

The nominations beginning Franklin S. Achille, to be ensign, and ending James J. Zelenak, to be lieutenant, (jg.), which nominations were received by the Senate and appeared in the Congressional Record on Dec. 10, 1970.

U.S. MARINE CORPS

The nominations beginning Louis Acosta, to be chief warrant officer (W-4), and ending Kenneth P. Zrubek, to be chief warrant

officer (W-2), which nominations were received by the Senate and appeared in the Congressional Record on Dec. 3, 1970; and 1st Lieutenant Jack T. Kline, U.S. Marine Corps, for appointment to the grade of captain.

U.S. DISTRICT COURTS

James H. Gorbey, of Pennsylvania, to be a U.S. district judge for the Eastern District of Pennsylvania.

DEPARTMENT OF JUSTICE

Ralph B. Guy, Jr., of Michigan, to be U.S. attorney for the Eastern District of Michigan for the term of 4 years.

Frederick M. Coleman, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years.

Clarence A. Butler, of Maryland, to be U.S. marshal for the district of Maryland for the term of 4 years.

EXTENSIONS OF REMARKS

BOB DOLE: OUR KIND OF SENATOR

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. SEBELIUS. Mr. Speaker, in Kansas we enjoy a fourth estate that is historically famous for political shots that are point blank in range and that leave nothing misunderstood. Citizens in Kansas are never troubled trying to figure out the interpretation or meaning of the political commentary in Kansas newspapers.

One newspaper that fits this tradition of "telling it like it is" is the Goodland Daily News. The News recently commented on my good friend and colleague BOB DOLE who has been achieving quite a bit of political fame and notoriety.

It is interesting to note the faster that the junior Senator from Kansas moves up the ladder of political influence and success, the more his detractors complain. They forget one important fact—BOB DOLE believes strongly in what this administration is trying to do and perhaps more important, he has the political fortitude to say so and do something about it.

The Goodland Daily News said all of this recently in a well-written editorial typical of the way citizens in the First District of Kansas think. BOB DOLE gets things done and, putting party politics aside, he is the kind of action Senator the people of Kansas are proud of.

The editorial follows:

BOB DOLE: OUR KIND OF SENATOR

Sen. Bob Dole, putting party politics aside, is our kind of man. Although a freshman senator, he has made his presence felt in the Senate Chamber.

Dole doesn't really care how big they think they are; he'll try 'em on for size. And that even goes for the darling of Massachusetts—Sen. Ted Kennedy.

H. L. Schwartz III, an Associated Press writer, reported in a dispatch the other day that the Dole-Kennedy clashes are becoming more and more frequent. He describes Sen. Dole as the tall, lean defender of the White House with the zeal of a Dodge City sheriff.

We like the way Dole has been conducting himself. He kinda' makes you glad you're a Kansan. For too many years we have sent senators back there and never heard of them again. But Dole has reversed that pattern. He's being heard of—not only in his home state—but across our great land.

Dole is a capable politician. From his years as county attorney of Russell County to his days in the House of Representatives, and now in the Senate, he has been a big vote getter. He says what he feels must be said—like it or not. And he does what he feels must be done.

Some people questioned his ability as a Senator; too many 'big boys' in that particular chamber; they would beat him down at a mere whimper. But it hasn't been that way. Our fellow Kansan knows how to use his tongue. And the lashings he gives aren't soon forgotten.

Sen. Dole is a close friend of President Nixon. He is a dedicated Republican. His defense of the President and his defense of his party are not to be taken lightly.

Dole has that little extra something that draws support from both sides of the political column here in Kansas. And in the election in 1968, he received more votes than did anyone else.

Bob Dole's okay. And that's something when you consider a Democrat said it.

RETAINING THE PANAMA CANAL

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. SCHMITZ. Mr. Speaker, Strauss-Hupe and Possony, in "International Relations," said:

The construction of the Panama Canal may well prove to have been the most fateful event in Japanese history and to have condemned Japan to certain failure when she had hardly started on her expansionist venture.

The Panama Canal and the Canal Zone, an area 5 miles on each side of the center line of the canal serving as its protective frame, were acquired by the United States in the days when diplomacy's mission was geared toward protecting America's national interest. Today's diplomats operating under guidelines designed to achieve some vague, semimystical international order are considering giving this area to Panama.

Recognition of the necessity for a waterway connecting the Atlantic and Pacific Oceans and avoiding the long journey around the Horn, which even today adds 20 to 30 days to a steamer's journey, led us to negotiate the Hay-Bunau-Varilla Treaty of 1903. This treaty granted to the United States in perpetuity the use, occupation and control of the Canal Zone, giving us sovereign rights over that area.

The wisdom of this acquisition and the construction of the Canal was shown during the Second World War and the Korean war. As the two top United States strategists quoted above point out, it was one of the main geopolitical factors—the key link—in bringing about the Japanese defeat.

The Panama Canal greatly increases the strategic mobility of our Naval forces

by significantly shortening the time necessary to shift the forces in the face of changing threats. As our Navy is cut back, the necessity grows for the greatest possible speed in redeployment.

The canal also allows us to maintain more combat power in the Pacific area over a longer period of time at lower cost. During the Vietnam war the United States has saved \$284 million in the costs of shipping ammunition by using the canal rather than sending it by rail to west coast ports. As the attack on the Defense budget continues to mount, in what is surely the most suicidal campaign it has ever been my misfortune to witness, this saving becomes increasingly important.

The Soviets have long desired to deny us control over the canal and have made every effort to push the United States out of Panama. In 1946 Soviet agent Alger Hiss, then in charge of the Office of Special Political Affairs for the Department of State, transmitted a memorandum to the United Nations in which he termed the Canal Zone "occupied territory," thus attempting to incite Panamanians into demanding return of the zone. In 1959 Fidel Castro sent an expeditionary force to Panama to wage "a war of liberation." Although both Hiss' and Castro's efforts failed, they are vivid examples of a long-standing desire on the part of the Soviets to separate the United States from a piece of its sovereign territory integral to its national security.

Currently there is a campaign underway to force the United States to negotiate new treaties with Panama which would relinquish our sovereignty over the canal under the pretext that it is necessary to replace the existing canal with a new sea-level canal. The report of the Atlantic-Pacific Inter-oceanic Canal Study Commission, submitted earlier this month, has recommended that such a project be undertaken, even though admittedly a "financial risk," rather than complete the modernization of the existing canal.

This "sour grapes" attitude toward the present canal came as no surprise to those familiar with the make-up of this commission. Its chairman is Robert B. Anderson, the chief U.S. negotiator of the team which drew up a new treaty with Panama in 1967 which would have ceded U.S. sovereignty over the zone and would have given to Panama not only the existing canal, but any new sea-level canal which might be built. This treaty was so vigorously opposed in both the House and the Senate that it was never signed. Even if the present Government of Panama was friendly towards the United States, which it is not, giving

Panama possession of the Canal Zone would be a grievous error. Panama is a land of continuous coups—the most recent one having taken place just 1 year ago. No one knows when a Soviet-controlled government might come to power. The present military junta, headed by General Torrijos, has demonstrated its hostility to the United States by, among other things, refusing to renew a 1955 agreement which allows for our use of Rio Hato military base.

Under article IV of the Constitution, no U.S. property can be disposed of without the approval of the House of Representatives. Over 100 Congressmen, led by DANIEL J. FLOOD of Pennsylvania, have sponsored identical resolutions opposing the giveaway of the canal under any circumstances. I am joining in this effort to prevent the sacrifice of our vital strategic interests.

OEO FRAUD MAY NOT BE CRIME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. RARICK. Mr. Speaker, the refusal by a Federal judge to accept a guilty plea to 34 counts of fraud by a former OEO employee establishes a new double standard of justice. The judge felt that since the fraudulent techniques are still going on at OEO there were mitigating facts.

The judge then insisted that the woman go to trial and is said to have told her lawyer:

Maybe she can get a jury to accept that story and set her loose.

Anyone familiar with the caliber of jurors in our Nation's Capital, where there have been vast sums of OEO seed money planted, would have to agree with the judge that there is a very good possibility of acceptability of a tear jerking story among the natives for an OEO worker who simply stole from the taxpayers.

Strange indeed that a judiciary would offer prejudicial advice—compensatory justice—simply because the case involves OEO money. Even a Federal judge should understand that the OEO has no money it does not milk from the U.S. taxpayers.

I include a pertinent newsclipping at this point:

EX-WORKER SAYS SHE DEFRAUDED OEO

(By Sanford J. Ungar)

A former employee of the Office of Economic Opportunity asserted yesterday that she had defrauded the agency of more than \$30,000 only to pay for OEO services that went beyond the limits of the agency's budget.

Patricia Furman, 27, of Arlington, attempting to plead guilty before U.S. District Court Judge William B. Jones to 34 counts of fraud, said she had used techniques that are "still going on" at OEO.

But the judge refused to accept her guilty plea and insisted that she go to trial on the fraud charges.

"Maybe she can get a jury to accept that story and set her loose," Jones told her lawyer.

He explained that he could not permit a guilty plea in the case because the statute under which Mrs. Furman was indicted im-

plies "willfulness" rather than innocent purposes in committing fraud.

Before the plea was reversed, however, Assistant U.S. Attorney Seymour Glanzer told the court that Mrs. Furman had also illegally diverted an additional \$2,331.60 in government funds to pay for the printing of invitations to a farewell party in honor of former OEO director Sargent Shriver in April, 1968.

She did not contest that claim, for which no formal legal charge is pending.

Glanzer said that at an earlier stage in her prosecution, Mrs. Furman had attempted to explain the entire missing \$31,000 in OEO funds as expenses for the Shriver party.

That story had since been disproved, Glanzer said, but auditors have discovered that Mrs. Furman did use a separate amount of \$2,331.60 in government money for the Shriver party (when he was named ambassador to France by President Johnson) without the knowledge of its organizers.

The party money is now being repaid to the U.S. Treasury, Glanzer added. Other expenses for the Shriver affair were paid from private funds.

Mrs. Furman acknowledged in court yesterday that between April, 1968, and May of this year—while she was a production manager in the OEO public affairs section—she submitted a chain of false invoices for "photographic services."

Those invoices according to the indictment, were all in the name of "M. Wood," and the checks issued by Mrs. Furman to pay them went back to her at one of a number of addresses, including that of her stepmother in California.

But Mrs. Furman disputed Glanzer's claim that all of the money was intended for her own "benefit, advantage and use."

Clutching a dark furry coat round her red-white-and-blue suit, she spoke in a clear, loud voice as she told Judge Jones, "I was . . . uh . . . M. Wood."

Most of the funds, she claimed, were for "bootleg" contracts of suppliers with the OEO public affairs office, or invoices that "couldn't be paid through normal government channels."

She explained that this procedure became necessary whenever OEO had expended its budget for a particular area.

Either she would personally pay bills for OEO supplies with the "M. Wood" money or she would ask existing OEO suppliers to submit larger bills and pay her for items she had allegedly purchased on her own, Mrs. Furman told the judge.

But on two occasions—an \$875 money order to pay back rent and "about \$200" to buy her maid a washing machine—Mrs. Furman admitted using the money herself. "I may have used some other (amounts)" she said. "I'm not sure."

THE HEAVE-HO WAS IN ORDER

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. BERRY. Mr. Speaker, the Office of Economic Opportunity has been the focal point of considerable attention because of its recent personnel changes in the legal services program.

The Boston, Mass., Herald Traveler recently carried an editorial entitled "The Heave-Ho Was in Order," and I include it in the RECORD because it brings into proper perspective the fine efforts of our former colleague, Donald Rumsfeld, to improve the operation and direction

of legal services during his tenure as Director of Office of Economic Opportunity.

The article follows:

THE HEAVE-HO WAS IN ORDER

Last week Donald Rumsfeld, director of the Office of Economic Opportunity, summarily fired the director and deputy director of OEO's Legal Services, an arm of the anti-poverty agency that was created to provide certain legal services for the indigent.

Despite the smokescreen laid down by the cashiered counselors, Mr. Rumsfeld was plainly justified in giving them the bounce. The officials were canned because of the continued part the New Orleans branch of the Office of Legal Services was sanctioned to play in defense of militant and subversive organizations.

Instead of sticking to helping the poor in civil actions like divorces and eviction cases (local public defenders are provided for criminal cases), the New Orleans operation, subsidized with a \$420,000-a-year grant of federal funds, built up a curious but consistent clientele.

The "poverty" lawyers represented such "indigents" as members of Students for a Democratic Society, an underground newspaper, members of the Black Panther party and its recruiting adjunct, the National Committee to Combat Fascism. There is no evidence that the Legal Services Office has used public funds to defend such right-wing extremists as Ku Klux Klan or Minutemen, but the ideological paranoia represented should make no difference.

It was not the intent of Congress to set up a pool of federally subsidized advocates for ideological or political causes. Money spent on militants or subversives not only subtracts from the amount available for legitimate legal services for the poor, but also jeopardizes congressional funding of the entire program.

(Note: Tom Gallagher reports that there are problems in OEO's Legal Services office in Boston in his column on this page today.)

AN UNWARRANTED RESTRICTION ON LEGAL ACTION FOR THE POOR

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, the Finance Committee of the other body has taken an action which has the practical effect of sharply curtailing the access of the poor to the legal system they most need.

The committee has decreed that no Federal funds may be used for payment of salaries to anyone who participates in litigation to nullify statutes or policy under the Social Security Act.

This, in a nutshell, would prevent legal service suits by persons seeking redress of grievance when that grievance is the result of an inequity of the social security system.

At first blush it may sound desirable to deny Federal funds to individuals who might be parties to certain litigation against the Federal Government. Yet, no affluent citizen is denied the right to sue. Extending this right to the poor through taxpayer-supported defenders and advocates is precisely what Congress approved when it created the legal services program.

The idea was then, and still ought to be today, to keep the lady of justice blind-

folded but with her hand not outstretched for payment from those who simply cannot afford to pay.

I join our former House colleague, Don Rumsfeld, in urging rejection of this language and the policy for which it speaks.

Sometimes legal advice to the indigent must be directed against the Federal Government, its laws and practices. Over 2 million cases have been handled by legal services since its inception in 1965. About 7 percent of these cases have dealt with welfare issues.

The action of the Finance Committee would effectively deny to the poor of America the right to federally financed legal aid in any such case in the future.

OEO Director Rumsfeld, said on December 3 that the committee decision to limit the scope of legal aid would "seriously restrict the ability of legal services attorneys to provide effective representation for their clients, limit the access of the poor to the judicial system, and set an unwelcome precedent by eliminating the likelihood that poor citizens could subject congressional and administrative decisions to review in the courts."

Mr. Speaker, it would be unfortunate in the extreme if the judgment of the Senate Finance Committee—no matter how well intentioned it might be—were allowed to stand in this matter.

I urge all of my colleagues in both bodies to join in removing this unwarranted restriction on legal services to the poor.

GEOHERMAL ENERGY AND DESALINATION: PARTNERS IN PROGRESS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. JOHNSON of California. Mr. Speaker, with the increased concern for our water resources and their role in the future development of this Nation and her people, the study of desalination looms large as a bridge spanning the problems created by an increased population and the sapping of the available resources in the United States and around the world. At this time, I would like very much to share with my colleagues the words of one of the leaders in the study of desalination, Mr. C. M. Wong, director, Office of Saline Water of the Department of the Interior. Mr. Wong's message, prepared for presentation at the Limited Nations Seminar on Geothermal Energy in Pisa, Italy, reflects a great deal of wisdom and vision, and I respectfully request that it be inserted in the RECORD at this point:

GEOHERMAL ENERGY AND DESALINATION: PARTNERS IN PROGRESS

(By C. M. Wong)

Estimates tell us that less than 2 percent of the earth's water is available for drinking; the remaining 98 percent is held in oceans, in rocks, or in the earth's atmosphere. At the same time, man's requirements for water continue to grow with the increase in population and the advance-

ment of his standard of living. In the United States alone, the daily water consumption is approaching 400 billion gallons, and the use rate is increasing at the rate of 25,000 gallons/minute.

In the face of this growing need for water and the fact that the limits of the available supply are being reached in many areas, many people are now focusing their attention on that last great source of new water—the saline water supplies of the world. A recent inventory by the Office of Saline Water indicates that the world's conversion capacity now may exceed 300 million gallons per day in operation or under construction. The growth rate, too, is impressive—about 12% annually over the last few years. The United States Office of Saline Water now forecasts a 1 billion gallons/day desalting capacity by 1975. All of this has convinced many of us, and our numbers are growing, that desalting is here to stay and that it will grow in importance as a source of water for a thirsty world. Its acceptance is inevitable, but its rate of growth is tied to an economic consideration—the cost of water.

WHAT PRICE WATER?

Men are strange. They are willing to spend money for many luxuries; food, drink, clothing, automobiles, houses, and pleasures all are included in that list of things for which people will pay a high price for the very best in quality. Strangely, one of the most essential of all substances—water, is not included in that list. It may be that we have some subconscious memory of clean streams, with free water, or it may be that we think of water in terms of the rain that falls freely from the skies. Whatever the reason, we seem to have some natural objection to the idea of paying a premium price for water of high quality. Somehow, water is expected to be cheaper than dirt; yet it is a bulk chemical which must be produced to meet very stringent quality standards. We are forced to try to produce this commodity at an extremely low price, and we will not achieve success until each application of desalination can be designed for minimum water cost based on some optimum combination of plant investment and operating cost.

Obviously, an important factor in the cost of upgrading saline waters to potable quality must be the cost of the energy used to achieve conversion. The oldest, and best developed, conversion process—distillation—also happens to be rather inefficient from the thermodynamic point of view. A large amount of energy must be used to heat a saline water to its boiling point and convert it to steam. This heat must be recovered to an extent governed by the cost of fuel; all of this contributes a significant increment to the cost of conversion. Little wonder, then, that we seek sources of low-cost energy.

WHAT KIND OF ENERGY?

Most of the world's desalting plants, and all of those in the United States, are now fueled by fossil materials. Many statements have been made linking desalination to nuclear energy. In fact, so much of this has been said that many people have assumed a necessary linking of the two ideas. This does not exist, although it is certain that nuclear energy will have a large role in the ultimate application of large-scale desalting in many areas of the world. The realistic view is that each desalting application will have an energy source chosen on the basis of the price of the product to the consumer. It seems reasonable to assume that all forms of energy will eventually assume their logical roles in the application of this exciting new technology.

One source of energy has yet to receive thorough consideration despite the fact that it appears to offer great promise in certain parts of the world. This is geothermal energy which exists in some form at every location.

Early studies by the Office of Saline Water

examined two possibilities for tapping this vast reservoir of heat. The first¹ of these examined the possibility of using a circulating water system to extract heat from the hotter layers of rock buried deep in the earth. It was concluded that energy from this source would be far more costly than conventional sources of power in the United States. The second² conclusion drawn was that the exploitation of geothermal energy for desalination would be practical only in areas having either very hot wells and springs or volcanic activity. With these studies, the Office of Saline Water abandoned for a time its interest in geothermal energy. A recent development, however, has rekindled interest in this natural source of heat. This came with the realization that the Imperial Valley in California embodies an exciting combination of a geothermal energy source of spectacular proportions with a need for both water and electrical power.

THE IMPERIAL VALLEY

The Imperial Valley occupies a part of the delta of the Colorado River along the Mexican border in the desert country of southern California. The fertile silt of this area, when provided with water by irrigation, makes it one of the world's richest agricultural areas. The mild climate provides a growing period throughout the year, and this rich section has provided a variety of both staple and specialty crops in large quantity. Lately, however, there has been concern about further development of this area because of the constraints imposed by the supply of water.

Within recent years, increasing attention has been directed toward the Imperial Valley because of large reservoirs of hot water underlying the area. This resource has been known, but little effort has been devoted to its development until the last few years. As the result of action by several individuals with a great deal of vision and imagination, a coordinated effort is now beginning for a thorough appraisal of this resource.

THE IMPERIAL VALLEY PROJECT

This project,³ under Professor Robert W. Rex, is an effort by a team of staff members of the Institute of Geophysics, University of California at Riverside. It is intended to provide geologic, hydrologic, engineering, and economic information necessary for development of the geothermal resources of the delta of the Colorado River. This project is supported by a number of public and private groups such as the U.S. Bureau of Reclamation, Southern California Edison Company, Standard Oil Company of California, the Imperial Irrigation District, and the Academic Senate of the University of California at Riverside. The report cited suggested 6 to 9 geothermal fields in the Imperial Valley with the following data pertaining to development:

SUMMARY OF GEOHERMAL INFORMATION⁴

Geothermal brine reserves: 2,000,000 to 4,000,000 acre-ft.

Temperature range of brine in ground: 500-700° F.

Total number of wells projected: 2,000-5,000.

Surface pressures of flowing wells: 300-400 psi.

¹ Bell, J. C. R. C. Crooks, et al, "Availability of Geothermal Energy for the Demineralization of Saline Water." OSW R. and D. Report No. 27, July 1959.

² MacDonald, J. R. E. R. Stensaas, and P. M. Stafford, "Investigation of the Availability of Geothermal Energy for the Demineralization of Saline Water in the Black Hills Region." OSW R. and D. Report No. 28, July 1959.

³ Rex, R. W., "Investigation of the Geothermal Potential of the Lower Colorado River Basin," Phase I—The Imperial Valley Project.

⁴ As revised by Dr. R. W. Rex, September 1970.

Surface temperatures of flowing wells: 300-400° F.

Flow rates per well (11 3/4" pipe): 1,200,000 pounds per hour (10.6 acre-ft/day).

Depth of typical well: 5,000-6,000 ft.

Brine salinity (Mexican type): 1-3 percent dissolved solids.

Brine chemistry: chlorides of sodium, potassium, and calcium.

Cost of typical well: \$250,000.

Protected production rate of total Imperial Valley geothermal wells: 3,600,000 acre-ft/year to 10,000,000 acre-ft/year.

Electric power with 2,000-5,000 wells: 20,000 megawatts.

Steam price per Kw-hr: 2.0-2.5 mills.

Cost of hot water for desalination: No charge.

COUPLING OF DESALINATION AND GEOTHERMAL ENERGY DEVELOPMENT

The report by Dr. Rex, and his group outlined the enormous potential of the geothermal waters of the Imperial Valley, but it also recognized that some problems of large magnitude must be solved before the asset can be made to pay. One of these, per-

haps the most critical, is the problem of brine disposal, and Rex noted that "the only market evident for very large quantities of geothermal brine is for saline water conversion." Thus it became rather logical for the desalination concept to be joined with the idea of geothermal energy development.

In October 1969, Dr. A. D. K. Laird, Director of the Sea Water Conversion Laboratory, University of California, presented a tentative outline for a development program to the California Assembly Committee on Water. This outline is reproduced below.

OUTLINE OF TENTATIVE DEVELOPMENT PROGRAM

Step item, operation, or objective	Principal participants ¹	Probable cost (thousands)	Desirable timing
1. Identify pertinent conditions.	SWCL w/advice DWR OSW, FWPCA.	\$40 to \$90.	Early 1970.
2. Choose pilot program for 100 KGD and 10 Mw.	DWR and OSW w/advice SWCL and Ind.	\$60 to \$80.	Mid-1970.
3. Drill and test 1 well.	BR.	\$150 to \$200.	Late 1970.
4. Technical research on pilot problems.	SWCL.	\$300 to \$360 at \$100 to \$120 per year.	1970-73.
5. Pollution control research.	SERL, SWRCB, FWPCA.	\$140 to \$180 at \$70 to \$90 per year.	1971-73.
6. Design of pilot plants.	Ind.	\$40 to \$60.	Late 1970.
7. Construction of pilot plants.	Ind.	\$600 to \$1,100.	Early 1971.
8. Operation of pilot program.	Ind.	\$300 to \$400 at \$150 to \$200 per year.	Late 1971 through 1973.
9. Interpretation of pilot data.	All.	\$100 to \$140 at \$50 to \$70 per year.	1972; early 1974.
10. Choose demonstration plant(s) 1-10 MGD, 20 Mw.	DWR, OSW.	\$90 to \$100.	Early 1973.
11. Design demonstration plant(s).	Ind.	\$150 to \$200.	Late 1973.
12. Construction of demonstration plant(s).	Ind.	\$3,500 to \$4,500.	1974.
13. Operation of demonstration plant(s).	Ind.	\$300 to \$500 per year.	1975 et seq.
14. Interpretation of results.	All.	\$150 to \$200.	1975.
Total.		\$5,920 to \$8,110.	

¹ All agencies having an interest in such a program would cooperate as desired in addition to those named specifically.

All—All agencies involved.

BR—Bureau of Reclamation, U.S. Department of the Interior.

DWR—Department of Water Resources, State of California.

FWPCA—Federal Water Pollution Control Administration (U.S. Department of the Interior now).

FWQA—Federal Water Quality Administration.

Ind—Industry under contract to the appropriate agency.

OSW—Office of Saline Water, U.S. Department of the Interior.

SERL—Sanitary Engineering Research Laboratory, University of California.

SWCL—Sea Water Conversion Laboratory, University of California.

SWRCB—State Water Resources Control Board, State of California.

It is too early to make predictions concerning the program outlined, but step 1 became possible approximately as planned. On March 30, 1970 the Office of Saline Water executed a grant to the University of California to support a project under Dr. Laird's supervision to "Explore the Conditions for the Design of a Geothermal Desalination Demonstration Plant in the Imperial Valley, California."

This modest grant will provide funds for an assessment of desalting as a partner in development of the geothermal brines in the Imperial Valley. Its objective is to determine the benefits of such a scheme and the problems to be overcome. A preliminary investigation by another organization has listed the following as requiring consideration:

(1) *Heat rejection.* Normal desalting plants obtain cold feed, purchase heat for its conversion and discharge both waste heat and brine effluent to the sea. In the Imperial Valley, feed will be brought in at an estimated 400°F; waste heat must be rejected to the atmosphere, and the waste brine must be evaporated to dryness or reinjected into the earth.

(2) *Chemical problems.* In Table I appear some analyses of geothermal water from a Mexican field just south of the area under consideration. While vapor compositions cannot be stated at this time, it seems certain that hydrogen sulfide and carbon dioxide will be present in appreciable quantities. These gases represent potential by-products. Ele-

mental sulfur or sulfuric acid can be made from the H₂S, and it is possible to recover CO₂ for commercial use if the quantity is sufficient. *Silica* in the brine must be reckoned with in the wells as well as in the plant. Flashing of brine in the well will produce a scale which must be reamed out periodically. Steps will be necessary to prevent formation of silica scale on heat transfer tubing. A number of alternatives are available for this treatment.

Alkaline scale resulting from the calcium carbonate hardness will require feed treatment—possibly with sulfuric acid made from H₂S.

The brine composition shown indicate that a highly corrosive environment will prevail inside the plant. The variability of brine composition makes it apparent that each plant location may have to be considered on an individual basis.

With due consideration being given to the points brought out in the Oak Ridge paper, the group under Dr. Laird has begun its investigation along lines as follows:

(1) Schemes have been developed for producing any desired ratio of power and water from any geothermal brine. This, of course, is a vital factor in determining the cost of water and power in a development of this kind. Preliminary studies indicate water costs comparable with conventional desalination processes and roughly proportional to salinity. The cost of power appears competitive with conventional plants.

(2) Preliminary estimates suggest that water needs (2 to 10 million acre-feet per year) of the area could probably be met most economically by producing electrical energy and condensing the vapor by rejecting heat to the atmosphere. The electrical energy would often be used to supplement or up-

grade the water supply when and where needed.

(3) It appears that noxious gases should be trapped and chemically removed; waste brines should be reinjected into the aquifer from which the geothermal brine was removed. Heat rejection to the atmosphere should be by means of direct release of steam, evaporative coolers, or nonevaporative condensers.

(4) A method is being developed for choosing optimal power, water, and mineral recovery systems on the basis of all technical and socioeconomic aspects that can be priced.

(5) The costs of the benefits that might arise from the use of the energy source are being established and put in form for use in the choice of systems.

(6) A study of the effects of solubility on the behavior of noncondensable gases in condensers has been initiated.

(7) A search of the literature is continuing for information on desalination, geothermal power, mineral recovery, and plant operating procedures.

While these programs are progressing under the staff of the Sea Water Conversion Laboratory of the University of California, geological studies are being carried out by Professor Rex's group and by several companies.

At this time, it is much too early to predict what the outcome of this preliminary study will be, but those in the desalination field hope that it will show the way to an early marriage between geothermal energy and the desalination of water for agricultural uses. It is certain that many people will follow its progress with interest and that it will be of key importance in planning the future of one of America's great natural resources.

TABLE I.—ANALYSES OF GEOTHERMAL WATER FROM MEXICAN WELLS¹ (pH ABOUT 7.5)

[Values in p.p.m.]

Well No.	Na	K	Li	Ca	Mg	Cl	Br	I	Fe	SO ₄	HCO ₃	H ₂ BO ₃	SiO ₂	CO ₂	H ₂ S	Total hardness (as CaCO ₃)	Total dissolved solids (TDS)
1-A	4,450	600	12	210	30	7,420	5.2	1.0	nd	7.0	52	52	240	nd	nd	699	13,082
M-3	5,310	1,100	17	310	11	9,680	10.0	2.8	0.2	15.0	60	55	480	680	218	820	18,041
M-5	5,820	1,570	19	280	8	10,420	14.1	3.1	.2	0	73	71	740	1,600	700	733	19,018
M-6	5,000	504	11	388	33	9,000	12.6	2.5	nd	16.4	158	21	151	420	37	1,106	18,412
M-7	5,250	910	13	230	18	9,310	9.2	2.6	nd	3.4	71	32	390	940	180	649	16,240
M-8	6,100	1,860	17	390	6	11,750	14.3	3.2	nd	0	890	115	770	nd	nd	1,000	21,915

¹ From ORNL report cited.

² Rex states that samples M-5 and M-8 are the most probable compositions of normal production of brine.

RESOLUTION COMMENDING THE MEMBERS OF THE INTERSTATE COMMERCE COMMISSION

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. WATSON. Mr. Speaker, in recent months a spate of criticism has been directed at the Interstate Commerce Commission for purported sins of commission and omission. Some of the criticism has verged on personal attack on the integrity of the commission and staff of the Nation's oldest regulatory agency. There is nothing on or off the record to justify these loose allegations, and it is refreshing to note the measure of national support being expressed these days for the men and women of the Commission.

One can argue that regulation is bad; that the ICC should be abolished or combined with other groups, or that some other scheme of economic regulation should be instituted. These are honest differences between equally sincere protagonists. The ICC did not institute regulation in 1887. The Congress did! The ICC did not write the Interstate Commerce Act. The Congress did. The ICC does not establish policy in transportation matters. The Congress does. What the Commission does do—and, in the judgment of many, does well—is to interpret the congressional intent and administer to the best of its limited capacity, the authority and jurisdiction delegated to it by the Congress.

One of the severest critics of the Commission in surface transportation matters has been the American railroad industry, which seeks deregulation. But, even that industry, apparently aware of the unjust nature of some of the attacks on the Commission, and, acting in a responsible nature that reflects credit on it, passed a resolution expressing the confidence of the industry in the integrity of the Commission, and calling for an end to indiscriminate and loose charges. I insert the resolution of the Association of American Railroads in the Record at this point:

RESOLUTION

Whereas, the Interstate Commerce Commission has been subjected to much unjustified criticism for the manner in which it has performed its duties in the administration of the Interstate Commerce Act;

Whereas, advocacy by the railroad industry of a single regulatory agency has been interpreted in some quarters as lending support to this criticism; and

Whereas, this interpretation constitutes a total misconception of the reasons behind this position of the industry;

Now, therefore, be it resolved, that the railroad industry, while often a severe critic of the Interstate Commerce Commission, believes fully in the integrity and devotion to duty of the members of the Interstate Commerce Commission.

Be it further resolved, that what is needed to achieve for the public the most economical and efficient national transportation system is a revision of the outmoded and discriminatory policies and laws governing transportation rather than continued attacks on a body of dedicated public servants.

EUROPE RAISES OUTCRY AGAINST FOREIGN TRADE BILL

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. FRELINGHUYSEN. Mr. Speaker, recently, when some of us voiced reservations about the wisdom of H.R. 18970, the Trade Act of 1970, we were assured by the bill's proponents that our fears about substantial foreign "retaliation" were groundless.

Now that the House has acted on this bill I can only again express the hope that my own judgment in this regard was in error. That I may have been right, however, is indicated by the November 23 edition of the Washington Post.

Mr. Speaker, the following article, entitled "Europe Raises Outcry Against Foreign Trade Bill," appeared in the Post on that day:

EUROPE RAISES OUTCRY AGAINST FOREIGN TRADE BILL

The trade bill sponsored by Rep. Wilbur D. Mills (D-Ark.), passed the House as expected last Thursday, but the margin for it was slimmer than had been expected—215 to 165.

The bill has an uncertain future in the Senate, where members are somewhat more sensitive to the potential damage to American foreign policy and where there simply may not be enough time for the legislation to be considered on the heavy agenda of the current lame-duck session of Congress.

A delay until January would mean that the House would need to start over again practically from scratch.

The Nixon administration has been ambivalent. President Nixon has said he favored textile quotas (unless the Japanese should voluntarily agree to restrict their textile exports here), but he has opposed all the other protectionist features of the measure, including shoe quotas. However, he has refrained recently from saying what he would do if Congress sent him a broader measure. The implication is that he might not veto the bill.

Country-by-country reaction abroad is as follows:

COMMENTS

(By Richard Norton-Taylor)

BRUSSELS.—The six governments of the European Common Market, the World's largest trading bloc, will not be able to resist pressures to retaliate against U.S. exports if the Mills trade bill is passed. This is the prevailing consensus here, the headquarters of the six-nation body.

"What the U.S. does not appear to realize," said one top Common Market official, "is that there are a thousand different ways Europe could retaliate without violating international agreements, although we won't do anything until protectionist action has actually been taken."

The same official mentioned restricting U.S. investments in Europe as one possible way of hitting back.

According to the Market's executive commission, the import quotas on textiles and shoes proposed by the Mills bill would immediately hit \$200 million worth of EEC exports. Of the total \$270 million worth of shoes exported annually to the U.S., about 80 per cent are Italian-made.

Belgium, Italy and France account for most of the \$250 million worth of textiles exported to the U.S. In Belgium, the trade bill has

been getting headline treatment in all the leading papers over the past few days. Belgian textile exports to America are worth \$54 million, a significant amount in a small country dependent on its foreign trade.

EEC countries are particularly concerned about the trade bill's provisions for a liberal use of safeguard measures which could be imposed, even if imports played only a secondary, and perhaps totally mythical, part in a particular industry's inability to cope with increased competition. Such measures would breach the rules of the General Agreements on Tariffs and Trade (GATT).

If GATT rules are going to be flouted so casually, observers ask, how seriously can Europe take U.S. criticisms of, for example, preferential trade pacts with Mediterranean and African countries.

Safeguard provisions could affect a wide range of EEC goods, it is feared, while the planned Domestic International Sales Corporations (DISCs), which would give considerable tax advantages to exporters, could hit European exports to third countries.

Specifically, the Mills bill would allow import quotas or increased tariffs to be imposed automatically on any product of which 15 per cent of the U.S. domestic consumption is imported. This could hit notably the West German auto industry and European exports of electronic goods.

All in all, officials say, the trade bill could affect \$1.9 billion of the Common Market's exports to the U.S.

(The United States has a favorable trade balance with the Market. The six member nations imported \$7.3 billion worth of U.S. goods last year, while they in turn exported \$5.9 billion to the United States.)

U.S. soybean exports are almost certain to be hit by European retaliation. Last year, soybeans were worth \$561 million to the U.S. trade balance.

The suggestion, put forward here by one American diplomat, that the EEC is unlikely to retaliate against the soybean trade, the U.S.' most important single export, as this would quickly lead to escalation, provoked an unusually tough reaction from one senior Common Market official. "This would hit the other fellow most," the official said, "but would also help us most."

Well before the Mills bill was first drawn up, there had been talk of a tax on soybeans, partly to increase butter consumption in the Common Market.

Any retaliation by the Common Market, however, would not be restricted to agricultural products—computers, aircraft and chemicals are U.S. industrial exports which could be affected.

There is little sympathy in Europe with the oft-quoted problems facing the U.S. textile industry. In recent years, the Market's own textile industry has been forced to reinvest or merge to face up to tougher competition from abroad.

Dr. Ralf Dahrendorf, European commissioner responsible for foreign trade who is currently in Tokyo, said the other day that EEC studies have shown that Japanese textile exports to America were not hurting American companies. He said that if the Mills bill passed, Western Europe would be hit much harder than Japan.

European textile manufacturers are worried about the prospect of Japanese exports being diverted to Europe away from the U.S. market.

If the Mills bill is adopted, the Common Market is likely either to propose multilateral talks in GATT, or negotiate bilaterally with her trade partners, to control textile exports—at least those from industrialized countries.

Most Market officials are assuming that relations between the U.S. and the Common Market are going to deteriorate before they improve. "We are reaching an important

turning-point in relations," said one. "There's a lot of rethinking going on in Washington. The question now is, is the United States going to come out against the idea of the Common Market?"

BRITAIN

(By Alfred Friendly)

LONDON.—The British government has let it be clearly known that it believes as much as one-fifth of its exports to the United States could be adversely affected if the pending Mills bill is enacted.

Speaking in California Nov. 11, the president of the British Board of Trade (equivalent to the Secretary of Commerce) warned, as pointedly as diplomatic language would allow, that passage of the legislation would "set off an uncontrolled chain reaction of trade restrictions."

In much blunter terms, and probably reflecting a government view that it could not utter itself, the head of a private business organization, the director general of the British National Export Council, said the legislation invited retaliation and contained the seeds of "a bitter trade war." There would be "certain and massive retaliation" from European countries, he said.

The business official, Peter Tennant, told an American Chamber of Commerce lunch here Thursday that discussion of the bill had been "too damn polite for too damn long."

The British government is known to have taken every opportunity to express its concern about the bill to the Nixon administration and has let it be known that it would "reserve our rights" if the measure passes the Congress.

As an indication of how much it fears that a law ostensibly and originally directed to Japanese textile imports into the United States would actually affect British sales, the Board of Trade indulged in a scarcely disguised leaking operation last month. It hinted that retaliation measures were being prepared.

At the same time, and officially, its weekly magazine published a confidential U.S. Tariff Commission list, picked up from the National Journal of Washington, of 120 products whose imports to the United States have been rising in a degree that could invoke the protective provisions of the new legislation. Ranging from acetylene black to wigs, only the minor part were textiles.

These, it was let known, represent one-fifth of Britain's exports to the United States and are valued at from between one-fourth to one-half billion dollars annually.

The board of trade pointed out that the situation was "complex" and that it is "impossible to forecast which United States industries are likely to apply for increased protection."

But the combination of the prominence given to the article, the official leaks and the multitude of unofficial statements that have appeared in recent weeks makes it clear that the government believes British industry—and not just Japanese textiles and cheap shoes—will be very grievously hit if the bill becomes law.

FRANCE

(By Anatole Shub)

PARIS.—Although the French government has refrained from public comment, officials and businessmen here are nearly as worried as those of other West European countries by the possible effects of the Mills bill.

The concern is less about the specific immediate effects of the bill itself than about the prospect that protectionist legislation in the United States would unleash what one French official called "a wave of general egoism" in the form of a trade war.

"The psychological effects might be incalculable," one official said, "if the United States, which has pushed free trade first,

hardest and longest, were now to be the first to take a step backward."

Officials note that, even without the Mills bill, U.S. tariff levels remain higher than those of the European Economic Community, and that the United States maintains a massive trade surplus with France as with other Common Market countries.

U.S. exports to France last year totaled \$1.2 billion, while French exports to the United States amounted to some \$800 million.

The specific effects of the Mills bill, in its present form, would be less harmful to France than to other Common Market countries, let alone to Britain or Japan. French textile exports have remained steady at a level of about \$30 million in the last few years, and consist of a variety of high-cost specialty products. The immediate loss, if the Mills bill is passed, would probably be insignificant.

The effects would be somewhat more serious for French exports of shoes, which have increased from \$6.8 million to \$9 million over the past three years. Since import quotas under the Mills bill would be fixed on the 1967-69 average, there would be an actual loss of more than \$1 million, as well of potential growth.

While French officials recognize that these immediate effects are considerably less serious than those which might be in store, for example, for Italy and Belgium in the shoe market, they fear that business circles throughout Europe will look to the Common Market to "retaliate" against the United States in some form.

Protectionist measures in the United States, an official said, "would encourage all those—and there are many—who wish the Common Market to act as a protectionist organization." They would also make life difficult, without a doubt, for government officials here who have been laboring hard in recent years to persuade French business, farm and commercial leaders to shed age-old protectionist traditions and compete confidently in world trade.

Political observers note, meanwhile, that extreme Gaullist circles here would doubtless seize on U.S. protectionism as another "proof" of the unreliability and selfishness of American foreign policy. The controversy over the Mills bill, combined with uncertainty over continuing U.S. defense commitments in Europe, would deepen doubts as to the cohesion of what U.S. spokesmen not long ago used to call "the Atlantic Community."

Although Paris has not yet rung the alarm bell, that is largely because Common Market officials and the British have been protesting quite vigorously, and because of the belief that the bill may still be quietly strangled in the Senate.

SPAIN

(Manchester Guardian)

MADRID.—Spanish Foreign Minister Gregorio Lopez Bravo warned last week that if the Mills bill is approved "every conceivable measure" would be taken by Spain in retaliation.

Lopez Bravo said, nevertheless, that Spain would stand by the recently renewed agreement on the lease of military bases on Spanish soil to the United States.

However, if the Mills bill is passed, life in Spain for U.S. servicemen will become less easy, Lopez Bravo warned. American naval and military personnel, he said, will be treated like "any other foreign resident in Spanish territory," and will lose their present privileges.

Lopez Bravo further said that if the bill becomes policy, "I personally will not rest until our balance of trade with the U.S. is at least equalized, and that would mean the loss of about \$500 million a year to the U.S."

Steps which Spain might take would include the cancellation of orders for three

nuclear reactors, worth about \$300 million, and for American crude oil, plus the ending of duty-free privileges including the closing of post exchange stores for American troops in Spain.

When the bilateral base treaty was signed in September, it was assumed here that one of the reported secret clauses provided for the exemption of Spain from U.S. trade protectionism.

ITALY

(By Claire Sterling)

ROME.—Italy, which exports more than \$500 million worth of merchandise to the United States yearly—a tenth of everything it exports—would be among the countries hardest hit by the Mills bill.

The loss would be worst for the Italian shoe industry, growing at an extraordinary rate for the last decade and now second only to the automobile industry as a foreign currency earner.

Last year, the Italians manufactured 280 million pairs of shoes. Two out of three sold abroad. Half of those exported went to the United States, bringing \$198 million, a 25 per cent increase over 1968.

According to the Italian Foreign Trade Institute, the Mills bill would cut shoe sales in the United States by about 30 million pair out of a total 95 million pair exported.

The damage here would be of a particularly painful kind. The Italian shoe industry, which employs 140,000 workers, is made up mostly of small family enterprises. Only about 20 of the 3,000 shoemakers are organized along modern industrial lines.

In Tuscany, Lombardy, the Marches, Emilia and the Veneto, travelers driving past will still see the old-fashioned shoemaker's bench before the door the husband working onto the wooden shoe forms the leather shapes sewn by his wife. The Mills bill would mean ruin for many of these families, and a chain of bankruptcies in the small factories employing or farming out such labor.

Other industries that would suffer seriously from the Mills bill here would be textiles and clothing. In 1969, Italy sold \$62 million worth of textiles and \$127 million worth of clothing to the United States.

The Italian foreign trade ministry fears that the range of industries affected would be much wider. Among other important sectors here selling substantially to the United States are household appliances, \$28 million in 1969; chemical products, \$21 million; fruits and other foods, \$48.7 million, and automobiles, \$67.6 million.

Thus, the Mills bill is causing distress and consternation in Italian circles ordinarily warm to the United States and something like malicious glee among America's political enemies.

The Italian foreign ministry, whose policy has been perhaps the most undeviatingly loyal to Washington's of all its European allies until recently, has made repeated and urgent representations to the U.S. government since last summer, particularly in a meeting with the U.S., Japan and Britain at the headquarters of the General Agreements on Tariffs and Trade on July 31.

Italian Foreign Trade Minister Mario Zagari, wrote recently in the weekly L'Espresso that the United States has been "sailing full tilt into protectionism for some time, with the gravest consequences not only for Italy, but the entire structure of world trade."

JAPAN

(By Selig S. Harrison)

TOKYO.—Exports to the United States by Japanese-owned textile manufacturing firms throughout the world would drop by an estimated \$127 million annually below the 1969 level in the first year if the Mills bill is approved.

Trade ministry sources said that direct exports of synthetic textiles and apparel to

the United States from Japan totaled \$247 million in 1969 and are expected to reach a \$292 million level this year. But this is less than half of the growing Japanese thrust in synthetics that has stirred such an intense U.S. reaction. Japanese-owned plants in Taiwan, Hong Kong, Southeast Asia and Latin America shipped an additional \$287.5 million worth of synthetic fabrics and apparel to the United States last year.

Textile industry sources here are reticent to discuss the scope of indirect exports to the United States. Government sources stress that the United States, too, has extensive indirect exports to Japan and that balance of trade figures showing an overall \$1.4 billion surplus in favor of Japan last year are misleading. Actually, these sources say U.S.-controlled enterprises sold \$1.5 billion to Japan in resources last year that does not show in direct bilateral trade figures.

In addition to synthetics, the Mills bill singles out footwear for quotas, but this would have a negligible impact on Japan. Japanese exports of rubber, leather and plastics footwear totaled only \$84.3 million in 1969 and are declining slightly this year. The bill would mean an initial cut of an estimated \$4.21 million below the 1969 level.

The most seriously affected textile item is expected to be synthetic fabrics, especially polyester-wool blends, with an estimated drop in direct exports from Japan of \$23.9 million in the first year of the new legislation. Men's sweaters and coats and women's slacks, blouses and skirts are also expected to be hit hard.

Japanese officials are deeply concerned over the "trigger" clause in the legislation providing for tariff commission action to hike duties in the event that imports "contribute substantially" toward injury to domestic producers. This could put a brake on Japanese exports in a wide range of products. Japanese passenger car exports to the United States last year totaled \$294 million out of a worldwide total of \$652 million. Television totaled \$265 million, radio receivers \$241.2 million, tape recorders \$237.2 million, electronic components \$101 million, motorcycles \$142 million, and industrial machinery \$189 million. Old standbys such as toys and pottery totaled only \$72 million and \$91 million respectively.

Advocates of a voluntary agreement with the United States to curb textile exports issued figures Friday showing that the decline in direct Japanese exports would be 30 per cent less than under the Mills bill if Japan accepts a proposal made by White House aide Peter Flanigan Wednesday during negotiations with Japanese Ambassador Nobuhiko Ushiba. Supporters of a voluntary agreement argue that this would enable President Nixon to exempt some Japanese exports from the Mills bill under its "national interest" clause.

While the economic impact of textile curbs would be sharp in Japan, especially among small producers in the Fukui and Kanazawa areas, broader consequences are already being felt in the whole gamut of Japan-U.S. relations. The rise of protectionism has aroused an unprecedented effort here to reduce Japanese dependence on the United States as a raw materials source and a market.

Japanese leaders are on the defensive with respect to their own import restrictions but point to plans for the reduction of restraints by late next year placing them on a par with West Germany. They see the Mills bill as a giant step in the other direction and believe that the U.S. demand for voluntary textile restraints has not been supported by evidence of injury to the U.S. industry. Confident of support in Europe and fearful of domestic political turmoil if Japan yields to U.S. terms for voluntary curbs, most leaders here would prefer the Mills bill to a voluntary agreement. The U.S. offer of voluntary curbs on Wednesday is not enough of an improvement over

the Mills bill to balance out the domestic political costs of an agreement, they say, and Japan will find it easier to resist U.S. pressures for trade and investment access here if protectionism triumphs in Washington.

MISTLETOE DAMAGE THREATENS OREGON PINE FORESTS

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. ULLMAN. Mr. Speaker, throughout this 1970 Christmas season, bright sprigs of mistletoe will decorate millions of American homes. Few have ever regarded the plant as anything other than a Christmas decoration, and certainly not dangerous. But a growing number of Oregon's lumber industry representatives would disagree.

A recent article in the Daily Journal of Commerce in Portland, Oreg., indicated that the dwarf mistletoe, a related genus of the more common Christmas decoration, has caused considerable damage to large areas of Ponderosa and Lodgepole pine. The article told about a 10-year study which was undertaken in Oregon's Deschutes National Forest, an area abundant with rich stands of Ponderosa pine. According to the research evidence, the parasitic evergreen plant produces a cancer-like effect on pine trees, slowly robbing them of the water and nutrients that the trees need for ordinary healthy development. An increasing amount of food is consumed by the infected portion of the tree and the whole tree eventually dies.

As a direct result of the study, severe infestation of mistletoe is now believed widespread among various species of pine. Efforts to halt the continued spread of the disease, though late, are now being taken by Oregon foresters.

The potential threat by this parasite to the economic and environmental interests of Oregon are obvious. In this Nation's largest lumber-producing State, Ponderosa pine accounts for over 17 per cent of all processed timber.

I commend the article to the attention of my colleagues:

MISTLETOE INVASION THREATENS TO EXTERMINATE PINE FORESTS

Thoughts of mistletoe ordinarily bring to mind the lighter moments of the Christmas season, but to a growing number of foresters and timber industry executives mistletoe brings to mind the destruction of Oregon's pine forests.

That's the finding of a 10-year study conducted in the state's Deschutes National Forest, where an estimated 110,000 acres are covered by ponderosa pines.

According to forest managers, a good part of the ponderosa pines in the section are doomed to death from the cancer-like effects of the dwarf mistletoe, the smaller cousin of the famous sprig which causes Christmas puffers.

MISTLETOE INVASIONS

Even more badly hit by mistletoe invasion has been the dwindling number of lodgepole pines in the national forest, according to

Robert Leavengood, timber management officer.

Leavengood said the effect of dwarf mistletoe on the growth and health of pine trees was not recognized until the early 1950s.

Initial studies of the effects of mistletoe in the Deschutes National Forest began in the late 1950's with the establishment of a test plot in an infected ponderosa stand in the Green Mountain area northwest of Lava Butte.

MEASURE TRUNKS

In 1959, Dr. Toby Childs, a researcher with the U.S. Forest Service experiment station in Portland, went through the plot and marked all the mistletoe he found growing on the 74 trees in the stand.

Dr. Childs work has been taken over by Dr. Keith Shea. Last year, after a 10-year lapse, Dr. Shea went through the stand again, this time marking all the mistletoe that had appeared since the initial study in 1959. In addition to marking the mistletoe, the researchers also measured the height and trunk diameter of each tree, both in 1959 and again in 1969.

As a parasitic disease, mistletoe feeds on its "host" tree, slowly robbing it of the water and nutrients the tree needs for a healthy development. Infected trees usually start declining at the top as more and more food is taken by the infected branches below. Eventually there are not enough live branches left and the entire tree dies.

Mistletoe is spread from tree to tree and branch to branch by a unique process in which the seed is shot through the air when the berry on the female plant explodes on reaching maturity.

If unchecked, the mistletoe's damage could have a resounding economic effect. In 1963 ponderosa pine accounted for 17.3 per cent of all timber processed through Oregon sawmills, ranking second only behind Douglas fir as the leading lumber source.

Sugar pine cut for that year amounted to 1.4 per cent, while lodgepole pine timber amounted only to 0.4 per cent.

Leavengood recalls that foresters at first hoped to "live with the disease" by cutting out the large older trees in an infected area and undertaking extensive thinning and pruning of the younger trees. It was believed the younger trees could survive the infection.

NEW APPROACH

Now, as a result of the research in recent years, it is recognized that the spread of mistletoe is more pernicious than previously believed.

So foresters on the Deschutes are taking a new approach to the problem. They still hope to slow the spread of mistletoe in the less heavily infested stands by thinning and pruning. However, in stands where the infestation has become severe they are planning to make "patch" cuts.

PRESIDENT ACTED WISELY IN NAMING THOMAS M. SULLIVAN TO AVIATION ADVISORY COMMISSION

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. WRIGHT. Mr. Speaker, located in my district is the Dallas-Fort Worth Regional Airport, a project now under construction that is providing the groundwork for future airport planning. During the past 2 years, this project has been directed by Thomas M. Sullivan, a

distinguished and respected airport planner and designer.

It gave me a great deal of pleasure and a feeling of pride to learn that the President has appointed Mr. Sullivan as one of the nine Commissioners authorized by Congress to the Aviation Advisory Commission that was included in the Airport and Airways Development Act of 1970.

The Commission will have substantial responsibility to formulate recommendations concerning the long range needs of aviation particularly the establishment of a nationwide system of public airports.

Consequently, I cannot help but be impressed by the President's selection of Mr. Sullivan to this important commission. I have visited the Regional Airport site and know firsthand of the tremendous energy and planning that has gone into this project. When it is opened in 1973, it will be the largest and most modern airport in the world. There is little doubt that the techniques and expertise developed and exercised at the Dallas-Fort Worth Regional Airport will be echoed in the development of future airports throughout the world.

Thus, I have a deep and real appreciation for the airport and aviation abilities that Mr. Sullivan will bring to his new duties on the Aviation Advisory Commission.

He holds the distinguished service medal awarded by the Port of New York Authority for the design of Terminal City at New York's JFK International Airport. He was also responsible for the development and design of both LaGuardia and Kennedy airports and for the preliminary design of the Newark airport, and has served in a consulting and advisory capacity at major airports throughout the world.

I believe that he will bring not only his knowledge and experience as a recognized airport planner to the Commission, but a very fresh and new insight into the challenges we face as a nation in the field of aviation.

I feel that Mr. Sullivan's appointment to the Commission is a positive step toward reaching the goals that Congress has set in the aviation legislation enacted this year, and I take pleasure at this appointment.

NORFOLK CITED FOR CLEANUP

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. WHITEHURST. Mr. Speaker, in this age of environmental emphasis I am pleased to report to Congress the recognition being given to Norfolk, Va., an important city of the Second District of Virginia which I am privileged to represent.

Norfolk is to receive the 1970 Keep America Beautiful Distinguished Service Citation. The award results from Norfolk's extensive campaign to eliminate

litter, an effort I called to the attention of Congress last May in the CONGRESSIONAL RECORD. The antilitter drive, known as "Operation Shape-Up" was the product of extensive cooperation of local government, citizens, and the Navy. It was led by Irvine Hill, chairman of the Norfolk Citizens Advisory Board, an outstanding Norfolkian.

I insert at this point in the RECORD an article on the award from the Ledger-Star, one of Virginia's leading newspapers:

NORFOLK CITED FOR CLEANUP

NORFOLK.—Norfolk has been selected as a recipient of the 1970 Keep America Beautiful Distinguished Service Citation.

The citation will be "in recognition of the city's effective litter prevention activities," according to Allen H. Seed, Jr., executive vice president of Keep America Beautiful, Inc., the national public service organization fighting litter.

The Norfolk Citizens Advisory Committee, Irvine B. Hill, chairman, is to receive the citation.

The 1970 cleanup effort sponsored by the committee, was known as Operation Shapeup. There will be another Operation Shapeup in 1971, Hill said today.

PRESIDENT LEARNS TO LIVE WITH ANTAGONISTIC PRESS

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. TAFT. Mr. Speaker, it is unfortunate that certain segments of the press have chosen to portray President Nixon's appointment of John B. Connally as the new Secretary of the Treasury as a purely political move. In some of the reports I have read, the reasons Mr. Nixon gave for the appointment are entirely discounted. Some pundits have announced that the motivation for the appointment is simply to gain the 26 electoral votes of Texas.

Most experienced political observers know that this type of simplistic reasoning is nonsense. Cabinet-level appointments are always made for a variety of reasons. Some of these may be sound and political at the same time.

Certainly, in making the appointment, one of the President's chief purposes was to display bipartisanship and thus to build a stronger base for necessary steps to build the economy and meet national needs, such as revised depreciation schedules and revenue sharing. It was a good and legitimate reason. But his purpose can be thwarted if the press persists in ascribing a purely partisan motive to every move the President makes.

So, we have a strange irony. Press voices cry for the President to bring us together. But when the President tries to bring us together, some raise the cry of politics.

Fortunately, the President has learned over the years to live with antagonistic press. The Nation can be grateful for this.

CHANGE BEGINS IN THE DOCTOR'S OFFICE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 1970

Mr. COHELAN. Mr. Speaker, in July of this year I worked with a number of my colleagues in the House in attempting to secure funds for medical manpower programs and training facilities. At that time I noted the current projected shortfall in medical manpower that this Nation will face in the not too distant future. According to the Department of Health, Education and Welfare, by 1980 the United States will experience a shortage of 26,000 doctors, 56,000 dentists, 210,000 nurses and 432,000 allied medical personnel.

Even this data contains some features that can further diminish the availability of medical personnel. For example, it is currently estimated that one-third of the practicing physicians are engaged in work other than the treatment of private patients. Although these physicians are engaged in vital research, instructional, and administrative activities, the fact remains that they are not involved in the practice of medicine as usually defined. For this reason, the projected shortfall of 26,000 doctors by 1980 might well be underestimated.

Much remains to be done to increase the production of qualified medical personnel. The problems are not only monetary, although the financial demands of training are burdensome. More intensive effort has to be devoted to the updating of the training curriculum and the more efficacious use of the existing manpower pool.

In an article in Fortune magazine, Dan Cordtz describes the efforts that are being made within the medical profession to meet these pressing needs and problems. I commend the reading of this article, "Change Begins in the Doctor's Office," and at this point, Mr. Speaker, I would like to insert this article in the RECORD:

CHANGE BEGINS IN THE DOCTOR'S OFFICE

(By Dan Cordtz)

When Dr. Sidney Lee, associate dean for hospital programs at Harvard Medical School, is asked what is wrong with American medicine, he has a prompt and characteristically blunt answer: "Doctors!" He has a good point. The nation's 313,000 active physicians are quite properly the main target for the critics of the health-care system. The doctors created the system. They run it. And they are the most formidable obstacle to its improvement. It is the doctor who decides which patients will be treated, where, under what conditions, and for what fee; who will enter the hospital, for what therapy, and for how long; what drugs will be purchased and in what quantities. The U.S. alone among the world's developed countries has given the medical fraternity such freedom. The profession not only can, but should, be held accountable for the way it uses its power.

The trouble with doctors is not that they are more avaricious than other people. Indeed, many of them are dedicated men, who work hard for their high incomes. The real charge against them is that they have been

shortsighted, timid, and far too slow to recognize and adapt to change. Only recently did the leaders of organized medicine reluctantly recognize the fact that Americans regard decent health care as one of their rights—not a privilege, or a commodity to be sold by medical men in the open market. Motivated by groundless fears of oversupply, doctors have discouraged the expansion of their own ranks, until now they must acknowledge a serious shortage. Even if every effort were made, that shortage could not be alleviated for at least the next decade. Yet most doctors, far from taking the lead, continue to resist innovations aimed at making the health-care system more efficient and responsive to public needs.

