARUCH.

The whole tone and character of this Eighth Inter-American Savings and Loan Conference in the great country of Nicaragua was set by the colorful and impressive inauguration ceremony presided over by His Excellency General Anastasio Somoza D., President of Nicaragua and Mrs. Somoza and by the eloquent, informative, and inspiring address to the conference delivered by President Somoza. In his able address President Somoza revealed not only his strong support of the building of a successful savings and loan industry in his country and in the other countries of Latin America but long and deep dedication to the building of more and better homes for the people of his country and of Latin America, especially people in the low-income groups. The President also disclosed his great concern for the development of his country and of all of Latin America and for a policy and program of close cooperation in the promotion of the welfare and the progress of the people of Latin America in cooperation with the United States. And President Somoza affirmed what we have all so long known, his very sincere and constant friendship for the United States.

I am very much pleased, Mr. Speaker, to offer for the RECORD and for my colleagues and fellow countrymen President Somoza's distinguished address which I now submit:

Excellencies, Presidents of Legislative, Judicial and Electoral Powers:

Illustrious Reverend Administrator of the Apostolic Clergy of Managua:

Honorable Members of the Government of Nicaragua:

Honorable Members of the Diplomatic Corps:

Honorable Delegates and Observers of International Specialized Agencies:

Honorable Special Guests:

Ladies and Gentlemen:

I consider it an historic honor for the people and the Government of Nicaragua to have our country as host of the Eighth Inter-American Savings and Loan Commerce.

As President of the Republic, I feel patriotic pride and deep satisfaction in addressing you and extending Nicaragua's traditionally cordial welcome and hospitality to each and every prominent delegate and observer attending this Conference.

Managua, host of the Eighth Inter-American Savings and Loan Conference, has officially been involved in solving the problem of housing since 1814, while still under Colonial influence. In fact, Managua's Municipal government pledged itself since that time "to habilitate all those having building sites who wanted to erect homes".

This conference is a planning and study forum dedicated to the man of America and his destiny. Aspects of the formation of systems and operational standards will be openly and freely discussed here. The experiences of this Continent will be compared and conclusions drawn from them in order to arrive at a formula that may serve to facilitate contacts between Savings and Loan groups, promote negotiations, and expedite the international transfer of funds for housing investment.

In order words, we are trying to lay the foundations for hemispherical cooperation and coordination in the dramatically challenging problem of housing, which is common to all countries of the world.

On presenting my party's platform to the people of Nicaragua, I pointed out the country's complex housing crisis, the solution of which required the full cooperation of all Nicaraguans, without distinction whatsoever, in order to achieve positive results.

On that occasion, I emphasized the philosophy and social dynamism inherent to the Liberal Nationalist Party in having transformed a mortgage bank into a financial institution for housing, with the definite purpose of providing Nicaragua with a system through which home-ownership could be made a reality.

I sincerely believe that building a country largely consists in founding economic and social systems of organization and that this national effort requires a "Unity of Purpose" at all levels, including private enterprise, without altering the principle of free competition.

Twenty years ago, prevailing economic conditions and the desire on the part of our people to own their homes, led Nicaraguans to accept and work with contractual loans. But the Liberal Nationalist Party, faithfully interpreting popular aspirations, convinced private entities involved of the fact that their own security lies in providing better opportunities for the people. A law was then passed that benefitted rather than penalized the depositor.

We have now arrived at a level of adjustment among those interested in savings and housing, where the depositor is both stimulated and assured of the stability of the currency, thanks to government planning.

Thus, in 1967, a revolutionary and historical changeover from the old restrictive to the new streamlined Savings and Loan facilities, led to high deposit levels, comparable to those of countries more developed economically. This I consider one of the Liberal Nationalist Party's outstanding achievements.

Previously, the depositor has been a victim of the contractual loan system, since he was penalized by having to pay for the use of his own money. Today, the Savings and Loan group encourages the depositor by inspiring confidence in a firm monetary system and proper handling of his account. Governmental austerity, diversification of exports and coordination of financial activities both public and private, have made possible the solid currency exchange that led the way.

At the beginning of my Administration, the anomaly existed that while industry was practically exempt from taxation, agriculture bore the full brunt; while credit aid was freely extended to urban areas, rural districts were subjected to restrictions, leaving the rural population to its own fate.

The disparities existing then between town and country constituted a dangerous and explosive situation. By misleading blandishments the farmer was induced to "pull out" and follow the mirage of urban advantages—a home on the time payment plan and fringe benefits never to be obtained on the farm. So he left productive and much-needed work, for vague promises—and promissory notes.

For this reason my Government has adopted a policy both stimulating and encouraging to the home-buyer. He may have his home built on the site of his choice, at a price within his reach, free to select the most convenient payments, according to his economic possibilities.

In this manner, while financing housing for lower-income families through funds made available by friendly nations, at the same time we have opened the door for the financing of other economic groups, the goal being to assure all Nicaraguans of the chance to own a home by the channeling of assistance for that purpose via savings and loans arrangements and by direct investment.

Thanks to this new philosophy introduced by my administration, to the political and social stability of the Nicaraguan people as well as its confidence in its own "Banco de la Vivienda" Nicaraguan (Bank for Housing), and under the auspices of the National Savings and Loans System, associations within private enterprise have been formed and sucessfully operate in day-to-day transactions of loans for home construction. There is no discrimination whatsoever in these dealings as to income, sex, or social status.

I can affirm, then, that our National System of Savings and Loan, begun only in 1967, has won success and achieved maturity through the conversion to modern Savings and Loan practices.

Mr. Fausto Zelaya, President of the "Banco de la Vivienda", the ruling institution of this specialized financing system in our country, will provide facts and figures for this memorable Conference, thus completing his report presented at the Santo Domingo reunion.

I sincerely believe that the housing problem can be solved at less per-unit cost if we adjust ourselves to the patterns, customs and environmental factors of each of our countries.

With this in mind, my government has accelerated its programs leading to a solution of housing problems by creating healthy environments, employing traditional construction materials as well as modern sanitation techniques. I am convinced that problems confronting us will find an early solution in my country.

Distinguished Delegates and Guests:

In repeating my sincere and cordial welcome to each of you, I should like, in the name of the people and the Government of Nicaragua, to express my heartfelt appreciation for the valuable assistance lent us through the financing of our program of housing with funds from the Government of the United States of America, The Inter-American Development Bank, the Central American Bank of Integration as well as private financial institutions in the United States of America.

I wish to especially acknowledge the active contribution of Nicaraguan private enterprise. Along with government planning, they have shaped, adapted and modernized their institutions, all in the best public interest.

I should also like to stress the immense importance of the work of participants from the United States, who have also taken part in previous conferences and who as trusted officials of their government, have more than helped our Continent enter as full partners in the Savings and Loans systems.

Furthermore, I wish to make a most strong appeal: first to my people, that they continue to deposit their confidence in the national financial system through their savings; second, to private initiative, that it strengthen its operating capital resources; and finally foreign investors and international credit agencies, that they continue to make available funds so needed to attain the goals of economic and social development of Nicaragua.

As president of a country in the American family of states I want to take this exceptional opportunity to express my deep concern for the housing problem in Latin America. This problem is not confined to any nation in particular but its solution is of inestimable value in promoting the welfare and the future prospects of our Latin American countries.

Honored delegates to this conference: this is my fervent plea to each of you; to the people and governments of this Continent; and to each individual as well as private initiative and economic groups that all strive together as one toward perfecting and fortifying the Savings and Loan systems for housing, to the end that each Latin American family can have its own home.

I feel proud and grateful that Nicaragua was chosen to be host for this Conference by the unanimouls vote of the delegates last year in Santo Domingo. It spells continental recognition of our economic efforts, as well as of our political stability which, fortified by democratic principles, has resulted in dynamic stability.

Our progress and freedom have run along parallel lines, as have work and the dignity of man within a peaceful revolution, and along these paths we shall continue our forward progress.

In commemoration and in honor of each and every distinguished participant, and in recognition of my people's efforts, I declare for Nicaragua that this year of 1970 be known as "Saving and Loan for Housing Year."

Upon officially inaugurating this Eighth Inter-American Savings and Loan Conference, I fervently invoke the blessing of the Almighty—in the spirit of our American forefathers—that this Conference produce real benefits for the peoples and governments of this hemisphere.

Thank you.

THE PACIFICATION PROGRAM IN SOUTH VIETNAM

(Mr. PHILBIN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. PHILBIN. Mr. Speaker, I include in the RECORD the very impressive report filed by our able, distinguished colleague and dear friend, the Honorable JAMES A. BYRNE of Pennsylvania, head of a special House Armed Services subcommittee, on the subject of the pacification program in South Vietnam.

The committee was composed of Mr. BYRNE as chairman, and our able distinguished colleagues and friends, Hon. WILLIAM G. BRAY, of Indiana and Hon. CHARLES H. WILSON of California.

The committee visited and toured the total pacification area, and its report is a fine, constructive document that should be read by every Member of Congress and by the American people.

I compliment the esteemed Members for an excellent piece of work, and Mr. BYRNE for his outstanding leadership.

The report follows:

To: The Hon. L. Mendel Rivers, Chairman, House Armed Services Committee.

From: James A. Byrne, Chairman, Special Subcommittee of the House Armed Services Committee.

Subject: The Pacification Program in South Vietnam.

Mr. Chairman, herewith is a report from me on the study made by a special subcommittee composed of three members of the Armed Services Committee, namely the Hon. William G. Bray of Indiana, the Hon. Charles H. Wilson of California, and myself, made on the scene in January, 1970.

The pacification program in South Viet Nam made tremendous progress in 1969; however, there are still many problems remaining and we should be prepared for the possibility of further setbacks as the Republic of Viet Nam struggles for stability.