In recent years a small but growing band of doctors—most of them young—have begun to level these very accusations at their profession. A handful are taking direct personal action. Some are working in health centers established by the Office of Economic Opportunity; others have launched similar projects on their own. Interns and residents in several cities have forcefully called attention to deplorable conditions in public hospitals. Even more promising for the longer run, a profound change is evident in the attitudes of the nation's 37,750 medical students. Hundreds of the most earnest, intelligent, and vocal of them are clamoring for major reforms in the purpose and methods of medical education. They are demanding that the schools design both a more rational, effective health-care system, and more relevant training for a new breed of practitioner.

But it will take many years for the new generation of M.D.'s to make up a significant share of the medical fraternity, and in the meantime their influence is indirect and limited. Dr. Daniel Federman, an authority on the continuing education of doctors, asserts that "the change in student mentality has almost no counterpart among established physicians. They are more aware of the problem, but there is no evidence that they are doing anything about it." And Dr. Labe C. Scheinberg, dean of New York's Albert Einstein College of Medicine, warns, "Until the top practitioners join in the drive for change, everything else will be irrelevant." There are some small signs that the American Medical Association may be less resistant to change in the future. Nevertheless, most critics of the profession still believe that reforms will be forced on the A.M.A. by external pressures, not generated internally.

THE VANISHING FAMILY DOCTOR

At the heart of concern about the system is the intractable fact of shortage. Much more is involved in the nation's health, of course, than medical services. Environment, mores, and genetics also play large roles. And more is involved in the supply of medical services than the number of physicians. But their availability is extremely important, not only to the adequacy of care but particularly to perception of its adequacy. The National Advisory Commission on Health Manpower, in its report to President Johnson two years ago, cited three leading indicators of crisis: long delays in obtaining appointments for routine care; hours spent in waiting rooms, followed by hurried and impersonal attention; and difficulty in reaching a doctor at night and on weekends, except through hospital emergency rooms. All are obvious directly linked to the short supply of M.D.'s.

Since 1950, the number of physicians has grown about 25 percent faster than total population, and that margin is expected to increase as medical schools belatedly open their doors wider. But such over-all figures conceal some trends that have important implications for the availability of care. In recent years many doctors have turned away from patient care to work in research laboratories, industry, public health, and other institutions, to teach, or to serve as hospital

administrators—all functions of great importance for the future. One-third of all doctors now devote themselves to such activities. As a consequence, the number of M.D.'s caring for private patients actually declined 10 percent relative to population between 1950 and 1965—to 92 for each 100,000 Americans. Specialization took a further toll. The doctor-patient ratio of those providing family care (general practitioners, internists, and pediatricians) fell by one-third—to 50 per 100,000. (In the 1930's, when almost all doctors were in patient care and 70 percent were general practitioners, a ratio of 135 per 100,000 was regarded as desirable.)

The geographical distribution is extremely uneven. New York State, by the end of 1967, there were 200 physicians caring for each 100,000 residents. At the other end of the scale, Mississippi had but 69. Even within the most favored states, extreme distortions are common. Private physicians are as hard to find in some neighborhoods of New York City as in backward rural counties of the South. In general, doctors are plentiful only in the suburbs and in prosperous middle-sized cities; they are scarce in parts of large metropolitan centers, and in rural areas.

Most of the burden of expanding the pool of physicians falls on the country's 101 medical schools. In the past decade, sixteen new schools were opened. But the number of graduates next summer will total about 8,000—only a thousand more than in 1960. By 1975 more than 10,000 new doctors will be turned out annually. So lengthy is medical training, however, that even if the size of all schools were doubled tomorrow, there would be only an extra 9,000 fully qualified physicians seven or eight years from now. Today's shortage has resulted in a rapid increase in the immigration of foreign-trained doctors. They make up almost one-fifth of each year's new licentiates and more than one-fourth of the nation's full-time hospital staff. The Health Manpower Commission has expressed serious concern over this trend, noting that foreign-trained doctors "have a lower level of proficiency by all criteria of professional competence."

Whatever the source, the supply in 1975 is expected to total between 370,000 and 380,000 doctors—a gain of 17 or 18 percent from 1965. The trend away from patient care and toward greater specialization, however, will almost certainly continue. And, in any case, the increase in demand for medical service will far outstrip the small projected gross gains in the doctor supply. The factors that have expanded demand dramatically in the past decade—increasing affluence, new infusions of purchasing power from private and public insurance schemes, more education and consciousness of health, rapid growth in the youngest and oldest segments of the population, and continuing urbanization—will continue to work, perhaps even at a faster pace, in the future. The Health Manpower Commission has projected demand for all physician services at \$24 billion in 1975—double last year's amount.

Even if the supply of doctors could be increased more rapidly than anyone now believes possible, it would not solve much. The Health Manpower Commission declared that "if additional personnel are employed in the present manner and within the present patterns and 'systems' of medical care, they will not avert, or perhaps even alleviate, the crisis. Unless we improve the system through which health care is provided, care will continue to become less satisfactory."

WHERE THE SYSTEM FAILS

The most glaring shortcoming of the system is the unavailability of care to the poor, the isolated, and members of minority groups. A modest start is being made to deal with the deficiency through the OEO's fifty health centers, which group doctors, dentists, and supporting people in the areas

that formerly lacked any facilities or were dependent on hospital out-patient departments. Dr. Jack Geiger, now chairman of the Department of Community Health and Social Medicine at the Tufts School of Medicine, sold the concept of health centers to OEO in 1965. He opened two centers that the OEO now operates. One of them is in Mound Bayou, Mississippi, and the other in Columbia Point, a public housing project in Boston. Eleven full-time doctors and 150 staff members serve 14,000 people at the Mississippi center. Besides providing medical treatment, they attack the environmental conditions that produce much of the illness they find. In the early days of the project, Dr. Geiger wrote prescriptions for food to deal with widespread hunger and nutritional deficiencies. Since the center was established, he estimates, infant mortality in the target area has been reduced by almost two-thirds, but Dr. Geiger gives most of the credit to environmental improvements. "If I could do just one thing to improve the health of the people," he says, "I would double their per capita income."

Operations at Columbia Point are more conventional. There six full-time physicians and three others, who donate part of their time, care for 6,000 residents of the housing project. They work closely with welfare and other social workers in an effort to provide comprehensive family treatment. The emphasis is on preventive medicine, and the results have been dramatic: in two years the number of days spent in the hospital by residents of the project has declined by 80 percent.

Similar clinics have been started under private sponsorship or by individual doctors. One of the most noteworthy is Dr. David Brooks' Salud Clinic in Woodville, California—a rural community that previously had no health facility of any kind. There three physicians and a myriad of other health people (mostly local residents trained on the job) work on a communal basis. Each is paid \$250 a month. Fees for patient care come from Medi-Cal, the state's Medicaid program. Most of the money left over after salaries are paid is plowed back into improved facilities or educational programs.

Dr. Geiger asserts that 800 such centers are needed immediately across the U.S. But he acknowledges that staffing is a serious obstacle. Government health officials and others are now looking closely at the lessons learned in Vietnam, where physicians have been removed from the front lines. They remain at secure, well-equipped rear bases, and the wounded—after emergency first aid by medical corpsmen—are quickly taken back by helicopter. Investment of money in transportation between rural backwaters and strategically located large hospitals would have many clear advantages over construction and operation of understaffed makeshift medical centers. "Most small towns without doctors won't get them no matter what," insists Dr. Richard S. Wilbur, assistant executive vice president of the A.M.A. "The rural general practitioner in many areas is unsupportable and we shouldn't even try."

Others sympathetic to Dr. Geiger's aims are not sure that his should be the only approach. "We might be on the wrong track with those clinics," warns Dr. Charles E. Lewis of Harvard's Center for Community Health and Medical Care. "They might just turn into replicas of out-patient hospital clinics. It's like trying to fight this year's war with last year's weapons. And the costs of operation are phenomenal." Dr. Lewis argues for primary-care units in shopping centers and other areas where people congregate, many of them to be staffed by local people trained in taking information. The data could be fed into central diagnostic computers that would indicate whether the

case seemed serious enough to warrant examination by a doctor.

HOW FEW CAN DO MORE

The poor and the isolated are by no means the only ones dismayed and discontented by the way medical care is now being distributed. Anger about medical costs and the inconvenience and impersonality of care is spreading among the majority of middle-class Americans. Given the fact that the shortage of doctors is going to continue, the medical profession must find ways to improve its productivity. Most critics have centered their attention on three potentially fruitful ways to accomplish this: more extensive use of professionals who are not M.D.'s, expansion of group practice, and broad-scale application of computer systems and other new technologies.

Technological innovations hold considerable promise. Duke University's Department of Community Health Sciences is doing research that may provide practicing physicians with the advantages of data processing in making patient-care decisions. The department sees as feasible such improvements as a computer-stored data bank of diagnostic information wired to a terminal located conveniently close to the doctor, enabling him speedily to check his diagnosis of a particular illness with the computer's data about the illness in question.

Duke has also pioneered in the so-called "multiphasic screening clinics," which are now in operation in fourteen locations across the country. As the Commonwealth Fund describes its operation, "This unit will conduct chemical and electronic tests necessary for physical examination. Since much of the equipment can now be automated, it can be operated by technicians and can process both patients and the clinical data collected on them very rapidly. Through the screening clinic, the physician, at no expenditure of his own time, can obtain an important clinical-information profile on his patient." Other uses of electronic equipment include two-way television hookups between hospitals and outlying field stations manned by nurses. One now links a medical station at Boston's Logan Airport with Massachusetts General Hospital.

CUTTING DOWN ON THE BOOKKEEPING

Group practice, if the group is of sufficient size, can relieve the physician of almost all of his nonmedical burdens. John R. Johnson, executive administrator of the Palo Alto Medical Clinic, estimates that the average doctor in private practice spends more than 25 percent of his time on business (bookkeeping, billing, ordering supplies, etc.). "If a doctor uses us right," he says, "he can reduce that to 1 percent." Economies of scale can also enable groups to provide timesaving in-house laboratory facilities and equipment. And group practice gives the doctor and his patient ready access to specialists in other fields. In spite of these advantages, however, only 12 percent of all practicing private engage in any kind of group practice; just half of them are full-time members of comprehensive multispecialty groups. Many medical students express an intention to enter group practice, but the percentage of doctors doing so is not increasing much right now.

Part of the reason is money. Salaries for members of group are usually well under what a hustling physician can earn on his own. Dr. John Knowles, director of Massachusetts General Hospital, tells of a large western group that is trying to recruit an orthopedic surgeon at a salary of \$40,000—with no takers. "An orthopedic surgeon can easily make \$80,000 a year on his own," Dr. Knowles explains. Further, a doctor just starting out may be reluctant to join a group because there are so few of them. If he finds his associates uncongenial, he may not be able to locate another. He will then have to launch his own practice after having wasted several years.

SPLITTING UP THE JOB

"Health-care teams" offer the brightest opportunity for improvement of productivity. At present, because of the wide gap between their education and that of others in the medical field, doctors routinely perform many tasks that are beneath their level of competence. Many of them could be handled better by persons trained less broadly but more intensively. If large numbers of such functional specialists were available, physicians could work largely as team leaders—keeping for themselves only the duties demanding the highest skills. Other members of the team working independently or under the supervision of doctors, would be assigned responsibility commensurate with their education and training.

The mechanics of this eminently sensible idea are difficult to work out. What is required first of all is a detailed analysis of all the duties involved in caring for various types of patients. These must be evaluated in terms of their critical nature, and the kind and degree of skill required to carry out each. They must be divided up in some rational way. Then educational and training programs must be designed, and candidates recruited by the attractions of good salaries and opportunities for advancement. Doctors must be persuaded to use such assistants fully. (The history of physician-nurse relationships is not encouraging on this point.) Finally, and perhaps most difficult of all, medical licensing laws must be changed, and common standards established across the country.

A number of promising experiments are now under way. Anesthesiologists, who are among the specialists in shortest supply, have sponsored a study of their duties, and have identified six different levels of required competence. Some of those functions are being parceled out to technicians with a master's degree in anesthesiology. (About 12,000 nurse anesthetists already do 45 percent of the anesthetic work in the U.S., so splitting up the job further may not encounter too much resistance.) Pediatricians have also formally recognized that much routine care can easily be carried out by nurses or other assistants.

Many schools have already launched experimental programs to train a variety of people in services related to health care. Several are training a new category, the "physician's assistant," who will perform an array of routine chores—measuring, testing, and giving therapy—that now consume much of the doctor's time and energy. At Duke University School of Medicine, and at the University of Washington School of Medicine in Seattle, the courses of training, which do not lead to a degree, are designed for persons with some previous medical experience, most of whom are medical corpsmen returning from military service. Another school, Alderson-Broaddus College in Phillips, West Virginia, has just started a four-year baccalaureate program that will recruit students directly from high school.

Twenty-nine students have already finished their two-year course at Duke. Dr. D. Robert Howard, director of the program, says that each graduate had more than a dozen job offers. The University of Washington took in its first fifteen students last June for a three-month crash course. After classroom work in the subjects where the men were least experienced—psychiatry, pediatrics, geriatrics, and chronic disease—they were placed in doctors' offices for on-the-job training. All fifteen are now working in rural areas where physicians are most hard-pressed.

Up to now, most of the early graduates have found jobs close to their place of training. If these programs are to move beyond the experimental stage, though, legal obstacles to mobility must be removed. The new people in medicine will have to move freely across the country, without encoun-

tering serious restrictions on their ability to apply their skills.

Recruitment may also turn out to be difficult. With the exception of a few hospital administrators, nobody but the doctor makes much money or has much opportunity for advancement in medicine. Thus many abandon the profession. In spite of the severe shortage of nurses, somewhere between 500,000 and 600,000 qualified nurses are currently inactive because of low pay and the lack of intellectual stimulation. People lower down in the medical hierarchy—technicians, nurses' aides, orderlies, etc.—are even harder to attract and keep. Those who are pressing the health-team idea hope that the barriers to vertical mobility in medicine can be lowered, and that salaries can be raised substantially as better trained people take over duties now performed by those higher in the pecking order.

THE NEED FOR SUPPORTING TROOPS

Ultimately, however, the future of the health-care team concept will depend on the willingness of doctors to accept and utilize paramedical personnel. The numbers of such people have been minuscule thus far, and most have been trained in areas of severe shortage. If their numbers grow rapidly, the early enthusiasm for them may dwindle. Already, a local medical society in California has brought charges of practicing medicine without a license against a neurosurgeon's assistant who—under instructions—removed stitches from a patient's incision.

The attitudes of the doctors may be based on fear of competition. But it is also true that patients themselves may resent being handed over to assistants. Obstetricians are probably the most overtrained, underutilized doctors in the whole profession. Only a tiny number of births involve the kind of complications for which they train so arduously. But it is still difficult to visualize large numbers of middle-class women voluntarily forgoing the comforting presence of an obstetrician at the maternal bedside.

A QUESTION OF QUALITY

Doctors also resist the kind of reorganization that health teams would require out of a genuine concern for the quality of care. But many members of the profession express reservations about the quality that the present primitive system delivers. "Medical care in the U.S.," declares Dr. Jacobus Potter, associate dean of New York University School of Medicine, "is like the little girl with the little curl in the middle of her forehead. When it's good, it's the best anywhere. When it's bad, it's appalling."

Statistics suggest that there is lots of room for improvement. This country ranks fourteenth in infant mortality, twelfth in maternal mortality, and eighteenth in male life expectancy. The Health Manpower Commission found it "startling" that "despite the advances in medical science and the greater use of health services, there has been a barely perceptible increase in life expectancy in the United States since 1954. For the male population, life expectancies have actually declined in some age brackets."

That uninspiring record is partly explained by the fact that there is a wide gap between the figures for the poor and minority groups in this country and the rest of the population. If the poor are screened out (and one wonders why they should be), our ranking among nations moves up substantially. Smaller, more densely populated countries also have simpler medical logistics. As for the life expectancy of American men, doctors rightly complain that they eat and drink too much, exercise too little, work too hard, and drive too fast—then expect an annual checkup to keep them alive and well.

Granting all that, a good deal of evidence remains that many doctors are bad medicine. One of the first analyses of medical-care quality was conducted in 1956 under the direction of Dr. Osler L. Peterson, then a

staff member of the Rockefeller Foundation. His team of doctors, watching North Carolina physicians treat patients in their offices, concluded that more than 60 percent of the therapy was below acceptable standards. In 1962 and 1964 a medical team from Columbia University School of Public Health and Administrative Medicine studied the care of a random sample of patients in ninety-eight hospitals in the New York City area. Forty-three percent of the treatment was rated less than "good"; 23 percent was labeled "poor."

Another sobering revelation came from the spotless, shiny operating rooms. Surgical quality, of course, is frequently a life-or-death matter. Dr. Arthur James Mannix Jr., a Fellow of the American College of Surgeons, wrote in the New York State Journal of Medicine: "Errors in judgment or technique concerning either the anesthesia or the surgery, or a combination of the two, contribute close to 50 percent of the mortality in the operating room." And one study rated more than 40 percent of the surgery performed as less than "good." Further, much surgery is unnecessary. One-third of the hysterectomies reviewed in the Columbia studies were judged as having been done without any justification. An official of the A.M.A. says that the rise in tonsillectomies under Medicaid "verged on the scandalous." Critics have a sardonic label for such operations: "remunerationectomies."

Doctors also do too little to police their own ranks. In 1968 the various state medical boards revoked the licenses of only sixty-four physicians. Fifty-nine more received revocations that were afterward stayed, allowing the doctors to continue practice. Another sixty were suspended temporarily. In the circumstances, laymen find it difficult to identify low-quality medical men. They certainly cannot go by the visible evidence of a lucrative practice. Dr. John Knowles, director of Massachusetts General Hospital, asserts that "the marginal practitioner today is sometimes making three times what the best practitioner is making."

A STERN FACE TOWARD CHANGE

If the needed changes are to come, doctors will have to encourage and support them. Too often in the past they have fought against alterations in the system that they made, belong to, and run. The A.M.A. mounted the costliest lobbying effort in history against Medicare—not because it saw the weaknesses in it that have lately come to light, but because of fear of any change. Still, though, once Medicare was inevitable, the doctors managed to relax and enjoy it. Just before the Medicare bill was enacted, according to one expert researcher in the field, only 38 percent of New York State's M.D.'s favored it. After the program had been in operation for six months, 81 percent of them said that they approved. Such adaptability offers encouragement when future changes are considered.

That physicians have often set their faces so stubbornly against change is not hard to understand. It traces back to the fact that the overwhelming majority of them grow up, and later practice, in the middle and upper classes. In 1968, 41 percent of all medical students came from families with incomes above \$15,000—the wealthiest eighth of the nation. Another 22 percent were from families earning between \$10,000 and \$15,000. The vast majority were science majors in college, and until recently few had much undergraduate education in the arts and humanities. With the rarest of exceptions, and those of recent origin, students are not exposed to the larger questions of medicine's responsibilities to society. Consideration is seldom given to innovations in the system or forms of practice. Thus it is difficult for most practicing physicians to appreciate the arguments of their critical colleagues—or even to understand what they are talking about.

During their training period, doctors go through what Dr. Lewis of Harvard calls "a greater socializing process than even the priesthood." For at least seven years they spend almost all of their waking hours with other doctors or would-be doctors, not only absorbing medical information but, in Dr. Lewis' words, "learning how to act and think as well." Consciously or otherwise, most pattern themselves after the role models set by their instructors.

HUMANE, BUT ALSO HUMAN

When they are accused of "making too much money," doctors can with some justice point to the fact that medical education is tremendously expensive—even allowing for the fact that so much of it is government-subsidized. The Association of American Medical Colleges estimates the average bill for four years of medical school at \$20,000. After they get their degree, moreover, most doctors spend three or more years as interns and residents. More than 90 percent of interns and residents still receive salaries under \$6,000, although some hospitals pay far more. According to a 1968 study sponsored by the Department of Health, Education, and Welfare, doctors below the age of thirty-five typically earn less than other professionals except clergymen. And this is at a time when many are still saddled with debt from their medical-school days.

Later, not surprisingly, doctors make up for the lean years with a vengeance. According to *Medical Economics*, the median net income of self-employed doctors below the age of sixty-five in 1967 was \$34,700. The figure understates the income of the well-established man. For, while it excludes interns and residents, it includes young doctors just entering private practice—and many of them report net losses for a year or two. Between 1955 and 1967 physicians' median income rose a startling 117 percent—20 percent in the last two years, as Medicare and Medicaid poured new money into the medical marketplace. Certainly one important consideration that makes doctors oppose a reorganization of the health-care system is the fear that it may threaten their financial position. As Dr. Rashi Fein, the medical economist, recently told a congressional subcommittee, "Doctors may be humane, but they are also human."

With few exceptions, physicians are conscientious and dedicated to providing the best possible care for their own patients. But preoccupied with this demanding one-to-one responsibility, and limited by background and training, most are unwilling to recognize the flaws in the general system, and the unmet needs of many of their fellow citizens. The flaws, however, are now showing up everywhere—in the waiting rooms, in the hospital corridors, and in the figures on the cost of care. Change has to come. If they want to guide its direction, physicians must quickly begin to supply some leadership. As Dr. Knowles warns, "If we want to keep our profession free, we have to control ourselves and act in the public interest."

SHAKING UP THE CURRICULUM

A major reformation is under way in the nation's medical schools. It promises to be as far reaching as the one that transformed medical education half a century ago, and could have an even more profound effect on the practice of medicine in the U.S.

The first great wave of change followed the publication in 1910 of a massive report by Abraham Flexner calling attention to the chaos that existed in medical education at the time. Flexner condemned most of the more than 160 schools then in operation as outright diploma mills, or money-making enterprises conducted by bands of poorly qualified doctors. Response to the report was prompt: within twenty years the number of schools was pared to seventy-six, and they were firmly established within the univer-

sity framework. Admission requirements and curricula were standardized. Medical education was molded into its present form.

But for the past two or three decades, while the country and its medical needs changed radically, most schools have remained virtually the same. The training of a whole generation of doctors has become increasingly inadequate and frustrating. Now, as in Flexner's day, agitation for reform is spreading across the country. Critics are pressing for admission of more students, particularly from minority groups; closer attention by the schools to the health needs of their own immediate communities; and greater concern with the health-care system.

But the real fervor of the vocal new generation of medical students is directed at improvement of medical-school curricula and teaching methods. A majority of schools still follow much the same rigid curriculum that evolved after the Flexner study. First-year students, whatever their educational background, spend their time in lecture hall and laboratory studying anatomy, biochemistry, and physiology. In the second year, still restricted to the classroom, they devote themselves to microbiology, pathology, and pharmacology. Lectures are frequently lengthy and repetitious recitations of facts and terms to be committed to memory. In the lab, students follow what one labels "cookbook instructions." There is little correlation with clinical practice, and the only "patient" encountered is a dead one—the cadaver dissected in the anatomy lab.

Not until the third year do the survivors of this grind begin clinical training in the setting of the teaching hospital. Even at this clinical stage, according to an articulate student critic, "the pattern remains essentially the same: repetition, busywork, lockstep learning, conformity, passivity. The professor dispenses knowledge, the student, sponge-like, absorbs it, squeezes it out on command."

A DISSATISFIED DEAN

The first steps toward changing this picture were taken by Western Reserve (now Case Western Reserve) University School of Medicine at Cleveland. When Dr. Joseph T. Wearn was asked to take on the job of dean in 1945, he insisted that he be permitted to choose eleven new department heads (out of a total of thirteen). Dr. Wearn then used his leverage to transfer power over curriculum from the departments, habitually jealous of their prerogatives, to a newly created general faculty. In 1952, after an exhaustive six-year study, Reserve introduced its new curriculum.

All teaching was made interdepartmental, with subject-oriented committees giving courses grouped around the human body's various systems—respiratory, cardiovascular, neurological, etc. The first year was generally devoted to normality, the second to abnormality. Basic science instruction was closely tied to clinical case exposure. Elective courses were introduced, and students were given two half days a week to develop their own medical interests. They were also required to complete a major independent research project. Most of the fourth year was made elective, permitting students to concentrate more intensely on clinical specialties. Many tests were eliminated, and grading was put on a "fail-pass-honors" basis.

Finally—and this was the most popular reform—students were put in direct contact with patients from the start of their first year. Each was assigned to an expectant mother. He got to know the family members, their living conditions and problems. He followed the mother's prenatal care, attended the birth, and kept track of the child's care and development. Obviously, he was given no medical responsibility (although some students helped their charges to deal with hospitals, welfare departments, and other public institutions). But the innovation put him in

close contact with doctors and patients, and the interaction between the two.

Western Reserve has since made further revisions, including a "track" system that permits students with different educational backgrounds or goals to follow separate lines of study. It has provided written and audiovisual materials that enable students largely to educate themselves at their own pace. Some Reserve students do not attend lectures at all. These innovations attracted more than 1,500 observers to Cleveland, and over the years several other medical schools initiated their own curriculum reforms. Since 1967, mounting student pressure has compelled most of the rest to re-examine their educational programs.

COMMUNISTS OR COP-OUTS

As a group, medical students have displayed astonishing changes in attitude over the past three years. Some of their complaints of educational "irrelevancy" echo those made by undergraduates. But, as a natural reflection of med students' greater age, education, and maturity, their approach is generally more sophisticated and constructive. Even the most "radical" of them are, with rare exceptions, reformers rather than rebels. They are taking a larger view of the role and responsibility of the doctor, and are asking for training that will enable them to assume these expanded duties.

The Student American Medical Association, until three years ago little more than a stepping stone to A.M.A. membership, has now declared its independence. It has attracted 24,000 members, of a total medical-school enrollment of 37,750. At its convention last year delegates passed resolutions critical of the fee-for-service concept of payment for medical care, and endorsed greater participation in group practice. Under the leadership of its president, Edward Martin, a student at the University of Kansas School of Medicine, S.A.M.A. has initiated a health-care project among the poor in Kansas City. The organization, Martin says, "is right in the middle of the student attitudes. The right calls us Communists and the left calls us cop-outs. We are progressively concerned and active, not liberal or conservative."

A bit more militant are members of the Student Health Organization, a loosely connected amalgam of autonomous local chapters that is sometimes inaccurately described as the S.D.S. of the medical schools. But even they hardly sound like bomb throwers. Lambert King, a student at the University of Chicago Pritzker School of Medicine and a leader of the Chicago chapter, says, "One of our biggest goals is to get more control of the decision making in health matters into the hands of community people and hospital workers."

FLORISSANT WINS NATIONAL CROWN

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. HUNGATE. Mr. Speaker, I would like to commend the Florissant Valley Community College, Missouri, on their recent repeat National Junior College Soccer Championship.

We are indeed proud of these fine young men, and I call your attention to the following article from the St. Louis Post-Dispatch on their decisive victory:

FLORISSANT WINS NATIONAL CROWN

A goal by Tim Rooney in the eleventh overtime period gave Florissant Valley Community College a 2-1 victory over Lorain

College of Ellyra, O., yesterday and a repeat National Junior College Soccer Championship.

The teams were tied, 1-1, after the regulation four quarters of 88 minutes and two regular five-minute extra periods. Rooney's score on a neat cross from the left side by Jim Lemp came in the second minute of the ninth sudden-death overtime. The game lasted two hours 2 minutes.

After Florissant's opening quarter surge, in which the Norsemen looked as if they would run away, Lorain dominated the tight defensive battle until the fifth overtime.

Bob O'Leary had an early chance for Florissant but his shot hit the crossbar. The Norsemen's first score was a result of a deft bit of passwork from Mark Mathis to Tim Smith to Marty Stellar, whose shot beat goalie Don Northrup from about 10 yards.

Lorain had used only three forwards on attack until it trailed but then applied constant pressure. The Commodores used seven attackers in a spirited third-quarter surge but it was not until 8 minutes 20 seconds had elapsed in the third quarter that the Ohio team tied the score.

Then John Gonsalves headed one past Florissant goalie Frank Tusinski after an accurate cross from the left sidelines by Dennis Almeida.

Because of the cautious defensive play, the teams had few big opportunities. Once Dennis Vaninger, closely guarded by Lorain's four back guards, was wide with an open kick. Smith also shot wide two minutes before the end of the fourth quarter.

Standouts were Dale Harmon, the All-American back of Florissant Valley and Tom Nadeau, the most effective back of a Lorain team suffering just its second reverse of the season after 15 victories.

Pete Sorber's Florissant team finished with a 13-0 record and extended its three-year log to 58-2.

LOWEST PEACETIME UNEMPLOYMENT RATE IN LAST DECADE

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. WEICKER. Mr. Speaker, last Thursday night the President responded to a question of the economy at his press conference by reminding the country of an essential fact about unemployment which is too often forgotten by critics of the administration's economic policy.

As the President pointed out, the unemployment rate for this year will average out at 4.9 percent—that figure is lower than the rate for the first 5 years of the 1960's. In short, it is the lowest peacetime unemployment rate in the last decade.

The President stated that he is not satisfied with the present unemployment rate—that he felt we could do better. Yet, the figures to date actually show that the fight against inflation is proceeding very well.

When this administration took office it was faced with the two-headed problem of ending a war and ending inflation caused by that war. There is ample evidence that the administration is succeeding on both fronts. If the administration can bring about a stable peacetime economy in this country it will be a monumental achievement.

THE NEED TO REVITALIZE THE MOTION PICTURE AND TV INDUSTRY

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. TUNNEY. Mr. Speaker, I would like to bring to the attention of the Congress the following testimony by Mr. Donald Haggerty, executive secretary of the Film Technicians Local 683 in Los Angeles.

Mr. Haggerty's statement quite persuasively illustrates the need for the development of effective Federal programs to insure the continued growth of the National's motion picture and television industry.

The testimony follows:

THE NEED TO REVITALIZE THE MOTION PICTURE AND TV INDUSTRY

Mr. Chairman, Honorable members of the Commission: My name is Donald P. Haggerty.

I am executive secretary of the Film Technicians Local 683.

First Vice-President of the Hollywood AFL Film Council (an organization comprised of unions and guilds representing 25,000 craftsmen and technicians of the Motion Picture and Television Industry).

I am a special representative of the Los Angeles City Motion Picture and Television Communications Committee.

I am also here representing the Mayor of Los Angeles—Sam Yorty.

There is an employment crisis in the motion picture and television industry in southern California—52% of the craftsmen, technicians and talent employees in Hollywood are unemployed . . . many have already lost everything—homes . . . cars . . . hospital and medical coverage . . . and retirement pension . . . and there is no relief in sight. This mass unemployment is the result of American-interest motion picture and television productions being produced in other countries.

Refer to Friday's Variety, November 20, 1970:

On behalf of the thousands of employees in my industry . . . I appreciate this opportunity to present the serious plight of these American citizens.

The United States domestic film making capabilities is threatened with imminent destruction—largely the result of outdated . . . unrealistic . . . and irrelevant policies of the negotiation postures of the United States Government . . . with respect to international trade in motion picture and television films.

We American motion picture employees cannot compete against foreign productions . . . every motion picture producing country in the world provides tariff protections and quota restrictions—admission taxes—rebates—quantitative restrictions—low interest (and in many cases no interest) loans . . . none of which are provided by the United States Government to protect our own motion picture industry!!!

These other film-making countries provide their protections in blatant violation of Article XVI of the General Agreement on Tariff and Trade (GATT)—as well as the Organization for Economic Cooperation and Development (OECD).

The United States Government must accept the responsibility of eliminating the production subsidies and other advantages which are contrary to international agreement on principles of free reciprocal trade.

If the ravages of "runaway foreign film production" are not ended immediately by affirmative action and policy changes on the

part of the United States Government—America will lose its domestic film industry—an important segment of our national economy and an invaluable national asset in the field of world-wide communications.

Foreign-subsidized American-interest productions . . . together with foreign imports . . . have steadily increased over the last two decades, i.e. . . . 1946—19% of films shown in the U.S. were foreign-made (including both "runaway" and wholly foreign-produced):

1956—43% foreign-made.

1966—65% foreign-made.

1970—70% foreign-made.

Now—The American-interest television producer is running away to make his series under subsidized low-interest loans in foreign countries . . . to the demise of the American craftsmen . . . and, ironically, he exhibits the foreign-made productions on the American television set . . . requesting the same unemployed craftsmen and technicians to consider purchasing his products. . . .

This is hypocrisy—personified!

The United Kingdom and its very successful subsidy program (referred to as the "Eady" plan) is the greatest nemesis of the American motion picture worker . . . not only do they offer monetary advantages . . . but they are now guilty of coercing American producers of television series by refusing to show the American-based series—no matter how successful—on British and/or Canadian broadcasting television stations unless these producers shoot their series in the United Kingdom or Canada . . . they further guarantee a copy of the dupe negative without charge . . . which will then be shown in the United States . . . completely depriving the American craftsman and technician of his rightful employment in his own country!!!

Existing U.S. trade policies and attitudes . . . relating to motion picture and television film productions . . . have unrealistically failed to take into account that foreign governments . . . directly . . . and indirectly . . . bar the free flow of imported American-made films to their countries . . . while subsidizing . . . and stimulating exports . . . to the United States of foreign-made productions . . . largely produced within their borders by "Runway" American film interests. (Such "Runway" American film interests now reportedly own and control 90% of the British Film Industry. . . .) Small wonder that the latest weekly production charts published by the Hollywood Reporter and Daily Variety for U.S. feature films . . . reflect that the Lion's share of current "shooting" activities by American film interests is taking place within the United Kingdom or elsewhere within the British Commonwealth, so that "Eady Plan" cash subsidies and . . . "British quota" screen-time can be assured.)

Whether the immediate short-range financial advantages . . . being gained by "Runaway" American Film Production Companies . . . from participation in the financial advantages of foreign subsidies . . . screen-time quotas . . . and other forms of State aid from foreign governments . . . justifies the long-range economic losses at home in terms of mounting unemployment . . . reduced local business expenditures . . . declining Federal, State and local tax revenues . . . and erosion of our domestic film-making capabilities . . . is a question that the Government of the United States will have to answer, as a matter of public policy. . . .

I sincerely hope that the executive branch . . . and the Congress . . . will provide us with that answer in the form of important new changes in U.S. trade policies for the film field . . . that will serve the best interests of all the American people. . . .

I especially hope that such trade policy changes will be made in time . . . before our long-time battle against "Runaway Foreign

Film Production" has been lost through more passiveness . . . indifference . . . and frustrating delay on the part of governmental leadership at the Washington level.

MERCURY—UBIQUITOUS AND PERIPATETIC

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. OBEY. Mr. Speaker, in the past few months stories have appeared in the press with some frequency indicating more and more instances of mercury pollution.

This week we learned that large amounts of tuna are being withdrawn from the market because of excessive levels of mercury, levels above the 0.5 parts per million allowed in fish by the Food and Drug Administration.

Over the weekend we learned that some swordfish samples were found to contain high mercury levels. A few weeks ago it was toothbrushes, as one brand was removed from the market because the brushes had been treated with a mercury solution that could ultimately be dangerous if swallowed. Not long ago liver pills made from dried seal livers were also recalled by the FDA. And, although no action has yet been taken in this area, it is contended by some persons that a danger may exist from mercury contamination in cosmetics.

Mr. Speaker, I am asking that several articles be printed below which pertain to this matter.

As these articles point out, the finding of mercury contamination in tuna was the first instance in which such contamination has been found in deep sea animals, although the contamination found in seal livers indicated that perhaps mercury pollution had reached our ocean resources.

The reaction to the tuna contamination of an oceanographer at Woods Hole Oceanographic Institution in Massachusetts was, "it's certainly unexpected." Another scientist, at Florida State University said, "I'm surprised." And the reaction of the director of the FDA's Bureau of Foods was significant: "In terms of hard facts, we don't have any."

It is relevant to remember here also that although some persons had been warning about mercury contamination a number of years ago, it is probable that little heed was given to their warnings because it was assumed, first, that mercury was too expensive to dump down drains, and second, even if it was, the metal was heavy and would simply sink to the bottom of the lake or stream into which it was deposited.

Mr. Speaker, it seems clear that, in dealing with mercury, we have acted more with assumptions than with facts. Fortunately, there is research going on now, in Government agencies and private institutions as well, which will allow us to deal more with facts in the future.

The articles follow:

FTC SAYS TOOTHBRUSH CALLED "GERM FIGHTER" MAY BE HEALTH HAZARD

WASHINGTON.—The Federal Trade Commission charged that Chemway Corp.'s Dr. West's "Germ Fighter" toothbrush may be hazardous to toothbrushers' health.

The FTC issued a proposed complaint charging that the Germ Fighter toothbrushes are treated with a type of inorganic mercury solution, phenylmercuric acetate, that ultimately could be dangerous to users if swallowed. The FTC also contended that contrary to advertisements, the brushes don't kill germs that cause mouth diseases.

In Wayne, N.J., Chemway countered that it had discontinued the use of mercury in all Dr. West toothbrushes earlier this year and had ceased advertising claims for the mercury ingredient in early 1969.

James G. Adams, a Chemway vice president and general manager of its consumer products division, also noted that in 15 years of marketing Dr. West toothbrushes, there hasn't been a single incident or indication of any health hazard.

The Chemway executive "expressed surprise" that the FTC had filed its complaint at this time since, he said, the agency "has long known" that mercury and the disputed advertising had been discontinued.

The proposed complaint would bar Chemway from selling toothbrushes or other dental products using phenylmercuric acetate unless it can prove that such products are safe for users. The FTC said the handle and nylon bristles of the Germ Fighter brush are treated with the phenylmercuric acetate solution that may be absorbed or swallowed by users during normal brushing. This could be dangerous by adding to the content of mercury in the user's body, the FTC said.

(FTC officials noted that the inorganic mercury solution used on the toothbrushes differs from the more dangerous and toxic organic mercury that causes mercury pollution of waters.)

The proposed order also would bar Chemway from misrepresenting the therapeutic value of the Germ Fighter toothbrush. Contrary to claims in television and print advertisements, "the antibacterial property of the Germ Fighter toothbrush is of no medical significance in killing germs likely to cause infectious mouth diseases," the FTC charged.

The FTC cited the following as a typical advertisement that it is challenging:

"Citizens, throw away your toothbrushes. They're crawling with germs, things like staphylococcus aureus and streptococcus pyogenes . . . by the time you brush a few times there may be millions of germs . . . buy the Germ Fighter toothbrush by Dr. West's. It's treated with a compound that inhibits the growth of germs at least four months."

The proposed FTC order also would implement the agency's new policy of affirmative disclosure. It would require Chemway to disclose in 25% of its toothbrush ads for the next year that the FTC has charged that previous advertising for Dr. West's Germ Fighter toothbrush was false.

The proposed complaint was issued with the intent of seeking a consent agreement with Chemway, the FTC said. Under a consent agreement, a company could agree to stop the alleged practices and accept the proposed sanctions without admitting to any law violations.

If an agreement isn't reached, the FTC formally adopts the orders and sets it down for hearing. Ultimately the commission hands down its final decision and order, which can be appealed to a Federal court.

The FTC said about nine million Dr. West's Germ Fighter toothbrushes were sold last year.

FDA WARNS OF POLLUTED TUNA

(By Victor Cohn)

Nearly a quarter of the country's canned tuna fish supply may be contaminated by excess mercury, the Food and Drug Administration said yesterday.

As the result of just one week of sampling of a mere fraction of that supply, several lots or batches, of well-known brands are voluntarily being removed from grocery and food industry stocks.

Most of these batches may already have been sold. No one yesterday had reliable figures on this.

No tuna on the FDA list was found in a random check of chain supermarkets in Washington and suburban Maryland and Virginia last night. Several managers said they were unaware of the list.

Murray Socolof, vice president of Grand Union Supermarkets in the Washington area, said Grand Union has "been pulling it (the listed tuna) off the shelves for a week now. Whatever the government tells us to do, we do."

The FDA announced last Monday that some lots of Grand Union tuna contained an unsafe level of mercury.

Several supermarket managers said that although they were unaware of the tuna problem, checks of which they were unaware may have been made at their companies' warehouses.

FDA Commissioner Dr. Charles C. Edwards told consumers that any affected tuna they have already eaten, or may yet eat, is "not a health hazard."

He based this on the generally low levels of U.S. tuna consumption and "relatively low levels" of excess mercury found.

Asked whether he would recommend that housewives keep buying tuna and feeding it to their families, he replied, "Absolutely."

Just the same, he and other FDA officials made it plain that consuming too much mercury—just how much no one is sure—may be unsafe. They said the government and food industry are now planning more tests not only of tuna, but of other, yet unstudied, deep-ocean fish.

In announcing that the remains of nearly a million cans of tuna have already been labeled taboo, they took the most drastic action yet since mercury first came into the picture as a food hazard.

The FDA has so far examined only some cans from 139 tuna lots, less than one-half of 1 per cent of the 30,000 lots in the 1970 tuna pack.

But "we definitely think this is a reasonably accurate sampling," Edwards said, and the director of FDA's Bureau of Foods, Dr. Virgil O. Wodicka, called it "a reasonable estimate of what you'd find in the entire pack."

Early this year the mercury danger seemed mainly in fresh water fish, and many states stopped or restricted much commercial and sport fishing.

Then a week ago Monday Dr. Bruce McDuffie, a chemistry professor at the State University of New York in Binghamton, said he had found too much mercury in some canned tuna.

"Too much" is anything more than .5 parts per million, the level the FDA calls acceptable. Only mercury in far higher amounts has caused known human illness or death.

But doctors fear that mercury in almost any amount may kill nerve and brain cells, and—considering that some natural mercury is found in almost all food—have set .5 parts as a reasonable level.

The FDA, on the basis of hurried tests in the past eight days, revealed at a news conference:

Mercury up to 1.1 part per million has been found in 32 samples (more than 550 cans altogether) from 139 lots of 1970 tuna. The

affected samples represent 23 per cent of all this tuna.

Tuna of 10 brands (listed below) and some still unlabeled warehouse stocks were affected, but only in certain lot numbers, not the entire supply of these brands.

Included is tuna from all major fishing areas—the North and South Atlantic, the Indian Ocean and fishing grounds of Japan, Southern California, the Canary Islands, west Africa, Hawaii, Panama and Peru.

Even in the affected fish, the amount of mercury is "not considered high enough to pose an immediate health problem." And if the entire tuna supply has no more excess mercury, its average would not exceed the FDA guideline.

Now, Edwards said, "industry has been asked and has agreed to establish and maintain" tighter scrutiny in the future.

Other ocean fish must now be scrutinized, Wodicka said, on the heels of a new high-mercury finding by McDuffie in some swordfish steaks.

Brand names and code numbers (on the cans) of tuna to be removed from sale are:

Bumble Bee brand, 0302/L2Z1.
Chicken of the Sea, OH8Z3/DCIUF;
OH003/SCIMB; OH6RU/CN12E; 9H123/
SC14MF; OH6PU/CN12F; OH013/SC14L;
OH8LU/CN22D.

Empress Solid White, (H) 25B3/821CL;
H25B2/821CL; H25B2/821CL; H25B3/821CL.
Empress brand H24B3/821CL.

Grand Union Light Chunk, OH86U/CN
12J; OH86U/CN12F.

Grand Union brand, OH723/SC47D; OH
86U/CN43G; OH3XU/CN12J; 9H583/SC1BM.
Orchard Park Solid White, ACL/SC/0507.
Star Kist, 9121F1/FB733; 741F1/GB7Z3.

Van Camp's Light Chunk, OH3XU/CN
22F; OH47U/CN12J; OH51U/CN22J.

Van Camp brand, OH3LU/CN12J.
Unlabeled warehouse stocks, OHD93/
C01CG; LOTB/711C1; FO9A6/312C; ULC/
O-89; OZDIU/CW12D; OZD3U/CW12F.

MERCURY CAN BREAK UP CHROMOSOMES, DAMAGE BRAIN AND DEFORM THE UNBORN

The elusive element mercury, deadly toxic in large amounts, can damage the brain, break chromosomes, deform the unborn. In Japan, it killed.

Fish and shellfish heavily contaminated with methyl mercury near Minamata, Japan, are reported to have caused 111 cases of mercury poisoning between 1953 and 1960. Of the 111, 43 persons died. These levels of mercury were far higher than any ever found in this country.

Also among the 111 were 19 babies born with congenital defects to mothers who had eaten the fish and shellfish. The mercury was traced to waste from a large chemical plant polluting Minamata Bay.

In 1961, a second episode struck Japan. Mercury pollution of fish reportedly poisoned 30 persons in Niigata. Six died.

In Sweden, the use of methyl mercury in a seed dressing was blamed for a drastic decrease in wild bird populations. The use of methyl mercury as a fungicide was banned in Sweden in 1966.

ANCIENT POISON

Mercury, known as quicksilver through the ages, and fascinating to toy with when the thermometer breaks, is a poison, a substance that by its natural chemical action damages the structure of the body or disturbs its functions.

The elements, the only common metal that is liquid at ordinary temperatures, tends to become associated with red blood cells and nervous tissue, and reaches the brain and central nervous system. It easily passes the placental barrier to become concentrated in the fetus.

In attacking the brain, mercury can cause neurological disorders such as blindness,

paralysis and even insanity. It also attacks vital internal organs such as the liver.

In August, scientists from Stockholm reported in the Archives of Environmental Health that they had found chromosome breakage in humans who were exposed to high levels of methyl mercury in the fish they ate.

HINT AT GENETIC DAMAGE

Chromosomes carry the genes, man's heredity. The Swedish scientists said their findings suggest that mercury poisoning could lead to genetic damage to offspring, but added that this was not proven.

The concentrations of mercury in the fish in Niigata suggested that regular, daily consumption of fish containing 5 to 6 parts per million of mercury would be dangerous.

This figure is far above the levels that have been found in fish in the Great Lakes, for example. Also, fish are a less important part of the diet in this country.

A part per million has been compared to one ounce of vermouth in 7,590 gallons of gin.

Mercury gets to the fish from industrial processes, although there is a small natural level of mercury in the environment. Certain industrial processes use large amounts of phenyl, methoxyethyl and inorganic mercury which, via industrial waste, reach the bottom of lakes and rivers.

There, these forms of mercury, which are considered less toxic, are metabolized into methyl mercury, the highly toxic form, by microorganisms in bottom sediments.

The best known source of mercury contamination occurs when lye, or caustic soda, is made, according to Dr. Frank M. D'Itri of the Michigan State University Institute of Water Research. Caustic soda is a basic building block for other substances in the chemical industry.

Mercury is used as a catalyst, to speed a chemical process, in the manufacture of such plastics as urethane and vinyl chloride, and of the chemical acetaldehyde. Mercury is used in the electrical industry. Dr. D'Itri has said, where each year a million pounds of mercury is put into long-life batteries—"batteries which are eventually thrown out."

Many seed dressings, fungicides and sprays used in agriculture contain mercury.

TUNA MAY BE CHECKED ACROSS UNITED STATES BY FDA FOR MERCURY LEVELS

The Food and Drug Administration officials expect to learn, possibly later today, whether they'll have to launch a nationwide check of canned tuna fish for excess levels of mercury.

The officials in Washington are awaiting results of tests over the weekend of several brands of canned tuna taken from grocery store shelves in upstate New York. The tests were undertaken after a chemistry professor in Binghamton, N.Y., said he tested four cans of tuna and found one of the cans to contain mercury in excess of what the FDA considers acceptable.

The professor's findings immediately raised the question of whether only a single can or a single lot of tuna contained excess amounts of mercury or whether potentially hazardous amounts of the metal have seeped into the deep sea food chain on which tuna feed.

If a significant number of cans of tuna are found contaminated state and Federal authorities presumably would have to seize the lots from which the cans came.

Officials at FDA regional offices on the West Coast, where most of the nation's tuna catch is packed, said they hadn't heard yet about the upstate New York findings. However, the director of the FDA office in Seattle said inspectors there collected more than 100 samples of tuna from packers in the Pacific Northwest and found only trace amounts

of mercury in the fish, all below the acceptable level.

The FDA considers a concentration of mercury of 0.5 parts per million or higher to be unacceptable and grounds for seizing food.

The chemistry professor, Bruce McDuffie of the State University of New York at Binghamton, said he tested two cans of Grand Union brand white chunk tuna, one can of Star Kist brand, and one can of Empress brand tuna. Tests on three of the cans indicated mercury levels of 0.3 parts per million or lower. However, two tests of a can of Grand Union brand tuna indicated a mercury level of 0.75 parts per million.

As a result, both the FDA office in Buffalo and the New York Department of Agriculture and Markets in Albany began efforts seeking other samples of the same Grand Union brand lot that Prof. McDuffie tested. The state officials began testing a variety of brands of canned tuna.

The officials in New York said that if only a single can of tuna were found to contain excess mercury it would be hardly a serious situation.

An FDA spokesman in Washington said the agency is awaiting the results of the tests in Buffalo and Albany before deciding what action, if any, to take.

He said the agency expects to have the test results later today.

MERCURY IN TUNA BRINGS A RECALL

(By Richard D. Lyons)

WASHINGTON, December 15.—The Food and Drug Administration announced today that, as a precautionary measure, a minimum of almost one million cans of tuna fish contaminated by mercury were being withdrawn from the market. The agency insisted, however, that the product was still safe to eat.

Dr. Charles C. Edwards, Jr., Commissioner of Food and Drugs, estimated that, on the basis of samplings, 23 per cent of the 900 million cans of tuna fish packed in the United States this year contained amounts of mercury that the Federal agency considered excessive.

Even the approximate amount of contaminated tuna that is still available for sale is not known, since agency and industry officials said it was almost impossible to determine the number of cans that had already been sold and consumed. What is still on grocers' shelves is being ordered off. In addition, the Food and Drug Agency is not advising consumers to return cans that they have purchased.

Following is a list of brand names of canned tuna fish that have been found to contain more mercury than specified by the F.D.A. guidelines. The numbers after each brand are code numbers for the contaminated lots, which appear on the top of the affected cans:

Bumble Bee (0302/L2Z1).
Chicken of the Sea (OH8Z3/DCIUF; OH6RU/CN12E; OH6PU/CN12F; OH003/SC1MD; 9HIZ3/SC14MF; OH013/SC14L; OH8LU/CN-22D).
Empress (H24B3/821CL); (H25B3/821CL; H25B2/821CL).
Grand Union (OH723/SC47D; OH86U/CN 43G; OH3XU/CN12J; OH86U/CN12J; OH86U/CN12F; 9H583/SC1BM).
Orchard Park (ACL/SC/0507).
Star Kist (912F1/FB733; 741F1/GB723).
Van Camp (OH3LU/CN12J; OH3XU/CN22F; OH47U/CN12J; OH51U/CN22J).

"It is contaminated but not a health hazard," Dr. Edwards told a news conference.

He explained that the contamination level set by the agency—one-half part of mercury to one million parts of food—was a purely artificial number to be used as a "guideline" that offers a substantial margin for safety and should not be considered an absolute tolerance level.

Dr. Edwards noted that there had been but two reported incidents in which mercury-contaminated fish had caused harm to humans. In these cases, both in Japan, "the fish eaten contained from 10 to 80 times the .5 part per million level," he said. He added that Japanese ate much more fish than Americans.

The highest level of mercury found in the 138 samples tested so far, he said, was 1.12 parts a million. The average of all samples was .37.

As with the seal blubber that was found in October to be contaminated with mercury, the mystery remains as to how the metal tainted the flesh of the fish.

Dr. Virgil O. Wodicka, director of the F.D.A.'s Bureau of Foods, said, "In terms of hard facts, we don't have any."

Dr. Wodicka pointed out that it was extremely unlikely that the mercury came from a single source since many brands of canned tuna, several species of the fish, and specimens taken over a wide geographical area of the globe had been found to be contaminated. Tuna is a deep-water fish that is found in vast areas of the Atlantic and Pacific Oceans.

"The best guess is that the mercury somehow got into the food chain [the cycle in which larger species eat smaller], although we're not even sure of that," the director added.

FROM SMALL TO LARGE

Biologists believe that metallic mercury stemming from mining and industrial wastes is carried by rivers into the seas. Bacteria transform the metal into an organic salt, methyl mercury, that enters the bodies of small marine animals such as plankton. The mercury is then concentrated as the plankton is eaten by small fish that are then eaten by larger species.

Research programs are under way by the Food and Drug Administration, the National Oceanic and Atmospheric Agency and the tuna canning industry to determine if there is a pattern of contamination, and if excessive amounts of mercury existed in tuna packed in previous years.

The investigation is also seeking to determine if other types of sea food are contaminated by mercury. A cursory examination of shrimp and salmon samples by the Federal agency has not found high levels of mercury. But some samples of frozen swordfish imported from Japan were found last week to be contaminated.

Dr. Bruce McDuffie, a chemistry professor at the State University of New York campus at Binghamton, spurred the investigation of mercury in tuna fish by reporting on Dec. 3 the finding of a can of tainted fish.

FIRST TIME FOR OCEAN FISH

The finding is believed to be the first time that high levels of mercury have been found in ocean fish, although many species of fresh-water fish in United States and Canadian waters have been found this year to contain excessive amounts of mercury.

Charles Carry of the Tuna Research Foundation at Terminal Island, Calif., said it would probably be a month before the impact of the withdrawals on the canning industry could be assessed.

"At this point we simply don't know how many cans of fish we are talking about," he said.

One F.D.A. official estimated the loss to the canning industry at \$84-million, but Mr. Carry said he considered that figure "excessively high." He estimated that the value of canned tuna packed this year was \$250-million "at the cannery"—that is, before wholesale and retail costs were applied.

Dr. Edwards said his agency was taking the extra precaution of testing new catches of tuna and sampling all imported tuna, in addition to banning those lots that have

been found to contain excessive amounts of mercury.

"I want to reemphasize the point," he added, "that given present levels of tuna consumption in this country, the relatively low levels of excess mercury content found to date and the fact that even this excess is being removed, we are confident that the American consumer is now and will remain safe from risks of mercury poisoning."

FDA RECALLS MERCURY CONTAMINATED LIVER PILLS

WASHINGTON.—The Food and Drug Administration today announced the first recall of a product contaminated with poisonous mercury—25,000 liver pills made from seals.

The FDA requested the recall in nine states after inspectors found mercury levels in the pills 60 times the safe level established for food: 0.5 parts per million. A half-part per million is comparable proportionally to a jigger of vermouth and a tankcar of gin.

The seal-liver pills were manufactured by Randal Nutritional Products, Santa Rosa, Calif., and are sold in health food stores as a blood builder and mild laxative.

The recall affects outlets in California, Washington, Oregon, Florida, Illinois, Oklahoma, Colorado, Michigan and New York.

An FDA scientist described the contaminated pills as a "possible, moderate health hazard."

The pills were fashioned from the livers of seals killed on the Pribilof Islands southeast of Alaska in 1964.

Randal freeze-dried the livers for storage and used them over the past six years to make 1,250,000 pills, the FDA said.

"Seal liver attracted my attention because it came from an animal most free of contaminants," said Downing B. Randal, president of the company. "You can just figure from this that there isn't any place in the whole earth that isn't contaminated."

Dr. George Y. Harry, director of the government's marine mammal biology laboratory in Seattle, said it is still not known how the seals became contaminated.

The seals, he said, migrate up and down the Pacific coast and possibly could have picked up mercury from industrial discharges.

The seal contamination was the first finding of significant quantities of mercury in ocean fish and mammals, said Harry, "and it was startling."

Abnormal amounts of mercury have been found in water, fish and game birds in at least 33 states. Commercial fishing has been curtailed in some states because of mercury pollution.

Harry said the government is checking other ocean fish and mammals following the seal finding.

HIGH MERCURY LEVELS FOUND IN CANNED TUNA SPUR SCIENTIFIC STUDY

(By Jerry E. Bishop)

Staff Reporter of The Wall Street Journal
Those mundane cans of tuna fish on your grocer's shelves are shaping up as the source of a major ecological mystery.

The reason: Some of those cans taken from food stores and warehouses contain unexpectedly high amounts of mercury. That discovery, for practical purposes, is the first time that undue quantities of the poisonous metal have been found in deep-sea animals.

Normally, tuna feed on the high seas far from shore and far from human sources of mercury pollution. Then how could any of the big fish have accumulated in their bodies the amount of mercury found in the canned tuna? That's the problem that is being studied by puzzled oceanographers, chemists, ichthyologists and food-safety regulators.

EXPERTS ARE "SURPRISED"

"It's certainly unexpected," says oceanographer John Ryther of Woods Hole Oceanog-

graphic Institution in Massachusetts. "I'm surprised," adds Robert C. Harris, associate professor of oceanography at Florida State University in Tallahassee.

The mystery deepened over the weekend when high amounts of mercury were also found in frozen swordfish.

So far, authorities haven't had enough time or evidence even to speculate much. But some believe—or at least hope—that scientists have merely uncovered a natural phenomenon that's been going on for millions of years. At the other end of the speculative spectrum, some authorities fear the mercury that man has been dumping into the environment for a century has finally seeped into the ocean food supply in some areas. Just how widespread such contamination might be isn't known—nor what other special might be involved.

NO HAZARD YET

No health hazard apparently exists yet. Federal food-safety officials emphasize that the amount of tuna being found with undue quantities of mercury isn't large enough to constitute such a threat. State and Federal laboratories have checked samples from scores of lots of canned tuna since Dec. 4. That was the date that analytical chemist Bruce McDuffie reported he found relatively high amounts of the metal in Grand Union brand tuna. Mr. McDuffie is with the State University of New York in Binghamton.

U.S. Food and Drug Administration officials said over the weekend that of all the lots sampled, only five were found to have mercury in excess of what the agency calls an "action level." That's the level at which the FDA believes the fish should be removed from the market.

These lots include the original two lots of Grand Union brand tuna and one lot of Van Camp brand, packed by Ralston-Purina Co. and discovered by New York State authorities last Friday to contain excess mercury. The brand names of the other two lots weren't disclosed. But in all these instances, the food companies themselves have been voluntarily removing the suspect tuna from the market.

Mr. McDuffie threw a new element into the mystery by reporting he had found mercury levels in a frozen swordfish steak to be even higher than those he found originally in canned tuna. Swordfish, of course, is another high-seas creature. The fish was imported from Japan and was destined for restaurants.

ANOTHER "CRANBERRY CRISIS" FEARED

The FDA officials are clearly worried that the public will misunderstand the removal of the canned fish and unnecessarily turn the tuna troubles into another "cranberry crisis." (In 1959 the cranberry industry was almost destroyed when some lots were found tainted with minute amounts of a pesticide.)

The Federal authorities hasten to explain that the mercury action level for removing fish from the market exists largely for administrative purposes. It isn't based directly on any knowledge that tuna with mercury concentrations above the level is unhealthy, the authorities say.

Federal laws require that food be free of any known poisonous adulterant and say that if a poison occurs naturally, then it must be kept at levels known to be harmless. Mercury, of course, is a known poison. In large amounts, it can damage the brain and nervous system and possibly cause death.

SETTING THE LIMITS

But like many other elements, presumably mercury occurs naturally in trace amounts in all foods. Recognizing this fact, the World Health Organization has said unofficially that a person's overall diet could safely contain mercury in concentrations of up to 0.05 part per million.

More than a year ago fresh-water fish in the Great Lakes and several rivers were found contaminated by mercury from chemical plants. This finding forced Federal officials to

settle on some point at which fish wouldn't be allowed on the market. Fish isn't eaten everyday or perhaps several times a day, as are such foods as milk, sugar, flour, beef, pork and poultry. So, it was decided that fish could contain as much as 0.5 part per million of mercury. The total diet of even the heaviest fish eater, it was calculated, would still be well below the unofficial WHO guideline.