The success of the pacification efforts is vital to the policy of Vietnamizing the war.

Pacification seeks to provide security for the people to establish and enhance local government responsible to the people and to meet the economic and social needs of the people.

This program must succeed if the South Vietnamese Government is going to stand on its own feet in the years ahead as the Americans withdraw from Viet Nam.

All the evidence we saw indicated that the pacification program has made significant strides in 1969. The trend of development is encouraging.

The South Vietnamese top leadership appears to be putting forth genuine efforts to make government more responsible at the local level.

A growing number of people are in secure areas and on-the-scene observers we talked to indicated a growing belief in the government on the part of the people.

Indications of progress include:

The Regional and Popular Forces have been increased considerably in strength and the Popular Self-Defense Forces—the farmers and workers who defend their homes at night or when under attack—have been armed and greatly expanded. Joining the PSDS (Popular Self-Defense Services) constitutes a commitment to the government both for the man and his family.

Security for hamlets has improved significantly. At the beginning of 1969, only a little more than 50 percent of the hamlets were in the secure category. By the end of the year, more than 85 percent were in that category. The percentage of population controlled by the Viet Cong is less than 3 percent.

There has been a significant increase in the number of elected village and hamlet governments—in both cases the number of such governments elected has jumped from less than one-half in early 1969 to more than 90 percent today. Viet Nam is a land of hamlets and villages so this strengthening of local government is of great importance.

The large number of displaced persons has been and continues to be a major social and economic problem. However, during 1969, the number of displaced persons has been reduced from well over one million to about 268,000. During the year, some 488,000 were returned to their villages and 586,000 were resettled.

The Chieu Hoi, or Open Arms program, designed to induce the Viet Cong to rally to the side of the government, had its best year by far in 1969. During that year, more than 47,000 came over to the government side, as compared to only 18,000 in 1968.

These are just some of the indicators of progress.

During our three-day stay in Viet Nam, the subcommittee spoke to Ambassador Ellsworth Bunker; Gen. Creighton Abrams, commander of U.S. forces and the U.S. Military Assistance Commission in Viet Nam; William E. Colby, deputy to the ambassador in charge of pacification; numerous American military and civilian officials at various levels; and many Vietnamese officials.

The subcommittee also spent a day with pacification officials in the Danang area and visited a school and a resettlement village.

I support the policy of turning the conduct of the war over to the Vietnamese as rapidly as possible. Therefore I was particularly anxious to study the progress of the pacification effort, which is the key to Vietnamization.

The continued progress in pacification in 1970, as was achieved in 1969, will be of immeasurable benefit to the Viet Nam Government.

However, anyone who has followed developments in Viet Nam over the years has learned the value of skepticism. No other war or major undertaking has suffered so much from overly optimistic estimates.

We all remember pacification when indices of progress prove to be illusionary. There are problems remaining. There is a shortage of well-trained middle level leadership.

The Viet Cong infrastructure has not been seriously damaged. The National Police and the working of legal procedures at the local level need a great deal of improvement.

The enemy retains the capacity to cause serious difficulty. The success of the pacification program is anathema to the enemy's hopes and it would be a mistake to assume that he would not challenge it. We should be prepared for new attacks and setbacks.

The most knowledgable people we talked to expect some enemy offensive before the beginning of the rainy season in late spring.

It should be remembered also that under the best of circumstances the pacification program will require the free world's moral, financial and technical assistance for some time to come.

The pacification program is going in the right direction and has made significant progress, but has a long and difficult road to travel.

It can succeed if its present rate of progress is continued and there is no slackening in hard work on the part of the Vietnamese and no loss of patience and perseverance on the part of both the Vietnamese and the Americans.

AIR POLLUTION

(Mr. SANDMAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SANDMAN. Mr. Speaker, air pol-

lution has reached a point in this country where it has a profound effect upon the very existance of mankind. If there was ever a time to attack this problem, it is now.

I heartily endorse the President's environmental program, particularly as it relates to the problems of air pollution. I firmly believe that the setting of national air quality standards is timely and effective.

We do not know the full extent to which air pollution damages human health, but we do know that it is hazardous.

National standards would eliminate our present, more cumbersome procedure by which each State proposes air quality standards which must be approved or disapproved by the Federal Government. The President's proposal would allow the States to concentrate on actual control of pollution.

The President's proposal will require all States to control air pollution. No State will be a haven for polluters. No citizen will lack protection because he happens to live outside a designated air quality control region.

I also support a revised system of depreciation allowances for those industries that install new devices that curtail the expulsion of foul odors, dust, and smoke in the atmosphere.

WORLD FREEDOM DAY

(Mr. DERWINSKI asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, since January 23, 1955, the people of the Republic of China have annually commemorated the massive choice for freedom made by more than 14,000 Chinese Communist POW's of the Korean war a year earlier. This annual Freedom Day has inspired and encouraged thousands of mainland Chinese to defect and find freedom in the Republic of China and other areas of free Asia. The expansion of this movement over the years has been so impressive that in 1968 the World Anti-Communist League decided to observe January 23 as World Freedom Day.

This past January 23, World Freedom Day was successfully observed in the Republic of China and by freedom activists in all of free Asia, the United States, and other parts of the world. The collective determination shown in not only holding the lines of world freedom but also extending them toward the captive nations of Asia, Europe, in the Soviet Union, and in Cuba cannot but bring encouragement to the 1 billion captive people in the Red Empire. In the confident hope that this movement will expand further in the trying period ahead. I commend to the thoughtful reading of all Americans the addresses and significant messages that made up the program in the Republic of China:

MASS RALLY FOR OBSERVING WORLD FREEDOM DAY REPUBLIC OF CHINA, JANUARY 23, 1970

PROGRAM

1. Meeting opens.
2. Hymn of Freedom Day.
3. Peal of Freedom Bell.
4. General Chairman takes Rostrum.
5. Attendance Stands Up at Attention.
6. National Anthem.
7. Salute to National Flag.
8. Reading of Messages from President Chiang and Others.
9. Address by General Chairman Ku Chengkang.
10. Speech by Vice President Yen. (Band Music).
11. Speech by Gen. Thomas Lane of the U.S.
12. Report by Korean Freedom-Fighter Mr. Dong Joen Lee.
13. Report by Vietnamese Freedom Fighter Col. Tran Van Dac. (Band Music).
14. Introduction of Newly Arrived Freedom-Fighters by General Chairman Ku.
15. Report by a Representative of Chinese Freedom-Fighters.
16. Introduction of and Speech by Mr. Lubmoir Hanak, President of the European Cordination Center.
17. Reading of Rally Declaration and Outgoing Messages.
18. Hymn of Freedom Day.
19. Cheers.
20. Band Music.
21. Meeting Ends.

PRESIDENT CHIANG KAI-SHEK'S FREEDOM DAY MESSAGE

More than 14,000 Chinese Communist POWs of the Korean War resisted threats and overcame difficulties in their courageous choice of freedom outside the bamboo curtain. On January 23 of 1954, they reached this free island bastion of the Republic of China. Their dauntless spirit and intrepid action have made a matchless contribution to the history of man's struggle for freedom.

January 23 has subsequently been observed as Freedom Day. This movement to enhance human dignity and encourage mankind's struggle for freedom has countered attempts at enslavement and has won widespread support among the free and democratic nations of the world. Consequently, the World Anti-Communist League decided in 1968 to observe January 23 as World Freedom Day. Growth of this movement bears witness to the rising unity of the world's anti-Communist forces. The determination and fighting spirit of enslaved peoples have been heightened immeasurably in their quest for liberty.

I have often pointed out that Communism is at the root of all aggressive wars and that the Peiping regime is the source of evil behind all undertakings of aggression. Until the Chinese mainland is freed from the Red scourge, the world cannot expect an era of tranquility.

Rapid progress has been made in all aspects of the Republic of China's *San Min Chu I* (Three Principles of the People) reconstruction in the national recovery base of Taiwan, Penghu, Kinmen and Matsu. This has made an important contribution to the safeguarding of peace and freedom in the Asian and Pacific region. The Peiping regime has been forced down the road of political disintegration, social disorder, economic desiccation and military upheaval. The regime is at the end of its rope and far-reaching changes can be expected on the mainland at any moment. Collapse of the regime is inevitable as soon as it comes under attack by external freedom forces supported by the anti-Maoists and anti-Communists of the mainland.

The triumph of freedom and defeat of slavery are immutably ordained. History supplies the undeniable proof. However, peace is not to be obtained by procrastination. Freedom has to be won by applying moral strength to the struggle. We need to unite all our brothers at home and abroad, military and civilian alike, and provide opportunity for every individual to contribute his or her wisdom and strength. All of us must dedicate ourselves absolutely and heroically to the cause of the Anti-Mao and National Salvation Front.

We can hope that our mainland compatriots will devote their attention and their energies to the self-salvation movement to destroy Mao and the Communists and assure the survival of the nation. All who are strong of body and of will must rise against tyranny, ally themselves with the awakened cadres of the Communist Party and military, prepare to join the great army of the National Revolution and strike a fatal blow at the Peiping regime whenever opportunity permits.

Even more importantly, we have to unite with the freedom-loving people of the world, develop the strength of universal principles and justice, sweep away the dark clouds of appeasement and compromise in the face of the Communist peril and assure the progress of this worldwide movement to protect freedom. We are convinced that the early recovery of the Chinese mainland is indispensable to the reinforcement of Asian security and the safeguarding of freedom and peace throughout the world.

MESSAGE FROM H. E. NGUYEN VAN THIEU, PRESDENT OF THE REPUBLIC OF VIETNAM

On behalf of the people and the Government of the Republic of Vietnam I wish to extend to you my sincere greeting on the 16th anniversary of Freedom Day.

It is most fitting that the historic event of the choice of freedom by 22,000 Chinese and Korean POW's on January 23, 1954, is now celebrated as the World Freedom Day. It marks the undaunted spirit of freedom loving peoples who elected to abandon their homes and their ancestral lands rather than 'live under Communist yoke; the shining example set by the Chinese and North Korean prisoners of war who refused to return to their respective homelands upon their release despite Communist blandishments, coercion, and intimidation has ever since become the symbol of man's deep appreciations for freedom.

In Vietnam after the partition of the country in 1954, nearly one million people from North Vietnam moved to the south to carry on the fight against communism today.

Under the RVN Open Arms program over 150,000 VS cadres have rallied to the cause of freedom championed by the RVN people and government. Peoples living under Communist oppressive rule behind and from the Bamboo Curtains are yearning for freedom.

Your observance of the World Freedom Day rekindles their hope and galvanizes our determination to fight the Communist oppression and hightens, strengthens the solidarity of free men everywhere.

I sincerely wish you great success in all the commemorative activities on this World Freedom Day.

NGUYEN VAN THIEU,
President of the Republic of Vietnam.

MESSAGE FROM HIS EXCELLECY A. SOMOZA, PRESIDENT OF THE REPUBLIC OF NICARAGUA

REYOURLET,
December 11.

I joyously support encouragement and guidance commemorating World Freedom Day trusting successful triumph.

MESSAGE FROM HIS EXCELLENCY FIDEL SANCHEZ HERNANDEZ, PRESIDENTE DE EL SALVADOR

Atentamente me refiero a su comunicación de fecha diciembre 11, por la cual me invita a que formule una Declaración sobre el "Día de la Libertad Mundial" que se conmemorará en la República de China el próximo 23 de enero.

Estimo altamente el significado de esa celebración y que tenga lugar en China, país que ejemplarmente allen ta un profundo ideal de

progreso dentro de un régimen de dignidad humana.

Pláceme manifestarle por este medio mis expresiones de simpatia por ese movimiento en pro de la Libertad Mundial, así como mis votos porque su tradicional celebración con tribuya a recordar a todas las naciones del mundo que el bien más preciado de los pueblos es el de su libertad y que su resguardo corresponde a todos los hombres dignos de la tierra.

Me es grato approvechar esta oportunidad para patentizarle mis demostraciones de mi especial consideración.

MESSAGE FROM H. E. G. EYSKENS, PRIME MINISTER OF BELGIUM

Belgium as a free nation has always stood up for the cause of the victims of persecution throughout the world.

Therefore on the occasion of the "World Freedom Day" which will be commemorated in the Republic of China this coming January 23, I wish to convey to you and to your Committee a message of sympathy and encouragement.

MESSAGE FROM H. E. GEORGE PAPADOPOULOS, PRIME MINISTER OF GREECE

On occasion of World Freedom Day please accept warmest greetings and best wishes for success in your work. I would like to stress the importance of the purposes of your committee which aim at the defence of freedom and independence of the peoples of the free world. The attention of Greek pepole who have experienced all kinds of Communist aggression is with you.

MESSAGE FROM HIS EXCELLENCY TUNKU ABDUL RAHMAN PUTRA, PRIME MINISTER OF MALAYSIA

It gives me great pleasure in sending this message on the occasion of "World Freedom Day" in the Republic of China, which falls on January 23, this year.

It is a day to be remembered by all those who cherish freedom and appreciate human values and dignity. The first freedom day was observed in 1954 on January 23 when more than 22,000 communist prisoners of war of the Korea War refused to return to their communist dominated homelands and 14,000 of them chose to make their future home in the Republic of China.

Ever since "World Freedom Day" has been observed, it has promoted the people in the free world to struggle for human dignity, justice and freedom. I am told that to commemorate the occasion the organisers have plans to organise public rallies, radio and television programmes to bring home to the people in the Republic of China and the free world the menace posed by the communists and the need to be vigilant in meeting it. We are faced with the same problem and it has been our constant effort to remind the millions of Chinese here not to be deceived by the subtle propaganda put out by the communists. They are much better off in Malaysia, in the Republic of China and in the rest of the world where they are free. The celebration of "World Freedom Day" has special significance to us and I therefore would like to wish the organisers every success in their endeavours.

MESSAGE FROM HIS EXCELLENCY, ARDESHIR ZAHEDI, FOREIGN MINISTER OF IRAN

On the occasion of the World Freedom Day I am happy to express to you on behalf of the Imperial Government of Iran our full sympathy for the fulfillment of the aim of your organization. As you are well aware Iran which is proud to be the founder of human rights has all through its history supported the efforts of people struggling for the achievement of freedom all over the world.

MESSAGE FROM H. E. KYU HAH CHOI, MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF KOREA

I take great pleasure in extending, on behalf of the Government of the Republic of Korea, the heartiest felicitations to you and to the great people of the Republic of China.

I firmly believe that history will long remember the heroic struggle of the great people of the Republic of China in the long and hard war to defend freedom.

Please accept, excellency, my best wishes for the continued prosperity of your great nation.

MESSAGE FROM HIS EXCELLENCY WALTER P. MCCONAUGHY, AMBASSADOR OF THE UNITED STATES OF AMERICA

January 23 is the sixteenth anniversary of the day that marks the historic occasion in 1954 when 22,000 Chinese and Korean prisoners of war were able to make a free choice of the path leading to freedom rather than the road that would return them to a poor existence under Communist regimes.

The United States Government is pleased to join again in commemorating that most significant event.

Certainly, none can deny the fundamental correctness of the far reaching decision made by those who were so fortunate as to be able to select liberty. Personal, political, intellectual, and social freedom is one of the great values in human life, one that not only serves the interests of the individual but those of society as well.

In his inaugural address, President Nixon stated that the peace we seek to win would include "the opportunity for all the peoples of this earth to choose their own destiny." In a world still beset with problems, we can be heartened by the knowledge that the spirit of freedom—the desire of all peoples "to choose their own destiny"—can never be extinguished.

MESSAGE FROM PROF. LEV E. DOBRIANSKY, CHAIRMAN OF NATIONAL CAPTIVE NATIONS COMMITTEE, USA

On this annual celebration of Freedom Day, we once again express our feelings of solidarity in the cause of a liberated mainland China.

The time will come soon when the Free World, and particularly the United States, will have to make a decision concerning the liberation of 750 million captive Chinese. You can rest assured that the National Captive Nations Committee and its many associated organizations such as the Ukrainian Congress Committee of American Latvian Association and numerous others will continue in their relentless effort to influence the central policy of the Free World toward this end.

My sincerest wishes for the success of the Chinese Freedom Day in which we wholly participate and with best personal wishes.

MESSAGE FROM MR. PRITAM SINGH, INDIAN DELEGATE TO WACL AND APACL CONFERENCES

Wishing you ever successful of the world freedom day and pray to almighty God that under dynamic leadership of President Chiang Kai-Shek 700 millions oppressed Chinese should be liberated from the tyrannical slavery of Maoism immediately.

MESSAGES

1. H. E. President Chiang Kai-shek, Republic of China.
2. H. E. President A. Somoza, Republic of Nicaragua.
3. H. E. President Fidel Sanchez Hernandez, Republic of Salvador.
4. H. E. President Nguyen Van Thieu, Republic of Vietnam.
5. H. E. Prime Minister G. Eyskens, Belgium.
6. H. E. Prime Minister George Papadopoulos, Greece.
7. H. E. Park Chung Hee, President of the Republic of Korea.
8. H. E. Tunku Abdul Rahman Putra, Prime Minister of Malaysia.
9. H. E. Ardeshir Zahedi, Foreign Minister of Iran.
10. H. E. Choi Kyu Hah, Foreign Minister of the Republic of Korea.
11. H. E. Walter P. McConaughy, Ambassador of the United States of America.
12. Hon. Robert N. Thompson, M.P., Canada.
13. Hon. Ritchie MacDonald, M.P., New Zealand.
14. Hon. Geoffrey Rippon M.P., England.
15. General Praphan Kulapichitr, Chairman of WACL & APACL Thailand Chapter.
16. Gen. Lee Eung-Joon, President of WACL & APACL Korea Chapter.
17. Dr. T. Watanabe, President of WACL & APACL Japan Chapter.
18. Mr. J. Kitaota, Secretary General, WACL & APACL Japan Chapter.
19. Dr. Phan Huy Quat, Chairman of WACL/APACL Vietnam Chapter.
20. Madame Esther de Prenca Lago, Chairman of WACL Brazil Chapter.
21. Mr. Jose Figueres F., Chairman of WACL Chapter of Costa Rica.
22. Mr. Chiang Kuo-sin, WACL & APACL Hong Kong Chapter.
23. Mr. Amiruddin Djamil, Chairman, WACL & APACL Indonesia Chapter.
24. Mr. Dahyabhai V. Patel, Chairman, WACL & APACL India.
25. Mr. Pritam Singh, WACL & APACL India Chapter.
26. Dr. Parviz Kazemi, Chairman WACL & APACL Iran Chapter.
27. Mr. Chao Sopsaisana, Chairman, WACL & APACL Laos Chapter.
28. Mr. Charles D. Molapo, Chairman, WACL Lesotho Chapter.
29. Mr. Zahri Muntasser, Chairman, WACL Libya Chapter.
30. Mr. Hsu Chi-tung, Chairman, WACL & APACL Macao Chapter.
31. Mr. Tan Sri T. H. Chairman, WACL & APACL Malaysia Chapter.
32. Dr. Alfredo Medina, Chairman, WACL Mexico Chapter.
33. Mr. Jacques de Kadt, Chairman, WACL Netherlands Chapter.
34. Dr. Mahmud Brelvi, Chairman, WACL & APACL Pakistan Chapter.
35. Dr. Mario Lopez Escobar, Chairman, WACL Paraguay Chapter.
36. Mr. Eudocio Ravines, Chairman WACL Peru Chapter.
37. Mr. Ramon D Dagatsing, Chairman, WACL & APACL Philippines Chapter.
38. Mr. Osman Scek Mao, Chairman, WACL Somalia Chapter.
39. Dr. Bieger Hagard, Chairman, WACL Sweden Chapter.
40. Mr. Alfred B. Gielen, International Committee for Information and Social Activity (CIAS).
41. Mrs. Suzanne Labin, International Conference on Political Warfare of the Soviet (CIGP).
42. Mr. Jorge Prieto Laurens, Inter-American Confederation of Continental Defense (IACCD).
43. Rev. Daniel Lyons, Free Pacific Association (FPA).
44. Mr. Francisco Buitrage, M, Comite Anti-Comunista Nicaraguense (CACN).
45. Rev. David C. Head, Clergymen's Committee on China (CCC).
46. Mr. Rama Swarup, Committee to Fight Red Chinese Aggression (CFCRA).
47. Rev. C. Stephen Dunker, Cardinal Mindszenty Foundation (CMF).
48. Mr. Anacletu Gonzalez Florzes Guerrero, Federacion Mexicana Anticomunista de Occidente (FEMACO).