Only cans of tuna containing at least that amount of mercury are being removed from the market. And authorities believe this is a super-precautionary move. They term it extremely unlikely that anyone could find and eat enough of such tuna to push his overall consumption of mercury even close to the guidelines.

What mystifies scientists is that tuna are the mercury carriers. That fact is triggering the FDA into what could become a worldwide check of seafood. Until a few days ago, an FDA official says, "we felt mercury would be a fresh-water fish problem"—and, except for the Great Lakes, primarily a sports-fish problem. This was because industrial discharges of mercury have been into lakes and streams.

Only once before, earlier this fall, had there been even a hint that ocean life might be picking up unusual amounts of mercury. That instance came when a small California producer of health foods withdrew from the market 10,000 tablets containing desiccated seals' liver.

The tablets contained 60 parts per million of mercury. The seals' livers had come from bull seals killed for fur on the Pribilof Islands southwest of Alaska. The seals had been killed in 1964 and livers stored.

Seals live off much the same diet of small fish and crustaceans that tuna do. How the animals or their food picked up the mercury isn't yet known. But one investigator says there is a deposit of mercury ore not too far away, raising the possibility that mercury is seeping into the ocean.

At the moment, most investigators and scientists are assuming that the tuna picked up the mercury in their food. Tuna feed at close to the top of what is called the "ocean food chain." This chain starts with the microscopic algae and plankton that are fed by nutrients welling up from the ocean bottom. The tiny plankton, in turn, become food for the larger plankton, such as shrimp and other crustaceans. The next level is small fish or "top minnows," such as the anchovies. The fourth stage consist of the ocean carnivores, such as tuna, but also includes ocean-feeding birds.

A POSSIBLE ANALOGY WITH DDT

Normally, tuna feed on creatures inhabiting the top 100 fathoms of the ocean. However, says Mr. Ryther, the Massachusetts oceanographer, this doesn't mean the big fish haven't, at some time in their lives, ventured in close to shore. "We catch tuna here fairly regularly close to shore," he says. Thus, the scientists aren't ruling out the possibility that some of the tuna will sometimes feed on squid, crustaceans and other fish that have been living near an estuary of a river contaminated by industrial mercury discharges.

At the same time, scientists don't dismiss the possibility that, as Florida State's Prof. Harris puts it, "we may be seeing a case analogous to DDT." The pesticide doesn't break down in the environment and, after years of use, it has gotten into the very bottom of the food chain. As a result, DDT residues are being found in creatures over the world, including birds that never come near land and animals living in the Antarctic, far from where DDT has been used.

Once a substance gets into the tiny plankton at the beginning of the food chain, a natural phenomenon takes place. The substance becomes more and more concentrated as it moves up the chain.

A major problem facing scientists trying to solve the tuna mystery is that little is known about how much mercury gets in the chain through natural processes. A tentative estimate of how much occurs naturally in seawater has been made by chemist David Robertson of Battelle Northwest Laboratory in Richland, Wash. He calculates the oceans contain 0.1 part of mercury for every billion parts of water.

This naturally occurring mercury, of course, would be concentrated as it moved up the food chain, although whether it would reach the levels seen in the tuna is unknown. However, Prof. Robert E. Jervis at the University of Toronto says his laboratory in the last three years has tested over 500 different foods for mercury level. These included several seafoods but not tuna.

RELATIVELY LOW LEVELS FOUND

All the foods showed relatively low levels of mercury, as measured in part per billion. Prof. Jervis says. The only item that came close to the levels found in tuna was a sample of halibut that measured 0.3 part per million—still below the action level. "There's not much indication that these concentrations are much more than natural background levels," he says.

It's possible, as one investigator notes, that some tuna might have fed in an area that is naturally a mercury "hot spot." One scientist who speculates otherwise, though, is Frank M. D'Itri, professor of water chemistry at Michigan State University in Lansing, who has begun to delve into the mercury-contamination problem.

"I don't know how it got into the fish, but I think I know where it came from," says Mr. D'Itri. He notes that man has been dumping mercury into the environment, wittingly and unwittingly, ever since the industrial revolution. The obvious discharges have come from industrial plants, such as chlorine-caustic soda plants and plastic plants that use mercury in the manufacturing processes.

But, he explains, the products that contain mercury range from electrical components and lawn chemicals to paints and paper. "What do you do with your old car battery? You throw it away and eventually it's burned in an incinerator," he says. As a result, unknown but presumably large amounts of mercury have gone up smoke stacks and down sewage systems in the past 100 years.

In addition, there's the problem of coal. The fuel naturally contains some mercury; this is freed in the atmosphere when the coal is burned. And billions of tons have been burned in the past century.

One estimate is that man is currently releasing 4,000 to 5,000 tons of mercury into the environment each year. That about equals what is running off the continents and into the oceans by natural processes.

At the FDA, meanwhile, officials are launching a major effort to try to trace the source of the tuna that contained the high levels of mercury. The task could be monumental.

The first suspect lots have been traced to a packer in Puerto Rico. But the packer is reported to use about 80% Pacific tuna and 20% African tuna—and it isn't clear whether the source of the suspect fish can ever be found.

Scientists also note that nothing is known about how long tuna retain ingested mercury in their body. Man, for instance, excretes about half the mercury he eats in approximately 70 days. But in other species, says one scientist, this "biological half-life" of mercury may be 1,000 days.

So, the mercury currently being found in tuna may actually have been ingested a year or more earlier. And because tuna roam hundreds of miles over the ocean, the fish may have been caught a great distance from where they picked up the poisonous metal.

FDA STUDY IS CITED: SOME CANNED TUNA TO BE WITHDRAWN DUE TO EXCESSIVE MERCURY CONTENT

WASHINGTON.—The Food and Drug Administration said 23% of canned tuna sampled from all fishing grounds of the world was found to contain levels of mercury in excess of acceptable amounts.

The FDA said food companies had agreed to withdraw from the market all lots of canned tuna found to be at or above the guideline of 0.5 parts per million.

"This action by industry will continue until all tuna on the market is checked and every lot over the guideline is removed from store shelves," Dr. Charles C. Edwards, FDA commissioner, said.

The FDA survey, conducted after excess levels of mercury were found by a State University of New York professor in three tuna lots, covered 139 lots of the current year's tuna pack. The industry estimates a total of 30,000 lots have been packed, each containing 600 cases. All major fishing areas of the world were covered.

A total of 32 lots were found to contain cans with mercury at or above the 0.5 guideline; the concentrations ranged up to 1.12 parts per million.

The FDA considers that any fish with 0.5 or more parts per million of mercury must be removed from the market.

Mercury is a highly toxic substance that, if ingested in large enough quantities over a long enough time, can cause a variety of adverse health effects, including mental retardation, kidney and liver damage.

But Federal officials insisted that there wasn't any danger posed by the levels of tuna contamination detected.

"The highest samples found to date pose no risk of acute toxicity and removal of lots with more than 0.5 parts per million mercury will eliminate any danger from high rates of consumption over long periods of time," Dr. Edwards said.

BRAND NAMES LISTED

Lots with the following brand names were found in the FDA survey to contain cans having contents that were at or above the 0.5 mercury guideline: Bumble Bee, one lot; Chicken of the Sea, seven lots; Empress Salad White, four lots; Empress, one lot; Grand Union Light Chunk, two lots; Grand Union, four lots; Orchard Park Salad White, one lot; Starkist, two lots; Van Camp's Light Chunk, three lots; Van Camp, one lot. In addition, six lots of unlabeled warehouse stock were found to have contents at or above the guidelines.

Immediately involved in withdrawal from the market, as a result of the FDA survey, is an estimated one million cans.

FDA officials said they believe the survey, although small in size represents the extent of overall mercury contamination of tuna. The study included four of the five commonly packed species of tuna and included tuna packed in standard oil, olive oil and water pack. "We think it definitely is a reasonably accurate sample," Dr. Edwards said.

The canners have agreed with the FDA to identify, as rapidly as possible, all other lots on the market that failed to meet the 0.5 parts per million guideline and to withdraw them quickly. "We estimate that this program will be completed in 30 days," Dr. Edwards said.

The National Canners Association said it was impossible at this point to estimate how much of the 30,000 lots in this year's tuna pack remained on the market, or how much of previous years' packs remained to be sold.

Federal experts said there wasn't any reason to believe the mercury contamination detected in tuna was peculiar to this year's pack. The reasons for the contamination of the deep sea fish aren't known and are puzzling to scientists. Mercury contamination of lake fish has been detected, but this

has been attributed to nearby discharges of the metal from industrial plants.

FROZEN SWORDFISH CITED

Dr. Albert Kolybe Jr., deputy director of the Bureau of Foods, said it appeared that large, predatory fish with long life spans, such as the tuna, appear to concentrate mercury from the material on which they feed. Yesterday, FDA experts said they had confirmed findings by New York professor Bruce McDuffie, of excess mercury levels in frozen swordfish. But FDA testing for mercury in shrimp and salmon has shown these smaller fish don't have levels above the 0.5 parts per million guideline.

However, it remains to be seen how widespread is the problem of mercury contamination involving deep sea fish. The FDA has turned to the National Oceanic and Atmospheric Administration for advice on what other species of deep water fish should be surveyed for mercury and how to go about it. This work might take several months to complete.

For now, FDA officials said the agency's joint program with the industry will take care of any mercury problems with tuna. About 16% of canned tuna is imported; the FDA will assume the responsibility for testing imported fish and won't clear any with mercury levels of about 0.5 parts per million. The industry will be responsible, under FDA surveillance, for testing tuna that's canned domestically.

One key issue that remains to be settled is what disposition the companies will be permitted to make of the tuna that's pulled off the market. The companies, of course, must bear the financial burden for any of their products that aren't sold—unless Congress votes them a special dispensation.

It appears doubtful that foreign countries would be willing to purchase the tuna, or that disposition abroad would be acceptable U.S. policy. But Federal officials said it's possible that a more careful examination of the lots containing excess mercury might show the contaminant is found in only some cans. Thus, the companies might seek permission to market the cans in these lots that aren't in excess of the mercury guideline.

GUIDELINE IS EXPLAINED

The guideline of 0.5 parts per million for mercury in fish was adopted by the FDA earlier this year. It was considered an acceptable level to protect public health, based on an estimated daily average consumption by Americans of 40 grams of fish, including three grams of tuna.

FDA experts said that only two instances are known to have occurred in which mercury in fish caused health damage to humans. Both were in Japan and were caused by much higher levels of mercury in fish and shellfish, ranging from 15 to 40 parts per million. In addition, the FDA said, the estimated average daily consumption of fish by Japanese is 200 grams, a sharply higher amount than American consumption.

FDA Commissioner Edwards said the 0.5 guideline has sufficient safety built into it that consumers needn't worry if they eat some cans of tuna containing excess levels of mercury.

He said that the average mercury content of all tuna examined by the agency was 0.37 parts per million. FDA officials insist that by the law of averages consumers would be very unlikely to purchase only cans of tuna with excess levels of mercury, during the period in which industry identifies and removes them from the market.

But, the FDA did propose to the tuna industry that the companies voluntarily remove all tuna from the market immediately, test samples for mercury and then return to grocery shelves those cans below the 0.5 parts per million guideline.

The food concerns decided against this and the FDA didn't consider the public health problems were sufficient to require a total recall before testing.

But some Federal experts argue that the industry's public relations problems, in assuring consumers that the tuna on the market is entirely safe, would have been minimized by the FDA's suggested approach.

Tuna canners and supermarkets generally said they were waiting to see which brands and lots the FDA found to contain the excess amounts of mercury before they took any action.

"Should we encounter any such lots in the course of our testing we will, of course, remove them from the distribution channel," said John Magowan, president of Bumble Bee Seafoods, a subsidiary of Castle & Cooke Inc. Bumble Bee, a tuna packer, is based in San Francisco.

Late yesterday, Mr. Magowan said he wasn't aware of any Bumble Bee brands involved but a list released by the FDA showed one lot of the company's tuna contained an excess level of mercury.

INDEPENDENT TEST MADE

In New York, a Great Atlantic & Pacific Tea Co. spokesman said the company has had an independent laboratory checking its A&P brand canned tuna and so far hadn't found any with excess mercury.

One supermarket chain that has been removing tuna for several days is Grand Union Co., East Paterson, N.J. It was a single can of Grand Union brand tuna that was first found to contain excess levels of mercury and which triggered the FDA survey of the nation's tuna supply.

Several days ago, Grand Union removed the lot containing that first can and since then has removed two additional lots of tuna from its shelves.

A spokesman said the recalled tuna is being returned to Ralston Purina Co., owner of the Puerto Rican canner that packed the Grand Union tuna.

In St. Louis, a spokesman for Ralston Purina said only that the company is "following industry programs in all respects." Noting that it was an industry problem, he said he doubted "the industry, or anyone else, knows the extent of the problem."

Several supermarket operators said they were taken by surprise by the FDA announcement. "No one here had heard a word about it," said a spokesman for Red Owl Stores Inc., in Hopkins, Minn.

PRESENTATION OF NATIONAL CHRISTMAS TREE BY CONGRESSMAN E. Y. BERRY

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. BERRY. Mr. Speaker, it was my privilege last night to have the honor of presenting the Pageant of Peace Christmas tree for and in behalf of the Governor of South Dakota.

My remarks on this occasion were as follows:

Mr. President, Mrs. Nixon, distinguished guests, and my fellow Americans who are seated here on this wet and chilly evening, and those thousands watching on television across the nation.

On behalf of the Hon. Frank Farrar, our Governor, and on behalf of the people of the great state of South Dakota, it is my honor and privilege to present to the Nation's

capital and to the nation this majestic Black Hills spruce.

South Dakota is known as the land of infinite variety. We have our rolling plains, our great lakes along the Missouri River, and we have our beautiful Black Hills—the highest mountain range east of the Rocky Mountains. These beautiful peaks are crowned with tall and stately trees of a distinct variety known as the Black Hills spruce.

And, here tonight, as a symbol of the Christmas spirit which we hope some day will encompass the entire world, stands a Christmas gift from the people of South Dakota, a specimen of our Black Hills spruce.

And speaking for my fellow South Dakotans, with this tree we extend our most sincere wishes for a Merry Christmas and a peaceful New Year to everyone—everywhere.

COMMUNISTS IN VIETNAM

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. SCHMITZ. Mr. Speaker, at this point I would like to insert in the RECORD two articles which tend to complement each other. The first is a statement of Gen. Vo Nguyen Giap, a ranking member of the North Vietnamese Communist Politburo and the commander of the enemy forces in Southeast Asia. This statement appeared in General Giap's new book, "Banner of the Peoples War, the Party's Military Line," published by Praeger in 1970.

General Giap says:

To wage a war properly, it is necessary to possess a firmly organized base area, Nikolai Lenin, Collected Works, XXVII, 54-55. The rear base area is always necessary for success because it is a source of supply for human material resources for the war and a source of political and spiritual motivation and encouragement for the front line. Without a stable rear base area, the front line cannot defeat the aggressors. This is the general law for every war.

Nothing could be plainer than this. Without some organized rear base area, such as the North Vietnam itself or the Cambodian sanctuary, the North Vietnamese Communists could not possibly win. In fact if the northern sanctuary were resolutely disorganized the Communists could not even go on fighting. The question that arises at this time, however, is why do some people wish to recreate a secure rear base area in Cambodia for the enemy forces?

Perhaps it is because some people are not thinking about the situation in the correct conceptual terms. There are those who are speaking of denying American forces access to this enemy staging area in terms which deal with Presidential power and "open end commitment." These are side issues unrelated to the essence of the matter at hand.

What is at stake here is whether the Congress is going to reestablish through legislative fiat the Communist sanctuaries from which attacks are launched against both the Republic of Vietnam and the new anti-Communist Cambodian Government. If this action were taken it would be a very sad day in the history of

our legislature. It is good to note that the House-Senate Conference Committee has discarded this idea.

Those of use who are for defeating the various enemies that we face on the field of battle from time to time have continually argued against the concept of giving the enemy sanctuary so that he can conduct his war effort with greater efficiency. It is my opinion that the North Vietnamese Communists should not be allowed free play in their own territory while waging war against three of their neighbors. Why reward aggression? The argument against giving the Communists sanctuary in a country which they have invaded is even stronger and, in fact, no reasonable arguments can be advanced to support such a thesis. Perhaps this is why some people tend to retreat to word games such as "open-end commitment."

Senator DOLE has suggested that a Presidential hour be established when all those who are primarily interested in campaigning can make speeches toward this end. This is an excellent idea the merit of which becomes clear when we begin to speak of issues which involve life and death for American and allied forces. Since very few wish to view the war effort, what we do or do not do, from the point of view of trying to achieve a victory then at least everyone's point of view should focus on the safety of our men. Giving the enemy a staging area would compromise this safety.

The following interesting assessment of the U.S. effort undertaken last spring to disorganize the enemy resupply and training area in Cambodia appeared in the summer edition of Orbis magazine, published by the University of Pennsylvania Foreign Policy Research Institute:

REFLECTIONS ON THE QUARTER: THE U.S. INTERVENTION IN CAMBODIA

The significance of the Nixon Administration's decision to attack North Vietnamese installations in Cambodia seems to have been overstated by both its defenders and detractors. On the one hand, the President may have overplayed his hand by announcing on April 30 that U.S. forces would attack the "headquarters for the entire Communist military operation in South Vietnam." On the other hand, those Administration critics who saw the operation as an "irreversible expansion of the war" or "another Vietnam" missed the real significance of the limited campaign. From the outset, the Cambodian foray was unlikely to produce the dramatic results suggested by the President or to yield the disastrous consequences predicted by his detractors.

Although U.S. intelligence was not completely uninformed about the location and operating procedures of the communist headquarters in Cambodia—the so-called Central Office of South Viet Nam (COSVN)—several indicators should have recommended caution in public utterances on this subject. It was merely from a general estimate based on the "limited intelligence available" that the U.S. First Air Cavalry chose the initial targets in the Fishhook.

Other factors suggested that COSVN might not turn out to be where it was thought to be. During the last year of his regime, for example, Prince Sihanouk departed from the policy he had followed since the establishment of the sanctuaries and permitted U.S. B-52 bombers to attack the communist base areas. For a time, he even curtailed shipments of supplies to the base areas through Sihanoukville (now Kompong Som). In this sense, the bases ceased to be sanctuaries long before

U.S. forces crossed the border, and the changing circumstances were bound to have made the communist command more mobility-minded. Then came the fall of the Sihanouk government on March 18, 1970 and its replacement by the more overtly anti-communist Lon Nol government. COSVN undoubtedly realized that the Fishhook area had become vulnerable when, after Sihanouk's ouster, South Vietnamese forces began conducting sporadic raids across the border against the advice of American officials in Saigon. At the same time, the United States was increasing its bombing raids against the communist concentrations. All of these developments occurred several weeks before the President announced that U.S. troops were entering Cambodia.

On April 13, communist forces were detected moving westward from the border, deeper into Cambodia, severing roads and bridges and harassing towns and military outposts as they went. This thinning-out withdrawal apparently led General Abrams and Ambassador Bunker to recommend to the Defense and State Departments that an American operation should be conducted in the Fishhook. However, while the reduction of communist forces lowered the risk factor for potential U.S. operations, it probably signaled the evacuation of the area by at least the top echelon of COSVN; the communist command was unlikely to leave its central control apparatus exposed and unprotected, especially in view of the unstable political situation prevailing at the time.

Moreover, there is evidence that the communists had advance warning through their own intelligence network of the impending U.S. operation. According to one of the highest ranking North Vietnamese defectors during the operation, Lt. Col. Nguyen Van Nang (identified as the Deputy Commander of Communist Military Subregion Two, which included Saigon), communist units had from one to four days' notice of most Allied military plans, including the Cambodian operation. He himself was alerted three days ahead of time to the Allied incursion into his area of Cambodia.

The main impetus for the Cambodian operation appears to have come from the U.S. command in Saigon. General Abrams, upon noticing the thinning out of communist forces in the Fishhook in mid-April, apparently concluded that it was an opportune moment to neutralize the sanctuaries and thus buy time for the Vietnamization program. This would ease the pressure on South Vietnamese forces, who were then in the process of replacing U.S. troops along the infiltration corridors of Third Corps Tactical Zone, which led from the sanctuaries to the populous areas around Saigon. In addition, such an operation would make it more difficult for the North Vietnamese troops advancing westward to achieve successes against the fledgling troops of the Cambodian army. These were essentially limited objectives. To achieve them it was not necessary to destroy or capture COSVN. American field commanders in Viet Nam reportedly saw the operation in approximately these terms. They did not regard it as grand strategy, but merely as good tactics.

The Cambodian military intervention appears to have achieved significant advantages for the Vietnamization program. These are most evident in Third Corps Tactical Zone—the most important of the four operational areas in Viet Nam because it contains the capital city and the country's most densely populated areas. In addition, the operation achieved important results in Hau Nghia, Tay Ninh, Binh Long and Phuoc Long provinces adjacent to Cambodia. First, the logistical installations across the border in the small town of Ba Thu (in the Parrots Beak region, about forty miles west of Saigon) were dismantled or destroyed. According to visual reconnaissance and dozens of communist pris-

oners, Ba Thu was an extensive installation that served as headquarters for several of the Viet Cong's district and regional committees in the Saigon areas as well as a rest and recreation spot for North Vietnamese soldiers. Its proximity to Saigon gave it great importance in communist operations against the capital.

Farther north along the border, in the Fishhook area, U.S. forces uncovered extensive arms and ammunition caches, including the much publicized "city," which sprawled over several square miles. The fact that the latter was comparable to the U.S. installation at Long Binh in terms of its logistical importance to the North Vietnamese and Viet Cong was underlined by the testimony of a Cambodian parliamentary representative from the nearby town of Snoul. This deputy, who allegedly was on good terms with the local North Vietnamese commanders, claimed that the area served as the transshipment point whence material was moved to other sanctuaries after arriving by truck convoy from Sihanoukville.

In a third, more northerly, operation, U.S. forces discovered in Base Area 351 what was believed to be the main storage depot for arms and ammunition for communist troops operating in Third Corps Tactical Zone. Tons of war matériel were stored in thirty-seven caverns dug into the sides of jungled hills. Altogether the United States is said to have captured hundreds of vehicles and thousands of weapons, more ammunition than the total captured in Viet Nam in the preceding sixteen months, and foodstuffs sufficient to feed more than 10,000 troops for a year at full rations.

The significance of these spoiling operations for the Vietnamization program is illustrated by a single development. Approximately a year ago, the string of Third Corps bases located opposite the former sanctuaries as obstacles to North Vietnamese infiltration were manned primarily by American combat units. Today, except in the northeastern corner of Phuoc Long Province, the U.S. units have been replaced by South Vietnamese units. The success of this replacement process has undoubtedly been aided by the neutralization of the sanctuaries.

President Nixon's contention that the Cambodian operation would reduce American casualties is borne out by the casualty statistics for July, August and September.

It would be premature to conclude that the communists will not reoccupy the sanctuaries. In view of the possibility of future South Vietnamese incursions backed by U.S. air support, however, it seems unlikely that they will again be used as effectively as in the past. COSVN could probably re-establish bases farther westward within the interior of Cambodia. But the prime importance of the former sanctuaries was their close proximity to the battlefield in South Viet Nam. They provided close-in staging areas for North Vietnamese operations and permitted a rapid retreat to secure zones immune from retaliation. These advantages would diminish considerably should communication and supply lines be stretched deep into the Cambodian interior. In addition, the time required to establish such installations would work to the advantage of the Vietnamization program.

The long-range strategic implications of the Cambodian operation cannot yet be determined, but for the immediate future, one of Hanoi's strategic options has been eliminated. The communists have been deprived of using a strategy based on sizeable conventional armies and large-scale offensives with set-piece battles (on the order of the 1968 TET offensive). For such a strategy to be successful, extensive logistical groundwork is necessary, as well as an elaborately organized and efficient command and control

apparatus. On both scores, the North Vietnamese have been weakened as a result of the neutralization of the sanctuaries. Thus, a return to protracted guerrilla conflict is likely. (U.S. analysis had already detected such a shift in North Vietnamese strategy before the Cambodian operation. If it was then merely preferred, it is probably now necessary.) The hope would be that the South Vietnamese could handle this kind of warfare themselves.

Washington, in thus restricting the choice of strategy and, by implication, a broad range of tactical maneuvers, may have increased the pressures on Hanoi to negotiate seriously in Paris. But it is difficult for the United States, operating with conventional forces on the Asian mainland, to eliminate guerrilla warfare as a strategic option available to North Viet Nam. To the extent that Hanoi is able to retain this option, the chances for a negotiated settlement seem remote.

Some analysts appear to have concluded that the fate of U.S. policy in South Viet Nam has become tied to the survival of the Lon Nol government as a result of the Cambodian operation. While the fortunes of the Lon Nol regime will undoubtedly concern the United States, this contingency did not arise on April 30, when U.S. troops crossed the Cambodian border. It began on March 18, when Prince Sihanouk was deposed by his anti-communist Prime Minister. Given the opposition of the Lon Nol government to the presence of North Vietnamese troops on Cambodian soil, a showdown may have been inevitable from the outset. There are reports that North Vietnamese units began to move out of the border sanctuaries as early as March 13, five days before Sihanouk's fall, possibly in response to the hostile attitude Sihanouk had increasingly displayed toward them during the last year of his rule. Their westward movement continued through April. The Cambodian action probably accelerated the movement of communist forces into the Cambodian interior, but it did not start it. By throwing the North Vietnamese rear into disarray, the U.S. intervention may have prevented the situation in Cambodia from deteriorating in the first two months of Lon Nol's office.

REPORT TO NINTH DISTRICT RESIDENTS, NOVEMBER 30, 1970

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

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

SOVIET NAVAL ACTIVITY IN THE CUBAN AREA (By Congressman LEE H. HAMILTON)

No sooner had I returned to Washington from the campaign trail than I was involved in hearings and meetings on the Soviet Union's reported efforts to establish a naval facility in Cuba.

Washington is deeply disturbed by Soviet naval activity in the Cuban area, particularly the presence of a submarine tender, tugs and barges. Most of the activity has centered around the Southern Cuban port of Cienfuegos, where a harbor barracks has been built, a pier has been repaired, athletic fields have been developed and artillery and communications facilities have been erected. Soviet ships, including the tender, have been frequenting the harbor of Cienfuegos.

Soviet facilities in Cuba would give that country's submarines the ability to be serviced in Cuba and to remain in the Western Hemisphere longer than if they were required

to return to the Soviet Union. These missile-carrying submarines have been off the shores of the United States for years—just as U.S. Polaris submarines have been in the vicinity of the Soviet Union.

These facilities have come under close surveillance by the United States.

Last October 13, TASS, the Soviet news agency, announced that the Soviet Union had not built, and was not building, a military base in Cuba and that they would not do anything to contradict the understanding reached by the Soviet Union and the United States governments in 1962.

The message referred to the 1962 confrontation between the two countries over the installation of offensive missiles in Cuba. President Kennedy and Soviet Premier Khrushchev resolved the confrontation with the understanding that if the Soviet Union would withdraw its recently-installed offensive weapons in Cuba, the United States would not invade Cuba. This understanding enabled the two world powers to draw back from the brink of a nuclear war.

Now, apparently, there has been a new "understanding" between the two countries. The President, however, has been very secretive about the details. The available evidence indicates that recent talks between Henry Kissinger, the President's foreign policy advisor, and Anatoly Dobrynin Moscow's ambassador in Washington, reached an understanding on the limits of actions which the two governments may engage with regard to Cuba.

The word "understanding" is important. There is no agreement in writing and the public record consists only of an exchange of public statements by the two governments. The 1962 understanding clearly indicates the United States agreed not to invade Cuba and the Soviet Union agreed not to introduce offensive weapons and construct bases for those weapons.

The present situation has raised many questions from the House Committee on Inter-American Affairs, upon which I serve.

What is the nature of the understanding between the United States and the Soviet Union?

Does it apply to the use of Cuban facilities by the Soviet Union?

Is the continuing presence of submarine support ships in the Caribbean a violation?

At the moment we don't really know just what the Soviet Union is up to. They may be testing us to see how far they can push us in interpreting the understanding of 1962 and the more recent understanding with the Nixon administration. Developments in Cuba will have to be closely watched to assure that the Soviet Union lives up to its part of the understanding.

SALUTE FOR A JOB WELL DONE

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. GUDE. Mr. Speaker, it is with a great sense of pride that I bring to the attention of the Members of this House the retirement of a longtime resident of the Eighth Congressional District of Maryland. Mr. Roman R. Miller is retiring on January 8, 1971, after nearly 41 years of Government service. For most of those years, Mr. Miller and his family have resided in the Silver Spring area.

Mr. Miller's career has been a diversified one indeed. His first 5½ years were

spent at the old Fixed Nitrogen Laboratory—Department of Agriculture—and the last 35½ years have been devoted to a wide variety of Navy problems in the Chemistry Division of the Naval Research Laboratory. Possibly his most singular contribution has been in life support for personnel protection and submarine atmosphere control. He received the Distinguished Civilian Service Award in 1948 for his wartime development of the chemicals and equipment comprising the oxygen breathing apparatus—OBA—so vital to damage control operations in our fleet. His pioneering work on the chemistry of uranium hexafluoride led directly to the gaseous diffusion technique for isotope separation.

I know you will join me in saluting this dedicated scientist and public servant for his many years of devotion to his country.

CUTOFF DATES ON POLITICAL ADS SEEN AS BENEFICIAL STEP

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. McFALL. Mr. Speaker, I would like to call attention to an aspect of the work of the Fair Campaign Practices Committee that may not have been noticed by some candidates. That is the committee's effort to cut down new and vicious charges hurled on the closing weekend of the 1970 campaigns. The committee asked the newspapers, radio stations, and television stations to police their own professions, preventing the abuse of their facilities in the closing hours of the campaign.

Much of the media established cutoff dates after which they would not accept new political attacks. We do not yet know the full effect of the effort, but it appears to be an important step forward.

The following news stories—the first from Editor and Publisher on October 31, 1970, and the second from the Des Moines Register on October 21, 1970—explain the committee's actions:

NEWSPAPERS ALERTED TO POLITICAL TRICKERY

The Fair Campaign Practices Committee has asked newspapers and broadcasting stations to help keep the election campaign clean. The media have been asked to adopt a policy of cutting off new attacks in political advertising and commercials five days before Election Day.

The objective, according to Samuel J. Archibald, executive director of the Committee, is to "help stem the flood of last minute dirty politics."

Archibald reported that fewer complaints of violation of the Code of Fair Campaign Practices have been filed this year than during the comparable period of other campaign years. He added, however, that "this does not mean that campaigns are cleaner in 1970" but only that "unfair tactics are more subtle, more difficult to pinpoint."

"If a new issue is raised in a political advertisement or commercial on the deadline day," the Committee advised, "the accused candidate should be given the opportunity to purchase equal space or time for an answer on the same day, if possible."

The five-day prohibition of political advertising need not apply to political news, the Committee said, but added:

"If new political attacks must be reported in the closing five days, newsmen should be required by the newspaper publisher or station manager to make every possible effort to report the answer at the same time as the attack."

The "political tricksters," the Committee said, "are holding back their dirty politics until the closing days of the campaign" and that is why the assistance of the media is needed to keep the campaign as clean as possible.

The Committee sent to each newspaper publisher and station manager a study of current procedures followed by the information media.

The study, called "Beware the Witching Hours," shows that a bare half of the newspapers and broadcasting stations have established policies "to prevent slick, political operators from using the information media to hurl new and false charges too late for opponents to answer," the Committee said, "and even the half which has set a political campaign cut-off date, sets it so close to election day that there is no time for an effective answer."

"There is some validity to the argument that the objective news coverage policy makes a cut-off date for political news unnecessary," the Committee stated, "but this argument falls flat when applied to the 'for sale' side of the information business—the advertising space and commercial time which can be brought right up to election eve by a candidate who wants to make a completely new and false charge too late for an answer."

FLOOD OF "DIRTY POLITICS" FEARED BEFORE ELECTION

WASHINGTON, D.C.—The Fair Campaign Practices Committee said Tuesday it expects a flood of dirty politics just before election day.

"The political tricksters are holding back their dirty politics until the closing days of the campaigns," the committee said.

It gave no basis for this gloomy outlook, but it urged all newspapers and broadcasting stations to adopt a publicly announced policy of cutting off new attacks in political advertising and commercials five days before election day.

"If a new issue is raised in a political advertisement or commercial on the deadline day," the committee advised, "the accused candidate should be given the opportunity to purchase equal space or time for an answer, on the same day if possible."

The committee's statement said the five-day moratorium need not apply to political news, but added:

"If new political attacks must be reported as news in the closing five days, newsmen should be required by the newspaper publisher or station manager to make every possible effort to report the answer at the same time as the attack."

NONPARTISAN UNIT

The committee is a private, nonpartisan, nonprofit organization established in 1964 to alert the public to unfair political techniques. Its chairman is Charles P. Taft, Cincinnati lawyer and son of President William Howard Taft. He is an uncle of Representative Robert Taft, Jr., Republican candidate for the Senate in Ohio.

In a study called "Beware the Witching Hours," the committee says a bare half of the newspapers and broadcasting stations have established policies to prevent "slick political operators from using the information media to hurl new and false charges too late for opponents to answer."

SUBTLE TACTICS

"There is some validity to the argument that an objective news coverage policy makes

a cutoff date for political news unnecessary," the committee said, "but this argument falls flat when applied to the 'for sale' side of the information business—the advertising space and commercial time which can be brought right up to election eve by a candidate who wants to make a completely new and false charge too late for an answer."

The committee said that thus far there have been fewer complaints of unfair practices this year than in previous campaigns, but it said: "This does not mean that campaigns are cleaner in 1970. It means that unfair tactics are more subtle, more difficult to pinpoint."

AGRICULTURAL AND ENVIRONMENTAL POLLUTION CONTROL

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. GOODLING. Mr. Speaker, the 52d annual meeting of the American Farm Bureau Federation was held in Houston, Tex., on December 6 to 10, 1970.

The quality of our environment received considerable attention at this annual meeting, and in this respect I would like to call your attention to the fact that a former member of this House of Representatives, Hon. Clifford G. McIntire, is director of the American Farm Bureau Federation's National Resources Department, which is vitally concerned with and involved in environmental considerations.

In the deliberations of this annual meeting, an address was delivered by Melville W. Gray, chief engineer and director of the Division of Environmental Health, Kansas State Department of Health. Because Mr. Gray presents some penetrating views with respect to agricultural pollutants, and because these observations are in consonance with our struggle to preserve our environment and make this world a pleasant place in which to live, I insert his remarks in the Record and commend them to your attention:

AGRICULTURE AND ENVIRONMENTAL POLLUTION CONTROL

(By Melville W. Gray)

John is a bad boy. Theorem: "All boys are bad", or "All bad boys are named John". This of course is a syllogism which has been much used in primary education for many years.

Let us take another basic statement for analysis: "Pollution is bad." Of course there are many twists that could be provided for this statement particularly by the insertion of a few adjectives and adverbs. We should however encounter many variables in arriving at a universal definition of pollution. The lack of a definition for pollution is perhaps the greatest stumbling block to the acceptance of pollution control by all segments of society. I personally prefer a definition of pollution as follows: "The contamination or other alteration of the physical, chemical, or biological properties of a resource so as to create a nuisance or render such resource harmful, detrimental or injurious to public health, safety or welfare, or to the plant and animal life or to other legitimate, beneficial use of the resource." This of course is not a perfect definition of pollution because it will not stand on the basis of its own wording; it requires inter-

pretation, hopefully utilizing facts, reason and good judgment, with good judgment perhaps the most important single factor. The facts available in reaching a decision regarding a source of pollution are few in relation to the multitude of variables inherent in each individual case of pollution.

STATUS OF POLLUTION

Today in the United States we have experienced a "happening" or awakening to the threat and seriousness of environmental pollution. Many areas of our nation's waterways have become fouled to the point where they are black, septic, and void of desirable flora and fauna. Their use in areas has been impaired to the point that they are no longer used for water supply, irrigation, or recreation.

Large portions of our atmosphere are polluted to the extent that life has become miserable for residents of the area, particularly those sensitive to smog, and additionally provides for lifetime health hazards. Segments of the country have been exposed to air pollutants that have destroyed vast acres of crops, plant life, and wildlife.

We have further destroyed the beauty of our countryside by creating huge mountains of trash by which we have further insulted nature by burning these mountainous creations or periodically pushing them into rivers and streams to cause additional pollution.

Under these and many related instances, is it particularly surprising that the general public has risen to the cry of "Save our environment"?

AGRICULTURAL POLLUTANTS

What part does agriculture play in the problem of environmental pollution?

The normal broad spectrum of pollutants associated with agriculture today are silt, animal wastes, pesticides, fertilizers, odors, and other chemicals and biological factors.

The nature of these pollutants does not restrict their environmental degradation to isolated areas. They are transported throughout the nation by wind and water.

Feedlot wastes

Animal feedlot wastes have attained significant importance as related to water quality control in a relatively short period of time. In the red meat producing central states from the Gulf of Mexico to the Canadian border, it is doubtful that any other industry has singly produced a comparable impact with as great a potential to pollute water.

Large concentrations of animals in feedlots have the capacity to pollute and make unusable for recreation major reservoirs for a period of several weeks, and within a few days can destroy all fish life for miles in a single flowing river.

The principal immediate pollution factors observed in receiving streams as a result of feedlot waste runoff are depressed or depleted oxygen levels; total coliform, fecal coliform, and fecal streptococcus counts in the millions per 100 ml sample; and ammonia concentrations toxic to fish life.

Feedlot development and trends

In Kansas, the small cattle feedlot operated as a supplement to normal farming operations is rapidly giving way to the commercial feedlot. The commercial feedlot is defined as one having a cattle capacity of 1000 head or more. Over 70% of all grain-fed cattle are in commercial feedlots, whereas less than 10 years ago the reverse was true: less than 30% were in commercial lots. The number of cattle on feed in Kansas has doubled since 1966 to the present level of approximately 900,000 head.

Operators of feedlots for which the Division of Environmental Health determines there is a water pollution potential must provide water pollution control facilities which

will protect all beneficial use of waters of the state and which will not injure other property or property residents. The water pollution control facilities must be constructed in accordance with plans and specifications approved by the department.

Permits are required for water pollution control facilities and are issued after completion of construction in conformance with approved plans and specifications. Permits are revocable for cause on 30 days' written notice. After revocation of a permit, the operator of the feedlot is allowed to finish feeding animals in the lot but cannot place any other animals in the lot until water pollution control requirements, as established by the department, have been met and a new permit has been issued.

Upon receipt of a registration application for operation of a feedlot, a department engineer will visit the proposed site with the operator and evaluate the need and extent of water pollution control facilities. A letter report is submitted to the owner setting forth the minimum requirements for pollution control. Although provision has been made for allowing feedlot waste treatment plants with discharge of an effluent in conformance with river basin water quality standards, only small dairy farm operators treating combined milk parlor wastes and household wastes have elected to follow this course of action, due to the cost involved.

The general provision of approved facilities for water pollution control involves (1) diversion of runoff from extraneous or non-feedlot areas; (2) retention ponds for all waste water and rainfall runoff contacting animal wastes; (3) application of liquid wastes to agricultural land, and (4) application of solid wastes to agricultural land.

The department, by state statute, has the prerogative to vary pollution control requirements to conform with the need for control at each specific site based on professional engineering judgment. There are feedlot sites that have not required control facilities due to topography and location. An example of this is where the feedlot is located at the high point and in the middle of a section of land which is terraced and under irrigation. The feedlot area involves approximately 10 acres, 2500 head, and waste water runoff is satisfactorily retained on the operation's cropland.

Feedlot pollution control design factors

Economic factors have considerable weight in determining feasible control measures for feedlot wastes. Conventional physical, chemical, and biological methods of waste treatment have been determined to be prohibitive by virtue of their cost. Kansas has taken the approach of returning the waste by-products to the land in concentrations conducive to maintaining the balance of nature.

The normal minimum requirements for retention pond volume is based on the maximum 24-hour rain which can be expected to occur once in 10 years using a runoff coefficient of 0.8. Because runoff from feedlot surfaces will result in the suspension and carriage of considerable manure and silt, a minimum of two retention ponds in series is required. The first pond is designed as a sedimentation pond with configuration conducive to removal of solids by pumping or if necessary by truck-mounted dragline. The first pond is necessary to protect the integrity of the second pond and no volume credit is given for this runoff retention requirement. This first pond is sized at approximately 10% of the volume of the second pond. Unusual or critical downstream locations of beneficial water use such as fishing ponds or water supply ponds will require greater retention volumes.

Liquid wastes from retention ponds are applied to agricultural land for the production of crops. Based on rainfall duration data for Kansas, we have established the objective to

dewater retention ponds in five days allowing as much as a week to 10 days for soil to dry after significant rainfall has occurred. Pumping equipment is sized to provide delivery to the irrigation land on this basis. A minimum of two pumps is required where a capacity of more than approximately 500 gpm is needed. An appropriately sized pump is also required for the sedimentation pond.

The liquid waste contains the crop nutrients nitrogen, potassium, and phosphorus. It is intended to irrigate cropland so that these nutrients will be taken up and kept in balance with crop yield. Based on existing data of waste characteristics as reported by Shuyler,¹ the liquid wastes can be expected to contain ± 500 lbs N, 70 lbs P_2O_5 , and 380 lbs K_2O per acre-foot.

Tremendous quantities of manures are generated in animal feedlots and must be removed and disposed of in a manner which will not be detrimental to water or other environmental factors. Solid wastes from cattle are generated at a daily rate of ± 30 -40 lbs per day net weight. The usual practice of solids removal from feedlots is to scrape the surface to firm ground upon completion of feeding of a pen of cattle. The solids have accumulated for a period of 100 to 120 days. It is not too unusual to allow solids accumulation within pens to continue for two or three pen turnovers for reasons of inclement weather or lack of employee time. Due to the extended periods of time the solid wastes accumulate within pens and the fact that varying quantities of soil are intimately mixed with the wastes, the pollution characteristics and nutrient content of removed wastes are also highly variable.

In general, the requirements for solid waste utilization for crop production are as follows:

1. Application to cropland is normally limited to 20 tons per acre per year. In cases where cropland has been scalped in land leveling, these areas can receive as much as 200 tons per acre for the first year.

2. Solid wastes cannot be placed on the land used for liquid waste irrigation unless the combined nutrient value is kept within crop production requirements.

3. Solid wastes applied to land must be turned under as soon as practicable. The department considers a period of less than two weeks as an acceptable time period between land application and the turning under of wastes.

4. Solid wastes should not be applied to land surface during periods of wet weather. It is preferable to stockpile wastes removed from lot surfaces and make land application during dry soil conditions immediately prior to the normal time for plowing the field.

Cost factors for pollution control of animal feedlot wastes vary greatly in Kansas. In cattle feedlots ranging from 5,000 head to 40,000 head capacity, the average installation cost for pollution control has been \$2.45 per head of lot capacity. The cost range has been from a low of \$0.37 to \$9.20 per head of lot capacity. These figures do not include the cost of land used for irrigation because the land is used for crop production in addition to waste disposal.

Pollution by agricultural land

Kansas has partially completed a study of a river basin that has characteristics rapidly becoming unique. Soldier Creek basin in northeastern Kansas consists of approximately 290 square miles of drainage area and does not contain a feedlot, industrial waste discharge or municipal waste discharge in the entire basin.

¹ Shuyler, Lynn R., "Using Feedlot Waste"; Kansas Engineering Society Seminar on Design for Feedlot Waste Management, January 1969.

Stoltenberg² reports that there is considerable effect on water quality of the basin as a result of rainfall runoff from cultivated land, pastureland, and woodland throughout the basin. Agricultural chemicals produced pollution in the stream in the form of phosphate and nitrogen equal to approximately 30% of the annual applied quantity. Bacterial standards established by the federal government were exceeded between 30% and 40% of the time.

Water quality in Kansas rivers is poorest during periods of rainfall runoff as it relates to turbidities, dissolved oxygen, phosphate, nitrogen, and bacterial concentrations. Kansas transports as much as 30 million tons of sediment per year via rivers and streams, significantly affecting the quality of water.

Quantitative effect of agricultural pollutants

The gross effect of common pollutants associated with agriculture in Kansas waters is significant when compared with the contributions of the state's population of approximately 2.25 million persons. This comparison is provided as follows:

Pollution source, pollution parameter, and approximate population equivalent

Domesticated animals, BOD (organic strength), 100,000,000. Nitrogen, 160,000,000. Agricultural fertilizers³, Nitrogen, 72,000,000. P.O., 21,000,000.

Silt (30,000,000 tons/yr), BOD, 11,500,000.

CONCLUSION

We have in many ways abused our environment to the overall detriment of man. We must provide the necessary measures for environmental pollution control not only if man is to survive, but if we are to fully enjoy our existence.

There is another environmental danger of equal importance facing us today, i.e. over control of environmental "pollution." If the nebulous nature of the word pollution is not recognized and careful analysis of associated facts provided, tremendous economic repercussions can occur.

The trend today is to establish pollution control standards on a uniform basis without regard to inherent characteristics of a given area, the ability of nature to neutralize certain pollutants without damage, or the net effect of controlling a pollutant when it is but a small percentage of the pollutant from uncontrollable natural sources.

Little or no consideration has been given to the fact that one could become so obsessed with the control of pollution from land runoff that the costs of control would exceed many times the value of the land or value of returns from crop production. Rivers and streams are subject to nutrient and bacterial pollution from land runoff from cultivated land as well as natural grassland or forest land. The common bacterial pollution indicators—coliform, fecal coliform, fecal streptococcus, and salmonella are widely distributed throughout nature and particularly in soils necessary for cultivated agriculture. There are between 500 million and 5 billion living organisms in one gram of good agricultural topsoil. If this were not true there would be no capability for crop production. A sterile soil is a non-producing soil.

It is estimated by soil experts that if

100% of the known feasible soil conservation measures were implemented throughout the nation it would reduce by only 50% the total pollutants. I am firmly convinced that before man dominated the area now known as Kansas that the present water quality standards were exceeded.

If we are to have meat in our diet as a source of protein, we must provide certain restrictions on the waste products. With the present state of the art as it relates to confined animal feeding it is not possible to provide 100% control within economic means. It is possible to control pollution factors within reason by intelligent location and recycling waste byproducts.

We must learn to control environmental pollutants in conformance with inherent characteristics of a given area. Is it reasonable to provide pollution control beyond the point of determinable benefits or if uncontrollable sources negate benefits?

A medical patient who is not hypersensitive to penicillin, when given less than an adequate amount of this antibiotic will succumb to the disease; when given the proper amount he will be cured, but when given an overdose will succumb to the antibiotic.

Many persons today are becoming concerned with the emotionalism and in some cases fanaticism evident in the ecological movement. There are many obvious violations of nature for which we can provide control measures within economic reason. All of us must recognize and respond to our responsibilities in environmental control.

I would urge the Farm Bureau and all other organizations to formulate pollution control support and take an active part in seeing that standards are adopted which are needed, that will provide benefit, that are based on facts, and that are not enhancement for the sake of enhancement. No one standard can truly be right under all conditions and in all areas.

CONGRESSMEN, STUDENTS MAKE EDUCATIONAL FILM

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. FORSYTHE. Mr. Speaker, I want to welcome today a group of high school students and their advisors, who together with several New Jersey Congressmen, made an educational film here in Washington to be shown in New Jersey high schools.

I wish to extend my sincere compliments to the students, some 30 of whom traveled from Burlington, N.J., this morning to participate in this exercise of government.

In addition, I want to express my thanks to those House Members who were able to participate and help the students in their worthy cause.

The Institute for Political Education at Burlington City High School won a \$1,000 "minigrant" from the State Education Department for the project. Mr. Barry Lefkowitz, founder and director of the institute, directed the film and Henry Ciurley, Philadelphia, an instructor at Burlington City High, was the staff coordinator. The students themselves wrote the entire script.

These dedicated men have devoted many hours to helping interested high school students learn about and become

involved in governmental and political activities.

The film was made in a subcommittee room here on the Hill, with students acting out the role of Congressmen in legislative deliberations.

Meanwhile, our House Members explained, in the film, technical and parliamentary procedures, so that high school students will learn—directly from their Congressmen—the finer points of legislative procedure.

I think this method of learning by doing and learning by seeing is tremendously beneficial for both the students and adults. I sincerely hope that New Jersey schools will make good use of the film so that our students of government can widen their knowledge of their Government in an interesting and informative way.

Mr. Lefkowitz, presently dissemination specialist for the Urban Schools Development Council, Trenton, N.J., founded the institute in 1968.

Presently 30 interns participate in the institute, with jobs every Friday in city, county, or State government. In addition, there are some 70 associate interns who attend traveling training sessions and who work on special projects.

The institute also provides various services for both political parties and the community.

In addition to expressing my appreciation to Mr. Lefkowitz and Mr. Ciurley, I would also like to thank the Educational Improvement Center for providing media support services for the film.

GREATEST OF ALL U.S. INDUSTRIES AT BOTTOM OF THE ECONOMIC LIST

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. ZWACH. Mr. Speaker, in 1969, all manufacturing corporations earned 19.9 percent net profit before taxes on an investment of \$296,000,000,000.

All durable goods manufacturers earned 21.5 percent net profit before taxes on an investment of \$149,200,000,000.

Food processors had a net return of 22.4 percent and food distributors 23.6 percent.

In the same year, America's very largest farms earned 0.9 percent net profit before taxes on an investment of \$113,180,000,000.

Our largest farms, a third of the total number of farms in the country, earned 1.6 percent net profit before taxes on an investment of \$156,000,000,000.

We are not saying the net returns for the food processors or for industry are too large. They need the profits they are making in order to pay taxes and dividends and keep their industries healthy.

The absurdity of the situation is the meager and bankrupt share the farmer receives for the leading role that he plays.

What logical justification is there for the greatest of all U.S. industries to be at the bottom of the economic list when it comes to receiving a fair share on investment.

² Stoltenberg, Gerald A., "Indicator Organisms, Oxygen Levels and Fertilizer Components in a Farmland Stream"; M. S. Thesis, Dept. of Civil Engineering, University of Kansas, 1970.

³ The quantity of fertilizers for the entire state assumed to be entering river basins has been determined by assuming that all drainage basins in the state contribute quantities proportional to the areal measurements observed in the Soldier Creek Basin.

R. W. GRIFFITH—AN EXEMPLARY EDUCATOR

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. GRIFFIN. Mr. Speaker, a week ago today, on December 9, 1970, R. W. Griffith retired from his post as assistant State superintendent of education in Mississippi.

For a period of 50 years, beginning in 1920, Mr. Griffith devoted himself to the goal of quality education in Mississippi.

He has served as schoolteacher, college professor, school principal, school superintendent and, finally, 26 years as assistant State superintendent of education.

R. W. Griffith is a gentleman in every sense of the word, and one of the most dedicated public servants in America.

He has been an inspiration to his associates, teachers, and pupils. Additionally, he has given freely of his time and talents to various aspects of free-masonry.

There are many adjectives that might describe R. W. Griffith's life and character, and it would take many pages to sketch his good deeds.

In the interest of brevity, I will merely say that he is a totally selfless person and has contributed greatly to the enlightenment of mankind.

Mr. Speaker, I consider myself fortunate to know R. W. Griffith; and, in his retirement from his official duties, I wish him well in all endeavors.

As symbolic of the great and high esteem in which R. W. Griffith is held by his fellow educators, I include two articles written in tribute to him. The first is from the Mississippi Education Advance published by the Mississippi Education Association, and the second is from "Education in Mississippi" published by the Mississippi Department of Education.

The articles follow:

R. W. "RUBE" GRIFFITH RETIRES FROM SDE

To most of us in the State Dept. of Education, he's "Mr. Griffith." To some, he's "Mr. Grif" or "Little Chief." To many former students and fellow workers throughout the state, he's "Prof." But to all of us, he's been the person who was ready and willing to listen to problems—little or big ones.

Perhaps the most inviting spot in the SDE for many years has been the East Room of Suite 209, Woolfolk State Office Building. Not only because of Mr. Grif's warm welcome to anyone who came to his office, but because of a little old rocking chair.

During the days when surplus property was being distributed to schools and institutions, an ordinary looking cane bottom rocking chair found its way to the second floor of the Old Capitol where the SDE was housed at that time. No one seemed to want it, so Mr. Grif rescued it and put it in his office. Everyone laughed about him and his rocking chair!

When we moved into the new, then elegant Woolfolk Building in 1949, everyone was trying to "shine up" the old furniture or buy a few new pieces as the budget allowed. We wondered what Mr. Grif would do with the

rocking chair—it would look odd in that new, modern building! When the moving van arrived with our furniture, there was the rocking chair—he hadn't left it behind.

From that day to this, as you pass Mr. Grif's office door you'll see someone occupying that chair, perhaps discussing a serious legal school problem, or maybe just passing the time of day.

But you can see, as our beloved "Mr. Grif" joins the ranks of the retired, the rocking chair will not be new to him. Besides, I believe he'll find himself so busy he won't have time for a rocking chair.

Knowing him as I do, he won't say "no" to any request for public service. It's my guess that many individuals and organizations will be calling on him for the wonderful contribution he can continue to make to the people of the state.

PACEMAKERS

R. W. Griffith planned to study law, ran short of funds, and went into the education profession by accident, but "By Ned, if I had to do it over again, I'd choose it on purpose!"

His career started in 1920. His retirement on Dec. 9, 1970, marked one half-century of distinguished service to education in Mississippi.

On November 24, many of the thousands of friends he has made during his 70 years attended the retirement banquet for Griffith, assistant state superintendent of education for the Mississippi State Department of Education since 1944.

Special guests, gifts, entertainment, and tributes to Griffith's career were featured at the banquet.

During his career Griffith has served as assistant to three state superintendents of education. He was appointed to his present position by Superintendent J. S. Vandiver in 1944, then served under Superintendent J. M. Tubb for some 23 years until Tubb retired. Since 1968 he has worked in the same capacity for Dr. Johnston.

A Monroe County native born and reared near Aberdeen, Griffith spent his entire career in Mississippi. For eleven years he taught history at Miss. Heights Academy in Blue Mountain, as well as during summer sessions at Blue Mountain College.

A holder of both bachelor's and master's degrees from Ole Miss, as well as a law degree (received in 1959) from the Jackson School of Law, he became superintendent of Tip-pah-Union School, Cotton Plant, in 1933.

After five years there he was named superintendent of the Ripley Municipal Separate School District. He was named assistant state superintendent of education by Vandiver in 1944, after six years at Ripley.

Among his most pleasant memories are his associations with the "chiefs" (state superintendents) and with state department staff members, referred to by him as "the cream of the crop."

Mrs. Griffith, the former Miss Clara Rivers of Marks, teaches piano in their home and has taught voice and music there "for the last decade or two."

His retirement plans are indefinite, but one thing is certain—he will remain active. First on his list of things to do is writing a chapter on the history of public education for a two-volume work being produced by the Department of Archives and History.

Then he plans to write a "well-documented, authentic biography" on each of the state's 15 state superintendents of education, beginning with "Connecticut Yankee" H. R. Peace in 1870. This work will be complemented by a biographical sketch of all of Mississippi's assistant state superintendents of education since the first one, W. N. Taylor, in 1916.

PETITIONS RULES COMMITTEE TO RECONSIDER CONSUMER PROTECTION ACT OF 1970

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. STOKES. Mr. Speaker, I recently joined a number of my colleagues in petitioning the House Rules Committee to reconsider the proposed Consumer Protection Act of 1970—H.R. 18214. This particular legislation represents the most comprehensive consumer safeguards that the House of Representatives has ever had the opportunity to offer the American public.

The American consumer is in desperate need of immediate assistance. Despite the enormous resources and expanded facilities of our modern, giant industries, an increasing number of manufacturers have continued to market dangerous or defective products. In addition, countless individuals unknowingly invest substantial sums of money in faulty, worthless goods pandering to them by marginal sellers giving various degrees of assurances about the merchantability of the items.

The average citizen has few practical means of insuring the quality of his purchase and little hope for retrieving any lost investments. Too frequently, these sharp practices result in serious financial problems for the hapless buyer who finds himself with a useless product, a disappearing seller, and an unemotional holder of his purchase obligation who could care less about the seller's prior transgressions.

Equally alarming are the widespread instances of physical injury. The National Commission on Product Safety, for example, has reported that 30,000 citizens are killed every year, and 110,000 permanently disabled merely because they bought or used consumer products that were unsafe.

The Commission further disclosed that 15,000 children are killed annually by hazardous toy products—another 17 million children are injured seriously enough to restrict normal physical activity.

The consumer's tragic situation reflects several things: various manufacturers have been remiss in their obligation to observe certain minimal safety standards; Federal controls on consumer products have been inadequate; and the consumer's interests have not been sufficiently represented before policymaking agencies of the Government. As our corporate network widens and the volume of consumer merchandise increases, we must expect a proportional rise in the amount of dangerous or worthless products on the market. The sheer magnitude of this problem is, in itself, a mandate for immediate legislative relief.

Traditionally, the destiny of the American consumer has rested in the hands of the Federal Trade Commission and the Food and Drug Administration.

These agencies, however, have failed to exercise their full authority and have not imposed any substantive safeguards for the great majority of consumers.

H.R. 18214 represents the most complete protection to be offered the consumer since he first attracted the attention of the Federal Government back in 1962. This bill would create two full-time Federal consumer offices to provide a wide range of vital services to the American public.

The proposed Office of Consumer Affairs would sponsor and coordinate consumer education programs and conduct conferences, surveys and other forms of research for diagnosing the specific safety needs of consumers. In general, this office would establish open channels of communication between all governmental consumer agencies.

Of even greater importance is the proposed Consumer Protection Agency. This agency would have the authorization to subpoena witnesses, copy documentary evidence, receive depositions, and to formally represent the consumer's interests in proceedings and investigations before Federal courts and agencies. This office would essentially become the watchdog of consumer rights.

In the past it has been the responsibility of private individuals or consumer groups to initiate legal action against fraudulent retailers and distributors. This is a costly, time-consuming pursuit for the average citizen. This legislation, however, would facilitate Federal intervention on the purchaser's behalf. The Consumer Protection Agency could alleviate much of the legal burden now borne by the consumer and insure that his point of view will constantly be under consideration in those governmental decisionmaking processes which so dramatically affect his financial welfare.

H.R. 18214 would provide a full-scale, on-going program of consumer protection while coordinating the activities of all existing Federal consumer offices. The American public is very much entitled to the most extensive protection that our Federal Government is capable of providing. I realize that this legislation would not fully resolve the problems of the everyday shopper, but it would certainly provide a variety of important benefits that do not presently exist.

GUARDIAN OF A FREE PRESS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. HANNA. Mr. Speaker, one of the most distinguished and outstanding newspapermen of this hemisphere recently celebrated his 90th birthday. This remarkable gentleman, Dr. Luis Miro-Quesada De la Guerra, a great Peruvian, achieved this landmark on December 5, 1970. He has been publisher and editor of Peru's topflight newspaper, *El Comercio*, for some 40 years.

I have had a number of reports about

this remarkable guardian of a free press. They all testify to his devotion and dedication to the people of Peru in their struggle for a better life through free institutions. He has visited the United States on many occasions and a number of his children and grandchildren have been educated in our country.

Mr. Speaker, we can only admire men of advanced age who still do a day's work, make their contributions to the society in which they live, and keep on fighting for their principles.