49. Mr. Emilio Nunez Portuendo, Representacion de Cuba en Exilo (RECE).
50. Mr. James D. Elkjer, World Youth Crusade for Freedom (WYCF).
51. Mr. Robert Linday, President, Victorian Branch of Australia WACL Chapter.
52. Prof. E. Dobriansky, Chairman, National Captive Nations Committeee, USA.
53. Dr. Gustave Corgao, President, A.A.N.C., Brazil.
54 Mr. Aila de Dliveria Gomes, Secretary-General of A.A.N.C., Brazil.
55. Dr. Jen Reisser, President of Centra Brasileire da Europa Livre.
56. Dr. Mircea Buesca, Director-Secretarie of Associacao Cultural Romeno-Brusileira, Brazil.
57. Mr. Federica Trejos Guerrero, President of Juvented Nactonal Democrata Anticomunista.
58. Mr. Marvin Liebman, Secretary-General of One Million Against the Admission of Communist China to the U.N., USA.
59. Dr. R. Krasnique, President of Free Albania Committee.
60. Dr Ctibor Pokorny, Chairman of the Organizing Commission of ABN.
61. Dr. Jaroslaw Stetsko, Chairman of the Central Committee of ABN.
62. Mr. W. S. McBirnie, Director of the Center for American Studies, Glendale, California, USA.
63. Mr. Ray Wilson, General Manager, Center for American Research and Education.

ADDRESS BY THE RALLY CHAIRMAN, DR. KU CHENG-KANG

Meeting here today are representatives from all walks of life to observe Freedom Day with fervor and enthusiasm. The influence of Freedom Day has been spreading to many parts of the world. Two years ago it was renamed as World Freedom Day by the World Anti-Communist League in Saigon, making it a banner of fighters all over the world united in the just cause for freedom of all mankind.

We stand at the beginning of the '70s. We see around us great achievements in material aspects of civilization, in science and technology. We find development in many directions. The '70s should be a decade of unprecedented progress and freedom. Yet we know there are over one billion people subjugated to tyranny behind the Iron Curtain, whence the forces of aggression are also threatening the entire free world. The sharp contrast underlines the importance of our attitude and courses of action. Let us make sure that mankind is headed for the triumph of victory and not the abyss of enslavement.

I am firmly convinced that mankind of this decade is up to the task. Freedom Day is the symbol and assurance of our success, for it shows that the shackles of tyranny will be broken by persistent, united and courageous fighting. Although the scourge of Communism abetted by widespread appeasement illusions is besetting the world, we can and will triumph if we keep alive and redouble in us the spirit of Freedom Day.

The turbulent world situation demands our utmost effort and contribution in mankind's common battle for the defense of freedom.

We appeal today to all the free people to persevere in their moral courage and renew their combat spirit. We shall alert the world against being intimidated by the Communist countries, false show of strength and against being fooled by their pretended gestures of friendliness. We shall make clear to the world the backwardness of barbaric Communist ideology as well as the terror of Communist system, with which the free world's ideals and way of life cannot hope to coexist peacefully. We shall spotlight the gradual splitting, disintegration and decline of the Communist camp. The free world would be forfeiting its chance for victory if it kept entertaining the thought of appeasement, compromise and concession. In reality, the free world would be aiding the Communist camp to survive its own crises.

Allow me to point out here that the Republic of China will not accept coexistence with the inhuman Chinese Communist regime, for we preserve the traditional culture of China and abide by San-Min-Chu-Yi, the teachings of our National Founder. We are opposed to any illusion of "Two Chinas" or any compromising and accommodating arrangements with the Chinese Communists. Such arrangement will be denounced by all justice loving people and nullified by our campaign to restore freedom to all China mainland.

Since the end of World War II, the U.S.A. has been the leader of the free world and has contributed immensely to the containing of Communist aggrandisement and the defense of mankind's freedom and security. This critical moment in history is no time for the U.S.A. to disengage and withdraw, which error will bring heavy disasters to mankind. The traditional spirit of idealism of the U.S., we are sure, will make her persevere in accomplishing her responsibility to history. We look forward expectantly to the early awakening of her "silent majority" to become the mainstay for her moral courage and fighting spirit.

The most important task we must do for freedom's victory is to unite all our friendly forces into an International Front Against Communism. This Front will cross the boundaries of race, nationality and religion, and consolidate the strength of all those freedom fighters in the free world as well as behind the Iron Curtain. Concerted action and effort shall be its guiding principle.

In the defense of freedom, no free man can hope to look after himself solely or to fight the battle alone. All free men must be forged into a well organized camp. This International Front Against Communism shall be developed in continuous stages, from cooperation among peoples to cooperation among governments, from regional cooperation to world-wide cooperation, and from cooperation in economic, cultural and political fields to cooperation also in the military field. The realization of this objective requires much effort, but it is critical to the victory of freedom. We appeal to all free men who love justice to dedicate themselves to this task.

Most urgently the task must begin in Asia—to form a regional security organization for Asia and the Pacific. With the adoption of the new Asian policy by the U.S., the task has become the vital avenue to the defense of freedom and security of the Asian countries. It is my fervent hope that Mr. Spiro Agnew, having learned more of the actual situation, aspirations and needs of the Asian countries, will help persuade the U.S. government to render positive support to the forming of the Asian-Pacific regional security organization.

As was recently pointed out by President Chiang Kai-shek, with the vast territory and population, cultural tradition, industrial potential and the strong armed forces in the free nations of Asia, if these nations will combine their strength and cooperate, a great and just force will be formed culturally, politically, economically and even militarily. This force will be able to assure stability and peace for Asia and even for the world, and to create an Asian era of security, freedom, prosperity and progress. In this direction we shall exert ourselves, to bring to the peoples of Asia human dignity, guarantee of human rights, democracy, well-being, happy family life, national independence and equality.

In this battle for freedom, we people of the Republic of China will unite our effort with the resistance of the mainland people against Mao's Communist Party, to destroy his regime and eliminate tyranny. We shall thus remove the chief source of troubles for Asia and lay the foundation for Asian security, world peace and freedom for all mankind.

I am firmly convinced that we people of the Republic of China under the leadership of President Chiang will all fight for freedom, believing in its final victory and shouldering the duty of its defense. Let us take our positions on the forefront to achieve victory in the defense of freedom for the whole world. Let us look to the total and lasting victory of freedom in the '70s.

VICE PRESIDENT C. K. YEN'S FREEDOM DAY ADDRESS

Today is the 16th anniversary of Freedom Day. The Freedom Day movement is highly significant in the development of the struggle against Communism. It was on this momentous day that a group of anti-Communist freedom fighters called upon the spirit of justice and realized their ideal. In doing so, they dealt a lethal blow to the whole system of Communist tyranny, opened the eyes of the democracies and assured the success of the free world in maintaining the dignity of humankind. This movement quickly gained the support of all freedom-loving people and became a part of the worldwide anti-Communist crusade. Representatives from all walks of the nation's life are gathered at this mass rally today in order to mark the occasion with solemnity and at the same time to expand the international scope of the united front of anti-Communism. Once again we announce our unswerving determination to destroy the Iron Curtain and deliver our enslaved people.

Sixteen years ago, more than 14,000 of our anti-Communist freedom seekers in Korea overcame all obstacles along the demarcation line between freedom and enslavement and between day and night. In the end their conscience, their willingness to shed their blood, their determination and their courage prevailed. They bravely made their wise decision. This momentous occurrence demonstrates how those shut behind the Iron Curtain hate Communism and love freedom. The free world has been stelled in its faith that justice will be upheld. The Freedom Day Movement engendered by this great event has produced a surging wave of anti-Communism strong enough to penetrate the Iron Curtains of both East and West. Tens of thousands of enslaved people have been inspired to escape from enslavement and seek freedom in the clear illumination from our lighthouses of liberty. No one can deny that the Freedom Day movement has profoundly influenced the world-wide anti-Communist struggle.

Even so, humankind remains half slave and half free. Those of us who stand on the far frontiers of the world anti-Communist movement have responsibility for reminding all mankind of the necessity to heighten its anti-Communist vigilance so as to safeguard world peace and human freedom. We must go on to unite the anti-Communist strength of all the world, destroy the Iron Curtain and bring all of the enslaved peoples out into the fresh air of freedom.

I would like to take advantage of this opportunity to suggest the following three points of reference, for our compatriots and other freedom-loving people of the world.

First, we need to warn the free world once again that at both the Chinese and Russian Communists are pursuing the goal of global communization. With world peace and the freedom of humankind subjected to such imperilment, no single nation or people can exist in isolated security. We are all in the same boat and our inertests are identical. That being the case, we must call upon all the free countries to move forward together, shoulder to shoulder, in a worldwide anti-Communist united front.

Second, the aggressiveness of the Maoist regime was unanimously recognized by the free world countries as long ago as the Ko-

rean War period. If any country now entertains the illusion of making friends with the Chinese Communists, it can only invite endless trouble for itself and prolong the suffering of the 700 million Chinese people shut behind the Iron Curtain. We have reason to ask that all free countries distinguish friends from enemies, recognize their own self-interest and disinterest, and abandon any false hope that the Chinese Communists can be appeased.

Third, President Chiang Kai-shek has pointed out that recovery of the Chinese mainland and the annihilation of the Maoists is the common obligation and unceasing dedication of the Chinese people. In the changing world situation of today, I must call upon our civilian and military compatriots and the overseas Chinese to understand the direction of our Revolution, to consolidate our anti-Communist position and to bring the totality of our strength together for the common struggle. Under the inspired direction of our great leader President Chiang Kai-shek, we shall accomplish the sacred mission of recovering the mainland and delivering our compatriots.

SPEECH OF MR. LUBOMIR HANAK, PRESIDENT OF EUROPEAN COORDINATION CENTER

Mister President, Messieurs les Ambassadeurs, Messieurs les Ministres, Ladies and Gentlemen, My Dear Chinese Friends:

Since I have the privilege to be here, today, with you, to attend the celebration of the "Freedom Day," I would like to avail myself of this opportunity to transmit to you the heartiest greetings from your freedom-living European friends and to express to all of you their sympathy and their solidarity in your struggle against the Communist tyranny.

It is for me very comforting to see thousands of you gathered here to commemorate the day on which 14,000 Chinese soldiers chose liberty and were finally allowed to join their free fellow-citizens on this island, the citadel of freedom.

In those remote days, other thousands of men, women and children passed the frontiers in Europe, in spite of the Iron Curtain, in spite of all dangers and uncertainty of their future, to escape the Soviet Communist tyranny which spread on the European Continent after the last World War and seized a half of it, so that 104 millions found themselves imprisoned in a vast camp of concentration. Those thousands of refugees, and I am one of them, left, just like their Chinese comrades, everything behind—fortune, life-work and, in very many cases, their families.

The ideals, for which the freedom-loving peoples fought for five long years, were annihilated by the treacherous Soviet imperialism and a half of Europe is now suffering just as your fellow citizens are suffering on the Chinese mainland under the yoke of the Mao Tse-tung tyranny.

The hundreds of thousands of European refugees had to spread all over the world to start a new life and reconstruct their existence. The Chinese refugees were happier. They found here, in Taiwan, in this free province of the Republic of China, their fellow-citizens, aid and brotherhood. They were able to join the national community and contribute by and by to the economic, social and political miracle of the Republic of China which, headed by its far-seeing President Chiang Kai-shek, has become a haven of freedom and prosperity in this part of the world.

I have come from Europe to admire the achievements of the Chinese Republic and to discuss with your leaders the possibilities of strengthening of the liberation struggle against our mutual enemy—Communism—and the coordination of our efforts. This is not only to contain Communism but also to start an offensive against it. I know that you, living on this island, may be surprised about the European ignorance of the situation in the Far East. Europe and, I would say, almost the entire "free" world has the eyes shut: one does not see or one will not see reality. Communism is actually contaminating the minds of all people living in the so-called "free" world, crowded with all kinds of surrenderers and appeasers, whilst loosing support, not speaking about sympathy there, where it is installed. Therefore, every day new refugees join our ranks and if the Iron and Bamboo Curtains be not so tight, millions of citizens would pour out of the violated countries. Communism is no solution to the sickness of humanity. Communism means bankruptcy of all values, fatal impoverishment and finally death of mankind. That is why I consider Taiwan as the most important point of the globe actually, and as soon as I shall be back in Europe I will to the best of my ability inform the public as well as those upon whom we depend, about all that I have seen from north to south of this province. Taiwan is already an uncontestable proof of the success over Communism.

The European Coordination Center, which I have the honor to preside, is striving to contribute to the edification of Europe at the level of the people, which means *"with Governments if possible, without Governments if necessary"*. I think that this idea can be applied everywhere. Faced with the Communist danger, there is no other choice left for us. We have to lean upon the people to rid the world of that evil thought. We have to put into being a great solidarity movement to cope with our common danger.

You have here in Asia the Asian Peoples Anti-Communist League presided by Dr. Ku Cheng-kang. I incline myself before his idealism, his dynamism and his efficiency. All those of us who have been acquainted with Communism have to be thankful to Dr. Ku and the organization he presides for what has already been done by them in safeguarding freedom in the endangered Asiatic countries.

Your great President Chiang Kai-shek said in his New Year Message that the destiny of China is in the hands of the Chinese. I would like to say that the destiny of all the enslaved people lie in their own hands. They will awaken one day which is not far remote, and overthrow tyranny themselves if we keep on with our struggle efficiently.

Humanity is passing a very bad period but history has taught us that truth always prevails. You, Chinese, have the advantage of a tremendous culture of 5,000 years. You have been enriched by the teachings of Confucius and Mencius since antiquity. Dr. Sun Yat-sen taught you the SAN MIN CHU I sixty years ago and you have the privilege to be led by President Chiang Kai-shek who is an example to all of us and to whom the liberated humanity will owe respect and recognition in the future history.

Let us join our efforts in Europe, in Asia and in Africa, let us put hands together, let us open our hearts to the eternal ethics of mankind, and, I am sure, we shall march together to victory.

Lastly, I wish the Chinese people success. Long Live President Chiang!

DECLARATION ISSUED AT THE 1970 FREEDOM DAY MASS RALLY

On this Freedom Day of 1970, we representatives of all walks of life in the Republic of China, should like to take stock of the current world situation as it affects mankind's struggle for freedom.

On the threshold of the 1970s, man is fully prepared to create a genuinely free world for himself; Freedom Day, which symbolizes the victory of the forces of freedom over those of enslavement, should shine more gloriously than ever before. Unfortunately, however, owing to the spread of the deadly influences of Communism and the unpardonable sins committed by advocates of appeasement, human freedom is being crushed in many parts of the world, threatened and destroyed in other parts, and betrayed in still others. This is the result of historic mistakes as well as a reflection on the statesmanship of the times. We free men and women who set our aims high are determined to reverse the trend and make the cause of freedom prevail.

All those present at today's mass rally feel strongly that, as a free man, everybody should measure up to his convictions and act accordingly so as to insure victory to the cause of freedom.

We firmly believe that freedom is invincible and enslavement is doomed to defeat its own purposes. This is no mere illusion, for freedom is the ultimate goal of human endeavor and of social progress, as evidenced by historical developments. The evolution of human civilization is, as a matter of fact, a history of the struggle for freedom. Therefore, the victory of the forces of freedom is irresistible and any obstacles standing in their way will be swept away. Nor should we be passive optimists. Freedom cannot be attained without effort. On the contrary, it will come only through arduous struggles.

Free men should not lose faith in freedom. They should not be cowed by the apparent strength of Communism, nor should they take refuge in compromises and meek submission for the sake of temporary gains. Though the cause of freedom will triumph, weakness on our part can only usher in another dark age in human history.

But such an outcome must and can be avoided, if all free men remain firm and have the courage of their moral convictions.

It is clear that the duties of free men are not confined to the preservation of their own freedom. It is also part of their duty to do everything in their power to help the great masses of enslaved people to regain their freedom by putting an end to the totalitarian regimes under which they are living. Those of us who are more fortunate than our brethren behind the Iron Curtain should help them in every possible way to defeat their Communist oppressors and shake off the shackles the Communists have fastened on them.

The question before us is that if the system of Communist enslavement should remain unchallenged, if over one billion people should continue to be enslaved and persecuted, and if the criminal acts of aggression should be condoned, then the freedom and security of every nation would be endangered and no nation could be free and secure. Therefore, we should like to call upon the nations of the free world to frown upon all ideas of appeasement, isolationism, and self-centered realism and exert their best efforts for the sake of their own security and of human freedom.

There are some people in not a few countries who, in the name of "freedom" and "being progressive," are committing acts that betray and destroy freedom. There are also other people who, whether internationally or not, misread the meaning of freedom and do things that better qualify them as libertines. To both kinds of people we should like to appeal and call upon them to take their own actions more seriously. They should return to the camp of the freedom-fighters in order to redeem their past mistakes.

We must emphasize in particular that the most urgent task confronting freedom-lovers is to present a united front irrespective of nationality, race, religion, or regional differences to work for the common goal. In our own country we will strengthen our efforts to join forces with all anti-Maoist and anti-Communist elements on the mainland to hasten the downfall of the Peiping regime. In Asia we would do our share to speed up

the formation of an Asian and Pacific Regional Security Organization so that the Asian countries may depend upon their own strength to do away with the source of the troubles which are plaguing them and to protect the freedom and security of this region. In the world at large we would do our best to work for an expanded international anti-Communist united front so that, with the combined strength of all freedom-loving peoples, the nefarious Communist system can be destroyed, enslavement can be ended, a solid foundation can be laid for a lasting world peace, and a new era of freedom and happiness can be ushered in.