I am reminded of what the 90-year-old father of a friend used to say, "I am not 90 years old, I am 90 years less young." So, we salute and pay a tribute to Dr. Miro-Quesada, who is not 90 year old, but 90 years less young. May he celebrate at least 10 more anniversaries.

REFORMS OF CONGRESS NEEDED TO MEET NATION'S PRIORITIES

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. JACOBS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following excellent feature which appear in the December 10 issue of the Louisville Times.

In it, my colleague from Indiana, LEE H. HAMILTON, calls for meaningful congressional reforms to enable this body to deal more effectively with the national budget—the vehicle for national priorities.

This discerning look at Congress' shortcomings in dealing with the annual budget, and the need to correct this situation, deserves the attention of each of us. The article reads as follows:

REFORM-MINDED HAMILTON MOVED BY VOTERS' TROUBLED MINDS (By Ward Sinclair)

WASHINGTON.—As he campaigned around the 9th Congressional District of Southeastern Indiana this fall, Rep. Lee H. Hamilton kept hearing the same bothersome refrain.

"Why don't you fellows ever solve any problems? All you do is talk," was one way that Hamilton's constituents expressed their displeasure with Congress.

Or it would come in a more discreet, less-straightforward fashion, with people wryly commenting that "the list of problems seems to get longer and longer, doesn't it?"

What is bothering 9th District Hoosiers about Congress is much the same thing that bothers Hamilton, who last month was re-elected to a fourth term in the House.

"Many people are dissatisfied with Congress," the Columbus Democrat said in an interview the other day. "They wonder why we can't deal with specific issues like hunger, poverty and pollution."

Hamilton talked about these issues during his campaign and he talked about the need for Congress to join with the administration in setting national "priorities."

"This drew a response from the voters," Hamilton said. "It has an immediate logic... they like it, because they know we're not doing the job now."

A CHAMPION OF REFORM

The structural deficiencies of the House of Representatives long have nagged at Hamilton, who during the past several years has

been a part of the small but growing band of reform-minded Democrats and Republicans whose cries are being heard and heeded.

The establishment of "priorities," in Hamilton's view, run hand in hand with the issue of reform of the House's cumbersome way of going about its business.

Congress this year passed a legislative reorganization bill that is designed to modernize some of the antiquated procedures, but it didn't get in to the matter of priorities.

"The disturbing thing," Hamilton said, "is that we don't seem to deal effectively with this question... we debate specific matters but we don't deal with priorities in the congressional calendar."

He believes that Congress must go beyond the basic reforms to make itself an effective legislative body, fully sharing with the executive a role of co-equality in government.

Just what does he mean when he talks about priorities?

Hamilton is talking really about putting first things first—and then allocating national resources in a way that will allow the country to go about achieving the goals it has set for itself.

"The debate over national priorities occurs as the President and Congress act on the national budget," he said. "Insufficient attention is given to the size and composition of the federal budget, which is the vehicle for priority decisions."

Sheer size and complexity of the annual budget are one thing. The other, in Hamilton's view, is that Congress abdicates its responsibility by being unable to deal with the President's budget in a comprehensive way and by being unable to offer alternatives.

CONGRESS OWN BUDGET SUGGESTED

Hamilton strongly advocates that Congress draw up its own budget, a proposal offered several years ago by Hoosier Joseph Barr, who was briefly secretary of the Treasury at the end of the Lyndon Johnson administration.

"This demands an analysis of the economy," Hamilton said. "We would decide for ourselves if the budget ought to be in deficit or surplus... (and) congressional committees could work in a framework of a total-budget picture."

As a system now works, two major House committees—Ways and Means and Appropriations—hold the bulk of the fiscal power in Congress. Ways and Means devises ways to raise funds to operate the government; Appropriations decides how the money will be spent.

"These fund-raising and spending functions are never brought together," Hamilton noted. "And the other committees now do not see how their work deals with the economy, because each goes its separate way."

Hamilton suggests creation of a congressional budget; utilization of computers and data-processing to assist Congress in sorting through its task; and formation of a committee, adequately staffed, to weigh revenues and expenditures and propose alternatives to the Executive Branch's spending proposals.

The idea, of course, would be to give Congress a larger role in determining, along with the Executive Branch, which should be the "first things" the nation should address itself to.

Not that this is so very radical, as Hamilton points out.

Even under present conditions, he noted, "The extent of agreement on policies is striking, and Congress rarely alters the President's budget by more than 5 percent."

"Although the President attacks Congress for overspending, in each of the past 25 years the President has wanted to spend more money than Congress was willing to appropriate," he continued.

"Last year, Congress reduced President Nixon's spending requests by \$6.4 billion and the Congress will reduce them again this

year. I have supported these reductions," Hamilton said.

HARD-PRESSED TO OFFER ALTERNATIVES

He pointed out that "the deficit last year and the expected one this year are not due to overspending but primarily because of revenue shortfalls due to a faltering economy."

But that, again, leads Hamilton back to priorities, which he contends are "still out of line . . . presidential requests for spending on space exploration this year were three times those for pollution-control or crime-reduction."

He said that President Nixon vetoed as inflationary congressionally approved funds for education, clean water and health care, and opposed increased money for crime-control.

"I reject the logic which says that a dollar for education, clean water, better health care, and anti-crime efforts is inflationary, but a dollar for supersonic airplanes, subsidies for corporate farms, defense-cost overruns, ailing railroads, and foreign aid is not inflationary," Hamilton argued.

But because it deals with the President's budget in bits and pieces, rarely, if ever, reviewing the total program in terms of priorities and goals for the nation, Congress is "hard-pressed" to offer alternatives.

As Hamilton sees it, one of the solutions is the adoption by Congress of procedures to permit it to review national fiscal policy in a "total way," which means "examining the impact of the President's proposed revenue and expense estimates, cutting out duplication of effort and presenting alternative proposals."

Large as this order might seem, Hamilton is optimistic about change. Minor reforms adopted by Congress and more that loom for the immediate future—all spurred by impatient younger members, who are in turn spurred by public sentiment—give him cause for hope.

"I'm optimistic," he said. "In 10 years, I think, you'll hardly recognize the House. Pressures are building in the academic and professional community. Reform often comes from without."

THE WELFARE FURNITURE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. RARICK. Mr. Speaker, our latest boondoggle by the Federal Government is entering the low-cost furniture field with taxpayer grants to encourage design and the consideration for free furniture.

Both HEW and HUD are competing for the street support by subsidizing this latest gift program. If, as they suggest, there are so many people living on welfare in public housing developments who cannot afford contemporary furniture, it would readily appear that the furniture manufacturers themselves would recognize this market and pursue it on their own. That is, "if" for the only reason the free enterprise system has not pursued the low-income furniture market on its own is that none exists—except in the fancy of the experts and bureaucrats.

Next, we will find the taxpayers footing the bill for furniture stamps to allow the "poor" extra buying privileges on the furniture market in competition with the working people of America.

I include a related newsclipping which follows:

[From the Evening Star, Nov. 12, 1970]

Low Cost Design

People living on welfare or in public housing developments obviously cannot afford expensive furniture. If anybody's doing anything about that fact, questions arise: Who should get free furniture? And what kind of furniture should be made available at low or little cost?

Two different branches of the federal government have decided to make those questions their business.

The Department of Health, Education and Welfare has matched \$100,000 raised locally to provide simple furniture—chairs, beds, kitchen tables—for families on welfare whose children are currently sleeping on floors and eating off boxes.

And the Department of Housing and Urban Development has given a \$90,000 grant to fund a study on low-income furniture, through the Center for Metropolitan studies. In the study project, the first step is already under way—a furniture design contest. "We're asking for designs that serve basic needs—for both children and adults—serving, seating, sleeping, storage or combinations of these," says Erma Striner, who's in charge of the project.

Criteria in the competition call for designs which are aesthetically pleasing with a concern for stability, comfort, durability, economical production, multi-purpose flexibility and space saving.

Open to architects, furniture manufacturers, students, or anyone else, the competition will recognize outstanding existing designs that could be economically adapted as well as innovative ideas for furnishing the housing of the future.

The reaction of manufacturers that Mrs. Striner has approached have "so far been enthusiastic about the potential new market." She expects to discuss the project with distributors as well.

An advisory panel of 14 members from related fields has offered comments and endorsements as the project proceeds. Among the distinguished participants are designer Charles Eames, black furniture manufacturer Alexander Turner and Alvin Schorr, Dean of the New York University School of Social Work.

The project grew out of another grant Mrs. Striner received from the National Endowment for the Arts to research interior space in public housing and recommend ways to make it more livable, which was described in HOME last March.

The HEW project takes a different approach—working with what already exists. Local business men have volunteered to act as buyers, and buy certain furniture wholesale from manufacturers or distributors. "Beds are the main problem, a lot of children are still sleeping on the floor," said Taft Holland of the Department of Human Resources, which is working with the Health and Welfare Council to put HEW's plan into effect.

"We've had meetings on the types of beds we'll use—for example, Hollywood beds with legs screwed on wouldn't do. Well-made, sturdy, double, single and bunk beds are what we need."

When asked who would select the furniture to be bought, Holland replied that "Price will select it. We'll get the best quality we can for the price. Because we'll get it at cost, you see."

Seymour D. Wolf, of American Wholesalers, the parent company of Serta mattresses, said that his firm was happy to sell their products to the government at cost for the families on welfare. "We got the permission of our customers, the retailers, first. They're a very idealistic group of people," he reported.

BOMBING OF NORTH VIETNAM

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. FISHER. Mr. Speaker, Mayor Sam Yorty of Los Angeles has for a long time been a widely recognized authority on the subject of communism and the designs of the Communist aggressors in Vietnam. In a recent release he discussed the bombing which was provoked by the enemy action in shooting down an unarmed American reconnaissance plane, and also the heroic effort to rescue American prisoners of war.

Under leave to extend my remarks, I include the remarks made by Mayor Yorty. The release follows:

STATEMENT BY MAYOR SAM YORTY IN CONNECTION WITH THE RECENT BOMBING OF NORTH VIETNAM BY AMERICAN FORCES

An unarmed American reconnaissance plane was recently shot down over North Vietnam with possible loss of an American pilot whose mission posed no threat to the Communists, but rather was flown to guard against further surprise treachery against American and Allied forces defending free Southeast Asia against Communist aggression.

If the Communists were allowed to get away with this treachery without retaliation, the skies over Communist North Vietnam would soon be barred to reconnaissance and the Free World forces would be blinded to Communist aggressive plans. We must not permit this to happen.

The President has ordered a response in the only language the Communists understand—swift and powerful retaliation. In doing this, he deserves the support of all Americans who do not want our forces exposed to blind risks with the potential for high loss of American and Allied lives.

It is shocking, therefore, to see American Senators, one touted as a possible Democratic Presidential hopeful, join Communists in Hanoi and Peking in denouncing the President's prudent and timely show of strength and courage.

These Senators, irrespective of their motives, are encouraging the Communists to think they can count upon such Senators to pressure the President into a posture of weakness, conducive to the Communists' desire to force us to give up our vital reconnaissance protective flights, and risk surprise attacks, possibly straight through the demilitarized zone or in other places chosen by the Communists.

It is time for all courageous and thoughtful Americans to counter the weakness of the so-called Doves who criticize every show of courage and strength by our nation. Weakness on our part will only encourage the Communists to prolong their aggression in Southeast Asia and become more bold in other areas.

This would be a fitting time for the so-called Doves to cease political harassment tactics against the President and help present a united front against Communist intransigence, subversion and aggression aimed at the United States and our Free World Allies.

For the best interests of our nation, it would help if they would put politics aside, at least for awhile, and let the Communists come to realize that they cannot win a victory over us in Southeast Asia by undermining our foreign policy and destroying our unity and resolve here in the United States.

The Communists have lost on the battlefield. We must not let them snatch victory through our home front disunity or even be

misled into thinking they can do so by politicians apparently more concerned with their own political power or myopic view of the world than with confronting the Communists with a firm show of American courage, resolve and unity.

**THE LATE HONORABLE
MARCELLUS J. MOSS**

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. CRAMER. Mr. Speaker, I have the honor and privilege of counting among my close friends in Florida, Mr. J. J. Moss, Jr., an outstanding citizen of Orlando, who is noted for his many contributions to the community over the years, and who has proudly managed his own real estate firm in Orlando for 45 years. Mr. Moss is the son of the late Honorable Marcellus J. Moss, a distinguished and famous "Kentucky Mountaineer Judge." His son is justifiably proud of his late father, and recently sent me an article on the judge which appeared in his hometown newspaper in Pineville, Ky. Only two of Judge Moss' sons are now living, one being my friend in Orlando, and, upon his request, I am happy to submit for the RECORD the article from the Pineville newspaper on Judge Moss' life entitled, "This Is the Story of a Famous Kentucky Mountaineer Judge," by Dale L. Whitehurst, a writer for the Chicago Tribune. Believing my colleagues will also be interested in reading the story of this famous and successful "pioneer judge," I take this opportunity to insert the article in the RECORD:

THIS IS THE STORY OF A FAMOUS KENTUCKY
MOUNTAINEER JUDGE

(By Dale L. Whitehurst)

In the Mountains of Bell County, Kentucky, in 1854, a young Mountaineer entered the world, desiring and declaring he wanted to become a Lawyer. He was named Marcellus J. Moss.

He studied in a log school till he reached the age of 18 years (8th grade) where he fell in love with his teacher, and within a year he married the teacher, Sarah Bingham.

After a year reading law in his Uncle's office, he asked to take the bar examination—and passed it too.

His first case given him by appointment of the Circuit Judge to defend a man indicted for murder. Some drunk man broke into his house, attacked him and his wife, and the fellow was forced to shoot him in self-defense, and killed him. The Jury agreed it was in self-defense, and cleared him of the charge.

In the early days, the attorney was called a Judge. He said "Judge I ain't got no money, but I got a tract of 25 acres on the hillside over yanner, and I'll deed that to you for saving my life."

The Lawyer thought that was better than nothing and accepted the piece of land. Five years later "The Judge" attorney had saved \$1,500.00 and let a contract to build a 10 room frame house. He said to the contractor, "whatever plan my wife wants, is alright with me, but I want a privy in the house. I'm getting damn tired of sliding down the hill, ice and snow on my thin bottom, and the three holer is too far from the house."

In that house, built for \$1,500.00 three sons were born, as well as three daughters, who reached the age of 80 years.

Fame piled up rapidly for the Judge. He was elected Circuit Judge for Harlem, Letcher, Perry and Bell Counties, where he rode horse back from Pineville, his home, to Harlem 35 miles in one day, held court 2 weeks, and then on to Whitesburg in Letcher County 39 miles, and the same court and held court for another 2 weeks, then on to Hazard in Perry County 45 miles for another 2 weeks of court, then some 50 miles home to Bell County for his own County session twice yearly for 20 years.

Fame and success always walked hand in hand for the Judge. He picked up all the land he could buy, always on a long term Mortgage note. He believed in keeping three sons busy. Their first job was walking 4 miles to the Mines, carrying their lunch, getting there by 7 A.M., and white washing the houses, and taring the roofs, then walking back home another 4 miles.

All this went on during the summer, including weeding the garden and orchard.

School required a walk of 5 miles to and from, home for dinner and back within the hour.

The Judge became a pretty crafty wheeler and dealer in the Republican politics. He became the man to see.

During the famous Teddy Roosevelt-William Howard Taft campaign in 1912, in which Roosevelt attempted to come back, failed, but carried President Taft down in defeat with him, both men were guests at the Moss home for the night. Teddy came first on a regular train. He was in rare form, calling Taft, a living replica of a pregnant woman, adding caustically that he walked like he was full of gas. When President Taft arrived he responded in the same vein of sarcasm by saying that Teddy Roosevelt was the world's champion in fooling the public and making people believe that T. R. stand for Teddy Roosevelt, but we who know him say it stands for "Tain't Right."

On the Judge's salary he educated his six children.

While on his death bed in 1928 he called in his three sons and said, "Sons, if you always wear a big smile and be considerate of others, it will carry you a long way through life."

Twelve years later, his wife, Sarah, passed away. So the old Moss home in Pineville still stands in its veiled glory long after those who came and visited. Perhaps no other person ever described it more poignantly than the old Black Mammy, who served the Moss' for 30 years, when she said, "Dat ol' house kin stand a heap of ponderin'." She was so right. The three sons are still going strong, the oldest White L. studied law, but never practiced, was nominated for Governor of Kentucky, but would not accept anything but management for the Republican Nominee, who was defeated. White spent 10 years in the State Senate. Later he went to Jacksonville, Florida where he became President of Peninsular Life Insurance Company and following this with the Presidency of Suwannee Life Insurance Company.

The second son, Ray B. went into Politics and spent 20 years in the State Senate, serving under 5 Governors. He lives in Pineville. Kentucky his home town.

The third son M. J., Jr. went to Orlando, Florida and engaged in the Real Estate business where he accumulated extensive holdings. He spent 40 years trying to build up the Republican Party and make it respectable to join. Just recently he was cited by the Governor of Florida for his 40 years working for the Republican Party.

On September 4, 1969, the two younger brothers went to Jacksonville to help celebrate the oldest brother's 86th birthday. Many tales were related of how the Judge ruled his three sons in their boyhood days. He one

time caught them smoking his Election cigars behind the barn and made them come down to the parlor and smoke until they were sick. After that sick spell two of them didn't smoke for 40 years and the youngest never smoked from that day to this. Also how the Judge slapped the youngest son away from the dinner table for some disobedience, and how the two boys were stood up together and the Judge whipped them with a buggy whip, also how the Judge hitting his oldest son over the head with a small spool chair, when the son said "I'm 18 years old and don't have to ask permission to go out at night." The Judge didn't agree with him and caved his son's new derby.

All three sons have followed their Father's political footsteps, and have been quite active in their respective communities. The three sons have been Delegates to the Republican National Conventions since 1940.

In 1944, at Chicago, the three sons were signally honored as "being for the first time in Republican history, three brothers, from three different Congressional Districts, were delegates to the National Convention."

**FEDERAL JUDGES AND THE RULE
OF LAW**

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. SCHMITZ. Mr. Speaker, during most of the history of our country, it was our proud and in large part justified claim that we had a government of laws and not of men. Our Federal and State statutes were adopted after open, public debate in legislative bodies whose members were elected by the people and responsible to them. Once enacted, they were then applied to specific cases by the courts in accordance with rational, well-understood and essentially unchanging principles of legal interpretation. The judge's task was not to make law, but to find it.

This did not mean that nothing in the law could change. Congress and the State legislatures could pass new statutes at any time, so long as they were in harmony with the Constitution; and the fixed principles of legal interpretation could be and were used to build whole new structures of case law in new situations created by advancing technology, such as those arising out of the widespread use of the automobile.

Such was the system we had—the rule of law. Very few lawyers, legal scholars or even the most enthusiastic apologists for today's courts would claim that we have that system any longer. It has been replaced by the practice of deciding each case on the basis of the individual judge's vague and often ideologically tinged concepts of what is fair and socially desirable.

I believe—and am confident that a great many Americans believe with me—that the rule of essentially unchanging law is preferable to deciding cases in accordance with the personal theories of individual judges, even if well-meaning. But whichever system we adopt, we should at least recognize its consequences and make sure our judicial structure is reasonably adapted to it.

The appointment of Federal judges for life, the many marks of special honor and respect which are accorded to a judge, and the absence of any direct political check on judicial authority, all grow out of the old assumption that judges find law, not make it—that they are primarily legal scholars rather than world-changers. These special privileges make no sense, in fact are clearly dangerous to a free society, if judges become activists competing with our elected law-makers in trying to "reform" the country.

If it is no longer possible, at least at this point in history, to return to the rule of law in our Federal courts, then we certainly have the best of reasons for demanding that Federal judges be placed under the same sort of restrictions on arbitrary exercise of their power to make law that we place on our President and Members of Congress. The most obvious and necessary restraint is the elimination of automatic life tenure of office.

While the Constitution provides that Federal judges shall be appointed for life rather than for a limited term of years, it also states that they shall hold office only "during good behavior." Congress may and should use its Constitutionally specified procedures for impeachment to determine when a judge's behavior becomes bad enough to justify his removal from office. Impeachment is a proper remedy when a judge's statements and actions are such as to make him an open and active participant in the political arena and in controversies virtually sure to give rise to cases which will come before him for decision—such as those involving protest and revolutionary activity.

Supreme Court Justice William O. Douglas furnishes the clearest case of this kind. The pending whitewash by a subcommittee of the House Judiciary Committee is not going to silence the growing demand both in and out of Congress for the impeachment of this man who has become the outstanding example of the rejection of the rule of law and of judicial impartiality in the Federal courts today.

PRESIDENT OWNS UP TO ERROR

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. WOLD. Mr. Speaker, it takes a big man to own up to error. The President last Thursday night at his press conference again proved to be a big man when he said candidly that some of the off-the-cuff remarks he has made about some court cases should have been left unsaid.

Mr. Speaker, we all speak from time to time from heart instead of from the head. Presidents are no exception.

In the President's case, he came into office when crime in the Nation was and is epidemic. He is determined to bring it under control. It is in his thoughts a great deal.

When press stories—and trial by press is common in this country—imply day after day that a person is guilty, it becomes easy to discuss the case in terms of guilt.

The President, surely like all of us, would not consciously prejudice, and would certainly not seek to prejudice a case. It just happens he has spoken in terms all of us speak in. It happens also that as President he cannot afford to do so in front of a highly critical, constantly alert press. I am sure he will not do so often.

I am sure, however, that if he does, that while the pundits of the liberal press will be quick to criticize the error, the people will be just as quick to understand—and to forgive.

THE HIRSHHORN MISTAKE

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. GROSS. Mr. Speaker, the December 12 edition of the Des Moines Register contains an interesting story concerning the so-called Hirshhorn Museum which will shortly become a blight upon the Mall next door to the Smithsonian Institution.

I have complained before about the outrageous manner in which this museum was foisted onto the backs of the American taxpayers with the connivance of former President Lyndon Baines Johnson, and this article bears out my contention that it should never have been authorized.

The article mentions a still-unreleased report by the Subcommittee on Library and Memorials of the House Administration Committee which is apparently highly critical of the manner in which this alleged art gallery was promoted, and I congratulate its chairman, the gentleman from New Jersey (Mr. THOMPSON) for his work.

I would certainly hope that, as soon as the next Congress convenes, public hearings will be held to investigate fully the circumstances surrounding the acceptance of this man's collection, and the advisability of attaching his name to this museum.

I include the newspaper article for insertion in the RECORD at this point:

(By Clark Mollenhoff)

WASHINGTON, D.C.—New impetus was developing Friday to remove the name of Joseph H. Hirshhorn from the \$15 million museum and sculpture garden being constructed on the Washington Mall.

The House subcommittee on Library and Memorials, headed by Representative Frank Thompson (Dem., N.J.), has written a still-secret report that is highly critical of the manner in which President Lyndon Johnson and S. Dillon Ripley, secretary of the Smithsonian Institution, pushed the project through Congress in 1966.

The report said that the question still remains "whether Joseph H. Hirshhorn was worthy of being memorialized on the Mall of the nation's capital in a position of promi-

nence perhaps equal to the memorials of George Washington and Abraham Lincoln."

It points out that there has been testimony that Hirshhorn, a wealthy international speculator and art collector, "had been arrested twice during World War II for violations of Canada's foreign exchange laws and had come close to being indicted in New York for attempted stock fraud in 1950." He was convicted on the two Canadian charges.

Chairman Thompson and Representative Fred Schwengel (Rep., Ia.) have been among those who have raised the question of whether the Hirshhorn museum was properly authorized, and whether Hirshhorn was a proper person to have been memorialized.

The still-secret report questions the whole manner in which the Hirshhorn project was handled so that it by-passed the subcommittee on memorials that would have had the responsibility of a most careful study into the background of anyone who was to be memorialized.

It was passed over to a subcommittee of the House Public Works Committee, headed by Representative Kenneth Gray (Dem., Ill.) and was given only the most superficial hearings before that committee because Gray believed that the Smithsonian had already taken the proper steps to assure that Hirshhorn was a proper person to be memorialized.

WANT HEARINGS

Although the subcommittee on library and memorials recognized that the "generosity" of Hirshhorn would greatly enhance the nation's collection of art, it questioned whether he should be honored with his name on the third of the three axes of the Mall.

The report stated that there are now two axes extending from the Mall, and each has a special significance. "The first extends from the Washington Monument to the White House, symbolically linking the first President of the United States to the present one," the report said.

"The second axis extends from the Washington Monument to the Lincoln Memorial—thus from the traditional father of the nation to its 'saviour' ruling [during] the Civil War," the report said.

The third axis is not complete, the report said but added: "Now, without fanfare and the careful consideration such a project traditionally receives, the axis is formed with the Joseph H. Hirshhorn Museum as the structure opposite the Archives Building."

The House subcommittee indicated an interest in more hearings, presumably with Hirshhorn as a witness under oath, to explore his background. The report said that "in the absence of more information about Mr. Hirshhorn and the significance of the third axis," no final decision can be made.

Representative Phil Crane (Rep., Ill.), a member of the House subcommittee, said Thursday that he believed that it will be essential to call Hirshhorn because "of the testimony given against him. It would seem to me to be the least we could do, and if we don't get better answers, we should consider eliminating his name," Crane said.

SHARE BLAME

The subcommittee report states that the blame must be shared by President Johnson, the Smithsonian's Ripley and by the Congress itself.

The report reviews the manner in which Mr. Johnson pushed for the approval, but does not make mention of the fact that former Supreme Court Justice Abe Fortas, a friend of Hirshhorn, was one of those who sold President and Mrs. Johnson on acceptance of the gift under the conditions set down by Hirshhorn.

Ripley has defended the procedure of going directly to the Public Works Commit-

tee of the House on grounds that the Hirshhorn museum was not a "memorial" to Hirshhorn requiring the approval through the House subcommittee on memorials. The House subcommittee report rejected the Smithsonian's reasoning that it is not a "memorial" and went into some detailed explanation of why it was in fact comparable to the Washington Monument and the Lincoln Memorial in the manner in which it is placed on the Mall.

Ripley had told The Register earlier that the cost of the art work in the Hirshhorn collection was probably about \$4 to \$5 million, but that Hirshhorn could have reason to believe it will be valued at \$40 to \$50 million as a gift to the government.

The House subcommittee report is critical of the agreement that put Hirshhorn in the position of bargaining for a memorial. The gift of art was to be made only if the Smithsonian agreed to these conditions:

That it would be housed in a building on the Mall.

That the museum would be named in perpetuity the Joseph H. Hirshhorn Museum and Sculpture Gardens.

That Congress would approve legislation to appropriate \$15 million to construct a museum building and pledge to maintain the building (at a cost of about \$2 million a year) in perpetuity.

In addition, Hirshhorn is given the authority to nominate persons to fill at least half of the positions on the board of trustees, and he and the secretary of the Smithsonian were authorized to jointly select both the architect and the director of the museum.

The report states that the subcommittee should have been "more diligent," and explains that the subcommittee headed by Gray did not understand its full responsibility.

"The legislation was written as if the Joseph H. Hirshhorn Museum and Sculpture Garden had already been established and the Smithsonian was merely seeking appropriations to construct a museum building for it," according to the report.

"The effect of this action was to severely limit public and congressional inquiry into the wisdom of accepting Hirshhorn's gift under the conditions he demanded," it said.

The House report said that "the hearings (on the museum) were a one-sided affair with the Smithsonian and the President providing all the 'expert' information about the Hirshhorn collection."

The only objection noted in the record was a letter to Mrs. Lyndon B. Johnson from Sherman Lee, director of the Cleveland Museum of Modern Art. In his letter, Dr. Lee praised the collection, but warned about accepting it under the conditions Hirshhorn had stipulated because of the "disadvantage to the U.S. government and the unnecessary burden on the American taxpayers."

The report said Lee had argued against naming the museum after Hirshhorn because it would tend to discourage other contributions of art.

The report stated that rising building costs, the war in Vietnam, and other complications prevent construction on the Hirshhorn museum from getting underway until Mar. 23, 1970.

"During the intervening time, disturbing questions concerning the Hirshhorn gift, and about Hirshhorn himself began to surface, first through the inquiries of private citizens and finally in the press," it said.

"The principle of not imposing expenses on taxpayers without careful examination of all the facts by their duly elected representatives should have been more carefully followed," the report said. "The subcommittee recommends that no federally financed structure be named for any individuals

without public disclosure of that person's background and character before final action is taken."

The subcommittee noted there are many reasons for memorials including valor in war, statesmanship, good deeds, and other acts, including "generosity," but concluded: "... Never should a memorial be negotiated at federal expense as a prior condition to the act for which the memorial is intended."

When the report is released in a week or two, it is expected that there will be requests for Hirshhorn to appear and testify as to his background. Committee members have accepted the fact that they do not now have possession of the art, and that this effort to question him may result in Hirshhorn simply abandoning the agreement.

"AN OBLIGATION TO SPEAK" BY ERIC TARNLEY

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. CRAMER. Mr. Speaker, Mr. Eric Tarnley, one of my constituents and an editor of the Zephyrhills News, wrote an editorial for the March 12 issue of the newspaper entitled "Editorial Viewpoint—An Obligation To Speak." Upon Mr. Tarnley's request, I am herewith submitting the editorial for the attention and information of my colleagues.

AN OBLIGATION TO SPEAK

It is time to call a spade a spade. It is time to call a Communist a Communist. It is time to challenge the direction of the debate going on in the United States right now.

Television panel shows are discussing how we can best disarm ourselves and cut back on our defenses, ignoring the Communist threat, which history has proved is real.

It seems news media are searching for everything that would make America look bad, while glorifying our enemies. The possibility of a massacre by some American soldiers in South Vietnam is made to look like the rule, rather than the exception, while continued atrocities committed by the Communists are ignored.

The Communist Ho Chi Minh was compared to George Washington while President Thieu of South Vietnam is labeled as "corrupt" by those who would like to see the downfall of his government.

The halls of our United States Senate now echo with outcries against the use of B-52 bombers against advancing North Vietnamese troops in Laos. Why don't Senators Fulbright, McGovern, Mathias, and others criticize North Vietnam instead, for invading Laos in the first place?

On the domestic scene, our nation is rocked with riots by radicals openly calling for revolution. The case of the so-called "Chicago Seven" is just the latest example of their tactics.

Yet Mayor Lindsay of New York sees fit to make an impassioned speech defending the "Chicago Seven" and criticizing the trial as "an examination of political actions and beliefs." And his audience of 2,000 cheered.

Across the country, their supporters are rioting—putting the police on the defensive. It often seems as if America itself is on the defensive.

What is going on here? Isn't it time that we ask, "Whose side are these people on, anyway?"

Let's face it; there are those in the United States who are on the Communist side; some who are actual Communist agents, and others who are at least rooting for them, who want Communism to win.

When the rebellious and destructive students and non-students in Santa Barbara chose to destroy the Bank of America by fire, they did so because "it held the money for American imperialism." It represented capitalism and they want Communism!

When the radicals on campuses destroy an ROTC building or a military research laboratory, they are doing their part in weakening the defenses of the United States, so that Communism can be that much closer to winning.

When a few hundred American students went to Cuba to help harvest the sugar crop, they didn't do so because they enjoyed cutting sugar cane, but in order to help the Communist Castro stay in power, and spread his subversion to the rest of Latin America.

When the Black Panthers and the Students for a Democratic Society brag that they will bring revolution to America, it is not an idle threat. They are deadly serious. And it is a Communist revolution that they are talking about.

There are those who want Communism so badly that they would do anything in their power to get it—burn, bomb, demonstrate, or use open force whenever they could get away with it. Or if it would better suit their purpose: agitation, propaganda, or deception if they think that it would work.

There is only one subject of importance to these extreme leftists, so when they undertake political activity, they concentrate on putting into public office those who would follow soft policies toward Communism.

For the same reason, they try to eliminate all those who are anti-Communists, who would follow tough policies toward Communism, and are in positions to do so.

It should be noted that the chairmen of any committee investigating subversive activities, and those who sponsor anti-Communist legislation, have always been the special targets, marked for "liquidation" by the Communists and their leftwing allies.

It is also of interest to note that even those who have liberal voting records on economic issues and civil rights are just as vigorously opposed by the left, if they have committed that one sin of being anti-Communist.

To put it bluntly, the pro-Communists don't give a hoot for aiding the poor, or for racial equality, or for Social Security. They are interested only in advancing Communism.

It is the obligation of patriotic Americans to speak out against Communism at every opportunity, to support our law enforcement agencies, and to vote for those candidates who are strongest against Communism.

In the fight for survival, no one can afford the luxury of being merely a spectator.

—ERIC TARNLEY.

IN MEMORY OF MARTIN LUTHER KING, JR.

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. EDWARDS of California. Mr. Speaker, today I was privileged to participate in a bipartisan congressional press conference to kick off the campaign to establish a national holiday in

memory of the late Dr. Martin Luther King, Jr.

This movement reaches deep into the hearts of Americans and touches all levels of our society. As Dr. King's successor, the Reverend Ralph Abernathy, said at the press conference, Dr. King's birthday is "already a people's holiday." It remains only for us here in Congress and for the White House to make it official.

Knowing how dear this subject is to a large number of my constituents, I would like to insert in the RECORD two documents expressing their feelings. The first resolution comes from the Jewish Community Relations Council of San Jose. The second comes from the president and the president's council of the University of Santa Clara which, impatient with our ponderous ways here on Capitol Hill, has already declared January 15, Dr. King's birthday, an academic and administrative holiday. The resolutions follow:

FROM THE PRESIDENT'S COUNCIL, UNIVERSITY OF SANTA CLARA

It is a strange part of our being men that we never value peace so much as when we are at war and never love life so much as when we see it tragically, brutally snuffed out.

Dr. Martin Luther King valued peace and valued life. His own life was a brilliant and searing sermon in act, showing us how the peace of freedom can be won with nonviolence. By that reverse and singular alchemy of mankind, his death at the hands of an assassin affirmed in America the conviction for which he had lived: Violence can never right wrong nor can it keep down the spirit of men who demand that wrongs be undone and justice availed.

To commemorate Dr. King and the ideals for which he lived and died, the University of Santa Clara will celebrate his birthday, January 15, as an academic and administrative holiday.

It will be appropriate for the members of the University community to reflect that day on the powerful truths Dr. King preached to all America—truths which must be sacred trusts for members of every university community: Brotherhood under God and the right to life, liberty and the pursuit of happiness are not restricted by race or color; they are every man's heritage as a man, and we must secure them for all or we can protect them for none.

RESOLUTION OF THE JEWISH COMMUNITY COUNCIL

Dr. Martin Luther King, Jr., was an outstanding apostle of peace, preaching and living by the principle of non-violence, and receiving the Nobel Peace Prize. He understood the ravages of racism and dedicated his life to its removal.

From the Montgomery Bus Boycott to the moment of his martyr's death he contributed mightily to the reduction of discrimination and prejudice and to the elevation of the dignity and self-respect of countless millions of our fellow Americans. His message of non-violence is sorely needed today. His example inspires us to strive harder for the full implementation of the American and Judeo-Christian creeds.

To perpetuate Dr. King's example we urge that Dr. King's birthday, January 15th, be set aside and memorialized as a national and state holiday and that it be appropriately commemorated at the county and municipal levels.

Accordingly, the Jewish Community Relations Council of Greater San Jose directs this request to the President of the United States, the Congress, the Governor of Cali-

fornia, the California Legislature, the Santa Clara County Board of Supervisors, the cities of Santa Clara County, and the members of those legislatures representing the people of this area.

NO CURBS ON U.S. TROOPS FOR ISRAEL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. RARICK. Mr. Speaker, most people with whom I talk have grown sick and tired of wars and especially the way the no-win wars we have been involved in have been run.

A great many people have resigned to the fact that we are not permitted to win the war in Vietnam or the Middle East so they favor bringing our boys home as soon as possible.

Likewise, many made isolationist by the bureaucrats have become extremely suspicious of diplomatic blundering in the Middle East. They fear that not only will the United States become involved in another shooting war, but that we will send American fighting men.

Those Doubting Thomases who feel that our leaders have learned their lesson will not involve us in another war which does not directly affect our liberty, will take little solace from events in Washington.

Tuesday of this week the other body added language in an appropriations bill forbidding the use of U.S. ground combat forces in Laos, Thailand, or Cambodia but by a 60 to 20 vote refused to bar U.S. troops from involvement in Israel. The legislative expression coming on the bill which had included Israel must then be regarded as positive intent to authorize American men in the Middle East.

No reasonable conclusion can be reached but that the Washington doves on Vietnam are superhawks when it comes to Israel. Their thinking and their threat against our people is best borne out by this double standard in the use of our troops.

Mrs. Mary M. Davison, editor of the Council for Statehood, has written an open letter to the Congress of the United States which appeared in the Woman Constitutionalist newspaper for December 1970. Mrs. Davison's open letter is forthright, but factual, and expresses a rationale which our people do not receive through the usual means of communication.

And in the Middle East—business as usual as long as there's a profit.

I include Mrs. Davison's open letter and several pertinent newspaper clippings, as follows:

[From the Woman Constitutionalist, Dec. 12, 1970]

AN OPEN LETTER TO THE CONGRESS OF THE UNITED STATES

(By Mary M. Davison)

GENTLEMEN: The histories of World War I and World War II are being repeated in Washington as the Executive and Legislative

branches of the United States Government strive valiantly to involve us in the war in the Middle East. The communications media and the propaganda media of podium and pulpit seek once more to whip up a war fever they had never been able to create in either previous wars. The people were adamantly opposed to the two World Wars and nothing short of the deliberately planned Pearl Harbor infamy would have induced them to consent to the second one.

LET'S LEARN—FROM EXPERIENCE

The Congress that wantonly and irresponsibly plunged this nation into the war in Viet Nam may excuse themselves by the plea that they had been lied to and did not know what they were doing. The fact is that Congress is being lied to again and this time it might be well to understand the FACTS.

BEFORE ANOTHER WAR

To begin with, Palestine NEVER at any time in history, was the "homeland" of the Refugee Jews who emigrated to that territory following the World Wars; no ancestor of these people ever set foot in Palestine. The Arabs had occupied Palestine for nearly two thousand years. It is true that there were several hundred thousand Jews in Palestine who had lived there for centuries. These were Semitic Jews known as Sephardic Jews. Those who emigrated from Eastern Europe were known as Ashkenazim Jews of Turko-Mongol extraction who became Jews by conversion to Judaism. These people can survive in Israel only through the extermination of the Arabs who outnumber them 40 to 1. It should be obvious after 25 years that they will never live in peace together. One or the other must go, and it is not the prerogative of the Government of the United States to decide between them.

As a constitutional republic we owe no allegiance to an international sect.

We feel that American men have been sacrificed unmercifully in senseless foreign wars in this century and it is up to the people to inform the Government that it must stop. The Jews are an international sect and as such should have at their service enough of their own to protect them and their interests. The people of the United States have no interests, vital or otherwise, in the Middle East. The oil companies and other exploiters may have such interests but it is not the obligation of America's sons to defend them.

THE SAME OLD SONG

We have no faith in the protestations that if we will just provide the materials of war we will not be asked to send troops. We were conned, prior to World War II, with the Churchill slogan: "Give us the tools and we will do the job."

The history of these international wars has been: first the international bankers send the money; then the Government makes "loans"; then we send materials of war; and finally we send the men.

HEADS THEY WIN—TAILS WE LOSE

As you well know the United States has no real friends in the world. Our foreign policies during the past 45 years have assured that. During this period, we have armed the world with fantastic war materials and the world, now under United Nations domination, could very easily turn those arms against us. Remember, the U.N. has already condemned the Israeli policies repeatedly; the majority—the African-Asian bloc—has the votes to order war any place in the world. Having been lied to, propagandized and pressured into World Wars I and II, the Korean War, the Viet Nam War, is it asking too much of our Government that it "wise up" and take a long, hard look and then show some regard for the lives of our young men and the real interests of the people of the United States?

RUSSIAN HISTORY

The propaganda press has thoroughly convinced the people and the Government of the United States that the Soviet Union is the ally of the Arab world and the enemy of Israel. Does Congress know of their own knowledge that this is fact? There is considerable doubt that it is: past history abounds with evidence that such alliances are not credible. The immigrant Jews had settled originally in what is now Southeastern Russia. The Varangians, now known as Russians, came in from the North, defeated the Jews (Jews by religion—not blood) and drove them out of Russia. They settled mostly in Eastern Europe. The bitter hatred engendered by this defeat resulted in the so-called Russian Revolution which destroyed the Russian Government and established the Bolshevik Government.

BOLSHEVIK SOVIET HISTORY

The first government, headed by Lenin was composed of 22 members (the Cabinet) of whom 3 were Russians, 1 Georgian, 1 Armenian, and 17 Jews. The Central Executive Committee consisted of 61 members of whom 5 were Russians, 6 were Letts, 1 German, 2 Armenians, 1 Czech, 1 Imeretian, 2 Georgians, 1 Karaim, 1 Ukrainian and 41 Jews. The policies and ambitions of this first Bolshevik Government in Russia have changed very little over the years, therefore it may be assumed that the Soviet Government is still ruled by the same ethnic groups. It is extremely unlikely that the highly touted animosity of the Soviets toward Israel is genuine. Among those familiar with the history of the Soviet Union, predictions of the betrayal of Egypt by the Soviets in 1967 were commonplace.

FUTURE HISTORY?

Some strange and ominous moves are being made on the international scene which should give warning to any responsible men in high places in government. The United Nations decision to "establish a presence" (invade and occupy) Southwest Africa has been transferred from the U.N. General Assembly to the Security Council. The Security Council adopted a resolution (Res. No. 276) to take whatever action was necessary, and the Soviet delegate promptly offered Soviet military support. This would indicate that the Soviet Union intends to be far away when the Arabs need help and could, conceivably, pave the way for a United States replacement in the Middle East.

WHO READS THE CONGRESSIONAL RECORD?

As a consistent reader of the Congressional Record, it is the opinion of this writer that if Congress, in its present mood, is asked to declare war against the Arabs, Congress will agree. Congress has insisted upon our continuing membership in the United Nations despite the rapid increase in membership hostile to the United States. Now our enemies have the balance of power. They would like nothing better than to see the United States baited into a Middle Eastern war where, if Congress has been truthfully informed, which is doubtful, we would be facing the Soviet Union, the Arab World and the possibility of a United Nations call-up of the armed forces of "member nations."

CONGRESS—IT'S UP TO YOU

We realize the baseless reliance of the Congress upon the veto in the Security Council. The only authority for the veto is found in Article 27 which we suggest Congress might read before leading us into an indefensible position in the Middle East. The word veto does not appear in the Charter of the United Nations. For 25 years, Congress has been relying upon the shallow and devious words of Article 27 of the Charter for protection of United States in-

terests. It is in paragraph 3 that the only authority for the veto is found:

"3. Decisions of the Security Council on all other matters (than "procedural"—ed) shall be made by an affirmative vote of nine members including the concurring votes of the permanent members."

The United States Senate of 1945 probably thought paragraph 3 of Article 27 meant what it says—that the votes of ALL five permanent members was required for military or other punitive measures against nations. The Suez, Korea, Katanga and other wars and warlike actions prove the Senate was entirely mistaken. The Soviet Union and France have not cast concurring votes in many important matters in the Security Council.

MR. CONGRESSMAN—WHAT IS YOUR POSITION ON THE VETO?

We would urge therefore that Congress take immediate measures to determine just what the veto means—how effective it is—or whether the veto was just a myth introduced for the purpose of obtaining ratification of the Charter. One thing is certain—that Congress cannot legally vote us into war in the Mid-East or any other place. We have agreed by solemn treaty commitment that this is the prerogative of the Security Council (Art. 39), and having become engaged, the Security Council alone shall determine how or where a war shall be fought and who will fight it (Art. 51).

AND ON ISRAEL?

Those Congressmen, a majority in both Houses, would be well advised, before they are obliged to make good on their reckless assurances to Israel, that they understand how the Korean War and the Viet Nam war were fought. The Korean War was a United Nations war fought under the United Nations command and under the U.N. flag. The Viet Nam War is a U.N. regional agency (SEATO) war fought under U.N. headquarters command.

MORE HISTORY

In Korea, General MacArthur was commander-in-the-field with a personal representative (Lt. Col. Alfred E. Katzin) of the Secretary General "Watch-dogging" him at command headquarters in Korea. The special duty of Katzin was to see that MacArthur's reports and instructions cleared through the United Nations headquarters in New York. This is how it was arranged, as General MacArthur stated, the enemy knew his instructions before he did. The Senate of 1945 left the United States wide open for this sort of treachery when they ratified the U.N. Charter. The treachery is being repeated in Viet Nam.

SEATO—A U.N. REGIONAL AGENCY

The U.N. Charter provides for the establishment of "regional agencies" under the authority of the security council—and not otherwise. (Art. 53) SEATO is a regional agency and by treaty agreement, no military action may be undertaken without the authority of the Security Council. Just how that authority is to come about is not spelled out. Under provisions of Article 5 of the Charter, we would be required to inform the Security Council immediately of all activities undertaken and in contemplation when Article 53 had been invoked.

Immediately following the adoption of the Tonkin Gulf resolution, the President notified the Security Council of the action. On August 4, 1964, the American delegate to the United Nations reported to the Security Council an alleged attack on U.S. ships Maddox and Turner Joy by the North Vietnamese and asked for a Security Council meeting. There was no claim that our ships had been hit. On the same day, another alleged attack was made upon the same ships in Tonkin Gulf. The Security Council met August 5 and

August 7 to consider the charges. Hence the Security Council was considering the charges brought, as the President himself conceded, under provisions of Article 51 of the United Nations Charter, at the very time the Congress was debating the Tonkin Gulf resolution.

WHO MADE THE FINAL DECISION?

Question: Did the Congress know that the Security Council was holding hearings concerning alleged attacks on our ships? Did they wonder just what authority the Security Council had over our armed forces in this matter? Article 51 provides that in case of an armed attack against a member nation, that nation may defend itself only UNTIL the Security Council can get into the act; keep the Security Council informed of all its defensive activities, and when the Security Council has taken over, offer no interference with the Security Council conduct of the national affair. Having gone into Viet Nam and remained at war there for another 6 years without protest from the United Nations, what then is the position of the United Nations in the matter?

WHY ARE WE THERE?

Has the United Nations simply washed its hands of the whole thing? Article 54 of the Charter provides that when a member nation engages in "enforcement action"—war—that nation must report immediately to the Security Council "all activities undertaken and in contemplation". We must inform them, the Security Council, with its Soviet Permanent member, not only what we are doing now in Viet Nam, but what we intend to do tomorrow or next week.

Question: Is it any wonder our men run into mines and boobytraps planted by a departed enemy?

STATE DEPARTMENT REPORTS TO THE U.N.

The State Department, which is the connecting link between the United Nations and the Administration will try to tell us that the United Nations has absolutely nothing to do with the Viet Nam War. However, in a letter dated September 17, 1965, State confirms that in accordance with Article 54 "we are reporting promptly and fully all our major activities in Viet Nam." Another note recently came to our attention:

"U.N. COUNCIL IS TOLD OF CAMBODIA ACTION

"(By Paul W. Ward.)

"(Washington Bureau of the Sun)
Washington, May 5

"The United States belatedly notified the United Nations Security Council today that, as a 'self defense' measure, American troops were sent into Cambodia five days ago. Acting under the U.N. charter provision that say such actions must be 'immediately' reported to the Council that has 'primary responsibility for the maintenance of international peace and security', the U.S. also assured the 15-nation body that American forces will be withdrawn from Cambodia as soon as their mission is accomplished. Charles W. Yost, the chief U.S. delegate to the U.N., said in a letter to the Council's current president."

So you see, gentlemen, the United States military establishment does not report to Congress; it reports "promptly and fully" to the United Nations Security Council where the Soviet delegate is chief Security (Military) Officer. As the young Cambodian is reported to have told the American soldiers,—"We knew you were coming before you did".

WHO PUT THE PRESSURE ON?

We were lied into World War I, World War II, the Korean War, and the Viet Nam War. Now we are being lied and pressured into a war in the Middle-East. If you were to research the papers of Presidents Roosevelt and Truman you would learn of the irresistible pressure brought to bear on them throughout World War II to help the Jews

to get a "State" in Palestine. Both Presidents resisted to the end—not because they were opposed to the Jews settling in Palestine on condition that they paid for the property they would take, but because both realized that unless the Arabs could be induced to agree to partition, there could never be peace in the Holy Land. President Truman asserted that it would require 500,000 American troops to establish them in what is now Israel and he stated firmly that he was not going to provide them.

MR. CONGRESSMAN—DO YOU KNOW
HOW IT HAPPENED?

The same propaganda and pressures the Administration is being subjected to now were used in 1943 to 1945. The Congress then adopted resolutions of support, sympathy and aid if need be. The Jews got the territory, awarded by the United Nations under heavy pressure from the same organized groups who pressure you now. The Jews did not pay for the property taken from its lawful owners, instead they drove the Arabs out into the desert to die within sight of their own homes. They expanded their stolen holdings far beyond the line of partition.

In addition, the Israelis flagrantly violated their agreements under the Balfour Declaration and the United Nations partition agreement. They have maintained a constant state of war in Palestine as the Roosevelt and Truman administrations knew they would. They were determined to have their own way in Palestine, and in the end the U.S. government helped them at the expense of the Arab World. It is predictable that the United States will pay for crimes against the Arabs as England has paid for her crimes against humanity. If there must be war, let those who will profit fight it. We've had it.

MARY M. DAVISON,
Editor.

COUNCIL FOR STATEHOOD, Lighthouse Point,
Fla.

[From the Washington Evening Star]

CAMBODIA AID PASSES FIRST TEST—SENATE
DEFEATS BID TO TIE SAME CURBS TO ISRAEL
(By Dana Bullen)

The Senate, pressing toward a vote on proposals to restrict U.S. involvement in Cambodia, today beat back, 60 to 20, a proposal to extend the limitations to Israel.

The Israel amendment, advanced by Sen. John J. Williams, R-DeI., would have rewritten language in legislation authorizing \$255 million for Cambodia to bar introduction of U.S. ground combat forces or advisers from Cambodia and Israel.

Today's action in the Senate was linked to the Senate vote yesterday appropriating over \$1 billion in new aid for several countries including Cambodia and Israel. The \$500 million item for Israel had been authorized, but the \$255 million for Cambodia had not.

Sen. Frank Church, D-Idaho, said President Nixon had told him last night that the administration does not oppose adding restrictions to the bill banning introduction of U.S. ground combat troops in Cambodia and U.S. advisers in Cambodian units.

WARNS OF REJECTION

The restrictions would not affect U.S. air operations over Cambodia.

"The attitude of the administration has changed," Church told Williams. "At the end of this long year, we have won our long fight." He said including restrictions on Israel might mean defeat for the over-all measure.

"It's not just Cambodia. It could be any country," answered Williams, who refused

to withdraw his proposal. "We should profit by the lesson we've experienced in Vietnam."

Sen. John Sherman Cooper, R-Ky., said there is a "practical difference" between Cambodia and Israel because U.S. forces are in Vietnam and face a possible flanking threat from enemy troops in Cambodia.

But Sen. J. William Fulbright, D-Ark., chairman of the Foreign Relations Committee, broke with other liberal senators to support Williams' move. Fulbright said the proposal was "consistent with the often-expressed view that the United States should not enlarge its commitments overseas."

The money is contained in the catch-all \$2 billion final appropriations bill of the waning Congress.

Splitting 8 to 4, the Foreign Relations Committee sped the authorization toward the floor yesterday as the full Senate approved the appropriation, 83-0.

The \$255 million for Cambodia is hedged in the appropriations bill with the proviso that the funds will not become available unless legislation authorizing the spending is adopted.

In all, the appropriations measure provides \$1.05 billion in new aid funds.

Other aid items still lacking authorization include \$150 million to modernize Korean forces, \$30 million for Jordan, \$5 million for Lebanon, \$15 million for Pakistan and \$3 million for Indonesia.

Sen. Robert C. Byrd, D-W.Va., floor manager of the appropriations bill, promised Fulbright he would "stand firm" at a House-Senate conference against any move to remove the authorization requirements from the Cambodia aid legislation.

[From the Tyselo (Miss.) Journal, Dec. 14,
1970]

ISRAEL SHIPS ARAB OIL TO RED LANDS

LONDON.—Despite Middle East war tensions and ancient hatreds, Israel has started transporting Arab oil to Communist eastern Europe via a new Israel pipeline that bypasses the Suez Canal, a British newspaper said Sunday.

The newspaper, the Sunday Times, said the multi-million dollar operation "has the blessing of Russia and the connivance of Arab governments."

The 160-mile line begins at the Israel port of Eilat on the Gulf of Aqaba and cuts across the Negev desert to the Israeli port of Ashkelon on the Mediterranean sea.

The project took two years to build. The pipe is 42 inches in diameter and capable of pumping 133 million barrels of oil a year.

According to the Times, tankers carrying Arab oil from the Persian Gulf, many of them Israeli-owned, dump loads of oil into the pipeline at Eilat for pickup at Ashkelon by similar ships that take it on to such destinations as Romania and Yugoslavia.

The process eliminates the three-week trip around Africa and costs about half as much, the Times said. The Suez Canal served as the gateway to the Mediterranean until it was closed during the 1967 Middle East war.

"Israel is transporting Arab oil to eastern Europe with the blessing of Russia and the connivance of Arab governments," the Times said, adding that Israel should make \$16.8 million on the project this year.

"The most remarkable fact about the Israeli operation is that all the Arab governments know about it—and are suppressing ideological hostility for commercial advantage," the report said.

"The Israelis, for their part, regard it as a straightforward commercial deal to earn much needed hard currency. But mindful of the delicate political implications for their Arab neighbors, they have gone to extraordinary lengths to cover the trade with a screen of secrecy."

[From the Washington Post, Nov. 26, 1970]

NAVY SENDS FAST GUNBOATS TO
MEDITERRANEAN

NORFOLK, Va.—The Navy for the first time is sending gunboats to the Mediterranean, and presumably the speedy vessels will be used to keep tabs on the Russians in restricted waterways.

Officially, the Navy gives no reason why they should be deployed in the Mediterranean, but they will be the only U.S. warships operating there with gas turbine engines—which power most of the Russian warships there.

Not only do they supply higher speed than conventional types but a ship can achieve flank speed from full stop in a matter of seconds. Maneuverability is also greatly enhanced.

The gunboats *Surprise* and *Defiance* have already left Norfolk. They are making the crossing with five amphibious ships which will join the 6th Fleet for a regular deployment.

The gunboats are 164 feet long and gross 250 tons. They have aluminum and fiberglass hulls that give them relatively shallow draft. Each carries 32 officers and men.

Although twin diesels are used for cruising, a gas turbine is cut in for high speed. This latter is a key factor, for it is known that some U.S. Navy ships have trouble keeping up with the Russians.

The nearest thing the Russians have to the gunboats is the *Komar* patrol boat.

The *Komar* carries two Styx missiles (the same type that sank the Israeli destroyer *Elath*) with a range of around 23 miles.

The heaviest armament of the *Defiance* and *Surprise* is one 3-inch .50-caliber rapid fire gun with a range of only slightly more than five miles. Additional weapons include one 40-millimeter cannon and two twin .50-caliber machine guns.

[From the Washington Post, Dec. 14, 1970]

ISRAEL LOBBY CUT DOWN YOST

(By Raymond Evans and Robert Novak)

Behind the decision to replace United Nations Ambassador Charles W. Yost with Rep. George Bush of Texas lies a subtle, undercover anti-Yost intrigue that tarred him, in the words of one top U.S. diplomat, as "insufficiently pro-Israel" in backstage U.N. maneuverings.

If President Nixon's earlier, aborted plan to replace Yost with retiring White House aide Daniel Patrick Moynihan had not inadvertently leaked before Yost himself was informed by President Nixon, these maneuvers by critics of the ambassador might never have come to light. Yost and Mr. Nixon would have arranged a quiet, harmonious separation.

But as it happened, the leak made it crystal clear that Yost was being fired. That stimulated a search for the reason why, both at the United Nations and by politicians here.

The undercurrent of suspicion of Yost by his zealous pro-Israeli critics was originally based on his experience as a U.S. diplomat assigned to the Arab world. He served as ambassador to both Syria and Morocco.

But beyond that, Yost—while never once departing from Nixon administration policies on the Middle East—made no secret of his growing concern over Arab world hostility aimed at the United States because of the increasingly intimate relations between the United States and Israel. He spoke forcefully and frequently within the U.S. government of his conviction that President Nixon must keep the heat on Israel to withdraw from Arab lands captured in the 1967 war (an Arab demand that the President ducked at his Thursday night news conference).

Moreover, when Henry Kissinger, Mr. Nixon's top foreign policy adviser, called last summer for expelling the Russians from the Middle East, Yost cabled the State Department pointing out that there was only one realistic way to accomplish that—settlement of the dispute. Then the Arabs themselves would get rid of the Soviets. That did not endear him to Mr. Nixon, Kissinger, or the top State Department Middle East operative, Assistant Secretary Joseph Sisco.

Then, when Yost was trying to manipulate an escape for the United States from the pitfall of a pro-Arab resolution in the U.N. General Assembly six weeks ago, he fought against offering a competing U.S. resolution because it would only dramatize the U.S.-Israeli alliance. He was overruled in Washington.

These independent (but unpublic) positions of Yost resulted in a stream of backstabbing (but unpublic) criticism funneled in to top figures in the Nixon administration.

Yet despite the high volume of this criticism, described to us by a highly qualified political source as "brutal," no public attack on Yost of any real substance can be found in the printed record.

The explanation of the furtiveness of this attack on Yost is obvious. To have surfaced it could have tied Mr. Nixon's hands and threatened a pro-Yost backfire.

Further adding to Yost's poor relations with the Nixon administration is the fact that he rarely made an appearance on a public platform. In dramatic contrast to his predecessors, Yost has kept discreetly in the background. But that was precisely the way Mr. Nixon described what he wanted his first U.N. Ambassador to do when he hired Yost two years ago.

The President had originally offered the job to Sargent Shriver, cut from the glamour cloth of many previous U.N. ambassadors. But when he and Shriver failed to agree on guidelines, he swung a full circle to quiet, unglamorous Yost.

Thus, unlike predecessors Arthur Goldberg, Adlai Stevenson and Henry Cabot Lodge, Yost was relegated to the back rooms of policy, a vulnerable target for attack by the potent pro-Israeli lobby.

Now Mr. Nixon returns full circle to his original concept of what kind of ambassador should represent the United States at the U.N. In forceful, charismatic George Bush, a politician with a constituency of his own and no prior Middle East involvement, the skillful, pro-Israeli lobby will not find an easy target.

[From the Washington Post, Dec. 14, 1970]
AID TO ISRAEL: MAXIMIZING ECONOMIC OPTIONS
(By Yuval Eiluz)

JERUSALEM.—The \$500 million credit which Israel hopes to get for the purchase of arms in the United States will provide a breathing spell for her economy, hard-pressed by mounting defense costs.

Officials are willing to admit that for the first time in more than 22 years of her existence, Israel is unable to pay in cash for all the arms considered essential for defense.

Israel's defense costs in foreign currency alone rose from \$160 million in 1966, the year preceding the Six-Day War, to over \$800 million in 1970. Similar sums will have to be spent in each of the next few years. In order to finance the purchase of arms and military equipment, Israel has had to dip into her foreign currency reserves, which declined from close to \$900 million at the end of 1967 to less than \$400 million today, and increase foreign debt to more than \$2.5 billion.