On this Freedom Day we the people of the Republic of China do hereby reiterate our determination to rally round President Chiang Kai-shek and, with a firm conviction in the invincibility of freedom, shoulder the sacred task of defending it. We will march hand in hand with all those who stand up for freedom and justice. We will set in motion a world-wide campaign to arouse the silent majority to action. We will point out the mistakes of the appeasers. We will do all this with the ultimate objective of defeating Communism to usher in a new epoch in the 1970s in which freedom shall reign supreme.

MESSAGE TO HIS EXCELLENCY U THANT, SECRETARY GENERAL OF THE UNITED NATIONS, AND TO ALL MISSIONS TO THE UNITED NATIONS

Freedom Day, as a movement for human freedom, was created to mark the occasion when more than 22,000 Communist prisoners of war chose to return to freedom after Korea War under the guiding principle of voluntary repatriation as strongly advocated by the United Nations.

It was resolved at the General Conference of the World Anti-Communist League that Freedom Day shall be observed as World Freedom Day in order to promote human dignity in accordance with the spirit of U.N. Charter and to assist peoples behind the Iron Curtain to rise against Communist dictatorship.

As the World Freedom Day and International Anti-Communist United Front Movement is being fervently and widely observed today here throughout the Republic of China, it is unanimously resolved at the mass rallies to present to Your Excellency this message, calling on you for your sustained efforts to protect the spirit of the U.N. Charter, to render strong support in the cause of justice to all enslaved peoples behind the Iron Curtain for their heroic struggle for freedom, and to absolutely refuse admitting to the U.N. the Chinese Communist regime which has, domestically, maintained slavery rule while, internationally, committed aggressions and, therefore, threatened the security of Asia and become the very source of all world disasters today. This is the only way to protect the United Nations from being controlled and subverted by the Communists. And this is the only way to keep the United Nations glorifying over the new era of the seventies as real sanctuary for human freedom, international justice, and world peace.

KU CHENG-KANG,
General Chairman, The Rally for World Freedom Day and International Anti-Communist United Front Movement, Republic of China.

MESSAGE TO HIS EXCELLENCY RICHARD M. NIXON, PRESIDENT OF THE UNITED STATES OF AMERICA

YOUR EXCELLENCY: Sixteen years ago today, more than 22,000 ex-Communist POWs of the Korea War reached freedom here and in South Korea under the United Nations' principle of voluntary repatriation and with your and President Eisenhower's righteous support. January 23 every year thereafter has been observed in the Republic of China as Freedom Day, symbolizing the enslaved people's victorious struggle for freedom. Far-reaching influences have been recorded at home and abroad. Furthermore, it was decided in 1968 that January 23 should be marked as World Freedom Day by all the member units of the World Anti-Communist League. As all of us representatives of the Republic of China's various circles meet for World Freedom Day rallies in Taipei and elsewhere throughout the nation today, we wish to express our highest respect and sincere gratitude for the American contribution to the cause of freedom.

Last year we noted the Chinese Communist Party's decision at its Ninth National Congress to push its belligerent external policy following the failure of the Mao-Lin clique's "great proletarian cultural revolution". Peiping has continued to plot and support the Vietnamese and Laotian Communists' rebellious activities. The regime's infiltration and subversive moves have been extended to Thailand, Malaysia and other countries of the Asian and Pacific region. The Soviet Union also is stepping up its activities in the area and has been attempting to set up an Asian collective security system to its advantage. All these show that the freedom and security of Asian nations are under the dual threat of the Red bloc's military expansionism and political intrigues.

All the free Asian governments and people are now eagerly hoping that the United States will continue to uphold its traditional stand in support of human freedom and international justice, arouse the silent majority of Americans and join all the U.S. forces representing righteousness in checking the countercurrent of appeasement and smashing the united front scheme of the Communists. The U.S. must take a firmer stand and launch more positive moves in perfect coordination with the freedom forces of Asia.

We are convinced that with your profound understanding of the true nature of Communists and your concern over the welfare of Asians, you will continue to lead your people along the correct path of our time so that a firm foundation for the victory of freedom and peace can soon be established and a new era of true freedom can start in the 1970s.

With our very best wishes for Your Excellency's continued health and your nation's constant progress, we are,

Respectfully yours,

KU CHENG-KANG,
General Chairman, The Rally for World Freedom Day and International Anti-Communist United Front Movement, Republic of China.

MESSAGE TO HIS EXCELLENCY PARK CHUNG HEE, PRESIDENT OF THE REPUBLIC OF KOREA

YOUR EXCELLENCY: More than 22,000 ex-Communist POWs of the Korean War chose freedom and regained a life of comfort and happiness 16 years ago with the unanimous support of the governments and people of your and our countries in line with the United Nation's voluntary repatriation principle. That was an event of true political significance assuring all the people that the cause of freedom would ultimately triumph. All of us representatives of various circles meeting in Taipei and elsewhere throughout the Republic of China today to mark this historical Freedom Day wish to express our highest respect to Your Excellency and your people.

Under your farsighted able guidance, your people have incessantly worked for the Republic of Korea's political stability, economic prosperity and military invincibility. As an invulnerable free world stronghold in northeast Asia, your country is fast gaining importance in the international arena. Your people have successfully foiled all the Korean Communist attempts at infiltration and armed disturbance. The soldiers sent by your government to the Vietnam front have won the unanimous attention and praise of righteous people everywhere with their wisdom, gallantry and brilliant anti-Communist war records.

Your nation and ours have been the two closest anti-Communist allies in Asia. The unity and cooperation must be strengthened in view of the world and Asian trends hereafter. The two nations were the first to advocate the setting up of an anti-Communist league in Asia. The two must work together now to speed up the establishment of an Asian and Pacific regional security organization. Preparations must continue for the destruction of the Communist regimes, national unification and salvation of the people. Only in this way can the two nations contribute most importantly to Asian security, world peace and human freedom.

With our very best wishes for Your Excellency's continued health and your nation's constant progress, we are,

Respectfully yours,

KU CHEN-KANG,
General Chairman, The Rally for World Freedom Day and International anti-Communist United Front Movement, Republic of China.

MESSAGE TO HIS EXCELLENCY NGUYEN VAN THIEU, PRESIDENT OF THE REPUBLIC OF VIETNAM

On behalf of the representatives of all walks of life in the Republic of China, in fervently observing the World Freedom Day at mass rallies held here in various cities throughout our country, I wish to present to Your Excellency our highest respects for your people and armed forces under Your Excellency's leadership in their fight for freedom and democracy and against Communist aggression, and our greatest admiration for your government's achievement in economic and democratic reconstructions under the hardship of war.

We deeply believe that Asia is the center of world situation whereas Vietnam is the focal point of the situation in Asia. The aggression committed by the North Vietnamese Communists under the support of international Communists against the Republic of Vietnam is by no means an isolated event. It is an event of whole Asia, and even of the whole world. Consequently, we shall never let the vicious Communists to gain any more on the battlefield of Vietnam, nor to accomplish their end through political intrigues. Fortunately, as the war is being carried on, your great country has been ever growing stronger and stronger. There are also indications of new awakening and new endeavors among other Asian countries under the current situation. They are proceeding towards establishing an Asian-Pacific regional security organization. Asian peoples are determined to safeguard their own survival and freedom with their own united force. Furthermore, we wish to take this opportunity to reaffirm our full support for the Republic of Vietnam in maintaining a rigid stand towards the peace talks in Paris and the withdrawal of U.S. troops from Vietnam and to pledge to you our all possible assistance to your country's struggle for freedom. Finally, I sincerely wish your country continued prosperity and Your Excellency the best of health.

Respectfully yours,

KU CHENG-KANG,
General Chairman, the Rally for World Freedom Day and International Anti-Communist United Front Movement, Republic of China.

MESSAGE TO GEN. CREIGHTON W. ABRAMS, COMMANDER IN CHIEF OF ALLIED FORCES IN VIETNAM, AND TO ALL OFFICERS AND ENLISTED MEN OF ALLIED COMBAT TROOPS IN VIETNAM FROM THE UNITED STATES, AUSTRALIA, NEW ZEALAND, KOREA, THE PHILIPPINES, AND THAILAND

On behalf of the representatives of all walks of life in the Republic of China, congregating here in Taipei and other cities throughout our country today at mass rallies for observing the World Freedom Day and promoting international anti-communist United Front Movement, I wish to express highest respects for you and all officers and enlisted men of allied forces in Vietnam who have been fighting to defeat the Viet Cong's military scheme at a time when international appeasement is widely advocated and Communist united front intrigues are in full swing.

It is unanimously resolved in the Rallies to present to you and all officers and enlisted men our deepest sympathy and comfort. When the Republic of Vietnam is under the armed aggression of Viet Cong and the international Communists, your spirit of justice and heroism, as shown in fighting for world peace and human freedom on the battlefield of Vietnam—the frontier of world anti-Communist war—has set a good model for the anti-aggression united operation of whole mankind.

It is our sincere hope that sustained efforts will be made to achieve our final aim and to inflict severe punishment on the Communist aggressors in order that, in consequence of your heroic and just action, a sound foundation can be laid for the independence and freedom of the Republic of Vietnam as well as the peace and security of the world.

The people of the Republic of China here solemnly pledge to stand behind you and all officers and enlisted men of allied forces in Vietnam to the last.

KU CHENG-KANG,
General Chairman, The Rally for World Freedom Day and International Anti-Communist United Front Movement, Republic of China.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REIFEL (at the request of Mr. GERALD R. FORD) for the balance of the week, on account of official business.

Mr. ESCH (at the request of Mr. GERALD R. FORD), for today and the balance of the week, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALL for 15 minutes, today.

Mr. MICHEL, for 10 minutes, today.

Mr. PUCINSKI, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. WHALEN); to revise and extend their remarks and include extraneous matter:)

Mr. CONTE, for 30 minutes, on February 19.

Mr. PRICE of Texas, for 5 minutes, today.

Mr. MACGREGOR, for 15 minutes, today.

Mr. STEIGER of Wisconsin, for 60 minutes, today.

Mr. WYMAN, for 60 minutes, today.

(The following Members (at the request of Mr. FLOWERS); to revise and extend their remarks and include extraneous matter:)

Mr. ADDABBO, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. MIKVA, for 30 minutes, on February 24.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FLYNT, and to include extraneous material.

Mr. GERALD R. FORD to extend his remarks following the President's letter of transmittal today, and to include the President's "U.S. Foreign Policy for the 1970's."

Mr. PHILBIN to revise and extend his remarks and to include extraneous material on his statement today.

(The following Members (at the request of Mr. WHALEN) and to include extraneous matter:)

Mr. BRAY in two instances.
Mr. BLACKBURN in two instances.
Mr. KUYKENDALL.
Mr. HALPERN in two instances.
Mr. DELLENBACK in two instances.
Mr. BELL of California.
Mr. ASHBROOK in two instances.
Mr. COLLIER in three instances.
Mr. HARVEY.
Mr. RHODES.
Mr. MAILLIARD in two instances.
Mr. SCHADEBERG.
Mr. SCHERLE.
Mr. BURKE of Florida.
Mr. HOGAN.
Mr. MINSHALL in two instances.
Mr. CONTE.
Mr. ARENDS.
Mr. TALCOTT in three instances.
Mr. HOSMER in three instances.
Mr. LUKENS.
Mr. SCOTT.
Mrs. REID of Illinois in two instances.
Mr. REID of New York.
Mr. MCCLURE.
Mr. SCHWENGEL.
Mr. BUSH.
Mr. UTT.
Mr. PELLY.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mr. JACOBS.
Mr. TUNNEY.
Mr. CELLER.
Mr. ADDABBO in two instances.
Mr. RARICK in three instances.
Mr. PURCELL in two instances.
Mr. SCHEUER.
Mr. GIAIMO in five instances.
Mr. GALLAGHER.
Mr. PIKE.
Mr. RYAN in three instances.
Mr. GONZALEZ.
Mr. TEAGUE of Texas in six instances.
Mr. RODINO.
Mr. BRADEMAS in six instances.
Mr. DONOHUE in two instances.
Mr. CHAPPELL in three instances.
Mr. BROWN of California in four instances.
Mr. COHELAN in three instances.
Mr. EDWARDS of Louisiana in two instances.
Mr. EDWARDS of California in two instances.
Mr. LOWENSTEIN in three instances.
Mr. NICHOLS in two instances.
Mr. MIKVA in three instances.
Mr. FLOWERS in three instances.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mrs. GRIFFITHS.
Mr. WOLFF in two instances.
Mr. PEPPER.
Mr. FRIEDEL in two instances.

SENATE BILL AND JOINT RESOLUTIONS REFERRED

A bill and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3274. An act to implement the Convention on the Recognition and Enforcement of Foreign Arbitral Awards; to the Committee on the Judiciary.

S.J. Res. 127. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in the International Petroleum Exposition to be held at Tulsa, Okla., from May 15, 1971, through May 23, 1971; to the Committee on Foreign Affairs.

S.J. Res. 172. Joint resolution to authorize the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week"; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 14789. An act to amend title VIII of the Foreign Service Act of 1946, as amended, relating to the Foreign Service Retirement and Disability System, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 55. An act for the relief of Leonard N. Rogers, John P. Corcoran, Mrs. Charles W. (Ethel) Pensinger, Marion M. Lee, and Arthur N. Lee;

S. 1678. An act for the relief of Robert C. Szabo; and

S. 2566. An act for the relief of Jimmie R. Pope.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 19, 1969, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1662. A letter from the Administrator of Veterans' Affairs, Veterans' Administration, transmitting the annual report of activities for the fiscal year ending June 30, 1969, pursuant to the provisions of 38 U.S.C. 214 (H. Doc. No. 233); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1663. A letter from the Acting Deputy Director, Bureau of the Budget, Executive Office of the President, transmitting a copy of the Federal plan for meteorological services and supporting research as a report of the character, plans, and costs of all Government weather services, pursuant to the provisions of section 304 of the Department of Commerce Appropriation Act of 1963; to the Committee on Appropriations.

1664. A letter from the Assistant Secretary of the Interior, transmitting a copy of the Bonneville Power Administration's Annual Report for the Fiscal Year 1969, which includes the financial statement relative to the Federal Columbia River power system, pursuant to the provisions of Public Law 89-448; to the Committee on Interior and Insular Affairs.

1665. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report on equal opportunity in housing, pursuant to the provisions of Public Law 85-315; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee of conference. Conference report on H.R. 2 (Rept. No. 91-841). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 15978. A bill to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. BYRNES of Wisconsin:

H.R. 15979. A bill to provide that the interest on certain insured loans sold out of the agricultural credit insurance fund shall be included in gross income; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 15980. A bill to make certain revisions in the retirement benefits of District of Columbia public school teachers and other educational employees, and for other purposes; to the Committee on the District of Columbia.

By Mr. ABERNETHY:

H.R. 15981. A bill to prohibit the involuntary busing of schoolchildren and to adopt freedom of choice as a national policy; to the Committee on the Judiciary.

H.R. 15982. A bill proposing an amendment to the Constitution of the United States with respect to freedom of choice for children attending elementary and secondary schools; to the Committee on the Judiciary.

H.R. 15983. A bill to amend the Internal Revenue Code of 1954 with respect to the tax-exempt status of, and the deductibility of contributions to, certain private schools; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 15984. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 15985. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15986. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 15987. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 15988. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 15989. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. FALLON:

H.R. 15990. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOOD:

H.R. 15991. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

By Mr. HALL:

H.R. 15992. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

Br. Mr. HANLEY:

H.R. 15993. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JARMAN:

H.R. 15994. A bill to prevent Federal officers or agencies from encouraging or requiring busing of elementary and secondary school pupils to public schools other than their neighborhood schools; to the Committee on Education and Labor.

By Mr. LLOYD:

H.R. 15995. A bill authorizing the conveyance of certain lands to the University of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of Illinois:

H.R. 15996. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 15997. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILBIN:

H.R. 15998. A bill to authorize the disposal of Surinam-type metallurgical grade bauxite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. WOLD:

H.R. 15999. A bill to amend title 38 of the United States Code to increase the rates and income limitations relating to payment of pension and parents' dependency and indemnity compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ABERNETHY:

H.R. 16000. A bill relating to the policy with respect to the application of certain provisions of Federal law; to the Committee on Education and Labor.

By Mr. ADAMS:

H.R. 16001. A bill to amend the Interstate Commerce Act in order to give the Interstate Commerce Commission additional authority to alleviate freight car shortages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL of California:

H.R. 16002. A bill to amend title XVIII of the Social Security Act to allow certain persons eligible for supplementary medical insurance benefits who failed to enroll in that program due to absence from the United States to enroll within a specified period after their return; to the Committee on Ways and Means.

By Mr. BUTTON:

H.R. 16003. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREY (by request):

H.R. 16004. A bill to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL (for himself and Mr. GOODLING):

H.R. 16005. A bill to provide additional funds for certain wildlife-restoration projects, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FARBSTEIN:

H.R. 16006. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

H.R. 16007. A bill to amend title II of the Social Security Act to provide that the entitlement of an insured individual and his dependents to benefits shall (if it would increase the total amount payable to the family) extend through the month of such individual's death; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 16008. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

H.R. 16009. A bill to amend title 14 of the United States Code to authorize the Secretary to control movement of vessels in navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. GONZALEZ:

H.R. 16010. A bill to amend the Public Health Service Act so as to add to such act a new title dealing especially with kidney disease and kidney-related diseases; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNGATE (for himself and Mr. GUDE):

H.R. 16011. A bill to extend the protection of the mechanic's lien law of the District of Columbia to subcontractors beyond the first tier, and for other purposes; to the Committee on the District of Columbia.

By Mr. MIKVA:

H.R. 16012. A bill to prohibit the introduction, transportation, or distribution in interstate commerce of gasoline containing lead; to the Committee on Interstate and Foreign Commerce.

H.R. 16013. A bill to amend the National Emission Standards Act to authorize the Secretary of Health, Education, and Welfare to set motor vehicle emission standards for used as well as new motor vehicles, to eliminate the Federal preemption of State motor vehicle emission standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16014. A bill to provide priority in the processing of applications for patents on air pollution devices; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.R. 16015. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 16016. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTEN:

H.R. 16017. A bill to provide opportunities for American youth to serve in policymaking positions and to participate in National, State, and local programs of social and economic benefit to the country; to the Committee on Education and Labor.