Ironically, less than three years ago, in January 1968, Israel had actually come to the aid of the U.S. economy. This was at the time that the dollar was under pressure by gold speculators. When the Israeli prime minister the late Levi Eshkol, visited the United States

in 1968 he announced Israel's decision to invest \$400 million of its reserves in U.S. Treasury Bills.

In those days, Israel believed that economic aid to them was phasing out. Israel was a shining example of what U.S. aid could do to enable a foreign country to help itself. From January 1949, until today, American aid to Israel totaled over \$1.3 billion.

All aid programs from which Israel has benefited until now were intended to boost her productive capacity in agriculture and industry. Israel was not linked to any U.S. military assistance program. Thus the President's request, now before the Congress, is not only a reversal of the trend, but also an entirely new form of aid to Israel.

Currently, the Israel government is under great pressure from groups of workers in the public sector to raise their wages. Coupled with a continuous rise in prices, this constitutes a most serious danger to the relative stability which Israel has succeeded in maintaining ever since the June 1967 war. Observers fear that if government spending, which increased by 28 per cent during 1970, continues to rise in 1971, the country may be facing a runaway inflation.

If, however, the government cuts its expenditures too much, the rise in costs may cause an equally dangerous slow-down similar to that which plagued the economy in 1966 and during the first half of 1967.

As Bank of Israel economists see it, the stability from which Israel benefited from 1967 until about a year ago was a result of the existence of three-fold reserves: the reserve of manpower which was laid off during the 1966 slow-down, the production capacity which had not been fully utilized and the foreign currency reserves which could be used to pay for imports which helped to hold down the local price level.

The Israeli economy could thus boast of a 15.5 per cent rise in production in 1968, and a further increase of 11 per cent in 1969 with hardly an increase in prices. But towards the middle of 1969 the "stockpiles" of manpower and of productive capacity were nearly exhausted and the foreign currency reserves became dangerously low.

No new economic policy was introduced before Israel's general elections in October 1969 and the formation of the government two months later. In February 1970, the much-publicized "package deal" was introduced, designed to tax excess purchasing power while attempting to hold down the increase in wages.

The average Israeli pays today higher taxes than anyone in the world. Middle income groups reach a tax rate of 82 per cent when their income goes above \$1,000 a month. A modest European car costs in Israel more than \$5,000 and can be maintained only if it can be charged as a business expense.

The result of these stiff taxes can already be noticed. Per capita consumption, which rose by an average of 9 per cent in 1969, is expected to rise by 1 per cent to 2 per cent at the utmost in 1970. Economists predict that in 1971, the standard of living may even go down in real terms.

American aid for the purchase of arms will not only enable Israel to hold on to its very limited foreign currency reserves but also to conduct an economic policy with at least some options open.

CORONA, BOROUGH OF QUEENS,
CITY OF NEW YORK

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. KOCH. Mr. Speaker, I believe that the salvation of the beleaguered cities of

our country lies not only with the infusion of large amounts of Federal funds to help meet the massive urban problems, but even more important, requires an understanding by city officials of local problems. Too often, the bureaucrat makes the decision without regard to the effects of his decision upon the lives of citizens in a particular community, the result being an embittered, frustrated, and angry citizenry. The bureaucrat too often takes a course of action which destroys a neighborhood and blights the hopes and aspirations of a community, when alternative, more creative solutions are possible but more difficult to plan and execute.

One such example has been taking place in the community known as Corona in the borough of Queens of the city of New York. The correspondence which I am setting forth should be of interest to every public official who wants to guard against such errors on the part of the Federal, State, and city bureaucracies that so often overwhelm us:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 1, 1970.
Mayor JOHN V. LINDSAY,
City Hall, New York, N.Y.

DEAR JOHN: I write to you urging that you take whatever measures are necessary to undo the horrendous damage already inflicted on 69 families in Corona whose homes will be torn down as a result of the Board of Estimate's decision to build a high school and athletic field in their place.

It is perfectly reasonable for you to inquire why a Manhattan Congressman interests himself in a matter taking place in the Borough of Queens. The answer is a simple one. What is occurring in Corona (a failure on the part of the City administration to recognize the needs of a vital community) is exactly what took place in Manhattan not long ago to a comparable Italian community in the South Village. In 1964, because of what was then termed the "mess on MacDougal Street," I organized the MacDougal Area Neighborhood Association. You must remember it—it sued you for failing to enforce the law.

In 1965, 1500 tenants in a three-block area on MacDougal Street saw the City administration turn its back and permit violations of the law which changed an already deteriorating neighborhood into a honky-tonk carnival area, the effects of which we are still suffering. In defense of their homes, 1100 residents of that area joined to form MANA. Working under the chairmanship of Wally Popolizio and meeting every week for the first year and at least once a month for the next two years, the community rallied together and sought—first by letters, then by public meetings, then by picketing Gracie Mansion—to bring attention to the problem. Finally there came a time when your Administration could no longer turn a deaf ear and so you appointed an ombudsman to care for the community and its problems. His name was James Marcus. Well, I will not use this letter to discuss James Marcus; suffice it to say his tenure, fortunately for the community, was short-lived.

In those weekly meetings that MANA held, the steering committee debated why the City turned its back on a vital community and permitted cabarets to operate illegally in a residential area with the attendant noise and crowds. Why was it that in the occasional situations where summonses were issued, the courts would suspend sentence or levy a small fine and permit the illegal activities to continue? And why was it that when the community, using a legal remedy, a writ of mandamus, sought to serve a summons upon

you, that you threw the summons to the ground and turned upon Wally Popolizio, an attorney and friend of yours who worked for you in the 1965 Mayoral campaign, and said to a policeman, "Get that man out of here?"

The problems on MacDougal Street are still there, albeit in diminished form. I rake over these old coals to illustrate the tie between Corona, MacDougal Street, and every other middle class community. It is kinship of bitterness and frustration caused by the callous indifference of City officials.

The resentment felt in these communities toward City government can best be illustrated by two quotes. In 1965, Mrs. Dina Perini Nolan, one of the really great women in this town, put it this way: "If we could get them to think of us as blacks, they'd be down here helping us." In 1970, Mary Moramarco living in Corona said, "If I leave here, I go on welfare. I can't afford to pay rent. I know how to make a molotov. Maybe I can't say it right, but I can make it. I've tried it already in my bathtub with sand. We'll get the kids from Stony Brook with the beards, and they'll help us defend our homes." This last quote comes from Jack Newfield's column in the *Village Voice* of November 26th.

Jack Newfield indicated that he had talked to you and Dick Aurelio; and in reading the story I got the impression that you were considering reversing your actions and saving these Corona homes. But, then I read the *New York Times* of November 29th and it indicated that you feel matters are too far along to save them. Matters can never be too far along, when human beings are involved. The houses still stand in Corona and are still lived in. You could call a meeting of the Board of Estimate to reverse their actions.

Replacement housing cannot be obtained by these families for the money the City would pay for their Corona homes. Every day one of your officials talks about more federal money for housing, and then you turn around and propose to destroy a thriving community and 69 excellent homes. If they are demolished, will the occupants be placed in your newly proposed trailer parks or placed with the tens of thousands of other families whose housing needs you admittedly cannot meet now?

Mr. Mayor, this is not the time to be tearing down homes. The school is needed but other sites are available, some of which admittedly won't be as easy to develop as the Corona sites. But, certainly the City's convenience does not warrant bulldozing over people's homes when alternatives do exist.

This is a long letter because I feel so frustrated and angry. I see decent people being embittered all over the City. Now just two weeks ago Mrs. Dina Perini Nolan struck the core of the issue when we were discussing the Greenwich Hotel and its hundreds of former convicts sheltered there by the Department of Social Services. She was angry that the neighborhood had deteriorated further, with crime increasing and her young son's parochial school classmates having been up for the change in their pockets. And when someone else said, "well, you've got to understand the ex-convicts' problems", she retorted, filled with emotion, "Don't tell me that I have to understand their problems. How about someone understanding my problems? We pay taxes, we live the kind of life where we have respect for our neighbors. We don't assault people. Why isn't anyone listening to us?"

Well, Mr. Mayor, in much worse and in a much graver situation involving physical death, Pastor Niemoller said in commenting on the tragedy then befalling the Jews in Germany, "I'm not a Jew so I did not protest." Mr. Mayor, I'm not an Italian, but I do protest.

Sincerely,

EDWARD I. KOCH.

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, N.Y., December 4, 1970.
Hon. EDWARD I. KOCH,
17th District, New York, Federal Plaza, New York, N.Y.

DEAR ED: Mayor Lindsay has asked me to reply to your letter on the Corona matter. The attached press release, I believe, answers the questions you raise.

We believe this is a sensible, imaginative, and humane solution to a most complex problem.

Sincerely,

RICHARD R. AURELIO,
Deputy Mayor.

Mayor John V. Lindsay, Queens Borough President Sidney Levis and Board of Education President Murray Bergtraum announced today a revised proposal for the New Queens High School that will preserve the Italian-American neighborhood and the Corona section without changing the site of the new high school.

The new plan provides:

1. The urgently needed New Queens High School—scheduled to accommodate 4,000 students—would proceed immediately on its present planned site.

2. The planned athletic field would be reduced to preserve 31 Corona homes.

3. The other 28 homes affected by the high school would be physically moved to new sites within the community—a block away—so that no homes would be destroyed or demolished. Funds for moving the houses would be provided in lieu of condemnation awards. Those who prefer to receive condemnation awards will be given the opportunity to do so, in negotiation with the Corporation Counsel's office.

4. The City will sponsor legislation in Albany to return title to the homeowners and to convey title on the new sites to those homes that are moved. The City now has title to all the property involved.

5. Funds will be incorporated in the new capital budget for a new athletic field complex in the vicinity of Corona Avenue and 111th Street to service both the New Corona High School and the Forest Hills High School. This athletic complex, part of Flushing Meadows Park, would be under the jurisdiction of the Parks, Recreation and Cultural Affairs Administration.

This revised plan was agreed upon by Mayor Lindsay, Mr. Levis and the Board of Education following a series of meetings in recent days by city officials.

The meetings were inspired by an appeal to Mayor Lindsay from Mario Cuomo and Michael Capanegro, lawyers connected with the homeowners, and by writer Jimmy Breslin, who lives in Forest Hills. They asked the Mayor to make a final review to save the Corona homes.

The Mayor directed Deputy Mayor Aurelio to review the matter. As a result of several meetings Mr. Aurelio had with Mr. Bergtraum and other Board of Education officials, City Planning Commission Chairman Donald Elliott, First Assistant Corporation Counsel Norman Redlich, Administrator Heckscher, and Borough President Levis, the new plan was developed. Councilman Edward Sadowsky, also consulted, approved the new plan.

The modified plan would eliminate two areas of the originally planned athletic field and would not affect the actual school location. The major portion of the athletic field to be eliminated is bounded by 102nd Street, Martense Avenue, Cambridge Street and Lewis Avenue. The area has 31 houses that would remain. The portion of the athletic field remaining is bounded by 101st Street, Radcliff Avenue, 99th Street and Christie Avenue and is largely vacant.

All 28 houses that are within the school site can be moved into areas one block away.

Mayor Lindsay said:

"This is a very gratifying moment for the City. I am deeply grateful to all those who have developed this meaningful proposal.

"Despite tremendous legal and governmental obstacles, we have found a way to build the critically needed New Queens High School for 4,000 students while at the same time preserving a small and very special Italian-American community in Corona.

"That community, by their determination to stay together and to build a sense of pride and neighborhood, symbolizes that part of New York that we must make special efforts to preserve. This proposal does justice to the voices of Corona, and does so without depriving the entire surrounding community of a desperately needed high school.

"I am grateful to Messrs Cuomo, Capanegro and Breslin for inspiring this latest review; to Borough President Levis and Board of Education President Bergtraum; and to my own team of city officials, headed by Deputy Mayor Aurelio and including Mr. Elliott, Mr. Redlich and Mr. Heckscher, for their efforts to find a way to combine compassion with progress."

THE FIGHTING 69 HOMEOWNERS—
CORONA,

Corona, Queens, N.Y., December 6, 1970.

Hon. EDWARD I. KOCH,
Federal Plaza,
New York, N.Y.

DEAR CONGRESSMAN KOCH: We were deeply moved and grateful to you for your interest expressed in our fight here to save our homes. Although your letter to Mayor Lindsay may have arrived the same day of his public announcement, your support adds great weight to our position and is evidence that our problems and difficulty in being heard are not unique.

Now we are faced with a situation where the Mayor has made an "offer" over TV and Radio, but we Homeowners have not been given the particulars, we have not seen a site-plan, the only thing we are sure of is that the "offer" does not use alternate vacant land—out of courtesy to the Mayor, we are patiently waiting for a detailed plan and site-plan to be presented to us. We cannot accept or reject the plan until we see it; however from a superficial standpoint, it is difficult to understand how moving half the homes and positioning a 4,000 student school building in our midst co-incides with "preservation of a neighborhood".

Let me thank you again for your help, we would appreciate any advice you can give us.

Yours truly,

THE FIGHTING 69,
LILLIAN MANASSERI,
Chairman.

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 11, 1970.

LILLIAN MANASSERI,
Chairman, The Fighting 69,
Corona, Queens.

DEAR MRS. MANASSERI: Thank you for your letter of December 6th.

I agree with you that the Corona homeowners should be advised of this compromise plan immediately and in detail so that you can judge its effect on your community, and I am surprised that the Mayor has not so advised you.

There are many unanswered questions about the compromise plan. For example can these houses be physically moved without being destroyed?

There is no question that a new school in your area is needed and I support such a school. There is also, however, no question that sites exists for this school which would not require the destruction of homes, and I would hope the school would be placed on one of those sites.

I am enclosing a copy of a letter I have sent to the Mayor on this subject. If you

feel I can be of any help, please let me know.

Sincerely,

EDWARD I. KOCH.

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 11, 1970.
Mayor JOHN V. LINDSAY,
City Hall,
New York, N.Y.

DEAR JOHN: I have been advised, much to my surprise, that the details of your compromise decision on the Corona school site have not yet been revealed to those homeowners directly affected.

I urge you to make the most detailed plans of this compromise immediately available to the Corona homeowners, for there are many unanswered questions about their compromise. For example, can the homes be transferred without being destroyed?

There is no question that a new school in this area is needed, and I support such a school, but there is also no question that alternate sites exist for this school. Sites that would not require the destruction of homes. I support the use of such a site, so as to preserve this community which need not be destroyed.

Sincerely,

EDWARD I. KOCH.

SAVE THE ICC

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. RAILSBACK. Mr. Speaker, there have been with increasing frequency, vocal attacks upon the continued existence of our transportation regulatory agencies, particularly the Interstate Commerce Commission. Lest like cattle we be lured into a stampede, I would urge my colleagues to heed the caution of William Shakespeare—"Wisely and slow; they stumble that run fast."

Reasoned and sober voices should be given our proper attention before hasty action is embarked upon. In this regard the collective wisdom of the National Association of Regulatory Utility Commissioners at its 82d annual convention took the position in a resolution that the ICC should not be abolished or its authority over surface transportation significantly diminished. So that my colleagues might have the benefit of reviewing the entire resolution, I include it as follows:

RESOLUTION RE PRESERVATION OF THE INTERSTATE COMMERCE COMMISSION AS AN INDEPENDENT REGULATORY AGENCY

Whereas, The National Association of Regulatory Utility Commissioners was established in 1889 and is dedicated to serving the public by engaging in the study and discussion of subjects concerning the regulation of public utilities and carriers, promoting the uniformity of their regulation among jurisdictions, encouraging cooperation among the Federal and State governmental members of the Association, and advocating causes to improve the quality and effectiveness of public regulation in America; and

Whereas, Certain members of the Congress of the United States are now giving consideration to the abolishment of the Interstate Commerce Commission through the transfer of its regulatory functions to the Department of Transportation or to a single Federal transport regulatory agency to exercise

jurisdiction over air, surface and maritime, transportation; and

Whereas, The Interstate Commerce Commission was established by the Interstate Commerce Act in 1887 and is the oldest of the several independent Federal regulatory agencies; and

Whereas, The Interstate Commerce Commission, as an arm of the Congress of the United States, is insulated from political influence to the maximum extent practicable; and

Whereas, The basic concept of the regulation of surface transportation in the public interest, as defined by the National Transportation Policy and the Interstate Commerce Act and as administered by the Commission, has proven to be sufficiently flexible to meet the needs of both consumers and regulated industry; and

Whereas, The Interstate Commerce Commission has advanced the welfare of people in all parts of the Nation and has strengthened and unified the economy of the various regions of the Nation by preventing or eliminating unreasonable preferences and advantages to any persons, points, regions or commodities; and

Whereas, The preservation of this regulatory function is vital to the future growth of the Nation and to the continued promotion of economic opportunity to people in all parts of the Nation; and

Whereas, The users of surface transportation in particular have benefited from the Commission's ability to maintain transport rate levels significantly below the general indexes measuring the inflationary spiral of our expanding economy, with some rates today being below comparable levels of the 1950's; and

Whereas, The transfer of the regulatory functions of the Interstate Commerce Commission to a massive bureaucratic organization would adversely affect the public interest because the welfare of the users of surface modes of transportation and the modes themselves would receive less consideration and promotion in the government process; now, therefore, be it

Resolved, That the National Association of Regulatory Utility Commissioners, assembled in its Eighty-second Annual Convention in the vicinity of Las Vegas, Nevada, hereby supports the continuation of the Interstate Commerce Commission as an independent regulatory agency exercising jurisdiction over surface transportation, and hereby opposes legislation or other proposals to transfer its regulatory functions to another Federal agency, or to significantly diminish the Commission's regulatory authority over surface transportation; and be it further

Resolved, That copies of this resolution be furnished by the General Counsel of the Association to the President of the United States.

HILARY SANDOVAL, JR.

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. LUJAN. Mr. Speaker, for nearly 2 years the Small Business Administration has been led by one of the most vigorous Administrators in that agency's history. Under Hilary Sandoval, Jr., SBA has experienced a period of expanded responsibilities and effectiveness, and played an important part in the Nixon administration's drive to bring greater economic opportunity to all Americans.

Besides meeting its regular responsibilities to the small business community

on a record level—29,625 business loans totaling \$1.4 billion in the past 2 fiscal years—SBA has also pioneered new initiatives to further involve the private sector and private funds in all possible agency activities.

I am especially proud of the outstanding job Administrator Sandoval has done in the field of minority enterprise and business opportunity for the disadvantaged. Loans to the disadvantaged have been tripled, and loans to Spanish-speaking Americans were increased 400 percent under the leadership of Administrator Sandoval.

I can think of no past public servant who has had a more passionate commitment to justice for the Hispanic peoples of America, or who has personally done more to advocate justice and opportunity for them in our free enterprise system.

One of the great results of this has been the launching of NEDA, the National Economic Development Association, set up with the help of a grant from SBA. The purpose of NEDA is to bring public and private sector assistance, in the form of counseling, financial aid, and managerial assistance, to Spanish-speaking Americans throughout the United States. Already NEDA has opened active local offices in cities in every region of the country. This marks a significant turning point for millions of our fellow citizens previously denied a fair chance on competitive footing in the American marketplace.

Recently, Administrator Sandoval announced his intention to resign, after nearly 2 years of successful leadership at SBA. Commenting on his decision, President Nixon stated that:

The dedicated leadership you have given to our effort to strengthen and encourage small business during these vitally important years of the Administration has been a deep source of satisfaction to me . . . All of our fellow citizens have reason to be very grateful for the wealth of experience, of ability, and of compassion you applied to your responsibilities here, and I hope you will always take pride in your exceptional contribution to the nation's welfare.

Speaking for myself, and for millions of Americans across the Nation, I can say that we take a special pride in the record and works of Hilary Sandoval, Jr. We will long remember his term as Administrator of SBA, because he has filled that post with a rare courage, dedication, and skill which has earned him our everlasting respect and affection.

WASHINGTON TRIBUTE HONORS SPEAKER JOHN McCORMACK

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. EDMONDSON. Mr. Speaker, on December 9 the Washington Star carried an excellent account of last week's moving Washington tribute to our beloved Speaker, the Honorable JOHN W. McCORMACK.

Donnie Radcliffe's fine story will be of interest to all who have enjoyed the friendship of Boston's great Congressman, and to all who have followed his record-breaking and productive career as a lawmaker and Speaker of the House of Representatives.

The text of the Star article follows:

MR. SPEAKER'S FOND FAREWELL
(By Donnie Radcliffe)

He once said that "politics was a natural with me," but last night retiring House Speaker John William McCormack, after 42 years on The Hill, had a slightly different story to tell.

"In 1928 when I was elected—when there was an artificial prosperity in the country and peace around the world—if I had thought I would serve six years in Congress I probably would not have run. I loved my law practice too much."

The Massachusetts Democrat told several hundred House and Senate colleagues, congressmen-elect and party and union leaders at a \$3,000 farewell party given by the Democratic National Committee at the Madison Hotel that he did not regret "one second that I have served here."

"They have been years of dynamic action, years of challenge . . . in which I played a minor part, at least."

"I love," he said, with considerable emotion, "the Democratic party."

The tall, rangy, white-haired speaker, who will be 79 on Dec. 21, said he would "always be active," and began at once to prove it by calling for "maximum unity" in party ranks so that by 1972 "the people of the country will elect a Democratic president."

Privately, however, the smooth, resourceful McCormack refused to name his preference.

"I'm not getting into that," he said, his eyes glinting behind rimless glasses. "There will be a lot of water over the dam between now and then. There are a lot of wonderful men who could fill the office."

Only one of those most frequently mentioned, however, made it to the party from a Senate session on defense appropriations. He was a "cutglass" Bostonian of Irish extraction, Massachusetts Sen. Edward M. Kennedy.

His early recollections of McCormack, Kennedy said, were "much more personal than political . . . going back over the years to when I was very young" during his maternal grandfather John (Honey Fitz) Fitzgerald's era of the Democratic party.

He said McCormack had known Honey Fitz ("the first Irish Catholic to serve in Congress"), his paternal grandfather Patrick Kennedy, as well as his parents.

"There have been times when there was talk of a McCormack-Kennedy struggle in the Democratic party, but he was warm and friendly throughout it all."

McCormack served the people of his district and the state with distinction, Kennedy said, adding: "He will be missed."

But Louise Day Hicks, newly elected congresswoman who will take McCormack's House seat, said the speaker's 9th District constituents were far from sad.

"Everyone is delighted that there will be a congresswoman and a congressman-emeritus representing them," she said, referring to a House resolution that would provide the speaker with an office plus two assistants at government expense for a two-year transition period.

She said he would "remain active, write his memoirs and keep his Boston office."

With McCormack in the receiving line were Democratic national treasurer Robert S. Strauss, vice chairman Mary Lou Burg, secretary Dorothy Bush and chairman Lawrence O'Brien and Mrs. O'Brien.

O'Brien said he has heard about "such rumors" that he would resign, but he did not plan to "unless somebody else has some ideas."

When Majority Leader Carl Albert of Oklahoma arrived, McCormack quickly opened up a spot in the line for his heir-apparent.

Democratic Whip Hale Boggs of Louisiana subsequently fell in beside Albert in what appeared to be a committee-endorsed slate for the party's House leadership.

GIFT FOR SMOKER

O'Brien acknowledged both by name later when he presented to McCormack a Waterford crystal humidor containing a day's supply—six—of quality cigars.

Finding an appropriate gift for the speaker hadn't been easy, according to one Democrat.

"Nobody who knew him could remember anything he liked except politics and his wife."

McCormack took leave of the politics and headed for the bedside of his wife Harriet in Providence Hospital at 7:20 p.m., 20 minutes later than his usual nightly visit.

Lingered behind in the last hurrah was his young legislative assistant, John Monahan.

"In a field of minor heroes," observed Monahan, "he's a Cyrano de Bergerac."

THE GROWING SOVIET NAVAL FLEET

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, December 18, 1970

Mr. THURMOND. Mr. President, the Congress and the American people are hearing more and more about the increased size of the Soviet navy and the rate at which they are adding to that navy.

U.S. superiority of the seas is under direct challenge by the Soviet Union. The American people must understand this fact. Once this message is conveyed to the Nation in understandable terms I believe there will be sufficient support to spend whatever amount of money necessary to keep this Nation in first place on the oceans of the world.

An excellent editorial containing information on this threat appeared in the December 6, 1970, issue of the State newspaper, Columbia, S.C.

Mr. President, I ask unanimous consent that this editorial be printed in the Extensions of Remarks.

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

SOVIETS KEEP ON BUILDING WORLDWIDE NAVAL THREAT

In the last six years, the Soviet Union has reached out with its navy into the far corners of the world's oceans, thereby menacing not only Western military control of the seelanes, but Western commerce as well. The trade war, however undesirable, at least is tolerable. It is the Soviet military threat that keeps the Western analysts awake nights.

The Russian buildup began early in the decade of the '60s. Not until the downfall of Khrushchev in 1964, however, did the real push come. Realistic estimates put Moscow's defense budget for 1970 at 18 billion rubles, about six times the figure for 1960.

In terms of seapower, the growth has been especially impressive. From only 3 nuclear

submarines 10 years ago, Moscow's undersea atomic fleet has grown to 70. Soviet guided-missile surface ships numbered about 10 in 1970; today, the figure is 17 times that. During the same period, Soviet merchant shipping has risen from only 3.2 million tons to 13.7 million.

All this, it scarcely requires saying, has enabled the Soviet fleet to expand into areas that previously were exclusive Western preserves: the Mediterranean, which the Soviets first entered six years ago and where the Russians now maintain a fleet of 24 surface ships and 12 submarines; the Caribbean, where 4 surface ships and 2 subs are regularly on patrol; the Indian Ocean, where the Soviet fleet first appeared two years ago last March and where, today, 21 surface ships and subs roam freely.

The advantages of this growing seapower need no elaboration. Having broken out of Russia's historic land-locked prison, the Soviets now are able to threaten the Western powers from Capetown to Cuba and beyond—anywhere, in fact, that surface ships and submarines can reach. Selective shipping blockades of unfriendly governments—one recalls immediately President Kennedy's blockade of Cuba in 1962—become a possible instrument of Soviet foreign policy for the first time. Short of that, international shipping can simply be harassed when that suits Soviet interests. Amphibious operations, "showing the flag" and other tactics of gunboat diplomacy—tactics employed up to now by Western navies alone—have become not only possible for the Russians, but also highly likely when events warrant.

Despite this growing menace, it is far from clear that the Western response has been adequate. The cry in Washington, for example, increasingly is for less in defense expenditures, not more. One reason is that Americans (unlike Russians) tend to view navies as outmoded holdovers from the pre-nuclear, pre-ICBM age. The biggest reason, though, is the growing emphasis on social and domestic needs, combined with a suspicion that behind every defense outlay lies a sinister conspiracy of greed: the so-called military-industrial complex. Alarms calling attention to Soviet military growth habitually are put down as self-serving propaganda emanating from the Pentagon and its lackies.

Perhaps a foreign view would be less suspect. Here is a comment from *The Economist*, a London weekly scarcely in the pay of Defense Secretary Laird:

"In the 1930s, when Churchill was warning Britain about the danger of German rearmament, there were people who said that the real issue was the class war and that the 'German threat' was a distraction . . . For the class war then, read the race issue now, for Germany read the Soviet Union. Analogies are dangerous, especially those with the 1930s. But this one should make people think about the order of priorities that is sometimes imposed on countries which face adversaries whose aims are kept deliberately obscure."

It is comforting to ignore that kind of tough talk, but it may be costly behavior in the long run. If the Russians mean business, as many think and as the record tends to confirm, a worldwide blitzkrieg cannot be ruled out.

THE ECONOMIC AND ENVIRONMENTAL IMPACT OF PESTICIDES

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. GOODLING. Mr. Speaker, a current vogue is to lambaste pesticides from

pillar to post as evil and treacherous agents that can bring only harm to man.

Those caught up in this emotional storm have their vision blinded to the truth that these very same pesticides have been a prime part of the technology that has made the American farmer without peer in his genius for agricultural production.

In the early part of this month, the American Farm Bureau Federation held its annual meeting in Houston, Tex., and environmental aspects received the serious attention of this meeting. You will, I am sure, be interested to know that Cliff McIntire, formerly a Member of this House of Representatives, is director of the American Farm Federation's National Resources Department, and he played a very active and important part in the proceedings of that meeting.

Dr. Robert White-Stevens, chairman of the Bureau of Conservation and Environmental Science at Rutgers University, presented to this meeting a paper entitled "The Economic and Environmental Impact of Pesticides." Because Dr. White-Stevens' remarks dispel some of the clouds of doubt and suspicion that hang heavy over pesticides, I feel they should be introduced to the CONGRESSIONAL RECORD, thereby enabling a broad spectrum of the American population to weigh some of the real blessings of pesticides against the plethora of supposed evils that are being hurled against them by so-called experts on our environment. Dr. White-Stevens' comments follow:

THE ECONOMIC AND ENVIRONMENTAL IMPACT OF PESTICIDES
I. INTRODUCTION

Sir Peter Medawar, incumbent President of the British Association for the Advancement of Science recently compared the present outlook on the impact of science upon the socio-political status of man, particularly in the Western World, with that which prevailed in 17th Century Europe, when Bacon challenged the resigned philosophies of that day with his books "Novum Organum" and "New Atlantis".

There is a gathering reaction to the progress of science in our time, particularly among the young, who though happily secure in the munificence with which modern technology has garnished their brave new world, nevertheless "wring their hands over the miscarriages of technology, while they take its benefactions for granted—and appear to be oppressed with a sense of decay and regression—by a fear of the deterioration of the world through technological innovation. Artificial chemical fertilizers and pesticides are said to be undermining their health, they contend, the soil and the sea are being poisoned by chemical and radioactive wastes, they are told. While drugs merely substitute one form of disease for another, and modern man oscillates continually under the influence of stimulants and sedatives". This feeling of despondency, of helplessness, of incompetence, a sense of doubt, seems to prevail everywhere. Even knowledgeable, intelligent and learned people are abandoning the standard rigors and objectivity of their training and are seeking refuge in an elevated form of mystical nuttiness. Neo-Platonism, various Wisdoms of the East, Astrology and other confused and diffused syntheses of science and religion are currently gathering momentum. "Once again there is a restless ambivalence about philosophical thinking as if the discovery of the insufficiency of reason has given a paradoxical validity to nonsense".

This general council of despair so prevalent in our political arena, in our colleges, and in our literature today provokes an overwhelming pessimism concerning the strides of science, and, while refusing to recognize the real contributions of science, loudly bewails the ancillary and usually quite insignificant side effects of technology.

Thus we condemn the antibiotics because they elicit allergic reaction among the very few, while they restore the health of the very many; we decry the use of medicaments in livestock feeds because minuscule and quite innocuous residues may occur in our food supply, the quality and quantity of which is vastly enhanced by their use; we accept as our rightful heritage the total elimination of vast areas of hunger, disease and want, yet we clamor furiously over the exaggerated and imagined dangers of pesticides. As Sir Peter Medawar comments, "Why do people complain about air pollution without being at least as proportionately cheered up by, say, the virtual abolition of poliomyelitis and malaria?"

There is a tendency, even a perverse willingness to suppose that the despoliation that is, on occasion, produced by technology is an inevitable and irremediable process, a trampling down of nature by some big inexorable machine. Actually, of course, whatever the deterioration of the environment induced by technology it is in fact a technological problem for which science has either found or will find an appropriate solution. We have perhaps at times been bad workmen and have made errors, occasionally serious mistakes, but there is no justification to blame the tools rather than our own incompetence.

Certainly a vigorously critical and rigorous attitude towards innovation and important change is desirable if but to ensure that movement is one of progression rather than regression and all attempts and proposals to improve the lot of man should rightfully be dispassionately scrutinized to ensure the benefits do indeed far exceed the probable if not the possible harm; but we need also to distinguish between an objective, energetic critique and a fearful despondency which offers no reprieve from the very abuse it bewails.

It is utterly futile to complain about the despoliation of our environment by technology when the need is actually to seek and apply adequate regulation of the unwanted side effects. It is ridiculous to summon and collate inaccurate, exaggerated emotional and essentially irrelevant evidence to ban the correct safe and scientifically established uses of certain pesticides when the overwhelming facts dictate that our food supply, our health and the entire measure of our living standards would clearly be threatened and ultimately impaired by such rash and ill considered legislation.

II. ECONOMIC CONSIDERATIONS

Exploding populations

The major environmental factor in the world today is the accelerating increase in the human population. Even conservative estimates now concede the world level will exceed 6 billion by year 2000, and a more realistic figure is 7 billion. The major thrust of this fantastic increase continues to be in Asia, which may well aggregate a population almost equivalent to the rest of the world combined by 2000. However, both South America and Africa are increasing as rapidly as Asia is today and will constitute collectively a virtually insuperable socio-political and economic problem by 2000. Although Western Europe has virtually reached a steady state, Eastern Europe continues to increase in births over deaths. Even North Americans may well exceed 400 million people at the turn of the century.

The increase in the human population in this century can only be regarded as a biological cataclysm of the first magnitude.

Man now exceeds all of his domesticated mammalian livestock and in the United States the human population is about twice as large as the rat population.

There obviously must be some surcease to this incredible accretion of humanity for within a hundred years at present rates the human population will approach 50 billion, a level which the demographer Harrison Brown estimates as the outer limit of the capacity of the planet earth to sustain at bare subsistence. Either man will find an effective and acceptable solution to curbing his numbers or nature will do it for him. The Paddock Brothers in their book, "Famine 1975" ominously predict that the natural restraint starvation, will accelerate within the next decade to the extent that upwards of 50 million humans will perish from hunger and disease annually. The social scientists, economists, medical profession and theologians had better get together immediately, quit fooling around with esoteric philosophies of birth control and work out appropriate and effective population control methods or human society and civilization as we now understand it will collapse in chaos.

In the meanwhile scientific agriculture can hold "a finger in the dyke" certainly through year 2000 and perhaps beyond to provide food for up to 10 or 12 billion humans, through the full and world wide application of food production technology now on the books together with new developments we can achieve over the next 30 years.

This, however, can only be done if our work is allowed to continue and expand without the impedance of hampering legislation and regulations promoted by an irresponsible and clearly uninformed minority.

There is no question that man's multiplication invokes a massive impact on the environment and impinges upon many of the innocent wild creatures of mountain, forest, valley and plain, and hopefully we can find a way to preserve and conserve both man and wildlife. However it is axiomatic that conservation is directed primarily at conserving man and those plants and creatures and areas which serve man, anything else is not conservation but merely conversation. There can be no justification, so far as man is concerned, in the conserving and preservation of the anopheline mosquito, smallpox, malaria, poliomyelitis, syphilis, poison ivy, doder, and a host of other creatures on the planet that contribute nothing but burden and misery to man.

Demand for food and fiber

In spite of the vast advances in agricultural technology in the western world and the massive efforts of the U.S. Government through AID, P.L. 480, etc., and the various private foundations such as Rockefeller, Ford and others, to spread this technology into emerging countries the hunger gap has continued steadily to widen between the "have" and the "have not" nations since World War II.

Food and fiber production will have to double in the western world, increase threefold overall to maintain subsistence level in the populous emerging nations and protein production will have to increase nearly sixfold to meet the needs of a world population of 7 billion by year 2000.

As it is quite impossible for the western world to continue to make up the deficits in the emerging countries by supplying surplus foods, chiefly grains and pulses, it is absolutely imperative that these deficit nations develop their own food production resources.

In 1964 the total consumption of world grains surpassed the total production and there has been a steady and continuous draw down of reserves since. It is true we in the western world can cease or, at least, reduce the feeding of grains to livestock, particularly ruminants, at a 7:1 loss of protein, we can also reduce the use of grain for fermentation

into beer, spirits, etc. and this would release considerable grains for human consumption abroad. It would, however, be quite unacceptable to our people and furthermore there are other ways in which we can provide sources of protein and energy for our livestock, including monogastric animals such as swine and poultry.

Meeting world food needs

There are two approaches to meeting the stupendous demand for food over the next thirty years.

The first is the more obvious and is perhaps the more readily achieved, although it will unquestionably constitute the more serious insult to the environment and will press wildlife into extinction more rapidly. This is by horizontal expansion into new and, as yet, untapped potentially arable lands.

New land development will in many regions require considerable capital input, perhaps from \$100 to \$500 per acre or its equivalent in work energy. Large as this may appear it is not an unreasonable investment in the western developed countries. It costs about \$800 to retrieve an acre of Dutch polder from the North Sea. Already in many hitherto non-arable lands in the U.S. there is currently going forward considerable land development on the tidelands of North Carolina around Plymouth, which can also be expected to occur in South Carolina. In both the Willamette Valley and the Columbia River Basin of Oregon and Washington investments reaching up to \$400-\$500 per acre are currently being made to bring water and with it a flourishing agriculture to fertile soils which have lain as sparse range lands for thousands of years. Even greater opportunities for vast land development lie waiting in South America, Central and South Africa and of course Australia. Even such inhospitable areas as the waste sands of the North African coast and the Sahara are potential food production areas if water can be brought to the parched soils. The potentials for arable land development in eastern Europe particularly Roumania and Southern Europe and the vast reaches beyond the Urals are only vaguely known, but will undoubtedly be considered as the hunger of man rises.

It is reasonable to anticipate that some billion acres of newly developed arable lands will be added to the present 3.3 billion now under cultivation by year 2000. However, with the increasing population this will still only provide on average about one-half acre of cropland per person by year 2000. This is far below the subsistence requirement which was computed by the USDA back in the 50's at around 2.5 acres per person.

The second approach, that of vertical expansion, or increased productivity per acre will therefore become mandatory even if the present arable area is increased by 33%.

The possibilities for such a vertical increase are, of course, exceedingly promising. In the U.S. for example, within the past 30 years grain yields have more than doubled and grain production per farm worker has advanced sixfold. Forage, bean, potato, cotton, vegetable, fruit and virtually all forms of livestock production rates have increased at least twofold and in some cases as much as fourfold—e.g. potatoes—over the past quarter century.

This is reflected by the lowest cost in food supply to the consumer for the most abundant, varied, and high quality food supply at all seasons of the year that any nation has ever achieved in history. It also allows 5% of the population to provide all the food for all the people for less than 18 cents of their take home dollar, so that 95% of our population and 80% of our national income can be applied to other needs and pursuits beyond provision of the bare necessities of life. This, of course, is what has made this nation the wealthiest, the most affluent and

the most powerful on earth. It is an accomplishment recognized today by too few and appreciated by less. Our munificent food supply is our basic and most powerful resource in a very hungry and envious world, and on which, for some completely unexplained and totally illogical reason, appears to be under an unremitting and utterly irresponsible attack. There is no wound to American industry that could inflict more harm to the nation than to impair its food supply; there is no injury to the American people that would give more comfort and rejoicing to our enemies than a serious decline in our food production. Our farms essentially won two world wars in this century and our scientific agriculture is, in the final analysis, the only factor that can win the peace. For if the farms of America should fail, our people would have nowhere to turn for their food and industry, our economy, our society, our defense and our national integrity would shrink and collapse.

Scientific factors which promote food production

Over the past century, since the inception of the land grant college and experiment station system there are four factors which are the hub of the system that produces the munificence of food and fiber we enjoy today.

First was education and extension, which trained young people to apply science to farming and brought the findings and discoveries from the laboratory and research section down to the grass roots on the farm where they could be put to work.

Second was the improvement in crop plant stocks and livestock strains through application of genetics and the science of breeding, which enabled the farmer to raise crops and animals best adapted to the soil and climatic conditions prevailing in the various farming areas across the land.

Third was engineering applied to farm machinery, transport and food processing, which provided power to produce, so that today one man can do what it formerly took perhaps a hundred men and expensive, inefficient draft animals to do. This not only enhanced each farmer's efficiency, but released vast numbers of people for work in municipal, educational and research institutions and industrial plants.

Fourth the application of chemistry, and its related sciences, to farming unlocked the secrets of life itself and provides control of nutrition to promote growth of crop plants through fertilizers and of livestock through feed additives and medicaments and controls disease, parasitism and predation of the produced foods through the development of pesticides.

Upon these four technological legs stands the bounty of the food table of America; and removal or even impairment of any one of the four will cause the table to collapse.

Economic impact of pesticides

It is a basic law of nature, that when any food supply is produced or accumulated in any one place, its pests, parasites and predators will also congregate. Modern technical agriculture requires, for reasons of efficiency, that crops and livestock be raised and concentrated in areas which are optimal to their production—or, in a word, by monoculture. This inevitably encourages pests, and no amount of productive efficiency or reliance upon natural controls can ever be expected to attain a productive margin ahead of the ravages of such pests. Their rate of reproduction is far too rapid to hope to be able to raise food in sufficient amount to sustain both the pests and humans. The pests will win it all virtually every time.

Neither is there any reasonable probability that total pest suppression on all crops and livestock can be achieved by biological control measures. Of the 10,000 pests that attack man's crops and animals and himself there are not, now, more than 100 known signifi-

cant biological controls and of these probably not more than 30 of reliable economic importance. There is not one crop plant or livestock species which can be produced to meet the quality standards demanded by the consumer and generally required by law, and be totally protected by known biological pest control measures. Important advances in biological control research are being developed, but the most we can anticipate is an enlargement of integrated programs where both chemical, and biological controls are combined.

The estimated annual total losses of crop plants and livestock in the U.S. currently aggregate approximately \$20 billion even with our intensive pest control measures and efficient pesticides. This is an impost of 25¢ on every \$1 spent for food.

It is anyone's guess what the loss would be if we used no pesticides at all. Conservatively yields would drop to less than 50% and the cost of food would undoubtedly increase 4-5 fold, for produce the quality of which would be totally unacceptable to the modern American housewife. This would immediately incur a sharp food shortage and exceedingly serious economic reverberations as the 18¢ per take home dollar would rise to perhaps 75 to 80¢.

In India, for example, where pest control is minimal or absent entirely over 50% of the food from the very low yields harvested never reaches the consumer's mouth due to the ravage of insects, decays and vermin. Thus the application of simple protective pesticide measures between harvest and consumer could virtually double the effective food production in a land where upwards of 300 million people are continually on the verge of starvation.

Among these emerging nations therefore, there can be no point in promoting increased crop and livestock production through introduction of improved plant and animal stocks, application of fertilizers or provision of irrigation facilities if the increment yields are to be devoured by pests. Thus the inclusion of pesticides necessarily becomes an integral part of the agricultural improvement program among all the emerging nations.

III. PUBLIC HEALTH CONSIDERATIONS

It is in the field of the control of insect borne human disease where pesticides, particularly the persistent organo chlorine compounds effect their most significant impact. DDT alone has been responsible for saving more human lives than all the wonder drugs combined.

Malaria, as far back as history records, has been the greatest disease killer of mankind. More human beings have perished from malaria than all other infectious diseases combined. It can only flourish in a human population when the vector, the Anopheles mosquito, is present in sufficient numbers to serve as a bridge from one human to the next. When DDT was first introduced into India on the UN-World Health Organization program to fight malaria, there were over 75 million cases a year with upwards of 5 million deaths. Within 10 years the intensive spraying of domiciles and their environs and of neighboring swamps, catchment basins and other breeding sites had so reduced the vector that the total incidence was down to less than 5 million cases per year and deaths dropped to below 100,000 per year. This resulted in an increase of the life span of the average Indian from 32 to 47 years, or 15 years in a decade, probably the most fantastic achievement in the history of public health medicine.

On the Island of Ceylon, where malaria had raged for millennia, the disease was virtually eradicated by 1950. Except for a few imported cases malaria remained absent from Ceylon until the DDT spray control program was abandoned for political and obviously unsound reasons. Gradually, but with accelerat-

ing momentum the Anopheles returned and with it the blood parasites. By 1968 nearly 500,000 people came down with malaria and its incidence in 1969 will approach 1 million in a population of 8 million and an area about that of West Virginia. The Singapore Government has wisely decided to return to the use of DDT and has placed orders in the U.S. for nearly 10 million pounds for rush delivery.

It is interesting and not a little alarming to note that the Communicable Disease Center of the U.S. Public Health Service reports to date in 1969 that incidence of malaria in the U.S. has climbed to over 2000 cases. Undoubtedly the parasite is being brought back by G.I.s returning from Viet Nam, where the recalcitrant form *Plasmodium falciparum* is rife, and in spite of the routine medical exam and therapeutic treatment where necessary, some of them can serve as sources of contagion. The important point, however, is that without the presence of the Anopheles mosquito they would be harmless. Reduced use of DDT and related persistent pesticides for mosquito abatement, however, has now resulted in a significant climb in the numbers of Anopheles mosquitoes along the Gulf and the Atlantic Coasts as far north as New Jersey. Curiously North Carolina shows the highest incidence of malaria this year in relation to its population density.

The W.H.O. states that DDT remains the most effective pesticide to control Anopheles and to ban it and remove it from the anti-malaria program is tantamount to genocide of millions of humans. As whole generations have now grown up in the virtual absence of malaria, they have not evolved immunity to the disease and will therefore be peculiarly susceptible.

There are at least fifteen other insect vectored human diseases which are readily controlled by persistent pesticides. These include plague, carried by the rat flea; encephalitis, mosquito borne and now endemic throughout the Atlantic and Southeastern states where it is thoroughly sequestered among wild and domestic mammals; epidemic typhus, vectored by the louse; murine typhus, by the flea; dysentery, the fly; trachoma, the human dung fly; poliomyelitis, the fly; sleeping sickness, the Tsetse fly; Ochocerciasis or River blindness, by the fresh water Simulium fly and very sensitive to DDT; Leishmaniasis by the mosquito; filariasis or the hideous elephantiasis by the mosquito; salmonellosis, by the fly; Chagas disease by the kissing bug; and spotted fever by the tick, and many more.

With virtually all these vectors persistence in a pesticide is a necessity to provide prolonged protection and DDT is the cheapest most effective and unquestionably the safest pesticide of choice. For in spite of all the furious clamor of late by a vociferous and clearly irresponsible minority no evidence of injury, cancer or death after twenty five years of use, where at least one billion humans have been exposed, has ever been authoritatively reported with medical annotation. There have been invidious claims made but not one has ever been medically established. Even workers in DDT manufacturing and formulating plants heavily exposed to the technical compound daily, at a level at least 200 times that of the general population, daily for upwards of 19 years revealed no significant clinical effects at all. As a matter of fact the incidence of cancer among them was lower than that found in the general population, while the number of children they sired was above the average of the U.S. population.

There have been a number of efforts to try to prove DDT is a carcinogen, or cancer inducer, going back to the absurd assertions of Morton Biskind, and Hueper, up to a recently published paper from the National Cancer Institute. None of these statements

can withstand scientific scrutiny and analysis and a recent summary of the situation prepared by Dr. Wayland J. Hayes of Vanderbilt University Medical College and formerly head of the Pesticide Division of CDC at Atlanta as presented to the hearing examiner of the Washington State Legislature reasserts his repeated position of the past, "There is no valid evidence that DDT is a carcinogen."

The repeated claim that although the acute effects of DDT may not be serious in man, we do not know what the long term effects will be, is obviously specious. All drugs exhibit a dose-response effect and if DDT does not, it is the first drug discovered that doesn't. Obviously a continuous exposure over 20 years at a level of 200 fold the normal without clinical effect is more than equivalent to a normal continuous exposure of 4000 years. Surely no one is going to demand experimental proof that extends for longer than 4 millennia.

Perhaps the most crucial and cogent evidence that the correct use of DDT and other organo-chlorine pesticides is safe, lies in the fact that the insurance companies which underwrite the workers in pesticide plants or in pest control operator companies do not demand a higher risk premium for such coverage. They do not do this out of any misplaced generosity of spirit, but merely because they cannot point to an actuarial risk history that would justify such increased premiums.

The concern that the organo-chlorine pesticides, particularly DDT, may be steadily increasing in our food and water supply is not founded in fact. Extensive market basket analyses of all the major groups of pesticides made on samples of typical American diets taken in some 20 cities across the country and based on the prodigious food intake of a 19 year old American male reveal the maximum intake of any one pesticide or the total of all pesticides falls below 10% of the FDA and FAO-UN allowable tolerance. Furthermore these analyses indicate there has been no increase in levels of any one or all pesticides over the past 7 years since the inception of the program. It is interesting to note also that the pesticide levels, including DDT, found in imported foods is, on average, higher than those which are detected in similar domestic foods.

Parallel monitoring studies of DDT and related derivatives present in human tissues, chiefly fat, reveal no increase, on average, over the past ten years among the general population. The recent deliberately sensationalized publicity concerning the presence of minute levels of DDT and derivatives found in mother's milk is a totally irresponsible effort to throw an unnecessary scare into pregnant and nursing women solely for political purposes. Actually infants pick up more pesticide residues from other foods they eat than from their mother's milk, and furthermore in fact mammals are, in fact, more tolerant of DDT and derivatives than adults of the same species. The same cannot be said for the caffeine, nicotine or alcohol they may also receive from their mother, when she consumes coffee, smokes cigarettes or drinks cocktails.

V. WILDLIFE CONSIDERATIONS

The essence of the concern of many ecologists and conservationists related to pesticides rests primarily upon the persistence of pesticides, chiefly the organo chlorines in the environment to which they are applied. It has even been stated that over 95% of all the DDT ever applied is still present as such or as its biologically active derivatives, and continues steadily to impregnate the entire planet, land, water and air.

This is absolutely untrue. To begin with the older pesticides such as lead arsenate, the mercuries and coppers are indeed permanent as their half lives are virtually infinite.

This is not true of the organic pesticides including DDT and the other organo chlorines. Some, such as the organo phosphates have half lives measured in hours or days, although many of them are exceedingly toxic to wildlife for the period they are around. Others, such as DDT and the other organo chlorines have half lives measured in days, weeks, months and in a few specific cases, in years. Their rate of decay is subject to many environmental factors including temperature, moisture, light, and the presence of organic matter and micro flora. It is the particular combination of these factors that "determines the actual half life in each specific case."

Organo chlorines are, as a group, highly insoluble in water so their movement in water is both slow and minute. They do, however, have a strong affinity for fats, oils and other lipoids and they tend to absorb strongly to organic matter. When streams or rivers do become contaminated at relatively high levels with DDT it is usually through erosion of treated soil by wind or water and the pesticide is carried into the water adsorbed onto soil particles, where it also remains, settling with the soil into bottom muds. There it slowly decays under attack by various benthic microflora or microfauna. This has now been verified by long term monitoring assays of estuarine waters and bottom deposits at the mouths of our major river systems. The delta of the Mississippi is of particular significance in these studies as this mighty river system drains such a vast agricultural area where millions of pounds of pesticides are applied annually such that, if indeed there actually was a steady drift and accumulation of DDT and derivatives in our waterways, it would be the mouth of this great watershed that would reveal it. It does not, after nearly 8 years of intensive investigation. The alleged blame on the organo chlorines for the Mississippi fish fiasco, of a few years ago, was ultimately revealed as totally unfounded. As there was no decline in the Louisiana shrimp harvest, at the time, this should have really been patently obvious, for shrimp, being arthropods, are far more sensitive to these chemicals than are the sunfish, shiners and cat fish that died.

In sandy, dry soils in mild climates DDT and derivatives do persist, in some recorded cases, with a half life of up to 10 years. Where soil insect, or termite control is important this is, of course, a distinct advantage.

Even though the vapor pressure of most of the organo chlorines is quite low, they will evaporate or co-distill with water into the atmosphere, from whence they can be carried over great distances to return ultimately to earth or sea in rain or snow. However, only exceedingly minute quantities can migrate in this fashion and furthermore they are sensitive to ultra-violet light and a substantial proportion of such airborne contamination is degraded before it returns to earth.

DDT, the chief culprit in the present flurry of accusations degrades quite rapidly either to DDD or to DDE. Both of these forms are substantially less toxic to all kinds of vertebrate life than is DDT. DDD is about 1/10th as toxic and DDE about 1/2 as toxic as DDT.

It is true that minuscule quantities of DDT and derivatives have been detected, in remote and unlikely places on the planet where, presumably, no direct application has been made. This is true of many other toxic substances also including arsenic. Many of these assays are more of an accolade to the exquisite refinement of our modern analytical techniques than an ominous warning of the poisoning of the total environment. Furthermore it now appears that much of the earlier analytical work i.e. prior to 1967—on DDT residues was obscured by and confounded with polychlorobiphenyls (PCB)

which reveal coincident peaks in the gas-liquid chromatographs. Recent studies from Sweden suggest that perhaps the preponderance of so-called DDT residues found in marine waters and biota are in fact PCBs.

The presence of DDT and derivatives among Antarctic penguins in an oft quoted case. Actually, of course, the amount present in the penguins was so small, that if all the penguin population in Antarctica carried the same level, which they did not as most of them were negative, then the total amount of DDT or equivalent would aggregate about half a pound for the entire continent. As there was no DDT detected in the snow samples taken, there is no evidence that the penguin and other Antarctic wildlife data indicates a universal contamination of this remote area. It would seem far more probable that the observed DDT came from wastes and rubbish cast out by visiting Antarctic expeditions. Similar sources are suspect for the occurrence of DDT and derivatives among pelagic fish caught far out to sea.

There have undoubtedly been fish kills among inland streams and water ways that are in small part, at least, attributable to pesticides, which entered the water either by direct application or by erosion of treated nearby soils. In a few cases the irresponsible dumping of residue sprays, old containers etc. directly into streams and ditches has killed fish.

However, the published records of unnatural fish kills in the U.S. over the past 7 years reveal that only 1-3% of the total kill can actually be assessed against pesticides. Municipal and industrial wastes on the other hand account for over 70% of the kill each year.

When the decision rests between producing food or fiber for our people and the protection of millions of acres of forest and billions of board feet of lumber, or alternatively preserving less than 0.1% of our fresh water fish, which rapidly replace themselves anyway, there really is no question as to which choice should be made.

The concern over the impact of pesticides upon terrestrial wildlife particularly birds is not entirely void of justification but again it has been exaggerated out of all proportion to the actual facts.

When one considers that insects and disease destroy each year more than 30 times as much lumber and trees as all the forest fires combined, and, of course, with its vast ecological areas for feeding and nesting of bird and other wildlife; when one also considers that insect borne avian diseases, a number of which are transmissible to man, destroy literally millions of desirable bird life,—e.g. pheasants, quail, ducks, doves etc.—then it would seem that a very strong case can be made for the contributions man's use of pesticides make to the welfare of wildlife. Certainly an unrestricted plague of glasshoppers, readily disturbs and destroys the wildlife along the extended paths it denudes. Last summer in northern New Jersey over 40,000 acres of forest, hardwoods, softwoods and conifers were denuded by the gypsy moth; the wildlife, birds, mammals and even snakes, left the ravaged areas in droves, for they had no food, no nesting place and no shade.

There is actually no valid evidence, despite the emotional and sensational assertions in the press, that any registered pesticide applied correctly and in accord with approved federal and local recommendations has ever invoked massive irreversible bird kills of any species. Even where accidental spills or irresponsible exposures have, on occasion, occurred the resulting kills have been insignificant, compared to kills elicited by winter wastage, storms, disease and such other man made hazards as sky scrapers, TV towers and traffic.

Contrary to the oft quoted myth initiated in Rachel Carson's *Silent Spring*, where the

main concern was over the alleged rapid decline in bird life in America, careful bird counts made over the entire country and published by the National Audubon Society reveal that many favored species of birds have actually very substantially increased in numbers in many areas of the country rather than have declined. Thus robins (which were mourned as approaching extinction on page 118 of Carson's book), starlings, sparrows, seagulls, ducks of several species, wild turkeys, blue jays, cardinals, pheasants, quail and grackles have all increased at least two fold and some more than 40 fold in the past 25 years since the organic pesticides (including DDT) were widely introduced. Surprisingly a number of raptorial (Hawk) species, which being at the top of the carnivorous food chain are alleged to be rapidly poisoned into extirpation, have also shown that they are either holding their own or are increasing. Unfortunately several do show a steady decline and include among their number Cooper's Hawk, the magnificent Golden Eagle and the Peregrine Falcon. These declines, however, appear to be more related to the encroachment of man's civilization upon their wild breeding and feeding haunts than upon the direct effect of any pesticide. Certainly the Peregrine Falcon was driven from the Hudson River escarpments by man's intrusion long before DDT was discovered to be a pesticide. All over the world this superb raptor has shown a decline regardless of whether DDT was used in its environment or not.

The fish hawk, or osprey, on the other hand, though driven from its shore line haunts on the east coast has reinforced its numbers inland and a significant rise in the migration count has been recorded for several years now at the Hawk Mountain Sanctuary Observation Post on the Great Appalachian Fly Way.

The brown pelican has also shown a serious decline on the west coast, and this is furiously blamed on DDT, on the other hand it is flourishing along the Florida Coasts where DDT has been applied as much if not more than in California. Which leads to a new natural law invoked by those who seek to blame all the ills of the environment on DDT: "When wildlife increases it is due to changes in migratory habits but when it declines it is due to DDT."

There is much press publicity that residues of organo chlorine pesticides particularly DDT, impair fertility, eggshells and hatchability of eggs and reduce the survival of nestlings among many species of wild birds, specifically ducks, quail, pheasants, pelicans and particularly raptors such as the bald eagle. Most of the reports published on this subject are patently assumptive and equivocal, although admittedly in some species excessive exposures, many fold that experienced under field conditions, do reveal some of these effects. There is considerable evidence with domestic fowl, turkeys and ducks that this does not occur even at doses 10 fold natural exposure. In any case there could hardly be a population explosion of bird life in America if these assertions were, in fact, generally true. Sportsman's clubs report that in recent years the bag has been more than adequate for sporting birds, and the same is reported for all the major species of hunting mammalian wildlife over the past 25 years.

Finally the argument is repeatedly raised that even though the levels of DDT and derivatives and other organo chlorine pesticides present in waterways, lakes and ponds may be innocuously low there is a magnification process up the food chain which culminates in an accumulation to lethal levels at the top of the chain. This important hypothesis has been critically investigated recently by the Oregon Station. They find that, indeed, certain aquatic flora and fauna do pool organo chlorines, but that it

does not consistently mount up the food chain and certainly not at the rate and magnitudes claimed.

Furthermore, the actual evidence reveals that fish at the top of the food chain, e.g. trout—absorb some 85% of the pesticide they accumulate directly from the ambient water and only 15% from their food; that the level to which the compound accumulates is a direct function of the concentration in the water; and that such accumulation attains a steady state above which it does not rise unless the concentration in the ambient water is also raised. Thus where the level in the water is less than 1 ppb, and many waters show concentrations in the 10-100 ppt range, the accumulation in the fish is essentially innocuous to the fish and harmless to man should he catch and consume. Admittedly, higher levels of DDT and derivatives than 1 ppb have, on occasion occurred, following heavy rain erosion from neighboring recently treated fields or to the deliberate illegal dumping of residual spray tanks, drums etc., but these are not approved methods of application and are quite regional and ephemeral in effect.

VI. CONCLUSIONS

1. There is a rising and unreasoning fear among our people of scientific technology in general, of scientific agriculture in particular and of agricultural chemicals specifically.

2. It is paradoxical that the very critics of modern science regard its benefits and the munificence it bestows as their due and birthright. They seek to disrupt and destroy modern scientific technology without any suggestion as to how to replace it and continue to enjoy the security and comfort of present day America.

3. Criticism is desirable for the improvement of all things, but nonconstructive criticism is worthless.

4. There can be no point in banning the use of effective pesticides until we have equally efficient methods to fulfill their function.

5. The major problem facing mankind is the exploding population and how to feed, clothe and shelter it, at least, until some acceptable way is found to curb it.

6. If no such "people stat" is developed by the social-scientists, economists, theologians and medical profession before the world population reaches 10-12 billion humans starvation on an unparalleled scale will ensue and chaos follow.

7. Scientific agriculture could feed, at subsistence level, perhaps 10-12 billion people, but not beyond that number.

8. Such an accretion of humanity has enormous and far reaching impact on the environment.

9. Conservation is primarily concerned with conserving man.

10. Despite herculean efforts by the western world the hunger gap continues to widen.

11. At least a threefold increase in world food production is essential by year 2000.

12. Some relief can be achieved by reducing food standards—e.g. meat—in the developed nations to share the primary food grains with undeveloped nations. This is socially and politically unacceptable.

13. New arable lands can be brought into production; there are many such potential areas, but this is expensive and would still be too limited.

14. Yields and productivity of present arable lands can be increased to 3 to 4 fold by applying scientific agriculture, particularly chemistry as fertilizers and pesticides.

15. This has been the approach in North America and has resulted in the most munificent, highest quality and cheapest food supply in all history.

16. The U.S. food supply is its most powerful force militarily, industrially, economically and politically.

17. Four factors comprise the basis of sci-

entific agriculture, education, genetics, engineering and chemistry.

18. Monoculture, an economic necessity, encourages pest problems, against which only chemical methods are reliably effective, biological controls are too few, too slow, too incomplete, too unreliable and too ephemeral for the practical grower. Integrated control is more promising.

19. Crop and livestock annual losses to pests approach \$20 billion in the U.S. Without chemical controls losses would at least double, food costs would soar and hunger would stalk the land.

20. The National socio-economic impact would be catastrophic.

21. The persistent organo chlorine pesticides are essential in the control of insect vectored human diseases, particularly in tropical and sub-tropical countries.

22. Malaria has been sharply reduced or eradicated in some 60 countries since 1950, but where the program has been suspended it returned promptly—e.g. Ceylon.

23. More than 15 major human and livestock diseases are insect borne and can therefore be controlled by appropriate pesticide applications.

24. Exposure of more than one billion humans to DDT for over 20 years has not revealed one single medically annotated case of injury, sickness, cancer or death in man.

25. Daily exposure over 20 years to levels of DDT at least 200 fold the national average elicited no clinical symptoms. This is conclusive evidence that the low level normal exposure does not elicit long term chronic effects.

26. There is no valid evidence that DDT is a carcinogen.

27. Insurance companies do not demand increased risk premiums to underwrite medical coverage of workmen exposed to daily overloads of registered pesticides, provided established industrial hygienic measures are applied.

28. Extensive monitoring surveys reveal no accumulation of pesticides in foods, water supply or the bodies of the people.

29. The sensational assertions about the dangers of DDT in Mother's milk are irresponsible, unscrupulous and ridiculous.

30. The claim that 95% of all the DDT produced still remains in the environment is not supported by evidence. All organic pesticides degrade at varying rates under various conditions; such can not be said for arsenic, lead, mercury or copper.

31. The very persistence of the organo chlorines is in fact their strongest asset.

32. The impact of the environmental distribution of organo chlorines by evaporation or by co-distillation with water is sharply curtailed by their sensitivity to ultra-violet light which rapidly degrades them.

33. The assertion that DDT is ubiquitous over the planet is not of any environmental biological significance and may well be grossly exaggerated quantitatively by confounding of the analyses with polychlorobiphenyls which yield coincident peaks in the chromatographs.

34. Annual annotated inland unnatural fish kills reveal that pesticides are credited with from 1-3% while municipal and industrial wastes are responsible for over 70%.

35. The impact of pesticides upon birdlife is virtually insignificant compared to the effect by insect vectored avian disease, or the destruction of nesting and feeding areas by forest denudement or by the wastage from storms and frost. Skyscrapers, TV towers and traffic probably destroy as much or more birds than all the pesticides combined.

36. Contrary to the popular press, bird life in N. America has actually substantially increased over the past 25 years, and game mammals have also proliferated.

37. The evidence that DDT and derivatives elicit impaired egg shells is, as yet, confused and equivocal. It may occur under excess exposure in certain bird species. It does not

occur among domestic fowl, turkeys, ducks or quail.

38. The hypothesis that pesticides are rapidly magnified from water up a food chain to culminate at levels toxic to the creature at the top of the chain remains both obscure and equivocal. It appears upon study to be both inconsistent and much less than often asserted.

39. Careful studies show many fish species accumulate pesticides 5 times more from direct absorption from the ambient water than from their food, and they do so in direct proportion to the concentration in the water.

McKEESPORT TOWERS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. GAYDOS. Mr. Speaker, I take pride in calling the attention of my colleagues to an event which visibly demonstrates what can be accomplished when various governmental agencies cooperate in the common objective of improving the lives of their citizens.

On December 10, the city of McKeesport dedicated a new 12-story apartment house, providing homes for 200 of the community's elderly citizens. This \$3.4 million project was built through the combined efforts of the McKeesport Redevelopment Authority, the McKeesport Housing Authority, and the Federal Government's Housing and Urban Development Office. It contains 140 efficiency apartments, 52 one-bedroom apartments and eight two-bedroom units.

Constructed under the turnkey program and financed by a HUD grant, the project was started last year when the redevelopment authority sold land to a building contractor. A groundbreaking ceremony was held on August 4, 1969, and the building was completed 135 days ahead of schedule. It was purchased by the McKeesport Housing Authority on September 23, 1970, and the first tenants moved into the new facility within a matter of weeks. Although full occupancy of the building is not anticipated until the end of this month, these early tenants are high in their praise of their rooms and facilities.

With the addition of the 200 units in the new McKeesport Towers, the city's housing authority now operates 1,204 apartment units with a population of 2,835 persons.

Mr. Speaker, I commend the members of the McKeesport Housing Authority—Dr. W. Melvin Stockton, chairman; Stanley A. Sieracki, vice chairman; Alvin B. Culbert, secretary-treasurer; Michael E. Rogan and Elmer P. Erkel—for their service to the city's senior citizens.

I would extend these commendations to others who have played a part in bringing this new project to fruition: S. H. Hirshberg, executive director of the housing authority; James N. Contakos, chairman of the McKeesport Redevelopment Authority; John Francis Flynn, executive director of the redevelopment authority; Paul C. Steimer, Miss Jane E. Luton, and W. G. Capel, representatives of HUD; and John F. Wedel, representative of Pennsylvania's Department of Community Affairs.

TRIBUTE TO THE LATE HONORABLE DAVID MCINTOSH, FORMER MAYOR OF QUINCY, MASS.

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, it is my sad duty to bring to the attention of the Members of Congress of the United States the death of Hon. David S. McIntosh, former mayor of Quincy, Mass. "Tuck", as he was fondly known, devoted more than 25 years of his life to public service.

He was an able, dedicated, devoted public official with a deep concern for his fellow man. A brilliant orator "Tuck" had the ability to express himself in such a way as to command the attention of his audience. His warm personality endeared himself to everyone. He was truly one of God's great noblemen.

I found him a sincere friend and I shall always appreciate his many kindnesses toward me.

Mrs. Burke joins me in our expression of deep sorrow to his beloved wife and members of his family.

The following news article from the Quincy Patriot Ledger of December 15, 1970, summarizes his accomplishments and service:

DAVID MCINTOSH, FORMER MAYOR OF QUINCY, DIES

QUINCY.—David S. McIntosh, 85, former mayor of Quincy and long its elder statesman, who had devoted more than 25 years of his life to public service over a period of 50 years, died of a stroke at 2:55 a.m. today at Quincy City Hospital where he had been for the past month.

STATE SENATOR

The city's second Plan E mayor, Mr. McIntosh, widely known as "Tuck," had served as a state senator and representative in his early political career and later as a councillor for a total of 17 years. He resided at 299 Whitwell St.

In addition to his wife, Ella, he is survived by a son, David B. McIntosh Sr. of Quincy; two sisters, Mrs. Chester (Jessie) Hollis and Mrs. Ernest H. (Isabel) Bishop, both of Quincy; and three grandchildren, David B. McIntosh Jr. and Robert B. McIntosh, both of Quincy, and Mrs. Richard (Nancy) Paul of Shrewsbury.

Funeral services will be held Thursday at 2 p.m. at the United First Presbyterian Church, Franklin Street. The Rev. Stephen Brown, pastor, and the Rev. John Banks, pastor of the Bethany Congregational Church, will officiate. Burial will be in Mt. Wollaston Cemetery.

Visiting hours at the Wickens and Troupe Funeral Home, 26 Adams St., are tomorrow from 2 to 4 and 7 to 9 p.m.

In lieu of flowers, donations may be made to the Memorial Fund of the First United Presbyterian Church, 270 Franklin St.

ONE OF 10 CHILDREN

Born in Quincy Aug. 1, 1885, Mr. McIntosh was one of 10 children. His parents had come to Quincy from Scotland the year before. Angus McIntosh, his father, was a granite worker, and young David McIntosh was to set out in his father's footsteps.

Mr. McIntosh credited his mother's Bible teachings for his widely-recognized talent as a public speaker.

He was always interested in reading, especially history and biography, and chose Gen. Robert E. Lee, commander of the Confeder-

ate forces during the Civil War, as his favorite character. To him, the Southern general represented a true gentleman and a fine leader.

GRANITE CUTTER

He attended Quincy High School a year before he left to become a blacksmith's helper. Three years later he became a granite cutter. In 1912 he became president of the Granite Cutters Union.

In 1914 he took over the A. McIntosh and Co., and operated it for the next 20 years. In 1936 he branched out in the equipment business and became co-owner of the J. F. Casey Equipment Co. of Watertown. For several years he was president of the Quincy Granite Manufacturers Association.

Mr. McIntosh launched his political career in 1916 when he was elected to the General Court as state representative. Two years later he was elected a state senator, representing Quincy and some 13 South Shore towns. The area, now known as the First Norfolk District, has since cut down to include Quincy, Braintree and Randolph.

While in the General Court, Mr. McIntosh lead a movement for a 48-hour maximum week for women and children, which he described as "the forerunner of a lot of social legislation to come."

In 1920 he ran for mayor but was defeated by William A. Bradford.

COUNCIL PRESIDENT

In 1934, 14 years later, he was chosen at a special election to fill an unexpired term in the city council, and he was elected the following year to serve a two-year term. He was council president in 1937.

After another 14-year interim in 1951, Mr. McIntosh ran for councilor-at-large and was elected. Since then he served on the city council until December 1965.

In accordance with the Plan E form of government, the city council elected David S. McIntosh in 1952 by Councilors Carl W. Anderson, David J. Crowley, Alfred G. Helfrich, Frank N. Orcutt and by his own ballot. Councilor Amelio Della Chiesa voted for Miss Edna B. Austin, who, in turned voted for Councilor Della Chiesa.

Immediately after his election, Mayor McIntosh struck at the heart of Plan E when he expressed the hope that a section, which in effect restrained a councilor from interfering with the administrative duties of the city manager, be amended.

At the time, he said that "this section is incompatible with our concept of a free municipal government."

AGAINST PR VOTING

Later in September 1952, he filed a petition with the Secretary of State, division of elections, seeking the present proportional representation be substituted by plurality voting.

He said, "My chief argument against PR is that the individual voter is disenfranchised to the extent of approximately six-sevenths of his rightful voting privileges. We elect seven city councilors. A citizen's vote counts for only one candidate in the final analysis. Under the old form of plurality voting, a citizen's vote is counted for seven of the candidates in the field."

Noted as an eloquent speaker, Mr. McIntosh became the traveling representative of the Massachusetts Highway Users Conference, which played an important part in stopping the diversion of highway funds to non-highway purposes.

During his career as a councilman, he favored voting machines and urged his fellow council members to do something more than talk about it.

Other programs he supported which have yet to be completed are the construction of a new City Hall, the extension of Quarry Street through School Street, and the construction of a causeway between Hough Neck and Germantown.

FAVORED INCINERATOR

As chairman of the incinerator committee Mr. McIntosh reported a strong need for incineration by contract because estimates and bids showed that a private contractor could do the work cheaper than the city.

Mr. McIntosh was also chairman of the land conveyance committee of the council. In 1961 he was appointed the new appeal board chairman, to process salary schedule adjustments for city employees.

For long range programs, he had proposed the extension of Upland Road to Penn St., and a revised version of the Shawmut Trail which would lead from Capen's Bridge in Braintree to a new Fore River Bridge.

In 1958 he had made an unsuccessful bid for state representative from the Second Norfolk District.

Looking back on his years of public service, Mr. McIntosh said that he deplored the loss of rugged individualism that characterized men 50 years ago and a similar loss in pride and resourcefulness. Too many men now depend too much on the government looking out for them and too little on themselves, he thought. Not that he decried social legislation, but he contended that a man should stand on his own two feet and fight and not come running to the government for a handout every time the going gets a little rough.

In 1964 the General Court enacted a bill to permit Mr. McIntosh to join the city's contributory retirement system. A special act was required because he was over 60 years of age and had approximately 20 years of public service.

"EXEMPLIFIES THE FINEST"

At the time of Mr. McIntosh's retirement, then Mayor Amelio Della Chiesa cited Mr. McIntosh, "the dean of the city council," as "a distinguished gentleman, one who has always spoken eloquently and forcefully for what he believed was right."

Della Chiesa continued: "Tuck' McIntosh truly exemplifies the finest in our community. He is a perfect example and a living testimony to the great American principles of hard work, initiative and achievement. I am sure that everyone, regardless of party affiliation or political differences, joins me in saying that it is with a feeling of sadness and heartfelt sorrow that he is leaving the political scene in our city. Our city is a great city and it is great because of the dedication and the unselfishness of people like 'Tuck' McIntosh."

On June 15, 1962, he and his wife, the former Ella May Blanding, celebrated their 50th wedding anniversary.

Mr. McIntosh was a member of the Order of Scottish Clans and earned a 60-year pin in 1963. He was a member of the Rural Masonic Lodge for almost 50 years and a former member of the old Quincy Civic Association, where he had taught public speaking.

TRIBUTES

Mayor James R. McIntyre said today he is having black drapes put up at the entrance to City Hall in memory of former Mayor David S. McIntosh. All flags in the city are also to be lowered to half mast for 30 days.

The Mayor said that the death of former Mayor McIntosh is a "deep personal loss" and that "it is the end of an era in the city of Quincy. He was a tremendous orator, and had a very colorful and enthusiastic mind and spirit."

"I will sorely miss his counsel, wisdom and tremendous sense of humor. Mayor McIntosh served Quincy extremely well as a city councilor, state representative, state senator and mayor. My deepest sympathy is extended to his dear wife, and his family."

Councilor-at-large George B. McDonald said he was "profoundly shocked at learning of the death of former City Councilor David McIntosh. It was under his leadership and

able guidance that much of the progressive legislation was adopted and passed which benefits all the citizens and taxpayers of the City of Quincy. I was privileged to serve with him on the City Council, and his loss is a personal and deep sorrow to me as well as to all citizens of Quincy. I extend my deepest sympathy to his wife and family."

THE IMPORTANCE OF A NATIONAL OCEANIC POLICY

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. MAILLIARD. Mr. Speaker, at the recent Navy Day banquet of the Navy League of the United States in New York City, the importance of a national oceanic policy and strategy to the implementation of the Nixon doctrine was delineated by the chairman, Adm. John J. Bergen, USNR, and by the Chairman of the Joint Chiefs of Staff, Admiral Moorer, USN. I believe their remarks to be significant and timely and insert them here for the information of my colleagues:

REMARKS BY ADM. JOHN J. BERGEN

Mr. Vice-President, Admiral Moorer, Mrs. Bentley and Co-Chairmen, John Mulcahy and Admiral Will, Admiral Anderson, Admiral Schade, Admiral Foley, General Higgins, our good friends The Clergy, Dais Guests, Ladies and Gentlemen.

The theme of the Navy Day celebration tonight is oceanic strategy. This is a great maritime moment, as I welcome you to Navy Day in New York, here at the hub of world communications, finance, and trade. What a warm thrill, as we pause together, to honor the men who man a far-flung United States Fleet—it is they who maintain a mobile vigil worldwide to keep our citizens safe and secure.

With my good friend, John Mulcahy, having found the President's Irish relatives just outside of Dublin—you would think we could sit down together to celebrate Navy Day, in peace and in prosperity, and in a perfect frame of mind. But, unfortunately as we know—it's not that kind of a world—the competition is keen—cut throat, it's mounting. Yes, the premium is on strength, the strategic strength of our fleet, combined with that of the other American Armed Services.

This adds a dominant note of seriousness and significance to this tribute we pay to the people of our Navy and the Marine Corps tonight—we know there are none finer, none more dedicated, none more ready to go into action wherever and whenever a threat to our freedom appears. Having the Vice-President of the United States, together with our top military man—in the uniform of our service—present on this dais is a particular source of pride and certainly a pleasure—it makes this Navy Day genuinely meaningful.

Our distinguished guest symbolizes an alert America. He has done more to stiffen the backbone of segments of our society than any other individual I can name. And this Navy Day, more than ever before, America is alert to its oceanic heritage. The President, above all citizens, is responsible for the nation's turn toward the sea. His platform plank called for an ocean strategy and he has successfully broadened his sights to seek global peace. The new Nixon Doctrine manifestly is oceanic. Just as America's stake in the future stems from the vitality of our

sea-oriented policy, and its underlining oceanic education.

America is now alert; yet, strangely, our strategic strength needs bolstering—and strategy, as we all know, should be everybody's business. Our United States Fleet, just as many of us, is not as young as it used to be. Our ships, many quite aged, are shrinking to a 1934 level of five hundred. Knowing that, if we are not to sink into second place strategically, some strong measures are needed. This is precisely why Operation Alert was launched in coordination with our good friends of the American Security Council. As you must know, our position, as the first and foremost in the world, must be preserved in these tension-filled times. In this regard, we must remember that strategic strength is much more than mere money and megatonnage. My vision of this strength includes carrier task forces patrolling the waters off Viet Nam, at the same time that seabased striking power sails smoothly in the Mediterranean and Indian Ocean, and Polaris-Poseidon and ULMS patrol the ocean deep, with Sabms deployed serving as sentinels to stabilize volatile situations. This is the kind of power our President can use to preserve the peace.

The President requires our support and that of the Congress of the United States for the rebuilding of our strength—to fulfill America's role of global leadership, to achieve, defend, and preserve the peace world-wide.

That the nation is now turning to the seas to regain its oceanic heritage indicates that this Navy League of ours is doing its job—the nation is on the road to success, as symbolized by the President of the United States aboard the American Carrier *Saratoga* sailing in the Mediterranean. But we must recognize that we face a long hard road ahead—a long haul—and the Navy League must concentrate on long-term oceanic objectives—objectives that are constructive, convincing, and compelling.

Now, three long-range objectives for the Navy League and the nation should be emphasized to keep America strong at sea. First, *Education*—America must understand the seas . . . the Navy League, as the civilian arm, must provide the incentive. Second, *Shipbuilding*—ships are the key to fleet strength.

It is pleasing to note the Administration has embarked on a program to build 300 modern merchant ships, and that is a solid start. But both our Naval and commercial fleets need far more ships—modern, swift, and ready—it will interest you to know the Navy needs a minimum of 1,000 modern ships to do its global job. Third, *the maritime voice must be heard*—this is more than mere articulation; it is organization, it is understanding, and yes, it is conviction.

Tonight we carry this conviction to the country as we gather here to examine our seabased strategic strength and to bolster the resolve of our people and their representatives who control the purse strings for shipbuilding upon which a fleet—our strategic strength—our very global readiness depends and I must add parenthetically that we of the Naval Service who frequently felt quite lonely in the halls where the Whizz Kids and their mentor formulated defense policy, are now reassured.

This Navy Day, alert to our fullest heritage on the oceans—during this decade of the deep—in the Age of Aquarius—and with St. Christopher's blessing and protection, we move forward at flank speed to the oceanic destiny that is America.

NAVY LEAGUE SPEECH

(By Adm. Thomas H. Moorer, USN)

Mr. Vice President, Admiral Bergen, Admiral Will, distinguished guests, ladies and gentlemen—

It is said that a man is known by the company he keeps. If this be so, then I am

more than pleased to be judged by my companions of this hour. Certainly I am highly honored to find myself on this platform with some of our country's most distinguished citizens—and I am highly pleased to be present once again in this beautiful ballroom with so many old friends, who always gather here to celebrate Navy Day in such a colorful and impressive way.

If it were one year ago, when I was Chief of Naval Operations, you might properly expect me to speak about the Navy. This I can do with all the enthusiasm and zest of a friend of mine in Alabama who wrote a book entitled, "An Unbiased History of the Civil War from the Southern Point of View." But tonight I am going to be brief and be seated. I would like briefly to express my appreciation and to express my concern.

Over the years, I have watched our Navy League, and particularly the New York Council, work unceasingly in many fields in order to enhance the strength and image of the sea power of our nation. As President Lyons has indicated, this Council has programs for oceanic education, Naval Sea Cadets, scholarships for deserving children of Navy men and Marines, and many other similar programs. These worthy efforts deserve the gratitude of all Americans, and I certainly add mine in a heartfelt way.

My concern lies in the area of the defense posture of our country—present and future. While we are moving towards a posture of fewer men, fewer aircraft, and fewer ships, than we have had at any time since the Korean War—about twenty years ago—our potential enemies are rapidly expanding their armies, their navies, and their air forces. It is alarming that, at the same time, many of our citizens not only assail our Defense budget, but demean and discourage our young people who seek to serve in the uniform of their country.

Ladies and gentlemen, the citizens of our country cannot have it both ways. They cannot have security on one hand and an inadequate Defense budget on the other—they cannot demean the uniform and criticize the Armed Services and the organizations to which they belong on one hand, and expect the young people—the military leaders of the future—to volunteer for a military career. It is time that all recognize that freedom is not free and neither does freedom mean freedom from restraint. We all recognize that there are many corrective actions to be taken inside our country that cost money. But the Defense budget is not an unlimited source of funds for these domestic actions. It certainly is not a panacea for all of our domestic ills.

President Nixon, in his search for peace, has defined his policy as being one guided by partnership, strength, and a willingness to negotiate. But history has proven over and over again that no one can negotiate from weakness. Furthermore, only the strong can be generous and exercise restraint. A solid military posture is a prerequisite to any viable foreign policy. President Theodore Roosevelt, the man whose birthday we celebrate tonight, put it this way: "Speak softly but carry a big club." And President Nixon has put it this way: "If we do not provide for the defense of our country, all other problems become moot."

Ladies and gentlemen, my message to you is simply this: During this fleeting moment of history our great country is too rich, too capable, too concerned about the welfare of our fellow man on a worldwide basis—and indeed too responsible for the future to let these responsibilities go by default. I know that the members of the Navy League and their guests assembled here tonight appreciate this fact, and I know that they will make a major contribution towards support of our military strength—for, as we all know, there can be no peace without power.

MEETING OUR COMMITMENTS

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. HATHAWAY. Mr. Speaker, I ask that the following report on the present state of some of the more important water-quality programs created by the Congress in the past several years be included in the CONGRESSIONAL RECORD of this date. The report was prepared by the Public Affairs Department of the American Concrete Pipe Association, an international organization headquartered in nearby Arlington, Va. It illustrates vividly that while an impressive foundation for a national program of water-quality control has been developed by the Federal Water Pollution Control Acts of 1965 and 1966 and subsequent amendments, the amounts planned for these programs have yet to be matched with the required funding.

The report points out, for example, that the Joint Economic Congressional Committee estimated in 1968 that a gross investment by all levels of Government of \$51.8 billion would be required to provide supporting water and sewerage facilities over a 10-year period—an annual average level of \$5.2 billion. Yet despite this projection, says the report, more than 13,000 separate applications for water and sewerage programs totaling close to \$5.3 billion went unfunded during the fiscal year which ended last June. Total appropriations for the present 1971 fiscal year of \$1.66 billion match neither the annual need in this area nor even the fiscal 1970 backlog.

Mr. Speaker, our urban and rural areas cannot hope to fill the needs of their citizens, their businesses, and their industries, nor can they hope to attract new industry and jobs without ample water and sewerage facilities. Local sources of revenue are already taxed to their limits.

Our towns and cities will lose the battle to save the environment unless the Congress begins in the next session to adequately fill these and other pressing needs in the environmental area. At the bare minimum, the credibility of the existing Federal commitment must be re-established by backing works, plans, and realized needs with hard cash.

The report follows:

A SURVEY OF THE WATER POLLUTION CONTROL PROGRAMS

The abatement of water pollution begins with the proper funding of basic water and sewerage facilities which are under the jurisdiction of four Federal agencies—the Federal Water Quality Administration, Department of Housing and Urban Development, Economic Development Administration, and Farmer's Home Administration.

The repair of the total environment is the one issue which unites Democrats and Republicans, doves and hawks, rich and poor, and blacks and whites. A nation-wide movement has begun which is demanding results. The Federal Water Pollution Control Acts of 1966 and 1968 developed the foundation for water pollution control, but the authorized monies for environmental enhancement have yet to be matched with the needed funding.

Environmental pollution cannot be acted upon without an intelligent awareness of economic realities. It is mandatory that priorities be established, but isn't the use of water and the disposal of wastes by citizens, industry, and government as essential a priority as the basic need for clean air and adequate food supplies?

The need for adequate water and sewerage facilities remains one of the most pressing problems facing this nation's communities. Local sources of revenue continue to be severely taxed and, although many communities are making efforts to raise needed funds, the demand for Federal grants-in-aid increases. Communities cannot hope to attract new industry unless they provide ample water and sewerage facilities.

PRESENT AND FUTURE NEEDS

The Joint Economic Committee of Congress estimated in 1968 that a gross investment by all levels of government of \$51.8 billion will be required to provide supporting water and sewerage facilities over a 10-year period, or an average annual level of \$5.2 billion.

In appropriations hearings this session of Congress, the four Federal agencies which combine to administer the water and sewerage programs of our nation estimated that current financial needs to cover unfunded fiscal 1970 grant and loan applications amounted to about \$5.3 billion. This figure represents current needs, not future forecasts. The breakdown of this amount appears in Table 1.

TABLE 1

Federal agencies	Number of pending applications	Grant amounts
FWQA	2,509	\$1,739,199,948
HUD	4,308	2,496,750,000
EDA	100	90,000,000
FHA	5,935	964,088,000

CONGRESSIONAL RESPONSE

With present needs of unfunded applications amounting to \$5.3 billion, and the Congressional estimate of an annual, needed amount from 1968-1977 of \$5.2 billion, Congress' response in the form of fiscal 1971 appropriations appears in Table 2.

TABLE 2

Federal agencies	1971 fiscal authorizations	1971 fiscal appropriations
FWQA	\$1,250,000,000	\$1,000,000,000
HUD	150,000,000	350,000,000
EDA	160,000,000	160,000,000
FHA	79,000,000	100,000,000

¹ President Nixon's budget calls for an additional minimum of \$50,000,000 in direct loans.

Total fiscal 1971 appropriations of \$1.66 billion for water and sewerage programs do not match the 1970 backlog of \$5.3 billion nor come close to the annual need of \$5.2 billion. Part of this imbalance is understandable when one considers the present inflation and defense expenditures.

INSIDE THE AGENCIES

Federal Water Quality Administration

The FWQA of the Environmental Protection Agency (formerly FWPCA under the U.S. Department of the Interior) distributes grant funds up to 55% of the total costs to the states for allocation to local governments to construct and expand waste treatment plant facilities. A recent survey conducted by the National League of Cities and the U.S. Conference of Mayors, at the request of Senator Muskie, estimated that public funds needed now to control water pollution amount to from \$33 to \$37 billion. In addition, the survey provided the following breakdown of certain needed funds:

(a) For primary and secondary treatment	\$8,701,541,974
(b) For tertiary treatment	3,904,051,553
(c) For interceptor and storm sewer improvement	7,361,438,149

In addition to needs and fiscal appropriations for 1971, many states which prefunded projects under the provisions of Section 8(c) of the Federal Water Pollution Control Act are due outstanding reimbursement amounting to \$894 million. The total amount which FWQA is obligated to fund the states in the forms of grants pending (2509 applications at a grant amount of \$1.7 billion) and prefunded projects amounts to about \$2.6 billion.

For fiscal 1971, the President signed the Public Works Appropriation Act which includes \$1 billion for FWQA. The Act includes a stipulation that \$200 million of the \$1 billion appropriated should be used to reimburse those states which pre-funded FWQA projects.

U.S. Department of Housing and Urban Development

HUD provides grants to local governments to finance up to 50% of the cost of basic water and sewer projects. During the first 4 years of this grant program (fiscal 1966-1969), grants amounting to \$514.6 million were made for 1,151 projects (48% for water projects, 41% for sewer projects and 11% for combined water-sewer projects).

An official of HUD, in response to two letters of inquiry from Senator Goodell, stated: "The average Federal grants participation is 31.5 percent," and that the average Federal grant for water and sewer projects is only 30 percent of the total project cost. The spokesman stated that the reason the Federal grant percentage is only 31.5 percent "is in large measure attributable to the fact that our ceiling on individual grants is \$1.5 so that on large projects (ranging, say, from \$4-\$10 million) the Federal percentage is relatively low."

HUD officials in testimony before Congress this year reported that during fiscal 1970, 4,308 water and sewer applications remained pending with grants amounting to \$2.5 billion and total project costs of \$5.5 billion. After the Presidential veto of the original HUD 1971 fiscal appropriations bill, Congress have passed a redrafted bill which includes \$350 million for water and sewer projects (in the vetoed bill, the amount was \$500 million).

Economic Development Administration

The EDA of the U.S. Department of Commerce provides grants of up to 50% of the total project cost in areas designated as "economic redevelopment areas." In addition, supplementary grants up to 80% are available for depressed economic areas which cannot meet the required matching share.

Since EDA originated on September 1, 1965, a total of 1,753 public works projects have been approved as of May 8, 1970. As of June 30, 1970, EDA reported that there is a backlog of about 100 sewer and water projects amounting to approximately \$90 million. The 1970 fiscal adjusted appropriations amounted to \$174.5 million, with an additional \$90 million unfunded.

The fiscal 1971 appropriations for community development grants is \$160 million with about 70 percent going to water and sewer projects.

Farmer's Home Administration

The FHA of the U.S. Department of Agriculture offers aid to rural areas which do not include part of a city or town with a population in excess of 5,500. If the rural area has less than 5,500 population, it qualifies to apply for loans to finance the development of water and sewer systems.

In December 1969, FHA conducted a survey to show the needs in its program areas. Water and sewer system needs amounted to \$11.3 billion. As of December 31, 1969,

FHA could not fund 5,935 applications amounting to \$964 million.

In Senate testimony this year, Mr. James V. Smith, Administrator of FHA, stated that 34,763 communities do not have adequate central water systems and 44,567 communities do not have adequate sewerage facilities.

The 1971 fiscal monies available for water and sewer projects include \$100 million for grants and a minimum (budgeted by the President) of \$50 million for direct loans, instead of the actually appropriated \$98 million.

SUMMARY

In President Nixon's State of the Union Message on January 22, 1970, he said that sewerage treatment plants would be built "in every place in America where they are needed."

The range of proposals pending before the 91st Congress is from the Administration's 4-year \$1 billion program for a total of \$4 billion in Federal funds to Senator Muskie's proposal in S. 3687 for a 5-year \$2.5 billion program for a total of \$12.5 billion in Federal funds. Last year the Senate voted to appropriate \$1 billion for waste treatment facilities, but it was forced to compromise with the House at \$800 million for fiscal 1970.

At the bare minimum, the credibility of the existing Federal commitment must be re-established by backing words of authorization and realized needs with monies of appropriation.

The construction of adequate water and sewerage facilities is "step one" in water pollution control priorities. Local communities and state governments cannot afford this expense without the financial assistance of the Federal government. The time for Congress to react is rapidly passing.

A MISSION FOR 4 MILLION

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. RHODES. Mr. Speaker, recently there have been statements made by commentators which indicate complete misunderstanding of the true principles of the Masonic brotherhood. For this reason, a speech on Masonry delivered on May 7, 1970, by our colleague, Hon. GEORGE A. GOODLING, to Semper Paratus Lodge No. 49, Washington, D.C., is of particular significance. It is my privilege and honor to share it with all Members of the Congress:

A MISSION FOR 4 MILLION

(By Hon. GEORGE A. GOODLING, 33°)

I am indeed pleased to be here with you this evening, for every Masonic meeting I attend is a new and rich experience for me.

Tonight, with your indulgence, I would like to discuss some things with you, just as one Mason to another and one man to another—things that are of the hour and serious in nature.

The principles upon which Masonry is founded are as old as civilization itself, but the origin of the craft is largely lost in the mist of unrecorded history. Masonic tradition tells us that our ancient brethren labored at the building of King Solomon's Temple, but Grand Lodge Masonry, as you and I know it, is of much more recent origin. It dates from the formation of the Grand Lodge in London in 1717.

Masonry came to the American Colonies early in the eighteenth century when immigrating Freemasons established lodges at various places. The first lodges usually met

"according to the old customs" and worked without the sanction of warrants. Before many years elapsed, the status of the craft in the Colonies was clarified and regularized. At least as early as March, 1749, Lord Byron—Grand Master of England—authorized the formation of a provincial grand lodge for my State of Pennsylvania. In 1786, the Grand Lodge of Pennsylvania was formed, independent of the England Grand Lodge. From that day to the present, the craft has played an important part in the life of the Commonwealth and the Nation.

All this will serve to outline very briefly whence we came. But what is far more important, we need also to consider where we, as Masons, are now and, what is far more important, where are we going from here?

Today there are almost four million Masons in the United States. We must remember, however, that members alone do not make Masonry an effective force. Nor is it sufficient to establish lodges and confer degrees, even though the ritual is a most impressive one. Masonry must be more than words, pins, rings, jewels, and aprons. If it meant no more than that, we could not justify its existence. To be meaningful and dynamic, masonry must call each of its members to a life of service and helpfulness.

As I mentioned before: Where are we, as masons, going from here?

Today it is difficult to take the long look ahead, because the air all about us is filled with confusions. Our vision is blurred by the mists of disorders, inflation, unbalanced budgets, national debt. We have a difficult time peering through the fogs of crime, Vietnam, and racial unrest.

But if we can't look into the future, we can look back and get an idea on things by taking a measure of what has gone on before. And the picture is not a pretty one, for we sadly see that ever since man came upon this earth, he has set about to slay his brother. The pages of recorded history are colored with crimson in accounts of how one civilization overcame another and how one race triumphed over another. And scientists remind us of the sad truth that man is one of the few animals on this earth who will destroy his own kind.

But man is an unusual creature, because he is multi-dimensional. Just as he is capable of hate and destruction, so is he also competent to love and to preserve. Every day the news media heralds accounts of man's kindness to man. Men jump into cold rivers to save a fellow being swept away by a dashing current—women will join groups that perform services for the sick and the poor at our various social institutions—a Boy Scout will take the hand of a child frightened by the confusion of fast-moving traffic, leading him safely across the busy thoroughfare.

What seems to be sadly lacking in man's relation to man is *communication*. Once man communicates with his brother, he sets the stage for ironing out differences and providing mutual assistance.

But in order to communicate, man must first "be concerned" about his fellow. For too long he has been too unconcerned. Too hesitant to become involved.

This concern is, perhaps, best illustrated by the universal concern that was generated for our astronauts who recently had a mishap in space and sailed precariously through the heavens. Men throughout the world were drawn together in a concern for three of their fellows who stood a great chance of losing their lives to the space they challenged. And when these men were returned safely to earth, one could sense that virtually all of mankind gave forth with a great sigh of relief.

How can we, as Masons, generate this vital concern for our fellow man, both within ourselves and within others.

The first requirement is, of course, to get a "mental set" that all of us here on this

earth are vitally important to each other—we are all in this scheme of things together. As John Donne said, "No man is an island unto himself."

If we will but look about us, we will find mountains of opportunities for being helpful to our fellow man.

There are those all about us who are struggling to make a go of things and who, because of some physical or mental handicap—or just bad luck—have not been able to make the grade. These are the types of people who are looking not for a "hand out" but for a "hand up," and a little help extended to such individuals can go a long way. Develop a consciousness of these persons, for they are about, and they are very worthwhile human beings.

Every man that you see upon the face of this earth is confronted with the very serious problem of pollution, his water, his air, and his land. Anything that can be done to cure or curb these various forms of pollution will go a long way toward performing an eminently worthwhile service for mankind.

In this, too, it must be realized that while the Federal Government can provide the leadership and incentive for attending the problem of pollution, the solution to the problem rests in the hands of the individual citizen, the industrialist, the recreation seeker, and all the other persons that make up our society. In short, it must be a 100 percent effort.

Our young today are uncertain and in need of some understanding and encouragement. Some time ago I was privileged to attend a prayer breakfast at the White House, and Billy Graham made some remarks. He indicated that the young people of today are groping, searching for something in which they can believe. We must assure them, Mr. Graham said, that life does have a purpose, that America has a purpose and a goal.

And while we assure our youth that they have a right to express themselves in a peaceful manner, we must also show them that while they have privileges, they also have responsibilities. In this respect I am reminded of how recently I viewed one of our long-haired youths purposely defying the rules of traffic and brazenly stepping out into lines of automotive traffic against a red light. The sudden appearance of a pedestrian in busy lines of traffic caused a great squealing of brakes and several near collisions, all of which failed to impress the jay walker who went merrily on his way.

In short then, a youth must have a green light in our society—he must also obey the red ones. Any assumed right that interferes with the rights of others is, in fact, a wrong. As Lawrence Welke recently said on one of his TV programs, "youth must have the right to do its thing, but it must also be conscious of the Golden Rule which petitions to 'do unto others as you would have them do unto you.'"

There are people in far-away lands who can use our understanding and our assistance, government-to-government assistance may provide some help for individuals in foreign lands who are seized with hunger or plagued with sickness. One of the best ways of communicating with these individuals is, of course, through our church missions and the various charitable institutions that are especially equipped to help the needy abroad.

We can urge our friends of the free world to join with us in these programs of assistance, thereby broadening the base of help that is given and lessening the burden on ourselves.

As we look abroad, we must not neglect those things close at home and, in fact, within our own families. Too many times private businessmen have become great successes in the business world and big flops as far as their families are concerned.

When did you do some nice little thing for your wife that prompted her to remember

that she is somebody special in your life and that she gives your life a special meaning? When did you extend a compliment to one of your children, providing them with the deep satisfaction that they have done well and with the incentive to do even better? And when did you sit down with your family altogether to enjoy the warmth that family togetherness can bring. And when did you go to church with your family, practicing the old saying that "the family that prays together stays together"?

These are only some of the ways that we, as Masons, can show a deep concern for others, for there are many other doors we can walk into for the choosing. We can offer our services to our police enforcement officers, to our church, and to our community officials and our Federal officers. These people are involved in the very important work of advancing social progress. Communicating with these individuals and evidencing a concern for them in their work will go a long way toward making them do a better job and making our society a better place in which to live.

The scriptures tell us that "thou shalt love thy neighbor as thyself." There is the answer. And the results of this super consciousness of others will prove very satisfying. As man turns to man to help him, consciousness of others will prove very satisfying. As man turns to man to help him, toward men" that was spoken of some 2000 years ago.

In closing I would like to touch on a concept that reinforces this "help of your fellow man" theme I have been dwelling on here this evening.

It is expressed in one of my favorite poems, "The Bridge Builder."

THE BRIDGE BUILDER

An old man going a lone highway,
Came at the evening cold and gray,
To a chasm vast and steep
With water rolling cold and deep.
The old man crossed in the twilight dim,
The sullen stream had no fears for him;
But he turned when safe on the other side,
And built a bridge to span the tide.
"Old Man," said a fellow pilgrim near,
"You are wasting your strength with building here."
"Your journey will end with the closing day,
"You never again will pass this way."
"You've crossed the chasm, deep and wide,
"Why build you this bridge at even-tide?"
The builder lifted his gray head:
"Good friend, in the path I've come," he said,
"There followeth after me today
"A youth whose feet must pass this way.
"The chasm that was as naught to me
"To that fair-haired youth may a pitfall be.
"He, too must cross in the twilight dim—
"Good friend, I am building this bridge for him."

We, as Masons, are builders. Let us, in a like manner, start building our bridges of communication with our fellow man. Let us build our bridges of help and understanding today, helping others to cross over tomorrow's torrents of troubles.

That is our charge, then. As a Mason, what bridge of communications and human understanding are you going to start building tomorrow.

THE LATE ROBERT LISHMAN

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. MOSS. Mr. Speaker, the Committee on Interstate and Foreign Commerce

has suffered a grievous loss with the untimely death of the chief counsel of its Special Subcommittee on Investigations, Mr. Robert Lishman.

I have been privileged to serve as a member of the Special Investigations Subcommittee and its predecessor committee since 1957. During virtually that entire period, Mr. Lishman has acted as the catalyst in making it possible for the committee to do the many productive things which have been done in the intervening years.

Bob Lishman, a distinguished member of the bar, was totally imbued with a sense of public service which is so essential in discharging the many onerous duties imposed upon the chief counsel of an investigative subcommittee. He sought the facts, and attempted, on the basis of those facts, to act to prevent abuses and to improve the regulatory process in the interest of the public. He was a determined servant and an implacable foe of impropriety in government, but a thoroughly gentle and compassionate human being in his relations with everyone.

Somehow faced with the harsh realities of death of one who was always so vital seems to deprive me of the ability to express in words what I really feel.

To Bob Lishman's family, from whom he derived such great pleasure and in which he took pride, I extend my deepest sympathies and those of my family.

WORLD CONFERENCE ON VIETNAM, LAOS, AND CAMBODIA

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. SCHMITZ. Mr. Speaker, the forthcoming January issue of Osth Information Service Report contains an interesting and enlightening story pertaining to a recent conference held in Stockholm, Sweden, to coordinate future "peace" movement operations. Everyone will note that the Communist Party of the United States was well represented at this gathering.

The article follows with footnotes appearing at the end of the article:

WORLD CONFERENCE ON VIETNAM, LAOS AND CAMBODIA ALSO KNOWN AS INTERNATIONAL CONFERENCE OF PEACE MOVEMENTS ON VIETNAM, LAOS AND CAMBODIA

When the Supreme Court ruled 5-4 in June, 1958, that the State Department lacked authority to inquire into beliefs and associations in deciding who would receive passports to travel freely throughout the world, it aided the world Communist movement in accelerating its struggle toward its goal of world takeover. When Roderick L. O'Connor, head of the State Department's Bureau of Security and Consular Affairs in 1958, pleaded for help, asserting "Your government is today powerless to deny passports to known Communists who are going abroad for the purpose of assisting and supporting the international Communist conspiracy," no doubt he foresaw the dangerous situation as it exists today.

Thus members of the United States "peace movement" once again exhibited their international character upon attending the World

Conference on Vietnam, Laos and Cambodia, held in Stockholm, Sweden, November 28-30, 1970. U.S. delegates represented numerous movement organizations and worked hand in hand with Communists from North and South Vietnam, Laos and Cambodia at this Stockholm Conference which is an international communist "peace" organization, and a project of the Soviet-controlled World Peace Council.¹

Information concerning the Conference may be gleaned from the Communist Party U.S.A.'s *Daily World* in its December, 1970, issues.

1. During the Conference a number of trade unionists formed a special subcommittee and submitted a plan of action to oppose what they termed the U.S. aggression on North Vietnam, and to rally workers to the defense of the Indochinese peoples. The subcommittee report emphasized that trade unions of the world can and must play a leading role in the struggle for ending the war and for the complete and unconditional withdrawal of U.S. troops from Indochina.

It was also decided to hold a world trade union conference which is to lay plans for a program of actions in support of the Communist forces in Vietnam. To that end, it is expected that a boycott of products of U.S. corporations involved in the war will be called for.

The trade unionists also settled upon the following dates for mass demonstrations and protests:

a. December 20, 1970, the 10th anniversary of the founding of the National Liberation Front of South Vietnam.

b. March 6, 1971, first anniversary of the statement by the central committee of the Patriotic Front of Laos on a political settlement of the Laos problem.

c. April 3-4, 1971, day of solidarity with the struggle of the American people (translate, U.S. Communists and their sympathizers) against U.S. imperialist aggression in Indochina and in observance of the anniversary of the assassination of "the peace and civil rights champion, Dr. Martin Luther King, Jr."

d. April 30, 1971, day of solidarity with the people (translate, Communists) of Cambodia on the anniversary of the "U.S. imperialist invasion of that country."

2. The Organization of Solidarity of African, Asian and Latin American Peoples cabled Ton Duc Thang, President of the Democratic Republic of Vietnam, its greetings and message of solidarity. It should be noted that OPSAAL was established on January 3, 1966, at a pro-Communist, anti-American conference held in Havana, Cuba, at which delegates supported the Communist-backed "wars of national liberation."

3. A joint message of 125 deputies of the Indian Parliament demanded the U.S. government immediately end the war.

4. The International Union of Students, with 80 affiliated student organizations throughout the world, condemned the late November U.S. bombing of North Vietnam, then announced its congress would meet in February 1971, and focus its activity upon the youth and people of the Indochinese countries. The International Union of Students is a well-known international Communist front organization which supported the Fall Offensive in 1969, and specifically cooperated with the New Mobilization to End the War in Vietnam. Prof. Sidney Peck, a representative of the NEW MOBE, attended the Stockholm Conference now under discussion.

The Stockholm Conference arranged for a delegation from the U.S. National Student Association to be sent to Hanoi to draw up a "People to Peoples Peace Treaty" with Indochina. This plan may not be as spontaneous as it would seem from the *Daily World* article. Indeed, last August 15, the NSA con-

vention adopted a resolution to make the anti-war campaign its major action. Rennie Davis addressed the gathering, and proposed a massive civil disobedience demonstration to "Stop the War" for Washington, D.C. if the war were not ended by May 1. That plan had first been presented by Davis and Arthur Waskow, of the Washington-based Institute for Policy Studies, at the June 1970, Milwaukee Conference after which regional meetings were held, culminating in the new National Coalition Against War, Racism and Repression. The plan to "close the city down" was rejected by the annual convention by a vote of 150 to 134. Charles Palmer, outgoing NSA president, made a motion that NSA "open discussions with students of North and South Vietnam—toward a 'treaty of peace' to be submitted to the United Nations and to U.S. students." That motion, greeted with enthusiasm, we now see being promoted at the Stockholm Conference.²

5. The Congress of the French Peace Movement mapped a program of solidarity with the peoples of Indochina, gave full support to the South Vietnam Provisional Revolutionary Government, and recommended demonstrations and an educational campaign to inform the French people of "the facts of U.S. aggression." The Congress plans to raise funds for medical supplies to be sent to Vietnam, and it urged the French government to take a new initiative to end the war.

6. The Conference called on all countries to provide full political asylum to U.S. war resisters. Rev. Thomas Hayes stayed on after the Conference to negotiate this with the Scandinavian governments presently giving only "humanitarian" asylum to resisters.

7. The foreign minister of Chile condemned the U.S. bombings as a new act of aggression. He claimed his condemnation was offered on behalf of the Chilean people.

8. The 3 million-member Democratic Union of Women of East Germany condemned the bombings, and East Germany's foreign ministry declared its government "categorically rejects the fraudulent and evasive assertions of the Nixon Administration."

9. The International Organization of Journalists condemned the bombings. The International Organization of Journalists is an international communist setup which U.S. peace-movement writers are in the process of attempting to join at the present time.³

10. The Australian Women's Union denounced the bombs, and the trade union center of Sydney, Australia, sent fraternal greetings to the workers of Indochina.

11. The Dutch "Committee for Assistance to Vietnam" called on all "democratic and progressive forces" to join in preparations for the week of solidarity with Vietnam, January 9-15, 1971.

12. Participants at the Stockholm Conference including those from the United States, unanimously adopted an "Appeal" to the peoples of the world. When a similar Appeal was prepared at the May 1969, Stockholm Emergency Action Conference on Vietnam, delegates were told by Bertil Svahnstrom, chairman, International Liaison Committee, to distribute them widely, obtain signatures on it, thus to show the United States administration that there is worldwide opposition to the war in Vietnam. The present Stockholm Conference propaganda "Appeal" follows:

"The war of aggression against the people of Vietnam has now extended to a point of extreme gravity because of the renewed bombing of North Vietnam. The aggression against the peoples of South Vietnam, Laos and Cambodia has been intensified.

"The Nixon Administration is committed to a military victory over the peoples of Indochina. Its so-called 'peace proposals' are intended only to deceive the people and to prolong the war.

"We demand from the U.S. government:

Footnotes at end of article.

"The immediate end of the U.S. war of aggression against the peoples of Vietnam, Laos and Cambodia and respect of their right to self-determination.

"The complete and unconditional withdrawal from South Vietnam of U.S. and satellite troops before June 30, 1971 and immediate, complete and unconditional withdrawal of U.S. and satellite troops from Laos and Cambodia.

"The cessation of bombings and other war crimes against the three peoples.

"Stop U.S. support for Thieu-Ky-Kheim and the Lon Nol-Sirik Matak administration.

"This is the road to peace in Indochina.

"We demand that the U.S. government respond seriously to the fair and reasonable proposals of the peoples of Vietnam, Laos and Cambodia.

"We appeal to all the peoples of the world to intensify their actions in solidarity with the just cause of the peoples of Indochina."

Following adjournment of the Stockholm Conference, delegates joined members of the World Council of Peace to plan action concerning what the world Communist movement terms the invasion of Guinea by mercenary troops. In that regard, the Conference supported a statement by African states denouncing the invasion and accusing Portugal of responsibility.

THE U.S. DELEGATION

According to the *Daily World* there were 32 members of a broad spectrum of political, religious, labor, professional, student and anti-war organizations present at the Stockholm Conference as delegates. At this writing only 13 of the 32 have been listed by the Communist Party press.

1. Ron Dellums, Berkeley, California.
2. Dave Dellinger, National Coalition Against War, Racism and Repression. Dellinger, a self-professed communist, represented that new umbrella group, but formerly was active in the New Mobilization Committee to End the War in Vietnam, the organization now almost out of business and replaced by the new National Coalition.
3. Curtis MacLain, President, International Longshoremen's & Warehousemen's Union. That is the Union usually known as Harry Bridges' union. Bridges is an identified Communist who is now being called "conservative" by portions of the liberal press in an apparent effort to play down the dangers of the organized world Communist movement, and thus to make it appear the nihilistic dissident communists are, basically, more dangerous to the U.S. government.

4. Gil Green, Communist Party U.S.A. This longtime Communist functionary is the author of a recent pamphlet, "Terrorism—Is It Revolutionary?" As a member of the National Committee of the Communist Party U.S.A., Green opposes urban guerrilla warfare tactics in the U.S. at this particular time. He, like other Communist Party leaders, insists that a real revolutionary situation does not yet exist here. Therefore, terrorism and violence are counter-productive in that they cause many to resist helping the movement. The point made in Green's pamphlet emphasizes the comment above concerning articles now stating a man like Harry Bridges is "conservative." In other words, while communists who are not Party members insist the Party itself is "conservative" because of its present stand against terrorism and violence inside this country, the fact remains that the Communist Party here, and the world Communist movement, know exactly what they are doing because, through long-time experience, they realize that the time is not ripe for a revolutionary overthrow of this government now. Eventually, however, they believe that time will come, and when it does there will most certainly be terror and violence completely sanctioned by the Communist Party U.S.A.

5. Mrs. Ola Kennedy, of the Black Caucus of the United Steel Workers, its Trade Union Action for Democracy.

6. Dr. John Nielsens, Scientists Committee on Chemical and Biological Warfare. He also attended the May 1969, Stockholm Emergency Conference on Vietnam.

7. Prof. Sidney Peck, Chairman, New Mobilization (NEW MOBE) Committee to End the War in Vietnam. Peck is a former member of the Wisconsin State Committee of the Communist Party, U.S.A. and has sustained a record of affiliations with Communist and Communist front organizations.⁵

8. Rev. Thomas Hayes, Vietnam Peace Parade Committee, and Clergy & Laymen Concerned about Vietnam. The latter is a group that aids American deserters in Sweden, so it was natural that he should have remained after the closing of the Stockholm Conference to negotiate for full political asylum for what the movement calls "political prisoners."

9. Lucille Berrien, National Welfare Rights Organization.

10. Sylvia Kushner, Chicago Peace Council, and an identified member of the Communist Party U.S.A.⁶

11. Rosalio Munoz, Chicano Moratorium Committee.

12. Pauline Rosen, Women Strike for Peace.

13. Dr. Carlton Goodlett, a member of the Presidium of the Soviet-controlled World Peace Council. He has attended previous Stockholm Conferences and others in Moscow and elsewhere.

The American speakers at the Stockholm Conference stressed the fact that the Conference represented a new state for the peace movement, now a coalition against war, racism and repression. That fact, published in the Party's *Daily World*, recalls to mind the article by James Tormey in the Party's monthly theoretical journal, *Political Affairs*, October 1970, issue. Tormey had directed Communists to form coalitions and alliances to broaden the base of the peace movement. The very words used in the *Daily World*, "coalition against war, racism and repression," are interesting because of the new umbrella organization of that name, whose leaders have been associated with other anti-war groups in the past.

At a press conference December 3, 1970, Prof. Sidney Peck said the major actions planned at the Stockholm Conference which include nationwide local anti-war demonstrations for April 3-4, 1971, the anniversary of the assassination of Martin Luther King, will focus on what Communists are calling the worsening conditions for national minorities and the increasing repression they face because of the continuing war.

Peck said representatives of the entire U.S. "peace movement" will meet in Chicago January 8-10, 1971, to plan this and other actions decided upon at the Stockholm Conference.

When information such as the above is public knowledge and readily available to those seeking the causes of nationwide demonstrations against the established government of the United States, and when the information proves conclusively that agitation and propaganda inside this country is coordinated with worldwide similar efforts against the United States and all capitalist and non-Communist nations through such international Communist conclaves as the various Stockholm Conferences, then the very least that should be done in behalf of the law-abiding American citizens is that legislation be enacted to counteract the Supreme Court decision which permits Marxists and Marxist-Leninists to travel outside of this country to meet with revolutionaries abroad. This especially applies to such persons as David Dellinger, now free on appeal and out of prison on bail after being convicted on a Federal riot incitement charge.

FOOTNOTES

¹ Staff Study by Committee on Internal Security, House of Representatives, 1970, "Subversive Involvement in the Origin, Leadership, and Activities of the New Mobilization Committee to End the War in Vietnam and Its Predecessor Organizations."

² Senate Internal Security Subcommittee Staff Study, 1966, "The Tricontinental Conference of African, Asian and Latin American Peoples."

³ *Daily World*, August 18, 1970, and Washington Post, August 16, 1970.

⁴ *Liberation News Service*, late November 1970, issue.

⁵ House Committee on Internal Security, Staff Study. op. cit.

⁶ Ibid.

APOLLO 14 STATUS REPORT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD this supplemental status report on Apollo 14.

The Apollo 14 flight readiness test—FRT—designed to assure all spacecraft and launch vehicle systems are "go" in a near-launch configuration, is scheduled to begin Thursday and conclude Friday afternoon at Kennedy Space Center, Fla.

With the exception of such functions as propellant loading, release of service arms, and lift-off, the space vehicle will be checked just at it is prior to launch. The functions not performed will be simulated electrically.

The Apollo 14 crew—Comdr. Alan Shepard, Command Module Pilot Stuart Roosa, and Lunar Module Pilot Edgar Mitchell—will participate in the final portion of the FRT countdown and perform certain mission and abort functions that are required following lift-off.

The FRT follows the successful completion of the integrated systems test on Sunday, including testing of the new liquid oxygen tanks in the service module.

The spacecraft and launch vehicle were mated electrically on Sunday following the integrated systems test so that the plugs-in space vehicle test could be conducted on Monday.

Final preparations for the FRT are scheduled to be carried out on Tuesday and Wednesday while the KSC launch team analyzes data and reports from the earlier tests.

The flight readiness review is also scheduled to take place on Thursday.

The mission remains on schedule for launch on January 31, 1971.

Flight controllers for Apollo 14 will conduct two simulations this week in mission control center at the manned spacecraft center—MSC—Houston. Monday, lunar descent simulations will be conducted with the Apollo 15 crewmen in the lunar module simulator in Houston. Apollo 14 data will be used in this simulation. Thursday, December 17, the flight controllers will conduct lunar ascent simulations with the Apollo 14 crew in the command module and lunar module simulators at KSC.

The Apollo 14 crew will be in the KSC simulators most of the week. Shepard is scheduled to fly the LLTV in Houston Monday. On Wednesday, a launch pad walk-through is scheduled with all crewmen taking part in the exercise.

The Apollo 15 crew will be in Houston all week. Activities will include selection of food for their flight, mission review, command module and lunar module simulator training, and zero and one-sixth g. flights out of Ellington Air Force Base.

OFFICE OF ECONOMIC OPPORTUNITY CUTS AND THE NATIONAL INTEREST

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. WALDIE. Mr. Speaker, two events of the past week have given rise to speculation as to where this administration is really going.

I cite the President's veto of the manpower bill and the efforts of his Bureau of the Budget to cut the Office of Economic Opportunity Budget and phase out the VISTA program.

At a time when literally millions of Americans are seeking employment and relief from the crushing burdens of poverty, this administration is apparently presiding over the elimination of Government agencies designed to offer that assistance.

I think these actions unconscionable and heartless.

I urge the President to spare the VISTA program from his purge list. I petition him to not preside over the elimination of community action programs and self-help efforts of the poor.

I further ask him to give guidance and hope to those Americans bearing the brunt of the economic state of affairs.

To illustrate the scope of my concern, I would like to place an article from the December 17, 1970 Washington Evening Star which deals with this problem.

The article follows:

OEO To Reduce Budget 23 Pct., END
VISTA

The Office of Economic Opportunity has been ordered by Nixon administration budget officials to slash its budget by 23 percent for next year—and its days may be numbered.

Top officials at the poverty agency are planning to appeal the directive, which came late last week. Budget proposals for the year starting July 1 are due to be made final next month.

The reductions would mean eliminating the Volunteers in Service to America Program (VISTA) and the rural loans program. They also would result in a 17 percent cut in community action spending, an 18 percent cut in health spending, and a 41 percent slash in spending on research and development, a program the administration at one time called "the cutting edge" of its anti-poverty efforts.

60,000 JOBS AT STAKE

The cutbacks also would bring the firing of 60,000 persons next year, two-thirds of whom "are people who otherwise would be poor," according to a confidential memo

written this week by top OEO staffer John Wilson.

Other proposals now at the White House would split OEO programs among other government agencies.

Some of OEO's functions already have been split off by the administration, and recommendations on President Nixon's desk from the Ash Commission propose that its remaining function also be reassigned.

Wilson, who heads up OEO's research office, addressed both points in his memorandum:

"If the residual OEO is to be merely a bureaucracy engaged in self-liquidation, then I would strongly urge that this not be done through a series of yearly budget reductions.

"Such an objective should be fought on the much larger governmental reorganization such as that recommended by the Ash Commission."