By Mr. SEBELIUS (for himself and Mr. WINN):

H.R. 16018. A bill to amend the Interstate Commerce Act in order to give the Interstate Commerce Commission additional authority to alleviate freight car shortages, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BUSH (for himself, Mr. BUCHANAN, Mr. STEIGER of Wisconsin, Mr. SEBELIUS, Mr. VANDER JAGT, Mr. GOODLING, Mr. MILLER of Ohio, Mr. DON H. CLAUSEN, and Mr. PIRNIE):

H.R. 16019. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BUSH (for himself, Mr. STEIGER of Wisconsin, Mr. GOODLING, Mr. BUCHANAN, and Mr. PIRNIE):

H.R. 16020. A bill to establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

By Mr. BUSH (for himself, Mr. STEIGER of Wisconsin, Mr. GOODLING, Mr. VANDER JAGT, Mr. BUCHANAN, and Mr. PIRNIE):

H.R. 16021. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

By Mr. BUSH (for himself, Mr. BUCHANAN, Mr. GOODLING, and Mr. PIRNIE):

H.R. 16022. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. DON H. CLAUSEN (for himself, Mr. MILLER of Ohio, Mr. BUSH, Mr. SEBELIUS, Mr. BUCHANAN, Mr. VANDER JAGT, and Mr. PIRNIE):

H.R. 16023. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

By Mr. COLLIER (for himself, Mr. BRAY, Mr. QUILLEN, Mr. MCKNEALLY, Mr. ZWACH, Mr. CONABLE, Mr. CONTE, Mr. BROTZMAN, Mr. WYLIE, Mr. CHAMBERLAIN, Mr. HASTINGS, Mr. CARTER, Mr. WIDNALL, Mr. BURTON of Utah, Mr. WIGGINS, Mr. MACGREGOR, Mr. BERRY, Mr. FISH, Mr. ROBISON, Mr. ADAIR, Mr. BETTS, Mr. BIESTER, Mr. MOSHER, Mr. STAFFORD, and Mr. MINSHALL):

H.R. 16024. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 16025. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16026. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16027. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16028. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16029. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16030. A bill to establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

By Mr. GERALD R. FORD (for himself, Mr. ARENDS, Mr. ANDERSON of Illinois, Mr. POFF, Mr. TAFT, Mr. BOB WILSON, Mr. SMITH of California, Mr. RHODES, Mr. MORTON, Mr. MCCULLOCH, Mr. MAYNE, Mr. BYRNES of Wisconsin, Mr. HALPERN, Mr. WYATT, Mr. PRICE of Texas, Mr. PELLY, Mr. ESHLEMAN, Mr. THOMSON of Wisconsin, Mr. TALCOTT, Mr. HOSMER, Mr. CUNNINGHAM, Mr. KUYKENDALL, and Mr. DERWINSKI):

H.R. 16031. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 16032. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16033. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16034. A bill to establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16035. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16036. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16037. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. HANSEN of Idaho (for himself, Mr. MESKILL, Mr. CAMP, Mr. ESCH, Mrs. MAY, Mr. BLACKBURN, Mr. ERLENBORN, Mr. BUTTON, Mr. SCHNEEBELI, Mr. GUBSER, Mr. SANDMAN, Mr. STEIGER of Arizona, Mr. HUTCHINSON, Mr. KYL, Mr. BROOMFIELD, Mr. FINDLEY, Mr. BOW, Mr. LATTA, Mr. BELL of California, Mr. WATSON, Mr. POLLOCK, Mr. SHRIVER, Mr. KLEPPE, Mr. BURKE of Florida, and Mr. WYDLER):

H.R. 16038. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 16039. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16040. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air polution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16041—A bill to establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16042. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16043. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16044. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. McDONALD of Michigan (for himself, Mr. SCOTT, Mr. LUJAN, Mr. MCCLORY, Mr. FREY, Mr. PETTIS, Mr. CRANE, Mr. KEITH, Mrs. REID of Illinois, Mr. WAMPLER, Mr. CORBETT, Mr. BEALL of Maryland, Mr. MCCLURE, Mr. LLOYD, Mr. CEDERBERG, Mr. GOLDWATER, Mr. KING, Mr. DUNCAN, Mr. DENNEY, Mr. TEAGUE of California, Mr. EDWARDS of Alabama, Mr. LANDGREBE, Mr. HOGAN, Mr. SCHWENGEL, and Mr. SMITH of New York):

H.R. 16045. A bill to amend the Land and Water Conservation Fund Act of 1965, as

amended, and for other purposes; to the Committee on Government Operations.

H.R. 16046. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16047. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committe on Interstate and Foreign Commerce.

H.R. 16048. A bill to establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16049. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16050. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16051. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. MATHIAS (for himself, Mr. SCHADEBERG, Mr. DEVINE, Mr. HUNT, Mr. QUIE, Mr. COWGER, Mr. HARVEY, Mrs. DWYER, Mr. FRELINGHUYSEN, Mr. MAILLIARD, Mr. WOLD, Mr. HORTON, Mr. MICHEL, Mr. WEICKER, Mr. WINN, Mr. COUGHLIN, Mr. LANGEN, Mr. STANTON, Mr. WHALEN, Mr. RAILSBACK, Mr. LUKENS, and Mr. WILLIAMS):

H.R. 16052. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 16053. A bill to authorize the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, to extend the provisions of the Solid Waste Disposal Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16054. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16055. A bill to establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16056. A bill to amend the Federal Water Pollution Control Act, as amended, to provide financial assistance for the construction of waste treatment facilities, and for other purposes; to the Committee on Public Works.

H.R. 16057. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 16058. A bill to amend the Federal Water Pollution Control Act,, as amended; to the Committee on Public Works.

By Mr. RIEGLE (for himself, Mr. MCCLOSKEY, Mr. VANDER JAGT, Mr. SEBELIUS, Mr. GOODLING, Mr. MILLER of Ohio, Mr. STEIGER of Wisconsin, Mr. DON H. CLAUSEN, and Mr. PIRNIE):

H.R. 16059. A bill to amend the Clean Air Act so as to extend its duration, provide for national standards of ambient air quality, expedite enforcement of air pollution control standards, authorize regulation of fuels and fuel additives, provide for improved controls over motor vehicle emissions, establish standards applicable to dangerous emissions from stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT (for himself, Mr. STEIGER of Wisconsin, Mr. SEBELIUS, Mr. BUCHANAN, Mr. GOODLING, and Mr. PIRNIE):

H.R. 16060. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. HALL:

H.J. Res. 1084. Joint resolution authorizing the President to proclaim the period of July 13 through July 19, 1970, as "National Electronics Week"; to the Committee on the Judiciary.

By Mr. MIKVA:

H.J. Res. 1085. Joint resolution to repeal legislation relating to the use of the Armed Forces of the United States in certain areas outside the United States and to express the sense of the Congress on certain matters relating to the war in Vietnam, and for other purposes; to the Committee on Foreign Affairs.

By Mr. NICHOLS:

H.J. Res. 1086. Joint resolution proposing an amendment to the Constitution of the United States with respect to freedom of choice for children attending elementary and secondary schools; to the Committee on the Judiciary.

By Mr. ALEXANDER:

H. Con. Res. 510. Concurrent resolution expressing the sense of the Congress in opposition to the high-interest-rate policy; to the Committee on Banking and Currency.

By Mr. WOLFF (for himself, Mr. ADDABBO, Mr. BIAGGI, Mr. BINGHAM, Mr. BURKE of Florida, Mr. BUTTON, Mr. CAREY, Mr. DERWINSKI, Mr. FARBSTEIN, Mr. FULTON of Pennsylvania, Mr. GROVER, Mr. HALPERN, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. LOWENSTEIN, Mr. MCKNEALLY, Mr. NIX, Mr. PEPPER, Mr. PIKE, Mr. ROSENTHAL, Mr. RYAN, Mr. SCHEUER, Mr. WHITEHURST, Mr. WILLIAMS, and Mr. WYDLER):

H. Con. Res. 511. Concurrent resolution expressing the sense of Congress that the United States should sell Israel aircraft necessary for Israel's defense; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H. Res. 841. Resolution to disapprove Reorganization Plan No. 1; to the Committee on Government Operations.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

396. By the SPEAKER: Petition of Daniel Edlord Leveque, Sheboygan, Wis., relative to redress of grievances; to the Committee on the Judiciary.

397. By Mr. BRINKLEY: Petition of Mrs. C. B. Short, Mrs. Lula Bailey, C. B. Short, of Americus, Ga.; Mrs. Harold J. Israel, Harold J. Israel, Mrs. Oliver Mills, Oliver Mills, Grigsby T. Chappell, Mrs. Grigsby T. Chappell, Ronnie Mills of Smithville, Ga., et al., to petition the President, Congress, and courts of the United States of America to heed the following with all deliberate speed: 1. Grant freedom-of-choice privileges as stated in the 1964 civil rights legislation. 2. Stop busing students for the sole purpose of achieving racial balance with no regard to education; to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

THE GSA ANNUAL REPORT

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, February 18, 1970

Mr. MATHIAS. Mr. President, the GSA annual report was recently submitted to the Congress. I am pleased to learn of the many constructive changes effected by General Services Administrator Robert L. Kunzig. Particularly worthy of note are the steps he has taken to eliminate discrimination at GSA. I ask unanimous consent to have printed in the RECORD an excerpt from the GSA annual report which deals with recent progress in this area.

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

EXCERPT FROM GSA ANNUAL REPORT

The festering sore of discrimination is sensitive.

Like a raw wound, it demands immediate and thorough care. No band-aid approach is acceptable. Lame rationalizations as to how long it has oozed pus or who inflicted it won't help.

Though the plight of the Negro is foremost in any discussion of discrimination, he does not pull the burden alone. In the harness with him are women and children, aged and handicapped, Mexican-Americans and, at various times, Jews, Catholics, and Irishmen.

The practice as well as the policy of the General Services Administration is for early diagnosis of the ills of discrimination, regardless of origin, and painstaking treatment until a cure is effected.

No excuses are offered for past performance. Here are some examples of recent progress:

Acting on President Nixon's stated policy of providing equal employment opportunity to every employee without regard to race, creed, sex, age, or national origin, the Administrator has committed GSA to assuming a role of leadership in equal employment opportunity.

The Administrator vigorously emphasized this commitment through personal visits to each and every regional office across the country to be sure his views were clearly understood.

By direction of the Administrator, a study of the entire civil rights functions within GSA has been recently completed.

The position of Deputy Assistant Administrator for Administration was filled by a