The memorandum was addressed to Frank Carlucci, nominated by President Nixon last week as OEO director.

NOW ACTING DIRECTOR

Carlucci, yet to be confirmed by the Senate, yesterday was designated OEO acting director. His predecessor, Donald Rumsfeld, left for a post as White House counselor.

For Carlucci, moving to the top job will mean coping with multiple problems. Most of his health program officers are quitting. The Legal Services program faces a crisis of confidence, its two top officials, Terry Lenzner and Frank Jones having been fired by Rumsfeld last month.

But his most immediate problem is money for next fiscal year. Carlucci is to meet with administration officials this week to plead for a higher allocation.

This year, OEO's appropriation was \$8.94 million. That does not include money for manpower training, which is shifting to the Department of Labor, or Head Start, which is going to the Department of Health, Education, and Welfare.

The Office of Management and Budget wants that \$894 million reduced to \$689 million next year, an action Wilson said would produce "critically damaging effects" on OEO.

Most startling of the cuts would be elimination of VISTA, a domestic variation of the Peace Corps now budgeted at \$36 million.

"I do not think the agency can politically eliminate this program," Wilson said. He recommended instead an already-discussed idea to merge VISTA and the Peace Corps.

In his memo, Wilson stated:

"The administration must maintain a commitment to the poor. While OEO with its small budget represents only a very small part of the total federal commitment to the poor, it is perceived by many Americans as an important indication of the total commitment to the poor."

He urged that the commitment be maintained by strengthening both the research program and the "capability of local community action agencies to provide services to the poor within the context of the new federalism."

White House budget officials not only recommended a cut in funding for community action, but told OEO that one-third of each community action agency's funds must be raised locally. Current regulations require a 10 percent local contribution.

Wilson argued that an increase in the local sharing is politically unfeasible in light of the "many pressing fiscal needs of states and localities."

OEO had requested a budget level of \$369 million for its 900 community action agencies across the nation.

Of the directive that research money be cut 41 percent, Wilson said:

"The President's assignment of leadership in social research and social experimentation

to OEO would be negated by cutting out virtually all funds for new projects. It will not be possible to attract and retain the high-caliber staff built up in recent months."

Wilson recommended that if money is to be saved on research, the staff be built up to the point that OEO can conduct its own findings, relying less on contractors and consultants.

Under the latest White House budget directive, OEO's Indian and migrant programs would be held at current levels. OEO had requested significant increases for those programs.

CLEMENT F. HAYNSWORTH'S SPEECH TO THE SOCIETY FOR THE ADVANCEMENT OF MANAGEMENT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, December 18, 1970

Mr. THURMOND. Mr. President, last week Judge Clement F. Haynsworth, Jr., chief judge of the Fourth Circuit Court of Appeals, addressed the Society for the Advancement of Management. Chief Judge Haynsworth, one of this Nation's ablest and most distinguished jurists, directed his remarks to the challenge facing our judicial system today.

Mr. President, in my judgment, because of Judge Haynsworth and other courageous men like him, the nihilists and anarchists who are attempting to destroy the very foundation on which this great Nation is built will not prevail.

Mr. President, the complete text of this encouraging and informative speech appeared in the December 13, 1970, edition of the Greenville News, and I recommend it to every Member of Congress.

Mr. President, I ask unanimous consent that the article, "Haynsworth Discusses Court Disruption," be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

HAYNSWORTH DISCUSSES COURT
DISRUPTION

(By Clement F. Haynsworth)

It is a great pleasure for me to be here with you. It is a far more pleasant occasion than that of one evening last fall when the weight of the press seemed upon me, as it trumpeted a steady succession of charges against me. After reading what the day's New York Times, The Washington Post, Time and Newsweek had to say of me, I turned to my dear wife and said, "the more I read about this fellow, the more I am convinced that he S-I-M-P-L-Y W-I-L-L N-O-T D-O! We must find someone else for the Supreme Court."

If I am exposed to many more citations so kind and generous as this, sir, some evening I may say to her, "the more I hear of that fellow, the more I may become convinced the Senate made a mistake." I thank you for your encouragement of that view.

I confess some perplexity over the fact that a society of skilled managers should choose to honor me as you have. I have achieved no distinction as a manager, though I think the fact that my court has managed to survive is no small achievement.

Since 1960 the caseload in the United States Court of Appeals for the 4th Circuit

has risen 421 per cent. Other courts of appeals have experienced very substantial increases, but none comparable to ours. The court had been made a court of five judges in 1961, and in 1966 was made a court of seven judges. The increase in judgeships is thus far below the increase in cases. During the last fiscal year our caseload per judge was 166, the highest in the nation, of course. A caseload of 166 cases per judge compares with the low of 74 cases per judge in the 8th Circuit. It should be considered in light of the writings of Prof. Charles Allen Wright a few years ago that 100 cases was the maximum that a court such as mine could be expected to handle efficiently. We are already 66 per cent above that maximum.

The problems of handling rapidly rising caseloads are gravely exacerbated by the rigid restrictions under which we must operate. We have no control over input of cases and very little control of our human resources. It not only takes an act of Congress to get a new judge; it takes an act of Congress to get an additional secretary for a judge or an additional law clerk. Some positions can be created on a temporary basis in the clerk's office in Richmond, but to be continued they too must be authorized by an act of Congress. Requests for such positions can go to the Congress only after they have been approved by the Judicial Conference of the United States on the basis of immediate need. By the time that body finds immediate need for additional secretaries, the need has been keenly felt for a year or two, and by the time the Congress gets around to authorizing the position, another one to three years have elapsed. I am sure you will agree with me that it would not be easy to run a business with no control over a rising volume without the means to swiftly expand your staff to handle it.

Still we have managed to stay reasonably abreast of our work. To do this, I have had to embrace practices to which I would not resort if it were not essential. These are principally designed to weed out those appeals which really should not have been brought, or in which the judge below was so clearly wrong, the matter is not really debatable.

The fact that we have managed, within the severe restrictions under which we operate, to meet the tremendous demands of an ever rapidly rising caseload is thus some achievement, in my opinion, but though that be my only claim to managerial distinction, I am sure you are not interested in the details of our particular problem and all the statistical data which would be required to flesh it out.

I thought you would prefer to hear me talk about a man named William Allen. There is nothing heroic about William Allen. Few of you will recognize his name, but he is living proof of the old adage, "There is nothing new under the sun." Indeed, he was not the first of his kind, but his case has had profound effects upon recent events of great current interest.

In 1956, 14 years ago and long before the new assertions of the late 60s, a barkeeper in Illinois was robbed at gunpoint. William Allen was brought to trial in a state court for the offense. He insisted he wished no lawyer; he wanted to represent himself. The judge was equally insistent that he would appoint a lawyer to help the defendant, to protect the record and to give what assistance he could.

In the process of selection of the jury, Allen ranged far and wide and responded abusively when the judge sought to restrict his inquiry. This contretemps included a threat by Allen that the judge would be a corpse after lunchtime. Threatened with exclusion from the courtroom, Allen's retort was that you can put your straitjacket on me and tape my mouth, but it will do you no good "because there is not going to be

no trial." This was 14 years ago when Allen was taking Bobby Seale's stance.

After more vituperation directed at the judge, Allen was excluded from the courtroom. The selection of the jury was completed in his absence, but with the participation of his appointed attorney.

At the opening of the trial itself, Allen was brought back in. When his appointed lawyer moved for a sequestration of the witnesses, Allen objected. "I am going to talk," he said; "I am going to keep on talking, and there ain't going to be no trial." He persisted until he was again removed from the courtroom, though he was returned when the witnesses for the defense were offered.

William Allen was convicted and his conviction was affirmed by the Supreme Court of Illinois. The Supreme Court denied certiorari.

All of this was long ago, but then William Allen sought a writ of habeas corpus in the District Court of the United States. He got nowhere in the district court, but he appealed to the Court of Appeals of the 7th Circuit. It reversed.

There was a constitutional right to be present at the trial, it held, which could only be waived by a voluntary relinquishment of the right. His insistence upon his right to be present of his own terms was not a voluntary waiver, the court held. It thought use of the contempt power should have been employed or the defendant should have been put in a strait jacket and gagged.

My good friend, John Hastings, formerly chief judge, now retired, of the 7th Circuit, dissented. He thought Allen's invocation of his constitutional right to be present was subject to his acceptance of the recognized rules of conduct. Prophetically, he declared that a rule requiring a judge to continue the presence of so unruly a defendant with the use of strait jackets and gags would be horrendous if there were multiple defendants, some of whom were unruly and some of whom were not.

The decision in the 7th Circuit in William Allen's case was announced in August 1969, 13 years after his conviction and only one month before the trial of the "Chicago Eight" was to open in September.

I know nothing of the trial of the "Chicago Eight," which later became the "Chicago Seven," except what I have read in the press. I have no basis for an opinion as to the propriety of anything that Judge Hoffman did, but I find it very interesting that if he was justified in taking repressive measures against Bobby Seale, the decision of the 7th Circuit in the William Allen case gave him no choice but to do what he did. The threat of a short imprisonment upon a conviction of contempt would have been wholly unavailing. The court of appeals which would review his conduct of that trial had just told him clearly that he could not exclude Seale from the trial. It had told him clearly that the thing for him to do was to have Seale bound and gagged.

Fortunately, the Supreme Court took William Allen's case to review the decision of the 7th Circuit and last spring it announced its decision. The Supreme Court agreed with Judge Hastings that the exclusion of Allen from the trial was perfectly proper. A defendant does, indeed, have a constitutional right to be present at the trial, but he has no right to impose his own terms upon the conduct of the trial or to dictate the manner in which his constitutional right will be exercised. When he insists upon running the show to the point of disruption he forfeits his right to be present.

The Supreme Court went further. It also expressed approval of use of the contempt power as well as use of the strait jacket and the gag. Use of the contempt power, it observed, might be unproductive if the defendant was bent upon the prevention of any

trial, for he would employ the same tactics in the trial for contempt. Of course this is true where the defendant's primary objective is the destruction of the judicial system or his principal motivation is a play for publicity. Indeed, if a warning of a contempt citation is not enough to preserve order, its issuance is not likely to gain much. Use of the strait jacket and the gag, the Supreme Court felt should be a last resort, and it seems to me that it was entirely right in strongly suggesting that exclusion from the trial rather than use of the strait-jacket and the gag is much more in keeping with our judicial heritage, maintenance of the decorum of the court, and protection of the substantive rights of the defendant. An excluded defendant, of course, can relieve himself of his exclusion by a promise to behave and by keeping his promise.

While William Allen's case illustrates that this is not a problem which has sprung full blown from nothing within the last year, until very recently the problem has not been acute. There may have been occasional William Allens who may have been quite abnormal mentally, but there was no appearance of any design in any such cases. There was no concerted attack on the judicial system, itself, by people able to command wide publicity in the press and on the airways. The problem has now assumed large and frightening dimensions as the assaults are being applauded and encouraged by some elements of the press and by thousands of students, and other radicals.

The judicial system was constructed upon the basis of certain assumptions which underlie all of our freedoms. There was an assumption that judicial proceedings would be conducted in an atmosphere of civility and decorum, one in which respect was always paid the judge because of his office and the system no matter how large the disagreement with his ruling. The system, itself, contains a corrective process through which every significant ruling of the trial judge can be reviewed by an appellate court, and even by the Supreme Court of the United States. There is no display of disrespect to the trial judge in resorting to such procedures, but disrespect flagrantly flaunted in the courtroom cannot be endured if the system is to survive.

Now I sympathize with these fellows in their wish not to be tried. In a very different tribunal last fall, I did not wish to be tried either. Of course I could have avoided a trial by simply withdrawing, but I never was one to cut and run simply because the going got rough. I was also very much afraid that withdrawal would have been construed as an admission that there was some substance in the charges, and I was not going to admit any such thing. But a wish not to be tried cannot be converted into disruptive tactics which amount to an overt attack upon the judicial system and society as a whole.

Though our judicial system has been constructed upon the assumption that lawyers, defendants and spectators in the courts will all behave themselves while in court, it was obvious when William Allen's case reached the Supreme Court that the assumption was no longer wholly valid. The tactics of the defendants in New York, Chicago and New Haven, if successful, would spread like wild fire. In a very literal sense, therefore, the Supreme Court had the choice of permitting attacks calculated soon to bring the temple of justice crashing down or to endorse repressive measures which, however, abhorrent to those of us who think that courtesy and respect should come naturally, are essential to the preservation of the system now that there has been a determined and concerted departure from our earlier assumptions.

The measures now sanctioned by the Supreme Court may suffice to take care of the individual defendants such as William Allen. They may suffice to take care of the Bobby

Seales and others seeking the stage, but one of the most alarming aspects of the problem today is the fact that some lawyers appear to be exercising no restraint upon clients bent upon disruption. It may be that some of the lawyers are even quietly encouraging them as a result of too large an identification of themselves with their clients or as a result of a shared purpose to effect an actual destruction of the system. And some of these defendants and some of those lawyers are being proclaimed as heroes by some elements of our press and some portions of our society. If the situation is to be contained therefore, if confrontation is to be avoided wherever possible, if juries are to be permitted to weigh the facts with the detachment we expect of them, if judges are to resolve legal issues in the quiet of reasoned thought without their personal involvement, the active assistance of the bar and the involvement of the public are gravely needed.

Courtroom disruption is only one symptom of a deeper malaise. It is evident on some of our campuses where there are those, who, in the name of free speech, shout obscenities and resort to violence to prevent any one else from being heard. When minority groups seek absolute freedom for themselves while attempting denial of those freedoms for others, it is not freedom for mankind they seek. There are other symptoms of the malaise. They may be seen in our streets. They are noticed by the press, not always unsympathetically. In countless ways, it is sapping out national vitality.

With the resolution of William Allen's case, the judges have the means of controlling most of its manifestations in courtrooms, but ultimate solutions to the larger problems can come only from the concerted resolve of all of us. Those dissidents with a potential capacity for good will and for concern for the common good must be helped to an understanding of the evil the extremists would work. Means must be sought to bring them back into the mainstreams of society, where they may espouse minority positions, but without attempting to deny to others their rights.

The system we have has a remarkable capacity for improvement within itself. This is certainly true of our judicial system. The advances within recent years in the protections offered individuals, particularly indigents, have been tremendous. There will be more advances. There will never come a time when there is not room for improvement, and improvements will come from within the system as the result of experience. But those who attack it now seek its destruction without a suggestion of any other system which would merit comparison. Their approach is that of the nihilist and anarchist. They seek not to improve; they seek to destroy. If they are successful, they will create a vacuum out of which there would come inevitably a system of inquisition, of star chamber proceedings, or something even more abhorrent. If we seek a dictatorship in this country, support of the nihilist is the high road to its achievement.

Let us, therefore, welcome constructive suggestions for improvement, but God forbid that we shall ever see the day when our system of justice is brought down in crashing ruin. God help us to do everything within our power today and tomorrow, and in the years to come, to make certain that we do not see that day.

MRS. ELLY PETERSON

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. RUPPE. Mr. Speaker, Mrs. Elly Peterson, assistant national Republican

chairman, is retiring to return to private life. I think all of us in this House, regardless of party affiliation, will note her absence, for Elly Peterson represents the best in America's political traditions.

Elly first became active in politics in her native Illinois. She then moved to Michigan, where she rose quickly through precinct and county organizations to become vice chairman of the Republican Party in the State. Later, she was named the first woman State chairman in the history of the party. She has also won nomination to the U.S. Senate, and has previously served as assistant national chairman of the Republican Party.

As a firsthand witness to her considerable organizational talents and boundless energy, I am struck even more by her willingness and eagerness to seek and accept new ideas. From the moment she became State chairman, she strove to broaden the party's base, to organize the young, the elderly, and the minorities, and bring them into party affairs. Her talents did not go unrecognized, and in 1968, she was called back to Washington to become assistant national chairman for a second time. When asked recently why she was retiring, she said she was moving out to let younger people with younger ideas take over. To my mind, Elly Peterson will always be younger than most people half her age.

HIGHWAY SAFETY: THE CHRISTIAN SCIENCE MONITOR AND CONGRESSMAN BILL SPRINGER COMMENTARIES ON DRUNK DRIVING WORTH REPEATING

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. CLEVELAND. Mr. Speaker, earlier this year I inserted into the CONGRESSIONAL RECORD an excellent series on the problems of highway safety, particularly that of the drunk driver, which appeared originally in the Christian Science Monitor in 10 weekly articles. These articles, written by Guy Halverson, discussed in depth the various aspects of the problem, and constitute one of the most comprehensive discussions of it which have been written.

The series began with a discussion of the magnitude of the problem. An estimated 28,000 people a year are being killed by drunk drivers. This massive carnage on our highways is the result of having every 50th car driven by a driver who has had too much to drink. This is not a problem of the social drinker, or the occasional drinker. Rather, it is a problem of a relatively small number of people who drive when they are drunk. Many of these are alcoholics. Most of the rest are problem drinkers.

A significant value of this series is that there are articles about what can be done to stop this carnage by an inebriated few, and what is being done, in cities, States, and foreign countries.

In view of the fact that my district borders on Canada, I found it highly interesting that in many ways Canada is

ahead of the United States in recognizing and acting on the problem of the drunk driver on its highways.

Throughout this series of articles there is a recurring theme that there has been very little publicity of just how many people are being killed on our highways, and how little is being done to combat it. Likewise, there is a communications gap which is preventing us from knowing what the more progressive States, cities, and groups are doing. This series from the Christian Science Monitor has gone far to remedy this.

Mr. Speaker, after reading these articles one by one, I feel a sense of outrage at the fact that these drunk drivers are literally murdering thousands of Americans every year—indeed, even as I speak these words. The country has in previous years been in a turmoil with protests over the war in Vietnam, with the deaths of Americans there, and the cost in material resources in fighting that war. Let us remember that there are more people killed and more resources wasted as the result of accidents in which drunk drivers are involved than there are in Vietnam this year or any previous year, by far.

It is important to repeat at this point that the issue is not one involving social drinkers, or occasional drinkers.

Rather, this is a problem involving the hard core of alcoholics and problem drinkers. Furthermore, the legal test of intoxication is presently quite high, enough so that a person who has a drink before driving home will never be affected by tightened laws. According to Arthur J. McBay, Ph. D., at the Massachusetts State Police Chemical Laboratories, the following amounts—in ounces—of 100-proof liquor would have to be drunk at the specified body weights in order for a person to reach the indicated blood/alcohol content:

Weight	Liquor in 1 hour to reach blood alcohol content of		
	.10 percent	.15 percent	.20 percent
100	2.7	4.0	5.4
140	3.8	5.7	7.6
180	4.9	8.3	9.7
220	5.9	8.9	11.9

Considering that whiskey is usually less than 100 proof, and that the average drink is 1½ ounces or less, it is plain that many drinks are required to reach the specified levels of intoxication. In my State of New Hampshire, now, the level is at the high 0.15 percent, although there is legislation which will be introduced in the next session of the legislature to reduce it to 0.10 percent. Even this is lenient compared with many other countries. In using the above figures, it should be remembered that if a person drinks for more than an hour, then even more liquor will be necessary to get to the legal level.

Mr. Speaker, I am also inserting, in addition to the 10 articles from the Christian Science Monitor, comments made on the floor of the House on August 10, 1970, by my colleague and friend, BILL SPRINGER, of Illinois. This is quite appropriate, not only because of his timely remarks on this series from the

Monitor, and on the problem of the drunk driver, but because he has been a leader in the fight to get good, effective highway safety programs going at the Federal level.

The articles follow:

[From the CONGRESSIONAL RECORD, Aug. 10, 1970]

BEHIND THE WHEEL OF EVERY 50TH CAR

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

Mr. SPRINGER. Mr. Speaker, behind the wheel of every 50th car lurks death because behind that wheel is a drunk driver.

Last year, there were 48,000 people killed in automobile accidents on the highways of this country. The startling fact is that 28,000 of these people were killed by drunk drivers. In addition, these same drunk drivers were responsible for more than 800,000 traffic accidents in which people were injured.

Let me put it another way by comparison. The war in Vietnam has lasted approximately 9 years in which some 43,000 Americans have given their lives. During those same 9 years, drunk drivers killed 240,000 persons on this Nation's highways.

We are all concerned, and rightly so, about the loss of life in Vietnam. We seem strangely complacent, however, about the traffic toll inflicted by those who drink and drive.

Four years ago, I helped to write the National Traffic and Safety Act. The motor vehicle standards set up by that act—requiring such equipment as safety belts, energy-absorbing steering columns, and improved windshields—have undoubtedly saved many lives and reduced injuries. We all know that the car of the future will come equipped with even better safety devices.

I think all of us realize that efforts will be made to produce safer cars. However, the fact remains that abusive consumption of alcohol is the largest single factor in fatal automobile crashes.

What can we do about it? The facts about the known and tested methods of control and prevention of drunken driving suggest the need for tough laws for dealing with people who insist on driving while under the influence of liquor.

Most States have laws presuming that a driver is drunk if the alcohol in his blood is over a certain level. The recommended level is no more alcohol than one-tenth of 1 percent. Illinois, I am glad to say, is one of about 25 States that has adopted this measurement of intoxication.

The National Highway Safety Bureau also has urged the States to adopt "implied consent" laws. Under such laws a person who obtains a license to drive must, at the same time, consent to take a chemical test if arrested for drunk driving. Only four of the 50 States do not have this law. One of them is Illinois.

Experience has shown that statutory levels of intoxication and implied consent laws are important first steps toward reducing highway accidents. Their effectiveness, unfortunately, is diminished by the fact that many persons continue to drive even after their licenses are revoked for drunken driving. We have to develop better methods for insuring that cars and other vehicles are operated only by validly licensed drivers.

So far in the 20th century, traffic accidents have killed more than 1,700,000 people. This is more than all the military personnel killed in every major war from the American Revolution to Vietnam. Unless effective steps are taken, this slaughter will continue to mount long after the last American leaves Vietnam.

Mr. CLEVELAND. Mr. Speaker, I want to congratulate the gentleman from Illinois for the work he has done in trying to make highway traffic more safe for the public. His authorship of the National Traffic and Safety Act is one of the most progressive pieces of leg-

islation enacted by the Congress in recent years to keep down traffic accidents and to make driving safer.

Driving by intoxicated operators of motor vehicles has been one of the most serious traffic problems in recent times. At the present time, nearly all legislation having to do with this rests with the States. We still have a long way to go to make an impact on keeping the highways safe from drunk drivers.

Again, I extend my best to the gentleman for all of his good work.

Mr. SPRINGER. Mr. Speaker, I thank the distinguished gentleman from New Hampshire (Mr. CLEVELAND), for his kind words. He has been probably the outstanding leader in the Congress on this very important problem of reducing automobile accidents by drunk drivers. He has recently inserted in the CONGRESSIONAL RECORD 10 splendid articles from the Christian Science Monitor on highway safety. He is to be congratulated on this fine work.

His important position on the Committee on Public Works gives him a better opportunity to see all that has happened in this area than other Members of the Congress. I hope the gentleman will continue the excellent job that he has done up to this time.

[From the CONGRESSIONAL RECORD, June 29, 1970]

HIGHWAY SAFETY NO. 1—BEHIND THE WHEEL OF EVERY 50TH CAR

Mr. CLEVELAND. Mr. Speaker, over the past year I have inserted into the RECORD a number of articles about the appalling slaughter which is taking place on our highways. While national attention and interest have been focused on the war in Vietnam, the highways have become a battleground far more deadly than Vietnam. It seems that almost daily indignant speeches are given and indignant articles are written about the slaughter in Vietnam. Yet how seldom do we hear the cries of indignation about the murder and mayhem on our roads, streets, and highways?

The Christian Science Monitor on June 25 began a 10-part series on highway safety with an article on drunken drivers, and the estimated 28,000 people a year they are killing. My view of America's reaction to the horrible death, disfigurement, and destruction of resources on our streets, is well summarized by a quote from the article:

Since the beginning of this century, traffic accidents have killed more than 1.7 million people—more than the combined death toll of all military personnel in every major war from the American Revolution to Vietnam.

I commend this thought-provoking article to the attention of my colleagues:

BEHIND THE WHEEL OF EVERY 50TH CAR

(By Guy Halverson)

CHICAGO.—"It's a bad one, all right," the grimaced police officer next to me said as we skidded to a stop alongside the twisted automobile. Chunks of jagged broken glass lay scattered across the freeway. "Ten to one says liquor was a factor," he shrugged. "It usually is."

Ahead of us were the red and white flashing lights of squad cars and a fire truck, the vehicles silhouetted starkly against the dark Albuquerque sky. Four men in white, carrying a large respirator, were jumping from an ambulance and running down a steep hillside.

For Deputy Chief M. Fred Johnson, a 35-year veteran of the Albuquerque, N.M., Police Department, as well as this reporter, what we witnessed that chill April night at the interchange of I-40 and I-25 was an unforgettable and heart-breaking scene.

The driver of the smashed vehicle—in his early 20's—had been observed by a police spotter hurtling in and out of traffic along the crowded New Mexico freeway at speeds approaching 100 miles an hour. As he sought to maneuver the sharp interchange, he lost

control, jumped a deep ravine, and rolled onto a completely new section of freeway in front of a stream of cars before being hurled through a side door and down an embankment.

Almost miraculously, no other cars had become involved.

LIQUOR NEVER MENTIONED

Despite interviews by reporters with police and relatives, neither of the next day's local newspaper reports mentioned alcohol. Yet the grim fact was that the young driver—who had narrowly missed smashing into other cars—had been drinking heavily prior to the accident. Moreover, he had been driving without a valid operator's license.

That gloomy, wind-swept night in Albuquerque could hardly be called unusual. Throughout the nation, law-enforcement officials could recount thousands of similar episodes—grim records of single- and multiple-vehicle collisions.

There was the Texas family killed in a head-on collision with a drunk driver one Sunday morning in 1969. And the Wisconsin mother and her eight-year-old son killed this year in front of their home when they were returning from a concert. And the three people killed in Louisiana not so long ago when a pickup truck driven by a problem drinker crossed a dividing line and smashed into them head-on.

The United States is in the midst of an undeclared—and almost unrecognized—war in which its highways have been turned into a virtual battleground. Here a small group of social and problem drinkers are yearly killing up to 28,000 people, causing 800,000 accidents, and accounting for economic losses conservatively estimated at between \$7 and \$8 billion.

Many insurance companies are being forced to tighten automobile underwriting and to post sizable rate increases because of mounting highway losses involving drinking drivers.

"HIGHWAY COMMANDOS" IN MILLIONS

No one knows how many of these "highway commandos" there are. But they number in the millions. Allstate Insurance Company estimates that 1 out of every 50 cars coming at you on the highway is driven by a drunk driver. One prominent police-science expert more conservatively figures one out of every 90 cars.

Traditional sanctions are not halting these highway killers. They drive with or without a license, despite radio and TV warnings, despite fines and jail sentences.

According to Dr. Robert F. Borkenstein, chairman of the Department of Forensic Studies at Indiana University and a leading expert in breath testing, there is virtually no place in the United States where drinking driving is totally prohibited.

The neon parade of bars and package stores along the nation's highways provides corroboration that auto-oriented America—with its 85-90 million drinkers—too often considers the bottle and the throttle acceptable companions.

In most states, indeed, statutory definitions of what constitutes "intoxicated driving" remain at dangerously liberal levels.

WRONG WAY ONTO THE FREEWAY

Jan, an honor student, only shortly graduated from the University of Oklahoma, accepted a date on Thanksgiving Day, 1967. Carefully belted into the seats of her companion's new, low sports car, the two young people were suddenly struck by a large pickup truck coming the wrong way on a freeway exit. Jan was killed.

The pickup driver was drunk, an uncapped liquor bottle on the seat beside him. He had repeatedly lost his driver's license and was without auto insurance.

"I've experienced tragedy many times in my family, but this was surely the shock of my life," the girl's aunt, who had raised her

from a child, told me. "It was so unnecessary, so senseless. It could have been prevented."

Since the beginning of this century, traffic accidents have killed more than 1.7 million people—more than the combined death toll of all military personnel in every major war from the American Revolution to Vietnam. During the past five years alone, the highway roster included at least 134,000 men, women, and children, according to National Safety Council estimates.

The toll continues. About 150 people a day.

The strong correlation between highway deaths and liquor has never really been hidden to researchers. "We have received a communication containing the history of 25 alcohol-related accidents occurring to automobile wagons," an article in the 1904 Quarterly Journal of Inebriety, noted. "Fifteen persons occupying these wagons were killed outright, five more died two days later. . . . Fourteen persons were injured, some seriously. A careful inquiry showed that in 19 of these accidents, the drivers had used spirits within an hour or more of the disaster. . . ."

ESTIMATES VARY WIDELY

Back in 1946 the National Safety Council estimated that drunk drivers triggered about 18 percent of all fatal accidents. Today, in 1970, one out of every two highway deaths is attributed to liquor. That astonishing figure may well even be higher. Some authorities, in fact, fear that it may be as high as 70 percent of all fatalities.

One recent study undertaken by the State Laboratory of Hygiene and the University of Wisconsin's Department of Preventive Medicine suggests that almost two-thirds of Wisconsin drivers killed in traffic accidents were under the influence of alcohol at the time. Equally as ominous, the report (based on blood samples taken from 507 drivers killed between February, 1968, and May, 1969) indicates that alcohol is a factor in 56 percent of all fatal accidents involving young people under 18.

Many law-enforcement departments, moreover, such as the State of Washington Department of Motor Vehicles, have clearly established that there is a high correlation between individuals who drive while drinking and those who use drugs.

"We're deeply concerned about the role of the drinking driver," says Willard Howell, director of the Office of Alcohol Countermeasures in the U.S. Department of Transportation. Mr. Howell's anguish is widely shared among safety experts. Ronald H. Parsons, stocky Sheriff of Kent County, Mich. (encompassing Grand Rapids) told me he thought alcohol was probably a factor in between 50 and 60 percent of all fatalities handled by his department.

PICTURE "BLEAK AND DISMAL"

In New Orleans, where the 1969 death toll of 108 fatalities was the highest since 1929, Dudley Andry, director of the Metropolitan New Orleans Safety Council, admits being depressed by the constantly spiraling statistics. "The picture here is bleak and dismal," he said one day in late March of this year. On the small table in front of him was a chronological rundown of fatalities in New Orleans for the past year.

The hefty volume resembled a telephone directory in size.

"Look at them," he said quietly, deep anguish mirrored on his face.

"January, 1969, a white male doctor, 8:15 p.m., alcohol blood concentration .10 per cent."

"22-year-old woman, alcohol concentration, .12 percent."

He flipped the page.

"White male, age 54, killed by liquor."

"How do we stop it?"

How do we stop it?

The research that has gone into this 10-part series indicates that it is not being stopped largely because the American public remains puzzlingly apathetic. That apathy is apparent at every level of society.

Despite an imaginative \$18 million program under way at the Department of Transportation (to be discussed in a subsequent article), there is virtually no long-range, coordinated federal and state program to deal with the drunk driver. Leadership from Washington is desperately lacking.

LOCAL PROBLEMS ABOUND

Despite two landmark laws—the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act of 1966—Congress continues to spend little for highway safety.

Indeed, while Congress authorized some \$267 million for the first three years of the National Safety Act, only \$92 million has been released for obligation, according to the National Safety Council. At least 40 safety bills have been passed in the last few years, but none of them has received adequate financing.

State and local community programs fare no better. The liquor industry in many states is quietly sabotaging legislative efforts to enact legislation aimed at drunken drivers. In over two dozen states it's possible to renew drivers' licenses by mail. The safety council of one major Southern town of over 800,000 people is operating on a shoestring budget out of an office that reminds one of the dreary setting for a 1940's private detective film. The punitive legal approach in most communities is strictly out of the 1940's, too. Fines and license revocations seldom deter problem drinkers, who desperately need clinical or therapeutic aid.

Paradoxically, courts and juries are loath to convict known drunk drivers, even when the evidence is overwhelming. One magistrate north of Seattle often deliberately defers findings on drunk-driver cases so that a lesser charge can be given. (This practice has triggered the ire of the Washington State Patrol.)

Out of one group of 1,000 drivers in California who killed someone while driving under the influence of liquor, only one-fourth receive felony convictions for drunk driving. Less than 5 percent ever went to jail.

Last year a Midland, Mich., woman, whose car was hit by a drunken driver while driving along an interstate highway, found on checking state records that he had garnered five previous convictions for drunk driving and had rung up an extra 15 points against his record within a two-year period. At his last trial—the one involving the Midland woman—the judge fined the drunken driver only \$30, plus \$70 court costs and suspended his license for 90 days, the woman told me. (The license suspension was subsequently extended to one year by the Michigan Secretary of State.)

State motor vehicle licensing record systems are too often tangled monstrosities. Recordings of sentences, fines, and license revocations are either not entered at all, entered erroneously, or disappear through peculiar circumstances at a later time. Indeed, the lack of effective coordination within and between the records people of the different states is matched only by the deep-seated rivalries and lack of coordination between many of the highway safety specialists and alcoholism-treatment experts themselves.

"NONRECORD" CLEARS EXECUTIVE

Several years ago a highly respected, \$20,000-a-year Midwest executive with a well-known corporation ran his rented car off a 30-foot embankment on a California expressway. He was arrested and booked for driving while intoxicated. He engaged a lawyer at an extremely high fee. The lawyer had the case delayed until such time as it would be cleared from the docket. Within three months

the whole episode had been forgotten with no record of the accident.

This reporter's research indicates there are thousands of "nonrecords."

Law-enforcement departments—too often understrengthened, underpaid, overworked—frankly concede that they find less and less time to deal with highway safety, especially now that "rising crime" is so firmly etched in the public consciousness (even though serious crime statistics lag far behind motor-vehicle accident statistics).

In one major Texas city I spent an evening "riding shotgun" with an officer who admitted that in over a year of patrolling a beat (in the area of heaviest concentration of bars in that city) he had not given out one ticket for drunk driving. He was no exception. I found that true almost everywhere I went—Los Angeles, Dallas, Chicago, Washington, D.C.

NO NATIONAL PROGRAM EXISTS

Most experts say one reason the drunk driver is not being curbed is that there is as yet no realistic hard-headed attack on alcoholism in the U.S., such as has been the case in most European countries. Until the deeper question of alcoholism is attacked, new police equipment, stiffer court sentences, and millions of license revocations won't really resolve the problem.

The Monitor has learned through a Department of Transportation source that a confidential special task force report on highway safety prepared for the President has severely criticized the entire punitive approach in dealing with the drunk drivers. This is a conclusion shared by most rehabilitation experts.

Testimony last year before a special subcommittee on alcoholism and narcotics, headed up by Iowa Sen. Harold Hughes (himself a reformed alcoholic), clearly indicated that there is no comprehensive federal program in this area, even though the United States now leads the world in the number of alcoholics.

The entire federal expenditure in the alcoholism treatment area is estimated at a minuscule \$4 million annually.

Compare that \$4 million to the estimated \$8.2 billion in tax revenue that government at all levels—local, state, federal—collects from the sale of alcoholic beverages.

Compare that \$4 million to the \$7 to \$8 billion in economic losses caused on American highways annually by drinking drivers.

"NO SAFETY CONSTITUENCY"

"There just is no highway safety constituency," laments Howard Pyle, president of the National Safety Council. Mr. Pyle, leaning back in a chair in his large office at NSC headquarters in Chicago, recalls that in his four years as governor of Arizona, back in the 1950's, only one person ever bothered to come into his office to discuss road safety. And until the recently stepped-up advertising campaign against drunk drivers by the council and private insurance companies, Mr. Pyle doubts that the situation had changed very much.

Mr. Pyle concedes that the NSC has been trying to get a coordinated national attack against drunk drivers under way for "about three years." He says, "We thought we would be stronger if we had widespread support. But the only major group that we've been able to get with us so far is the American Medical Association."

"Ninety million Americans drink—and they just don't like the privilege abridged. That's what you call a constituency in reverse."

[From the CONGRESSIONAL RECORD, July 6, 1970]

HIGHWAY SAFETY No. 2—THE PROBLEM BEHIND THE WHEEL

Mr. CLEVELAND. Mr. Speaker, there has been a good deal of public attention focused

recently on crime in the streets, and the insecurity it produces for many of our citizens. The front-page coverage given by the news media to the deaths and injuries which result from the crime is justified, because the people harmed by violence are disproportionately the old, the weak, and the poor. These are people who can ill afford the economic loss involved and to whom hospital bills are a major blow. If they are injured—or even worse killed—their families suffer badly, and are often pushed into poverty or at best insecurity. Money stolen from them is dearly missed—and for the old, it is often part or all of their meager savings or a recent social security check.

Yet there is in our society a group which is an ever worse killer and malmer than street criminals: drunken drivers. They kill at least 28,000 people and cause over 800,000 accidents yearly. In terms of economic loss, the \$8 billion caused by such drivers approximates that caused by street criminals—excluding organized crime and white collar crime.

The hardship caused is barely indicated by these harsh, cold figures. Who knows what agony is wrought in the families of the 28,000 people they killed? Who knows how much human tragedy there is in the families of the people wounded and maimed? In this year of great interest in conservation, what greater waste—truly an absolute waste—of resources is there?

In an effort to bring some attention to the needless, senseless tragedy of our more than 50,000 highway deaths yearly, I have inserted a number of articles into the Record. Today's offering is from the Christian Science Monitor, the second article in a series of 10 written by Guy Halverson. This thoughtful article discusses tests and State laws which are currently in effect—and often not in effect—governing drunken driving.

Since I inserted Mr. Halverson's first article into the Record on June 29, I have been encouraged by the interest which has been shown by many of my colleagues and by mail. One such letter from William Friel Heimlich of Falls Church, Va., made an eloquent statement which anticipated the theme of Mr. Halverson's second article, and which deserves consideration:

The efforts of Congress to grapple with the problems of automobile safety, in my opinion, have been mis-directed. No amount of money or public relations effort spent on seatbelts, head pads and the new bumpers are going to reduce, in the slightest, the statistics of dead and injured. Only tough laws rigidly enforced will do the job. The Federal Government, obviously, can only lead the way. Success can come only when the states do their part and when public opinion is aroused to support new laws and the enforcement of old ones.

While I personally believe that automobile safety requires safe cars and safe roads in addition to tough laws, Mr. Heimlich's point is well taken that there will be no end to the carnage on the highways until an aroused public demands and supports tough laws which are toughly enforced.

The article referred to follows:

TESTS FOR DRUNKENNESS: THERE OUGHT TO BE A LAW THAT WORKS

(By Guy Halverson)

NEW ORLEANS.—"I won't take it. Go away," he shouted angrily, thrusting a clenched fist toward the startled policewoman.

The tall, emaciated looking man, his shabby clothes caked with dirt and grease, reeked with the smell of alcohol—and he was in serious trouble. In front of him at the main lockup of the New Orleans Police Department was a breathalyzer machine, used by most law-enforcement agencies to measure a person's blood-alcohol level.

The man had been apprehended earlier in the evening careening at a high rate of speed

the wrong direction down a one-way street. But fortunately for the public, Louisiana has an "implied consent" statute. This means in effect that when a person takes out a operator's license, he consents to take a chemical test (blood, urine, or breath), if arrested for drunk driving. If he refuses, which is the suspect's choice, his license can be suspended. Louisiana also has a statute defining what constitutes a "presumptive blood level of intoxication"—in the case of this state, 10 percent.

The same kind of crusading zeal, safety experts say, that marked the federal government's routing of cigarette advertising from airwaves is needed to badger states into adopting the stiffest possible presumptive blood-level laws.

AMERICAN HODGEPODGE

Because this man, barely able to stand and obviously intoxicated, refused to take the breathalyzer test, he lost his driver's license. Theoretically, at least, that meant a major victory in the war against the drunk driver.

But such victories, one quickly learns after traveling throughout the United States, are neither common nor uniform. Indeed, the United States is a hodgepodge of laws and practices when it comes to the drunk driver, depending upon just which state you are in and which patrolman you happen to encounter.

Take what happened not so long ago in neighboring Mississippi. A police officer, looking in his rear-view mirror, notices a car apparently hurtling along behind him at a high rate of speed. As the officer slackens his speed, the approaching car does the same. After the vehicle is abreast, the officer pulls the vehicle to the side of the road and finds an attractive, articulate young woman behind the wheel. She is fully composed, although he notices that she seems a bit tired. Finding nothing technically wrong, he warns her against speeding and allows her to drive off.

Ten minutes later, away from the officer, the young woman, who in fact is intoxicated, as a breathalyzer test would have indicated, accelerates until she is whirling along at more than 90 miles an hour. She can barely see the highway or keep her eyes open.

She becomes a casualty in a major accident.

Unlike Louisiana, Mississippi has neither a "presumptive level of intoxication" nor an implied-consent statute. Because of this, the officer was reluctant to arrest the woman based on her appearance alone. Yet an arrest might have prevented the accident.

Though Louisiana and Mississippi each share a common border, they are in fact at two opposite ends of the pole when it comes to highway-safety legislation. On a time scale, Louisiana is in the present. Mississippi's approach, it must be reluctantly acknowledged, is still somewhere in the mid-1940's, as are too many other states.

There is no question but that implied-consent laws and statutory levels of intoxication are significant first steps in curtailing the mounting death rate on our nation's battle-scarred highways. That war is very real. Last year, drunk drivers killed more than 28,000 Americans, (more than all U.S. servicemen killed in Vietnam the same year), caused over 800,000 accidents, and rang up economic losses estimated at \$8 billion.

STATES WITHOUT STATUTES

Highway-safety experts are in almost total agreement that if the death rate is to be significantly reduced, anti-drunk-driver legislation at the state level must be drastically tightened and upgraded—as well as standardized throughout the nation.

Four states—Illinois, Mississippi, Montana, Wyoming—and the District of Columbia still have no implied-consent statutes.

Three states—Texas, New Mexico, and Mississippi—still have no presumptive level of

intoxication. In some 21 states and the District of Columbia, moreover, the presumptive level is set far too high—at .15 percent—equivalent to about eight shots of 80-proof whiskey or eight 12-ounce bottles of beer for the average adult male.

In a number of states with .10 percent presumptive levels, the law needs to be strengthened so that the .10 percent figure is an automatic, no-nonsense, cut-off point, punishable by fine and jail conviction. In Minnesota, for example, the current law says only that .10 may be prima facie evidence of being "under the influence."

At the same time, many safety authorities insist that the United States desperately needs to follow the European lead and adopt highway prearrest driver breath tests. Prearrest screening, however, has triggered a score of constitutional doubts.

For years the only way that a patrolman could identify a drunk driver was by some type of objective personal evaluation, such as observing erratic driving patterns, slurred speech or flushed face, or requiring the driver to "walk a straight line." But such tests, it is well known by policing agencies, are highly unreliable.

Ex-alcoholics, in fact, usually scoff outright at such objective criteria. One New York businessman, a recovered alcoholic, recalls that he escaped detection from a large cluster of patrolmen because they thought he was under shock from an accident, rather than drunk, as he was. "I had driven my car into the town pond, yet, still no police check for alcohol! Can you imagine that?" he says. "The water snapped me back to a facade of 'instant sobriety.' Had the police required a chemical test, they would have seen how drunk I was."

"A police officer on patrol may see a car weaving and it's obvious that something is wrong," says Dr. Robert F. Borkenstein, chairman of the Indiana University Department of Forensic Studies and a leading developer of the police breathalyzer. "But most courts demand clear-cut evidence of intoxication before they'll consider conviction."

"We know that many drinking drivers do not show evidence of drinking. They may only show aggressiveness, which, of course, can have other causes. So mere aggressive driving, plus mild personality changes in an individual whom an officer doesn't know, just usually are not enough to convey to a court the information needed to convict. The police, in effect, are saddled with using crude arrest criteria developed a generation back."

EUROPEAN LEVELS

In sharp contrast to the United States, most European nations have long held that a certain level of alcohol in the blood constituted a highway violation, no matter how correct one's driving habits. In East Europe the figure is very stiff, "satisfied by a mere sniff," laughs one North American police official. Poland, Norway and Sweden early set the level at .05 percent, Switzerland and Austria at .08 percent, Denmark at .10 percent. During Austria's first year at the .08 level, accidents plummeted 25 percent.

Canada, Great Britain, and Australia have also set the level at .08 percent.

In 1967 the British passed the landmark Road Safety Act, considered to be perhaps the most important single piece of highway safety legislation in the world. The act defined .08 percent as the presumptive level of intoxication and established fines and imprisonment, as well as possible license revocation, for offenders. More significantly, the act authorized prearrest chemical tests.

If a British policeman has reasonable cause to believe that a motorist is under the influence of liquor, has committed a moving violation, or if the driver is in some type of accident, the policeman considering arrest can request that the motorist take a breath test on the highway. The driver can refuse, subject to a possible fine. If the test registers

positive the motorist is then arrested and taken to a station house where he is given the more formal breathalyzer test—the type administered in the United States only after arrest.

The British prearrest test cannot be used as court evidence.

Despite an initial outcry from civil libertarians and liquor interests (who feared a loss of business from the new law) public opinion quickly lined up behind the Road Act. Casualties dropped sharply, and some evidence suggests that the act has reduced the tendency to drink and then drive.

Chemical testing in the United States, though practiced for several decades, was given a great boost by the Highway Safety Act of 1966. The Safety Act authorized the National Highway Safety Bureau to post federal standards for state highway programs. The federal standards call for passage of both implied-consent status and a .10 percent presumptive level of intoxication. The Uniform Vehicle Code, compiled with by about two-thirds of all states, also calls for the .10 percent level.

While more than half the states have scrambled on the bandwagon to adopt implied-consent statutes during the past three years because of concerted federal pressures, most have poked, rather than galloped into action, when it comes to the presumptive levels.

"Many legislatures just have no conception what these percent figures mean in lives lost," says a specialist from the Northwest University Traffic Institute. "Tell them that you're 25 times more likely to have an accident at the .15 level than at the lower European limit and they just shrug their shoulders."

By early 1970, only one state, had adopted the .08 European level. Roughly half the states were above the federal standard of .10 or had no statutory level at all. Sensing a coming public revulsion against the drunk driver, nevertheless, a number of organizations, including the National Safety Council and its affiliated chapters, and private insurance companies, are hammering together expensive television and radio campaigns for more comprehensive legislation at the state level.

Intense lobbying is expected in a score of states in the upcoming 1971 legislative sessions. In Michigan, for example, a strong campaign is already being mounted through billboards and ads to slash the presumptive level from the present .15 to .10 percent, as well as enact legislation requiring, mandatory blood tests on all victims of fatal accidents and all drivers who survive accidents.

ACCIDENT RATE DECLINED

A bill supported by Gov. William G. Milliken has passed the Senate but is jammed up in House committee partly because of back-stage opposition of the liquor industry.

In addition, a number of legislatures, including Minnesota, Michigan, and California are mulling some type of prearrest testing along the lines of the British Road Act. Such testing was enacted late last year in New York State and the city of Baton Rouge, La.

Under the Baton Rouge experiment, undertaken in cooperation with the Insurance Institute for Highway Safety, the city can levy a 60-day jail sentence and a \$200 fine against any motorist believed drunk who refuses to take a road breathalyzer test. More than 232 people have been evaluated as of this writing, and the largest chunk of them have registered positive. Though it is still too early to gauge results, local Baton Rouge police note that the December accident rate, traditionally high, scored a major decline.

In spite of the Baton Rouge and New York State experiments, however, a number of legal doubts persist about pretesting, including possible violations of Fourth Amendment protections against unreasonable search and

seizure. Fifth Amendment guarantees against self-incrimination, and abridgement of the due-process clause of the 14th Amendment.

Advocates of testing before arrest argue the practice is merely a scientific replacement of the traditional roadside sobriety checks, such as picking up a coin and shouldn't be viewed as "illegal searches."

PORTABLE UNITS URGED

To underscore this contention, advocates note that state courts have gradually liberalized many police powers on the highway until today an officer, among other things, can request a license check, use a roadblock for a license check, and even require that a vehicle be weighed to see if it meets legal road allowances. Thus, pretesting, they reason, is the next logical step in the arrest process.

Whatever the eventual legal outcome on pre-arrest testing, which will most likely be resolved only after a Supreme Court decision a number of safety experts, including Indiana University's Dr. Borkenstein, believe that development of small, portable chemical testing units opens up one of the most important and unexplored new areas in the war against the drunk driver.

Dr. Borkenstein maintains that if self-testing devices can be universally distributed, such as in retail outlets or taverns, then not only can the drinking public be shown when they are approaching the "danger level," but at the same time, a new, massive coalition of social drinkers (most of whom seldom reach the statutory presumptive levels), plus abstainers will be created that would swing behind strong legislative sanctions.

"We could make deviant drivers a virtual outgroup, against which could be rallied tremendous social pressures. That's something that just isn't happening now," says Dr. Borkenstein.

[From the CONGRESSIONAL RECORD, July 15, 1970]

HIGHWAY SAFETY NO. 3—THE DRUNK PATROL: A TOUGH DUTY

Mr. CLEVELAND. Mr. Speaker, the problem of drunken drivers and the deaths, injuries and destruction they are causing is one which needs our attention. Though drunken drivers receive little publicity except in the daily accident reports listing their latest victims they are a menace which must be stopped.

The men who actually have the task of getting drunken drivers off of our highways our State and local police, receive too little attention and support from the public and press. It has perhaps become trite to say that these men are risking their lives to make ours safe; but it is nonetheless true. Their job is difficult for a number of reasons. One is the lack of manpower, as there are too few policemen to do the job. Another involves the weak and inadequate laws they often have to work with. Yet perhaps the basic reason is that the public, the news media, and people in government are just not demanding action. Though drunken drivers are killing over 28,000 people a year on our highways, the public seems relatively unconcerned.

This seeming disinterest in one of our most pressing national problems continues to baffle me. As part of my contribution toward arousing interest in this area, I have recently inserted into the RECORD two articles which appeared earlier in the Christian Science Monitor as part of a series on highway safety. The third article, which appeared in the July 9 edition, discusses the problem from the point of view of the policemen who patrol our highways, and with dedication and commitment try to cope with this growing menace. The story of the policemen is heartening, but the story of the problems they face is distressing.

Mr. Speaker, the third article in the series by Guy Halverson follows, and deserves a thoughtful consideration:

THE DRUNK PATROL—A TOUGH DUTY (By Guy Halverson)

WASHINGTON.—"Better stand back when we get the door open," the Washington, D.C., patrolman shouted at me as he ran toward the darkened vehicle. "No telling what we'll find."

Inside, we could see a young man slumped motionless across the wheel. The late-model automobile, the engine on and running quietly, was stopped about 30 feet from an intersection.

The driver coughed and twisted as the officer jammed a small vial of smelling salts under his nose. On the cluttered floor of the front seat was an empty can of malt beer.

His recently pressed clothes were in disarray. He said that he was returning home from a party when he "fell asleep" approaching the intersection. Repeated loud bangings and poundings on the side of the car by passing motorists had failed to rouse him.

After producing identification and a driver's license during a brief questioning in the back seat of the patrol car, the driver was asked if he thought he could safely maneuver his vehicle home. Nodding affirmatively, he was allowed to drive off.

The ticket given the man read only: "Failing to give full time and attention to driving."

DALLAS-AREA CHECKOUT

Contrast this cavalier response of the officer to the more purposive methods of three Dallas patrolmen. In March of this year I watched officer Don DeWees and two other Dallas patrolmen (one a citizen police auxiliary) "check out" some two-dozen nightclubs and taverns in a bleak four-block area of the city's racially mixed east side.

As we entered each club, the din and music would grind to a halt as every head turned suspiciously toward the small cluster of men in blue by the door.

"Club owners hate us for this type of patrol," says officer DeWees, an outgoing seven-year veteran of the force. "But we've gone a long way toward cutting down knifings and fights by our presence. And you can be sure that there are many characters in these places who think twice about that fourth or fifth drink before they hit the highway with us around."

As these two contrasting incidents clearly indicate, the wheels of law enforcement move unevenly when it comes to curtailing and apprehending the drunk driver in the United States today. In some cases, it moves not at all, as departments teeter toward outright no enforcement.

In hundreds of departments across the country budget and manpower woes plus heightened citizen demands for stepped up anticrime patrolling is causing severe cutbacks in the number of men assigned to traffic details. Results are invariably disastrous. In Detroit, traffic units have been hacked by some 171 men since 1965—almost 30 percent of the total traffic detail—even though the size of the police force itself has swollen by more than 500 men.

SURVEILLANCE FALLS OFF

Surveillance and issuing of tickets has fallen off. Not surprisingly, the accident rate has risen steadily and shows no sign of lapsing.

By contrast, accident rates in rural areas patrolled by the Michigan State Police, who have maintained and in some areas even tightened surveillance, have dropped.

While scores of policing agencies, such as the Los Angeles and San Diego police departments, and the Maine State Police, have mounted aggressive preventive campaigns against the drunk driver, literally thousands

of other departments are still relying on antiquated and plainly inadequate control programs. Or worse, they have hidden the whole problem in dusty back-room files.

Admittedly, the problem of apprehending the drunk driver is one of the knottiest problems facing policing agencies today. The social drinker requires a more traditional type of preventive patrol—a response that may have no application for the hard-core problem drinker at all.

As studies have indicated, the problem-drinking driver is not like the typical social drinker. The former often have had long-standing difficulties with police, and other social agencies, and in some cases have even garnered strings of psychiatric evaluation, license revocations and suspensions, and criminal records.

Use of established enforcement ploys, such as dummy vehicles, radar boxes, and helicopter surveillance, often have little practical effect. Some departments, intimidated by the sheer complexity of the problem, have resigned themselves to passivity and inaction.

MAY GO UNAPPREHENDED

Any drunk driver who is at this moment careening across the nation's highways has little likelihood of ever being apprehended. Of the nation's half-million lawmen, only a fraction are on traffic-enforcement duty.

Take the nation's 34,000 state police. They patrol more than one million miles of highway, yet less than 8,000 are behind the wheel at any given period of time—averaging out to about one man for every 125 miles of roadway.

Police, moreover, forced to rely upon limited visual-arrest criteria, are apprehending only the most blatantly intoxicated drivers at peak alcohol blood levels. Hundreds of thousands of drinking drivers at lower illegal levels are going undetected. "I drove non-stop from Pennsylvania to Wisconsin one weekend through five states, and I wasn't stopped by a patrolman once," a key leader of a Milwaukee Alcoholics Anonymous chapter told me, recalling his pre-AA days. "Yet I was so drunk I don't even remember getting into the car."

Top police administrators insist, rightly, that the problem of the drinking driver isn't just a law-enforcement problem. "We're talking about a vastly complicated community problem that is going to require a comprehensive attack on alcoholism," says William H. Franey, a top official of the International Association of Chiefs of Police (IACP).

For its part the IACP has published a number of policy guidelines on traffic safety, including directives supporting implied-consent statutes and a .10 presumptive level of intoxication. (Implied consent means that acceptance of a license implies consent to a chemical blood test in the event of arrest.)

WHAT POLICE CAN DO

Still, many law-enforcement officials, including IACP's Mr. Franey, concede that there is much that police departments can and must do if the highway toll is to be significantly slashed:

Renewed emphasis on traffic safety. This would include clearcut supervisory policies for police personnel. "Tolerances"—or definitions—for example, of what constitutes drunken driving should be clearly defined.

While increasing calls are heard for farming out traffic-safety duties to supplemental or even auxiliary civilian forces, most experts strongly insist that traffic safety must once again be given priority billing within existing police organizations.

"Thousands of officers are now trapped in trivial administrative jobs or forced to respond to unnecessary calls such as chopped garden hoses or overturned bird baths. These men would be more useful out on the roadway," argues James Slavlin, director of the Northwestern University Traffic Institute, and a former chief of the Denver force. "Traffic is the one area where police can exercise tremendous control, unlike, say, the assault

area, which usually occurs away from the police."

Detection and apprehension. Police need to upgrade detection methods for better apprehension of drunk drivers. Many law-enforcement officials admit a distaste for dealing with the alcoholic who drives (as distinct from the problem of public drunkenness, the largest category of arrests in the United States).

NATIONAL AVERAGE NOTED

"I'll seldom stop a DWI (driving while intoxicated) unless he's really in bad shape," one officer on a major metropolitan force told me. The national average is about two drunk-driver arrests per each officer per year, clearly inadequate, many feel, when it's recalled that we are talking about a problem involving millions of drivers.

Reporting procedures. Many departments, especially in the South and rural areas in the Midwest and Southwest, need to adopt better accident-reporting procedures. It is from such information that preventive countermeasures can be devised.

States need mandatory chemical tests for victims of fatal accidents. Police records need to be related to state motor-vehicle records in some type of high-speed computerized collection agency.

Many lawmen now are seeking to put together some type of national traffic "information grid" along the lines of the National Criminal Information Center, which provides instant up-to-date information on such things as stolen vehicles. At present the National Register in the Department of Transportation maintains records of mandatory license revocations and suspensions, but the information by law is a service to state motor vehicle departments.

Not all states are "on line." In most states, a police department seeking information from the National Register must first call the state motor-vehicle department, which in turn contacts Washington, a cumbersome and lengthy process.

CONNECTICUT EXPERIENCE

For some states the time lag is substantial. "It takes us about a week to get information," says H. J. Ulrich, superintendent of the Kansas Motor Vehicle Department. His department relies on the United States mail for contact.

Whatever the pace such reforms might take in a department, police traditionalists maintain that in the final analysis there is no substitute for clearcut sanctions for traffic offenses plus intensive patrolling. As proof they cite what happened in Connecticut back in the 1950's.

In 1956, Abraham A. Ribicoff, then governor, waged a massive crackdown on speeders. Anyone convicted, he told a stunned constituency, would face an immediate license suspension and possible revocation. The upshot was that the accident roster sagged sharply during the next year.

Something similar happened at Lackland Air Force Base in Texas not too long ago. Appalled at the rising accident rate, usually involving liquor, base officials announced that all personnel involved in an accident involving a personal injury would be given psychiatric screening plus a review of their service record. As happened in Connecticut, the accident rate went down.

SUSPENSION SUSTAINED

Some departments, using a combination of sophisticated computerized technology and a refined community-action approach, are making tremendous progress in upgrading enforcement and apprehension rates. In Maine—which has tallied 117 traffic fatalities this year as of this writing in late June, compared with 90 last year—the state police are seeking to tighten traffic patrolling, while giving special attention to the drunk driver.

If a Maine motorist loses his license out of state for drunk driving, the same suspension

can apply in Maine as well. Repeat offenders face indefinite license suspension and even loss of their registration.

Ask members of the 300-man Maine state police force, and they quickly admit being delighted with the crackdown. Lt. Richard C. Jones, assistant director of the traffic section, explains that the force has applied to the Department of Transportation for a \$10,000 grant for a special study program in detecting drunk drivers at the more difficult blood-alcohol levels below .15 percent.

(The level of .10 to .14 percent is considered "impaired" in Maine, while .15 and above is "intoxicated," a harsher offense.) "All too many of our men just can't spot the 'impaired' levels using visual methods," the officer says.

Lieutenant Jones, like most police officers with whom I've talked, believes that some type of prearrest testing along the lines of the British Road Act and the Baton Rouge and New York State laws, will eventually win widespread national acceptance, despite present qualms over constitutionality. Prearrest testing is being considered in Minnesota, California, and Michigan, as well as in Maine. (See paragraphs under title "Baggie Bill.")

The Maine force has also found that by concentrating on specific "target areas" it can quickly dent accident tolls. Thus, special squadrons have been sent into Aroostook County during the potato harvest time in late fall, a traditionally high accident—high alcohol consumption—period there.

Targeted action has also been successful in San Diego and Kent County, Michigan. In San Diego, some 15 carefully selected officers who are given more than 40 hours of special training use a computer to identify locations drunk drivers are apt to frequent.

This special "traffic-enforcement squad"—which is partly underwritten by a \$62,000 grant from the Department of Transportation—is credited with having substantially reduced liquor-related fatalities, even though the overall accident picture has gone up.

The Kent County Sheriff's Office (in the Grand Rapids area) has also had similarly successful results using less-sophisticated methods on key roadways.

In addition to consolidation, many lawmen look toward development of mechanical detection devices, such as video-tape units, or even "drunkmographs" (on the principle of the seismograph) that could keep a permanent record of driving patterns right within an enclosed part of the vehicle.

There is also talk of using special coded license plates known only to police for problem drivers, an experiment already tested in Minnesota. "Such a plate could put tremendous social pressures on the problem drinker," argues Northwestern's Mr. Slavlin.

What would you do if you were a relative or friend of the problem drinker and had to borrow his car for a night? After being tailed by a squad of patrol cars for an hour or so you'd probably strongly suggest that he seek rehabilitation—and in a hurry."

"BAGGIE BILL"

The 1971 Minnesota legislative session may set a course for prearrest blood-alcohol testing statutes.

A number of safety organizations there, including the Metropolitan Area Safety Council and the American Medical Association, are pushing what is known as the "Baggie bill," which would tie prearrest screening to the right of an officer to make a license check. It would be an on-the-spot breath test utilizing a small plastic bag.

According to Forst Lowery, executive vice-president of the Minneapolis Metropolitan Areas Safety Council, the Minnesota legislation, like the British Road Act, would only be a guide for arrest. Results could not be entered as court evidence. Upon arrest the suspect would still face the choice of a conventional police chemical test.

The measure, which is being heavily promoted throughout Minnesota, was decisively buried in the 1969 legislative session after lukewarm support from top state officials, including Gov. Harold LeVander.

Proponents now plan to have the measure reintroduced by at least one attorney in next year's session to help ward off legal doubts—a tactic not adopted last year.

[From the CONGRESSIONAL RECORD, July 21, 1970]

HIGHWAY SAFETY NO. 4—THE PROBLEM OF ALCOHOLISM

Mr. CLEVELAND. Mr. Speaker in my series of commentaries on highway safety, I have been trying to illustrate to my colleagues and other readers of the RECORD the serious situation that exists when Americans drink, not just socially but as a disease, and then drive. The alcoholic driver is probably the greatest safety hazard on our highways today. We must find ways to control this hazard and help make driving safer for everyone.

As Guy Halverson points out in the following article in the Christian Science Monitor, much of the problem of drunken driving in the United States can be traced directly to "alcoholism." He notes the shocking statistic that alcoholism hits every fifth home in the country. With this in mind, it seems apparent, then, that one way to stop the problem of drunk driving is to deal seriously with the underlying problem of alcoholism.

A first step in dealing with alcoholism is to treat it as a disease. We must realize that alcoholism is not restricted to one social or economic class, but can and does strike people from all backgrounds. Only when we realize this fact can we give the people afflicted with this illness the treatment they need.

Guy Halverson makes an effective case for promoting more effective rehabilitation of alcoholics. I believe that our highways can be made much safer for all drivers if such a program is carried out. We must do something to reduce the tragic toll taken by alcoholics on our Nation's roads and highways. The article follows:

ALCOHOLISM BEHIND THE WHEEL

(By Guy Halverson)

MILWAUKEE.—A confused and lonely 21-year-old Florida woman races alone through a stormy night on a motorbike. An alcoholic since her teen-age years, she is drunk. Rain and wind slash against her as she tightens her grip on the bike's handlebars. She looks up and in an instant of blurred recognition sees the glare of headlights from a vehicle racing directly at her. She is hurled across the highway and a human life is wasted.

The woman is one of about 70 million Americans who both drink and drive. Of these, millions are either problem drinkers or chronic alcoholics.

Clearly, alcoholism itself underlies much of the spiraling liquor-related accident toll on United States highways. And the toll won't be cut until Americans start to cure this deeper problem.

Efforts in this direction are producing results in some instances:

Here in Milwaukee, at another moment in time, a silver-haired business executive strides quickly toward a massive building. The renewal he feels inside shines as bright as the spring day. The man is a recovered alcoholic, and this day is his last at an outpatient clinic at the privately funded DePaul rehabilitation hospital.

FRAGMENTARY RESPONSE

But in general, response by government and the public to the alcohol problem is only fragmentary and all too often lethargic and ineffective.

The drunk driver, safety experts insist, reveals only one aspect of the blotch of alcohol-

ism that strains so much of American society. Divorces, shattered families, frequent home and industrial accidents, and mounting crime all testify to it. Industry loses over \$2 billion annually to alcoholism in absenteeism and shoddy work.

"The central truth," says Sen. Harold E. Hughes (D) of Iowa, chairman of the special Senate subcommittee on alcoholism and narcotics, and himself a reformed alcoholic, "is that we must make up our minds to launch an all-out, adequately funded attack on the problem of alcoholism in America if we are to make significant reductions in the deaths and maimings on our highways."

Most safety experts agree there must be a sharp about face in the permissive attitudes about liquor now sweeping the land:

The mass media, in particular, must stop glamorizing drunkenness by identifying it with good humor and sophistication.

The home, the church, the school must do a better job of acquainting young people with the dangers and risks of drinking.

Employers, work associates, and relatives must stop overprotecting alcoholics who desperately need attention—not the hidden isolation that is often a sure passport to self-destruction and tragedy for others.

Courts must be given greater flexibility in dealing with drinking drivers. The present system—which seeks to control driving behavior through reliance on legal sanctions alone—is a failure. Modern rehabilitation facilities and techniques are sorely needed in almost every major community in the nation.

The problem of alcoholism and liquor abuse seems almost overwhelming in its complexity and ubiquity. In one of the nation's largest metropolitan areas I walked into the office of the local sheriff to discuss highway safety and found him seated behind his desk with a highball in his hand. It was 2 p.m.

MOST NEGLECTED PROBLEM

In another city a local traffic safety council official could hardly keep his eyes open during our interview because of the drinks he has had during an afternoon meeting. He finally had to have a relative come and drive him home.

No matter where one goes—to the office of a police official, a safety expert, a highway engineer—the conversation inevitably swings around to a discussion of alcoholism. Yet, as John W. Gardner, former Secretary of Health, Education, and Welfare, has pointed out, alcoholism, the nation's No. 3 health problem, is also its most neglected. Alcoholism treatment lags far behind treatment for drug abuse, which touches a much smaller percentage of the population.

Alcohol is the most used—and widely abused—drug in society.

Health officials insist that alcoholism is a disease, not just a behavior problem as was assumed for so many years. Between 6 and 20 million people are believed to be chronic alcoholics or problem drinkers with a compulsive dependence on liquor. But there is also a staggering multiplier effect that adds a tangled new dimension to the problem. Every alcoholic, the experts say, directly affects up to three relatives. Thus, up to 60 million people in this country may be immediately touched by alcoholism. That would mean one out of every five homes.

For years the public stereotype of the problem drinker was that of the skid-row derelict. But, says William M. Moore Jr., executive director of the National Council on Alcoholism, "only about 3 percent of all alcoholics are derelicts. Most are the type of people you might meet anywhere in society—wage earners, homeowners, housewives, professional people."

Take what happened one day here. The local office of Alcoholics Anonymous received a frantic call that a woman, plainly drunk, was about to slide behind the wheel. AA

called the local sheriff who dispatched a car. The woman was pulled from her vehicle before she could drive it off. It was a bus for elementary school children.

MANY DIFFERENT TYPES

Studies of drinking drivers clearly indicate that many are chronic alcoholics or longtime problem drinkers. Indeed, most studies show the typical drinking driver involved in a fatal or near fatal accident to have a blood-level content far above levels associated with normal social drinking.

Yet, when one talks about the "drinking driver" one is really talking about many different types of drinkers:

1. The chronic alcoholic or problem drinker who is suspected of causing perhaps the largest chunk of all fatal accidents.

2. The social drinker, whose blood level usually registers less than most problem drinkers, but still accounts for an important share of highway mishaps.

3. The novice drinker or occasional drinker, whose inexperience with liquor is a contributing factor to some accidents.

4. The young drinker. Some studies suggest that the youthful drinker is causing an increasing number of highway accidents. Of the first 10 auto fatalities this year in Michigan, for example, all were under age 26, and liquor was a factor or suspected as a factor in nine of the cases.

How does one stop these people from mixing their drinks with driving?

In most courts throughout the U.S., judges are still heavily dependent on punitive legal sanctions—fines, license suspensions and revocations, or jail sentences. But because of the hardship on the offender, whose livelihood is often dependent on use of his vehicle (particularly in the Western states with their large distances), juries and courts are reluctant to impose stiff sentences. Moreover, prosecutors, acutely aware of public sentiment, carefully weed out thousands of marginal cases each year, even though they know the defendant is guilty of a road violation. Or they deliberately seek a lesser charge, such as "reckless driving," instead of "driving while intoxicated."

"HEALTH-LEGAL" APPROACH

The resulting "control system" is just not working. In Chicago several months back, a 28-year-old man was slapped with a \$20 fine and court costs for staggering drunk in front of a stream of cars at a busy intersection. The very next night he was again arrested—this time for drunk driving.

Last year some 300,000 drivers had their licenses suspended or revoked. Yet, it's believed that as many as 200,000 of them continued to drive illegally.

What's needed, say many jurists, is a multipronged attack on the drunk driver—a "health-legal" approach, as Lyle Filkins of the Highway Safety Research Institute of the University of Michigan has dubbed it. On the one hand, judges should be allowed to impose stiff sanctions for those drivers who respond to punishment—such as social drinkers, occasional drinkers, and young people. On the other hand, rehabilitation should be available for those drivers who need a change in drinking behavior more than driving behavior.

And that's the rub. Few jurists today have any place to send the problem drinker for rehabilitation.

In many cities I found businessmen and teen-agers, problem drinkers, and hard-core derelicts all thrown indiscriminately together into grim drunk tanks. In one Southwest city I found a middle-aged man lying face down on a concrete floor where he had tumbled from a bunk.

PROGRAMS JUST NOT ENOUGH

There are only about 200 facilities of varying types around the country to handle the problem drinker, including halfway houses and clinics. Only about six cities have ma-

for detoxification centers, including important installations at Washington, St. Louis, and Des Moines. Even more significantly, only about six cities have comprehensive treatment programs, including Minneapolis, Atlanta, and the private DePaul program here in Milwaukee.

The federal response has so far been spotty and piecemeal.

The main thrust to date, most experts feel, has come out of the National Center for the Prevention and Control of Alcoholism in the Department of Health, Education, and Welfare. Budgeted at around \$4 million annually, the program has dealt with the research, education, and treatment areas.

Rehabilitators maintain that the programs are just not enough. More money is spent each day on liquor purchases in the U.S., they say, than the entire federal government spends on alcoholism treatment in the course of an entire year.

A measure recently introduced into the Senate by Senator Hughes, along with Sens. Jacob K. Javits (R) of New York and Frank E. Moss (D) of Utah, would earmark a more realistic amount of \$435 million over a three-year period for a comprehensive alcoholism program, including grants for construction of facilities by state and local communities. It would set up a control agency located most likely in the National Institute of Mental Health (that section is being hammered out in committee as of this writing). The measure would require establishment of prevention and treatment programs for federal employees and armed forces personnel, and also provide that group health and disability policies for federal employees must include alcoholism.

The Hughes bill (S3835) in effect supersedes an earlier, less comprehensive bill introduced several years ago by Senators Javits and Moss. The newer Hughes-Javits-Moss bill has so far snapped up endorsement from close to 50 senators, including a spectrum as diverse as Sens. George Murphy (R) of California, Charles H. Percy (R) and Ralph Tyler Smith (R) of Illinois, and John J. Sparkman (D) Alabama.

PROPOSERS OPTIMISTIC

Proponents of the Hughes-Javits-Moss bill are optimistic of passing during the next year. They note that the Hill-Burton hospital construction bill—enacted over a veto by President Nixon last month—contained a provision establishing new priorities for treatment of alcoholism within hospitals. In the past most hospitals have tended to shun the alcoholic. The Hill-Burton Law, rehabilitation enthusiasts assert, shows that a national consensus is building toward a broad-based federal rehabilitation program.

The new \$18 million program under way at the Office of Alcohol Countermeasures in the Department of Transportation is also geared in great part to an identification—and then control—of the problem drinker. Under the program, announced June 26, demonstration grants have been awarded to a number of communities around the nation: the state of Vermont; Marathon and Sheboygan Counties in Wisconsin; Nassau County in New York; Washtenaw County in Michigan; King County, Washington; the cities of Eugene and Portland, Oreg.; Denver; Seattle; Albuquerque, N.M. and Charlotte, N.C. DOT officials hope the roster can be upped by an additional 20 localities next year.

The imaginative program—a small, but important first step in the control of the drinking driver—will test out some 50 or 60 countermeasures, including use of chemical agents that cause the drinker to react unfavorably when he imbibes alcohol, tying gas station operators into special traffic grids so they can check license numbers of motorists suspected of being intoxicated, and even special buzzer devices on the cars of drinking

drivers that may be activated due to erratic driving conditions.

[From the CONGRESSIONAL RECORD, Aug. 4, 1970]

HIGHWAY SAFETY NO. 5—ONE CITY'S SOLUTION

Mr. CLEVELAND. Mr. Speaker, during the past month I have been inserting a series of articles from the Christian Science Monitor on the subject of highway safety, specifically the problem of the drunken driver. These articles have clearly made the point that heavy drinkers who also drive are a major cause of the disturbingly high death toll on our highways. Other causes include poorly designed highways, unsafe cars, "muscle" cars, inadequate testing for licenses, judges who are too lenient in dealing with offenders, insufficient numbers of police on our highways, and lax laws. Perhaps the major accomplishment of this series is that it has established drunken drivers as a cause of accidents and fatalities at least equal to the other causes mentioned, and one which has been neglected and ignored by too many people too long.

The fifth article in this series by Guy Halverson turns its attention toward a solution, and focuses on one city which has recognized the severity of the problem and is apparently doing something to solve it. Local solutions such as these would go a long way toward saving some of the 28,000 lives which are currently being lost in accidents caused by drunk drivers. Programs like the ones described here are certainly not the complete answer, but they are a very important part of it. They go far toward preventing people from driving after drinking too much, with practical preventive measures. To back this up, it is, of course, necessary for effective, stiff police measures to provide an element of deterrence. In addition, as emphasized in last week's article, it is important for society to treat alcoholics as sick people who are suffering from a disease. All of these measures overlap, and are necessary to a solution to the problem.

This article is important because of its emphasis on what is being done in some leading communities in this field, and for the leadership they can offer other areas as they recognize the problem and begin to act seriously to combat it. The Christian Science Monitor is to be commended for its emphasis in this article on what is being done in several communities, for the encouragement it provides others to be active. Many of us often complain that the emphasis is always on what is wrong. This type of article avoids that by emphasizing constructive approaches to the problem:

ALBUQUERQUE FINDS A BETTER ROAD (By Guy Halverson)

ALBUQUERQUE, N.M.—Most American cities seem indifferent to the havoc being wrought by the drinking driver. Not Albuquerque, N.M. Under way in this city is a comprehensive, interagency campaign against those who drink and then drive. It could serve as a model for the nation.

What would you do if you suddenly found yourself living in a city of 300,000 people where:

Highway fatalities for 1969 totaled 47 compared with 30 the year before—perhaps 10 percent of which were liquor-related;

Police costs for handling drunkenness are continually spiraling upward;

At least 1 out of every 14 drinkers is believed to be an alcoholic, and many of them own automobiles?

Confronted with this situation, the City of Albuquerque declared war on the drunk driver. The strategy: broad community support, assiduous wooing of federal funds, and an overall program which some safety ex-

perts say could become a model of civic responsibility.

According to most safety experts, such a model is sorely needed nationwide. In most of the communities this reporter visited across the United States, he found a towering apathy toward the problem of the drunk driver. Inaction was the rule.

A WELCOME EXCEPTION

The Albuquerque effort, it would appear, is an exception to that rule.

What is happening here, however, is typical of the few model communities recently selected for the Department of Transportation's new program aimed at curbing the drunk driver.

Albuquerque—with a pre-World War II population of 30,000—has mushroomed. Today it is an important space-research center. It sits astride a grid of highways that link such major metropolitan areas as Denver, Los Angeles, and Dallas.

Local planners such as Steve George, chairman of the regional Council of Government, point out that this growth puts tremendous strain on roadway systems. Just in Bernalillo County (Albuquerque) alone, passenger-car registration jumped from 81,000 in 1958 to 139,000 in 1968. On many major arterials, traffic volume is already at what were projected as 1975 capacity limits.

City planners became acutely aware of the need for long-range roadway planning to counter the rising congestion and resultant accident patterns.

As a first step, Albuquerque leaders hammered together a joint county, city, and school-district Traffic Safety Commission. It was underwritten in part by a \$45,000 Department of Transportation grant.

The commission, operating out of the regional four-county Council of Government, was charged with bringing together traffic and road information from different agencies; establishing highway priorities; and channeling local efforts into the statewide program of the New Mexico Traffic Safety Commission.

This paved the way for step No. 2: a \$1.4 million grant from the Department of Transportation (DOT) to test out specific countermeasures against drunk driving and part of a nationwide DOT experimental project.

The Albuquerque program, only now getting under way, includes:

A speaker's bureau and an advertising campaign.

Inclusion of questions on alcoholism and alcohol abuse on driver's license tests and renewal tests.

Identification through welfare and other social agency referrals of problem drinkers who drive.

Use of cabs and police vehicles to transport drunks home from taverns and parties. More intensive patrolling in high-liquor, high-fatality areas.

Establishment of a special "drunk patrol." Experimentation with mechanical devices to identify drunk drivers. Under consideration are such items as portable TV units in patrol cars and exotic devices known as portable "sniffer machines" that can detect alcohol on the breath of a passing motorist. Development of an extensive alcoholism-treatment program.

What has caught the attention of safety experts is the way the DOT-Albuquerque attack on drunk driving is being hitched to a continuing \$740,000 model-city program. The latter is aimed in part at alcoholism and is locally and federally funded. There is some criticism that the model-city program overly stresses rehabilitation of the problem drinker while neglecting controls on the social drinker.

DECISION MADE IN 1966

In 1966, when Albuquerque was planning its participation in the model-city program,

a number of organizations—including the police, an area council on alcoholism, and the city government—decided to do something about the drinking problem. They went to the Community Council of Albuquerque, a nongovernmental civic-action agency.

"They asked us to do something about the problem of alcoholism before things got out of control here, as was happening in too many other cities," recalls Dr. Hugh Woodward, past president of the Community Council. The council responded by setting up a planning committee and borrowing a staff person from the Department of Psychiatry at the University of New Mexico.

At the same time, the council asked the city to prepare a report on the cost to local taxpayers of police handling of drunken drivers and persons arrested for public drunkenness. Analysis showed annual costs to be well over \$250,000 at that time. A coroner's report, prepared about the same time, also showed most highway fatalities to be liquor-related.

An evaluation of the overall drinking problem found it to be most heavily centered in the low-income, model-city area. The Community Council, at an open meeting at the main branch of the Albuquerque National Bank, presented a comprehensive treatment plan which envisioned a detoxification center and rehabilitation farm for alcoholics.

A special "blue-ribbon" finance committee was appointed. It included the police chief, city manager, a municipal court judge, and several state alcoholism commissioners. They went to work to figure out a way to underwrite what would admittedly be an expensive project.

"SEED MONEY" PUT UP

At a joint meeting in March, 1969, representatives of Bernalillo County and the City of Albuquerque decided to put up \$80,000 in "seed money." The idea was to interest the Departments of Housing and Urban Development (HUD) and the Department of Health, Education, and Welfare (HEW) to provide the bulk of the needed capital.

"That was the hardest part of the whole planning," laughs Mrs. Margaret Stewart, associate executive secretary of the Community Council.

"It was almost like a nightmare," explains Dr. Woodward. "In our initial planning we had to work out two budgets, one for model cities and one for HEW. HEW said, first the plan, and then the financing. But HUD (model cities) said, first the fiscal, then the program. It took us some close bookkeeping, but we did it."

The \$740,000-plus rehabilitation program, as it now exists, involves: a detoxification clinic at the old St. Joseph's Hospital in the downtown area of Albuquerque; a rehabilitation farm for more intensive care; special case workers to deal with the police, courts, and other referral agencies; and a number of specialists for pre- and post-care counseling.

Conflicts may be developing already over the mechanics of the rehabilitation program.

Some officials with whom I talked were insistent that drunken driving must continue to be defined as a crime with clear legal sanctions, even though they would welcome a correlative rehabilitation program.

MANY QUESTIONS POSED

At the same time, other officials were asking questions like: Who is going to identify the problem drinkers—or just the heavy drinkers, for that matter? Who will refer these people to a rehabilitation program at the time of sentencing? Should it be on the mere decision of treatment experts working with local judges? Or should the decision be based on verifiable records—such as an accumulation of convictions for driving under the influence of liquor?

Despite such questions, says City Manager Richard Wilson, "the rehabilitation program is an established concept in this community

now and the great paradox is that it is probably much bolder than just about anyone here yet realizes."

Highway-safety experts across the country agree that the drunk-driver problem demands the same kind of coordinated, inter-agency attack that is being mounted in Albuquerque. Such an attack, they insist, must include both better enforcement and better rehabilitation.

As a Department of Transportation guideline publication states: "Any comprehensive program must include efforts to deal with all aspects of the problem of alcoholism" in a community.

Yet in most communities I visited during the past several months there was no inter-agency approach. Local leadership—and funding—was almost nonexistent.

Take what I found in Grand Rapids, Mich.:

Both the Kent County sheriff's department and the Grand Rapids police were waging imaginative and intensive patrol campaigns against drinking drivers. Yet both departments were saddled by severe budget limitations and manpower woes—even as accident rates continued to rise.

Key community leadership has yet to focus on the problem of the drinking driver. The general public is apathetic. There is no city alcoholism program.

PROBLEM WELL DOCUMENTED

Dr. Winston B. Prothro, Kent County health director, estimates that there are between 7,000 and 10,000 alcoholics in the county. Yet there is no county detoxification clinic, no halfway house. Indeed, the only real local program in the alcoholism treatment area is a counseling program which utilizes one full-time worker.

Ironically, the Indiana University School of Police Administration several years ago undertook an exhaustive study of drinking-driver patterns in the Grand Rapids area. Its findings, which graphically pointed up the problem, were well publicized. Yet little was done.

And Grand Rapids is no exception. Portland, Ore., averages about 2,000 drunk-driver arrests a year. But there is widespread apathy to building a much-needed detoxification center. Gradual elimination of—or at least lessened reliance on—the city's overcrowded drunk tank is not yet an avowed goal there.

Participation by the city in the Department of Transportation's campaign against the drunk driver has even drawn fire. One local newspaper groused editorially that the program was "unimaginative."

There are, of course, a few bright spots across the country. Ann Arbor, Mich.; Charlotte, N.C.; and Greenwich, Conn., are three communities which have the beginnings of a comprehensive campaign against the drinking driver.

In Auburn, Wash., psychiatrists, psychologists, and social workers have joined with local traffic courts to treat the drunk driver problem as a family problem rather than just a legal one.

A number of communities are experimenting with special postconviction driver education and alcoholism schools.

Perhaps the best known is the Phoenix Alcohol Research and Reeducation Project, which has received widespread press attention over the past few years. The American Automobile Association Foundation even made a film about it.

POSITIVE BENEFITS NOTED

Under the program, drunk drivers are required to spend four consecutive Wednesday evenings in a special safe driving school, cosponsored by the city, Columbia University, and Arizona State University. The classes, ranging from 80 to 150 students, represent a cross section of Phoenix itself, with prominent businessmen sitting next to housewives or laborers.

"We're particularly pleased with the changes in attitude that we've noticed on the part of many social drinkers after this course," says Judge James M. Smith, one of six city magistrates who participate in the program.

At the lectures, the drinking drivers are given lectures on alcoholism and highway safety, as well as shown actual films of serious highway accidents taken by policing agencies. In addition, the participants are required to prepare a "case history" on their own drinking patterns and what motivated the acts that lead up to their arrest for drunken driving.

Participants in the St. Louis County post-arrest program are carefully selected to ensure a high success rate for the program. Chronic alcoholics are screened out, since it is felt that their need is more clinical than educational.

Programs like these are admittedly fledgling steps. But safety experts insist that if the drunk driver is to be stopped, then there must be a full-scale attack along the lines of the Albuquerque effort—and soon.

[From the CONGRESSIONAL RECORD, Aug. 10, 1970]

HIGHWAY SAFETY No. 6—SOME STATES ARE ACTING

Mr. CLEVELAND. Mr. Speaker, the appalling slaughter on our highways is being caused by drunk drivers has been well described in the Christian Science Monitor articles which I have inserted in the CONGRESSIONAL RECORD during previous weeks. Last week's article described some of the local programs which have been set up to deal with this problem. The sixth article in this series discusses what some States are doing—and what others are not doing—to combat this death toll.

This whole subject is rather disheartening, both because of the shockingly high death and injury toll and because of the seeming apathy which stifles any corrective measures which do get proposed. Encouragement is needed for those few who are inclined toward action and to jolt the disinterested into supporting the effort.

Today's offering is constructive journalism at its best. States which are acting are given due credit. States which are not acting are left to suffer from the contrast. In reporting the measures being taken by some States, the article offers a wealth of suggestions to those interested in cutting down on the death toll.

It is clear from this article that it will not be easy to get the drunk driver off our highways. There are not any simple solutions. Reformed procedures, tough new laws, and increased expenditures will all be required. The necessary measures will not always be popular. Yet this series of articles has made clear that action must be taken.

Any doubt about that conclusion fades away in the face of the estimates of 28,000 deaths a year being caused by drunk drivers. While the first six articles were appearing in the Christian Science Monitor at least 3,000 people have been killed by drivers who got behind the wheel drunk.

The article referred to follows:

WE ARE DETERMINED TO REDUCE FATALITIES (By Guy Halverson)

DES MOINES.—Back in January, 1969, Wyoming Gov. Stanley K. Hathaway urged his Legislature to adopt an important safety package that included:

An implied-consent statute (which requires that a person arrested for drunken driving submit to a chemical blood test or face a license suspension).

A reform of the state's licensing system. New standards for operation of motorcycles, including mandatory use of helmets. The Wyoming Legislature responded by turning him down. Some bills were scuttled in committee, others failed to even catch the

attention of the indifferent legislators. And since Wyoming's Legislature meets biennially, the program can't be reintroduced until 1971.

Meantime, drunken drivers killed 110 people on Wyoming highways in 1969 and this year's total may well surpass that number.

In far too many states, this reporter's research has indicated, there remains an amazing degree of apathy toward the problem of the drunk driver. Indeed, what's happened in Wyoming illustrates only too vividly what is happening in dozens of other states today.

STATE ACTION NEEDED

Safety experts are in total agreement that if there is to be an easing of the death rate caused by drunken drivers—now running at an estimated 28,000 people annually—there must be coordinated and stepped-up safety action at the state level. For it is the states, after all, which have final control over such crucial areas as licensing and records systems, driver-education programs, and state traffic patrol.

It is the states, moreover, that are tasked with passage of both implied-consent statutes and presumptive blood-level statutes, as was noted in the second article of this series.

Here in Iowa, Gov. Robert Ray also called for a stepped-up assault for traffic safety during the past legislative session. The response? Excellent.

A lowering of the state's presumptive blood level, defining intoxication from a loose .15 percent to a stiff .10; a \$20 tax for reinstatement of a driver's license, after revocation or suspension, the beginnings of an across-the-board computerization of the state's license and motor-vehicle registration systems, an upping of pay for the highway patrol and a new state breathalyzer program throughout Iowa.

DETERMINATION STRESSED

Why here and not in Wyoming? Determination, for one thing, and public support.

"We're determined to reduce highway fatalities in this state," Governor Ray says grimly, leaning across a conference table at his basement-floor working office at the Iowa Statehouse. "Last year we had 90 fewer fatalities. But you know, we don't feel right bragging about that fact. We still had 780 deaths. 'But we're all together on this now—the public, the Legislature, the administration. We're going to cut into those numbers.'"

Despite the success of the Ray program here in Iowa, few of the state's chief executives today are carrying the battle cry of highway safety in the way that former governors Abraham Ribicoff of Connecticut and Arthur B. Langlie of Washington did back in the 1950's.

One exception is Gov. Louie B. Nunn (R) of Kentucky, a hulking, deep-voiced former municipal court judge who has decided to tackle the drunken-driver problem with all the enthusiasm of a professional football player charging toward a touchdown.

Last May Governor Nunn whipped off letters to all of the state law-enforcement officers and key jurists announcing that Kentucky would no longer tolerate mounting highway casualties. The drunken driver, he said, had to be stopped, no matter how strong the public resistance.

The Governor then took to the stump, button-holing newspaper editors and civic leaders for support, blasting low conviction rates from jurists. Breathalyzer machines were distributed to each of the state's 120 counties and the highway patrol has been told to intensify its arrest rates.

Though it is still too early to measure results, many feel that the Governor's campaign has gone far in reversing the apathy which has clouded the problem for so long in Kentucky.

"Governor Nunn really means business when he says he's going to clear the streets

of the drinking driver," say Arthur Beard, executive director of the Kentucky Traffic Safety Coordinating Committee. "I know of at least five occasions when the Governor had his chauffeur stop a drunk driver right out on the highway and call in the state police."

While Governor Nunn's singleness of purpose in attacking the problem of the drunk driver is somewhat exceptional, many states have made progress worth noting.

All but four states and the District of Columbia have enacted implied-consent statutes, while some 25 states have adopted a 10 percent presumption blood level defining intoxication. These presumptive level laws, however, need tightening throughout the nation.

POINTS USED IN 36 STATES

According to National Safety Council tabulations, moreover, some 36 states now have adopted some type of point system, which makes it easier to identify drinking drivers. Studies indicate that drinking drivers tend to gradually accumulate more moving violations and hence more "points" than most drivers.

States are also quicker to enact vehicle inspection laws than in past years and now are spending larger sums on highway safety. Since the passage of the National Highway Safety Act of 1966, some \$200 million in federal funds has been made available to the states for highway safety. Many federal officials now are mulling possible new areas of financing.

A score of organizations, including the National Safety Council, have banded together into an informal program to effectively implement federal highway standards.

MANY DETAILS REMAIN

Still, there is much that remains to be done:

1. Records systems. In most states there is as yet no systematic correlating of traffic records with license and vehicle-registration records. Yet, this step is essential if a judge is to be properly guided in adjudicating a drunk-driver case.

In many situations now, a judge may believe that he is dealing with an offender facing a first conviction for drunkenness, when in fact the motorist may be up on a second or third violation, as records from other jurisdictions would indicate.

The inefficiency in present records systems is sometimes almost downright ludicrous. Take what happened recently in Rhode Island.

In early April an oil-delivery man was killed by a motorist, even though the victim was standing behind his well-illuminated truck at the time. The driver was not held or charged.

RECORDS CODIFIED

Several months after the accident, according to the victim's sister, who wrote to Rep. James C. Cleveland (R) of New Hampshire, a member of the House Public Works Committee and a staunch safety advocate, "the registry (of motor vehicles) mailed a certified letter with 51 cents postage to my dead brother informing him that his license is suspended...for failure to file (an) accident report."

In some of the larger states, such as California and New York, codification of records is well under way. In Michigan, nongovernmental records are being meshed with state records, a move that has triggered criticism from some civil libertarians.

State mental health institutions, for example, now report all admissions and discharges for treatment of alcoholism to licensing authorities, and hospital administrators are often called on to provide an opinion as to the discharged patient's fitness to drive.

REFORM CALLED NEEDED

2. Administrative consolidation. One answer to a coordinated attack against the drinking driver, some experts feel, is consolidation of all traffic related units under a single umbrella agency. In Minnesota, where drinking drivers kill more and more people annually, the state has created a new department of public safety, which will oversee such agencies as the highway patrol, drivers' license bureau and department of motor registration.

3. Licensing. Reform is vitally needed in this area. Most licensing standards are more relevant to 1940 road conditions than to the age of the fastback and the twisting cloverleaf. For the hard-drinking driver, the existing standards are a gigantic loophole.

In half the states he can renew his license by mail. In two-thirds of the states he needn't worry about a written test or road test for a license renewal. And even where states require reexamination, he is favored. In Illinois, for example, he need only take a renewal test every nine years.

In Nevada, a new resident need not replace his old license for six months, a lengthy grace period which can easily hide a grim driving record. Since many alcoholic drivers tend to be transients, this in effect means, some feel, an invitation to virtually unrestricted driving.

4. Driver-education programs. Greater stress on the drinking driver is needed in safety courses at the public-school level. Excellent textbooks and study guides are available, such as "Sportsmanlike Driving," a teacher's handbook published by the Webster division of McGraw-Hill Book Company.

TREATMENT EMPHASIZED

5. Alcoholism-treatment programs. They are desperately needed in most states, where the primary treatment is still coming from state mental-health hospitals or from private physicians. Here in Iowa, 53,000 of the state's 2.7 million population can be classified as alcoholics or problem drinkers, according to Charles A. Churan, executive director of the State Commission on Alcoholism.

Yet, Iowa's response has been outstanding. All told, the state helps underwrite 17 service centers and two detoxification clinics. The Harrison Treatment Center here in Des Moines is considered one of the finest in the nation.

6. Imagination. It's perhaps what's most needed at the state level if the drinking-driver problem is to be resolved. Sometimes it pays off in unexpected—and big—dividends. Officials of the Arkansas State Police, for example, used it when they started to ask themselves where the drinking drivers were coming from. They began looking at arrest records and quickly realized that many drivers were coming from the same bars. Soon blue-and-white Arkansas patrol cars were conspicuously parked in front of those establishments.

Oklahoma's Highway Patrol came up with a similar program by using a bit of imagination.

[From the CONGRESSIONAL RECORD, Aug. 13, 1970]

HIGHWAY SAFETY, No. 8—WHAT CAN THE INDIVIDUAL DO?

MR. CLEVELAND. Mr. Speaker, since I began inserting into the RECORD the series of articles from the Christian Science Monitor, I have received a number of letters from concerned citizens inquiring what they can do in the fight against the drunk driver. I really have not had a good answer for them, except to say that they should contact their State legislators. I am sure that many of my colleagues have run into similar problems.

Now I have an answer. The eighth article in this series by Guy Halverson discusses the

role of individuals, organizations, and businesses in getting action against the drunk driver. I was surprised to learn just how many people are active in this effort, and that there are a number of rather effective organizations which have gotten organized in recent years. Their programs offer valuable guidance to others who want to help.

The underlying theme of this article is also relevant to many of the problems of our time. So many people say that Government is unresponsive to the wishes of the people. This article is evidence that the opposite is the case. If people make their feelings known, then Government acts. Witness the fact that implied consent laws have been enacted in a number of States recently as the direct result of citizen lobbying. Note that a number of States have lowered their presumptive blood-alcohol definition of drunkenness, as the direct result of citizen lobbying. Previous articles have made a clear case that our laws are not tough enough to get drunk drivers off the road and that enforcement of even weak existing laws is inadequate. But this article makes the equally important point that where change has taken place it is the result of citizen activity in making their views known to their legislators, Governors and State officials. We need more of this citizen participation to make our democracy function more effectively.

Mr. Speaker, this constructive article gives deserved attention to many of those who have been active in the emerging drive against the drunken driver as well as many of those who have developed and implemented creative programs to deal with alcoholics. They deserve credit for their work, and this article gives it to them. I intend to use it to answer inquiries about what individuals can do about this problem, and I urge my colleagues to give this consideration.

The article follows:

[From the Christian Science Monitor, Aug. 13, 1970]

THE FIGHT NEEDED SO BADLY

(By Guy Halverson)

LOS ANGELES.—"Sometimes I still can't believe that it happened," the attractive North Carolina housewife says slowly. "My son was a healthy, strong, happy boy. We just didn't expect it."

In early August of 1968 at Albermarle, N.C., while returning home with a friend after visiting a local swimming pool, 11-year-old Mark Sugg was killed by a drunken driver. The two boys were riding bicycles. The driver of the car—a woman—had been mixing liquor with tranquilizers.

Despite an unexpected and cruel personal loss, Mrs. John D. Sugg has refused to retreat behind walls of shock and tragedy. As a key leader of the North Carolina Association of Women Highway Safety Leaders, an organization encompassing some 15,000 women from 250 local women's clubs, Mrs. Sugg is but one of a growing army of citizen warriors throughout the United States determined to stop the drunken driver.

EFFECTS ON FAMILIES RECORDED

In cooperation with the North Carolina Department of Motor Vehicles she has just completed a film on her son's accident. And most important, she is actively lobbying for stronger antidrunken-driver legislation at the state level.

"People just don't realize what a family goes through when something like this happens," she says. "Before, accidents like this were always just statistics to me. Now . . . well, I want Mark's death to mean something. Maybe he can serve as a symbol for the fight that's needed so badly in this country."

Mrs. Sugg is not alone in that fight. Though he might be surprised to find himself included in it, there is George W. Sales,

a labor-relations counselor at the Rocketdyne Division of North American Rockwell here in Greater Los Angeles.

There is Lt. Floyd Flowers, a rangy southern California police detective who has spent the past months crisscrossing the North American continent in a large walk-in van demonstrating a new portable breathalyzer machine. I met Lieutenant Flowers as he rumbled through the steep inclines of the Colorado Rockies in late May of this year.

Down in Raleigh, N.C., J. Marse Grant, editor of the Biblical Recorder, an arm of the Southern Baptists Convention, drives more than 35,000 miles a year. Disturbed at the rising highway fatality rate, Mr. Grant wrote an impressionistic little book focusing on the effects on the families of accident victims. Called "Whiskey at the Wheel" (Broadman Press), the book is approaching sales of 50,000.

The war against the drunken driver is not just a citizens' crusade. It's also an organization's crusade. Scores of major organizations are involved, ranging from the American Trial Lawyers Association to the traffic-court program of the American Bar Association to the National Safety Council itself. And there are more than 780,000 highway-safety specialists at all levels of government, in private industry, and at major universities, most of whom are more than aware of the menace of the drunken driver.

COORDINATION LACKING

Taken together—this army—involving millions of people and hundreds of committees, agencies, and organizations—could be formidable.

But that's the greatest tragedy of all.

Coordination between these agencies—the social rehabilitators, the police, the private citizens' lobbies—is almost nonexistent in any meaningful sense. The highway-safety lobby, I have found, is riven with rivalries, petty squabbles, and struggles over policies and objectives.

The same apathy that virtually smothers public indignation over the role of the drinking driver seems to fragment and divide the safety warriors themselves.

In fact, divisions are already evident over administration of the new Department of Transportation campaign to curb the drinking driver. The Washington State Patrol, for example, has declined to participate in a DOT study because the force was being asked to undertake acts that it felt were not in the "proper image" of a law-enforcement agency, and also because the force could not meet the needed personnel increase.

Among other things, the force was asked to station troopers outside bars, a practice followed in several other states.

Few of these organizations fully realize their potential. In sheer numbers and influence they make up a collective entity that if properly mobilized could well become one of the most powerful and most effective citizen lobbies in American history.

What's needed, say many experts, is nothing less than a presidential or at least federal conference on the drinking driver. It could pull together representatives from across the nation. Mayors and governors should be included. Speakers should be sent into every major community.

TOTAL OFFENSIVE URGED

American highways have become battlegrounds, these experts argue. And the responses should be nothing less than a total citizen offensive.

The National Association of Women Highway Safety Leaders, Inc., vividly illustrates the type of grass-roots strength available in the antidrinking-driver campaign. The association has made eradication of drunken driving one of its top priorities.

The association which includes scores of local women's clubs around the nation, was formed about three years ago at a national conference of state governors. The women

were asked to help muster support for the federal standards passed under the Highway Safety Act of 1966. Today the association is considered a formidable lobby in 26 states. It has weaker, but still visible, organizations in another 11 states. Only in New England and parts of the South is the movement lagging.

In Ohio the state affiliate has local organizations in all 88 counties. Ohio women, such as Mrs. Paul J. Gnau of Cleveland, are contacting state legislators in support of a reduction of the state's presumptive blood-alcohol level, which defines drunkenness. The current .15 percent is considered too loose and a stiffer .10 percent is being sought. A .10 percent bill easily sailed through the Ohio House last year but sank with hardly a moan in the Senate Judiciary Committee.

CAMPAIGN IN ILLINOIS

"We're expectant of passage this next year," says Mrs. Gnau, who in addition to being a key official of the Ohio association is also vice-chairman of the national association. The Ohio clubs are also pushing for stiffer enforcement of existing traffic laws.

"We want our judges to know that we're watching them and that we'll have no more of this 'touch on the wrist' business for drinking drivers," Mrs. Gnau warns.

Illinois is one of four states plus the District of Columbia that still have no implied-consent statutes, under which acceptance of a license implies a driver's consent to a chemical or a breath test if arrested.

The Illinois Conference of Women Leaders for Traffic Safety is pushing hard for implied consent. The group is also lobbying for motor-vehicle inspection (only one major Illinois town, Evanston, is believed to have such a statute) and a statewide law for medical review board of physicians to keep medically impaired drivers (including alcoholics) off the highway. Such a program has been successfully applied in Ontario, Canada.

"Starting in October we're going from the top part of the state to the bottom to mobilize support for our program," says Miss Eleanor Freeman of the Illinois conference. Miss Freeman says that her organization is working closely with aides of Illinois Gov. Richard B. Ogilvie (who favors implied consent) and the National Safety Council, headquartered in Chicago.

Miss Freeman considers association with the National Safety Council most fortunate. The council is the greatest and most prestigious of all agencies in the highway-safety area—almost a subgovernment, some critics grumble. Budgeted at around \$10 million annually, with 85 local commissions and safety committees, the council is both an advisory agency to Congress on matters of legislation, a powerful lobby group, and the principal source of safety statistics in the United States.

Council officials still firmly believe that perhaps the key to highway safety is still the driver himself—and his own sense of personal responsibility. "Highway safety is enormously complicated," says Howard Pyle, council president. "But we know that most accidents still involve a driver error of some kind, we want to reach the individual and we want the individual to put pressure on government officials. Governors are accessible to the public, as are almost no other officials," says Mr. Pyle—himself a former governor.

"The individual can provide quite a din if he has the heart to do so."

INDUSTRY DRAWS ON EXPERTISE

For its part, the council has graduated more than 1 million drivers from its defensive-driver schools. It has mounted a major television and press campaign against the drunken driver, in conjunction with the National Advertising Council.

Industry draws heavily on the council's expertise. And for good reason. It is estimated that as much as 5.3 percent of the entire U.S.

work force is affected by alcoholism. Consequently, through its alcoholism-prevention and rehabilitation campaigns, industry is seeking to reduce the increasing numbers of workers dependent on liquor—thousands of whom drive to and from work daily.

Industry programs often score as much as a 65 to 70 percent recovery rate—possibly the highest rate of any type of recovery program.

All told, some 300 companies in the United States have alcoholism programs or policies. Some of them, such as at Allis-Chalmers, Equitable Life, and Eastman Kodak, are considered genuinely innovative and successful.

Almost all the programs involve the same features: early identification of the problem drinker, followed by company intervention to channel him into some type of rehabilitative program.

FIRM'S PROGRAM TYPICAL

The program of the Rocketdyne Division of North American Rockwell at Canoga Park, not far from here, is typical. Like many aerospace firms, Rocketdyne has had a major employment slump during the past few years, sagging from a 1964 high of 20,000 to around 4,000 now. The company's full-time alcoholism counselor was among those lost in the tightening. But an alcoholism program continues—albeit on a reduced level—under the direction of Mr. Sales, a labor-relations specialist.

"I keep up contact with all top supervisors, asking them for identification of any worker who might show evidence of alcoholism," said Mr. Sales. As we talked, a steady procession of workers and secretaries rushed back and forth past his open office door.

Rocketdyne sends its problem-drinking employees to outside programs such as the Pioneer Foundation at Pomona, or halfway houses or even hospitals with treatment programs. The company also maintains stiff rules designed to prevent workers from driving to work under the influence of liquor. "We insist that our supervisors identify the problem drinker," said Mr. Sales. "We absolutely will not tolerate a cover-up. We want to get to these people if they're here."

INSURANCE COMPANIES ACTIVE

Of all American businesses, the insurance industry has taken the strongest lead in seeking to stop the drunken driver. The Insurance Institute for Highway Safety, headed up by Dr. William Haddon, a former director of the National Highway Safety Bureau, is cooperating with the City of Baton Rouge, La., in a prearrest, road-breath-test program. A number of companies, including State Farm, Preferred Risk, and Allstate have undertaken costly and effective individual campaigns.

Allstate has financed perhaps the most significant campaign of all. During 1969 alone the company ran large advertisements in a number of national publications as well as in special target states. Results were astonishing. Fourteen of 16 target states passed an implied-consent law. Nine of 20 targeted states passed a 10 presumptive level.

Industry, the private citizen, the various highway safety lobbies—individually, each is taking tentative, and in some cases definite, steps to curtail the drunken driver. United they could be invincible allies in wresting stiff and much-needed legislation from too-apatetic state legislators.

But sad to say, unity is not yet the magic password in the highway safety-rehabilitation field.

WHAT YOU CAN DO

1. Align yourself with a local safety agency or alcoholism rehabilitation organization. If unsure of what groups are in your area you might want to contact any of the following national organizations:

The National Safety Council, 425 North Michigan Avenue, Chicago, Ill. 60611.

National Association of Women Highway Safety Leaders, Inc., 1225 Connecticut Avenue NW, Room 414, Washington, D.C. 20036.

National Council on Alcoholism, 2 Park Avenue, New York, N.Y. 10016.

2. Let your governor and state legislators know that you support a "no-nonsense" .10 percent presumptive blood-level statute as well as an implied-consent law.

If your state has both, push for the even more realistic .08 percent Canadian level.

3. Ask your local law-enforcement agencies to adopt selective enforcement in high-traffic areas and specially trained "drunk squads" along the lines of programs of the San Diego, Calif., department.

Don't accept vague reassurances from department administrators. Visit your law agencies and see firsthand what emphasis is placed on traffic safety in general and stopping the drunk driver in particular.

4. Ask your local chamber of commerce to support industry rehabilitation programs as well as antidrunk-driver campaigns. Contact service groups, such as Rotary International, the Elks, Lions, etc.

[From the CONGRESSIONAL RECORD, Sept. 10, 1970]

HIGHWAY SAFETY NOS. 9 AND 10—LAST OF A SERIES

MR. CLEVELAND. Mr. Speaker, the two concluding articles in the Christian Science Monitor series on highway safety were published while the House of Representatives was in recess. As I did with the first eight articles in the series, I today will insert them into the CONGRESSIONAL RECORD.

The ninth article was a penetrating discussion of the role of the liquor industry in the causation and solution of this national problem. The central point is one which ought to be remembered by legislators as they debate changes necessary to lower the automobile death toll, that the liquor industry bears partial responsibility for the current carnage on our highways and is not a disinterested party. Some of the necessary changes in our laws may, of course, concern the industry, but this is something which must be accepted so that America's highways can become safe for our wives and children, for our neighbors and friends, and for us, too. The liquor industry is not entirely an innocent party which may be harmed by these changes in our laws. Rather it is and must continue to be a regulated industry, so that the damage done by alcohol and by alcoholics can be limited.

The 10th article in this series has a shocking opening sentence:

"Since this series began 10 weeks ago, drunken drivers have killed 5,000 Americans. And the toll continues, perhaps at 75 persons a day."

How many of us have had a friend or family member killed by these drunk drivers, who because of lax laws seems to be almost licensed to kill?

Mr. Speaker, my purpose in inserting this series of articles into the Record was to focus needed attention on the terrible carnage on our highways, including at least 28,000 who have been killed by drunk drivers. Every year such drivers cause over 800,000 accidents which result in economic loss of over \$8 billion. Yet this intolerable situation is the subject of disturbing apathy, so that steps which would cut this slaughter drastically are just not being taken.

My mail suggests that some people have been listening, which is a hopeful sign. People are awakening, if slowly. Let us demand action.

The last two articles of the series follow:

[From the Christian Science Monitor, Aug. 20, 1970]

LIQUOR INDUSTRY PLAYS DR. JEKYLL AND MR. HYDE

(By Guy Halverson)

CHICAGO.—Imagine, if you will, the following hypothetical situation: A well-dressed man enters a tavern and consumes a number of drinks. The hours tick away. Though

the bartender knows the man has had far too many drinks to drive safely, he can also see that the person is one who "holds his liquor" without any overly evident sign of intoxication.

Soon the man leaves. The bartender hears him roar off in an automobile.

Within minutes, the man has smashed head-on into another automobile.

Unfortunately, this incident is not really so imaginary. According to former alcoholics, many of them now key leaders in Alcoholics Anonymous, as well as the leaders of state police forces, it is a common occurrence. The files of state liquor-control boards, in fact, are jammed with records of tavern keepers who have oversold customers later involved in serious road tragedies.

More important, the illustration raises a number of nagging questions about the role of the liquor industry in society, and also about public policy and responsibility in general.

NECESSARY STEPS NOT TAKEN

The fact is that the liquor industry—and here that includes the bottling and brewing corporations, the distributors, the advertising and sales agencies, the retail outlets—is not yet taking the steps necessary to help stop the drunken driver. These could include unequivocal support on the state level of stiff presumptive blood-alcohol levels.

In fact, despite heavy expenditures in alcoholism research through university grants during the past decades, as well as a recent spate of magazine advertisements by the industry declaring its intention to help rid the highways of drunken drivers, the industry's role, some feel, has been lukewarm at best and perhaps even somewhat dangerously misleading.

Liquor lobbyists are active behind the scenes in every state legislature in the nation, utilizing high-powered law offices and public-relations firms. They are coolly efficient, skilled political tacticians and lavishly financed.

Many experts hold that there is a need for dispassionate, analytical studies of the correlation between liquor sales and per capita consumption and highway accident rates. Such information is needed to guide state legislators in setting realistic tavern and cocktail bar hours and liquor-license policies. Emotionalism, either against or for liquor sales on a totally unrestricted basis, cannot be tolerated when the highways are being turned into battlegrounds, they say.

ECONOMIC—AND POLITICAL—WEIGHT

This article clearly is not concerned with the long-standing dispute between "drys" and "wets" in the United States. Nor is it a plea for abstinence as such. Rather, it is concerned solely with those policies of the liquor industry that directly touch on highway safety—and which, in all fairness, have to be questioned if the problem is to be meaningfully resolved.

The liquor industry in the United States is an economic giant. Many a longtime newsman, particularly at the state level, would also say a sort of political giant as well. The industry, with an employment of about 1.8 million workers, grossed more than \$21 billion in 1969 and paid out more than \$8.2 billion in taxes. More than half of this went to the federal government.

The industry is also one of this nation's most important advertisers, spending more than \$200 million annually—some \$88 million of that going to magazines last year.

SUPPORT FOR U.S. DRIVE AVOWED

And now that cigarette advertising is being forced from the television screen, it is known that some broadcasting officials are casting hungry eyes at liquor advertising as possible new revenue sources. In addition, the liquor industry's many ties with the entertainment industry further its ability to reach the public in almost countless ways with a favorable public image.

On the national level, the industry avows its support for the Department of Transportation's new campaign to curb the drinking driver.

"What is our stand on the issue of drinking and driving?" asked a recent full-page Time and Newsweek ad purchased by the Licensed Beverage Industries, Inc. "It's the same as the National Safety Council and the American Medical Association." Industry spokesmen have stressed that the industry's position—like that of the NSC, the AMA, and the Department of Transportation—is twofold: getting the chronic alcoholic, who constitutes perhaps the largest part of the accident problem, off the highways, while also supporting educational campaigns to acquaint social drinkers with "safe" drinking limits.

Get down to the state level, however, where antidrunken-driver legislation—such as implied-consent statutes and presumptive levels is enacted, and the picture clouds considerably. In fact, one invariably finds that the industry is quiescent (not supporting such measures at all) or actively in opposition.

"LET'S ENFORCE EXISTING LAWS"

Take Michigan, for example. Safety advocates there have been trying to lower the state's presumptive blood-alcohol level from .15 percent to .10 percent. The Michigan Licensed Beverage Association (LBA) is against the bill. "We say the state has enough laws now," argue Eddie Shepard, coordinator of activities for the Michigan LBA. "Let's enforce the existing laws."

He adds: "Most accidents occur on roads within 25 miles of a person's home anyway. The answer is obviously diverting some of those Interstate-highway funds to secondary roads and arterials."

And the Michigan LBA's coolness to the .10 percent presumptive level, it must be said, is hardly unique.

The lack of clear-cut specific industry support for the federal .10 percent standard and implied-consent laws, say some critics of the industry, is only one part of its dubious role in stopping the problem of the drinking driver. Perhaps more important, they say, are certain industry practices and objectives that taken together almost ensure accidents.

Such practices, say these critics, include an industry drive to:

1. Increase across-the-board and per capita sales (per capita consumption on the national average has increased little over the past few years).
2. Expand Sunday sales (16 states do not allow such sales).
3. Lower the legal drinking age wherever possible. (Five states currently authorize sales of distilled spirits to persons under age 21, while 16 states allow sales of beer to persons under 21.)

Since the early 1960's, the State of Iowa has kept close records on liquor sales and highway accidents. The results are not pleasant. They strongly suggest, in fact, that increased sales and per capita consumption are followed by increased accident rates.

Most liquor-industry officials insist, however, that enactment of by-the-drink statutes does not lead to increased alcohol-related highway fatalities.

During the decade of the 1960's, drunken drivers killed more than 3,800 motorists on Iowa highways. But that is only part of the story.

"LIQUOR BY THE DRINK" IN 1963

On July 4, 1963, Iowa went to "liquor by the drink," whereby drinks could be sold across a bar, in a cocktail lounge, or club. Prior to that, liquor had been sold only in state liquor stores. During the 1960-63 period, before liquor by the drink, annual consumption averaged .73 gallons per person. By 1964, after liquor by the drink, the figure had risen to .86 gallons per person. And by

1969, it was 1.09 gallons—nearly a 60 percent increase over the 1960-63 average.

And of course, even though Iowa's consumption must be considered moderate on a national level—compared with the 1969 national per capita consumption of 1.81 gallons, the significant fact is that Iowa has shown a steady increase in consumption.

But so too, have accident rates in that state.

According to studies undertaken by Preferred Risk Mutual Insurance Company, headquartered in Des Moines, fatalities increased 35 percent during the three years after legalization of liquor by the drink, compared with the three years before liquor by the drink. Population increase and vehicle registration stayed fairly constant. During this same period there had been a 32 percent increase in liquor sales.

Another way to measure what happened after liquor by the drink—with its attendant increased sales and consumption in Iowa—is to look at what didn't happen in neighboring Kansas. Kansas is one of a small number of states still without liquor by the drink (though voters will be asked to vote on the issue at the polls in November in both Kansas and Texas).

RATES OF INCREASE CONTRASTED

According to William N. Plymat, board chairman of Preferred Risk, the mileage death rate in Iowa increased 33 percent in the six years after liquor by the drink compared to the three years before. In Kansas without liquor by the drink, the mileage death-rate increase was only about 2 percent.

Studies by Preferred Risk also suggest that fatality rates are higher in areas with Sunday sales than in areas without Sunday sales. Take a comparison of Oregon and Washington states in the years 1965-68. Oregon had Sunday sales. Washington did not.

During the period, almost as many drivers were killed on Oregon highways on Sundays as on Saturdays: 314 persons were killed on Saturdays; 311 on Sundays.

In Washington, on the other hand, the difference was quite distinct. During those years 437 people were killed on Saturdays when liquor sales were allowed. But on Sundays, when liquor sales were not allowed, 327 persons were killed.

The difference: 110 persons.

Researchers say that much still remains to be discovered about the effects of drinking on driver behavior patterns. A research program at the University of Vermont, funded in part by the Department of Transportation, is in fact testing such effects with a sophisticated new electronic device.

Some safety experts admit unease at the recent advertisements by the licensed-beverage industries, which they feel might encourage drinking and driving.

The recent advertisements, for example, carry a small "legal limits" chart prepared by the Rutgers University Center of Alcohol Studies in the lower right-hand corner. The chart shows how long a person must wait after certain numbers of drinks to be safely within legal presumptive levels in most states.

The chart, geared to .10 percent levels and above, indicates that a 160-pound man could consume three 1½-ounce drinks and then immediately drive.

WHAT CHART DOESN'T SAY

What the chart doesn't say, critics argue, is that the man may not be fit to drive safely, even though he is within legal presumptive limits; that different drinkers react differently to liquor; and that a novice drinker, for example, may be a deadly highway menace after the three drinks. Or a tired drinker. Or an angry drinker. Or a hungry drinker.

A new guide recently issued by the National Safety Council is more realistic, it is felt. The guide says: "If you are going to drive, it would be better if you didn't drink anything at all. Or . . . drinking in such a

manner that you will not be under the influence when you drive a car . . . if you choose the second, wait at least one hour per average drink before driving."

The AMA is known to be quite unhappy with the current advertising campaign of the Licensed Beverage Industries, Inc.—particularly its use of the Rutgers chart—which is not a "safety drinking level chart" but rather a legal-limits chart.

Says one of this nation's foremost highway specialists: "This type of [liquor industry] campaign could be disastrous. Would you want a tired motorist hurtling along the highway at 80 miles an hour toward your family after three stiff martinis?"

[From the Christian Science Monitor, Aug. 27, 1970]

DRUNKEN DRIVERS ASSAULT PUBLIC'S RIGHT-OF-WAY

(By Guy Halverson)

NEW YORK.—Since this series began 10 weeks ago, drunken drivers have killed 5,000 Americans. And the toll continues, perhaps at 75 persons a day.

Even a passing familiarity with the scope of the continuing tragedy makes one wonder how this nation—this informed, modern society—can possibly tolerate the conditions that cause it. For these deaths are not just statistics. These people are our families, our children, our friends, the neighbors who live on our streets, our classmates from high school and college, our associates at work.

It is an assault on our individual freedom, our right to move freely on the highways and through our cities and suburbs with a sense of confidence and dominion.

MORE THAN SKIRMISHES

"Twice as many people are being killed—you might say murdered—on a yearly basis by drivers who have had too much to drink as by all of the street criminals, impassioned spouses, and angry neighbors in the country," says Rep. James C. Cleveland (R) of New Hampshire. This member of the House Public Works Committee, which in part oversees highway safety, asks: "Where is our concern, where are our aroused citizens? Where is the indignation which the news media have for so many other causes? We are in the midst of a bloodbath and yet so few seem to care."

We can in fact stop the drunken driver, given our existing knowledge and technology, safety experts insist. We can begin now, but we must want to. The apathy must end.

Those already involved—the police, safety councils, government, concerned citizens' groups, and others—are fighting nothing less than a full-scale battle on our highways. But battles are not won through skirmishes. What's needed is a centralized, interagency attack, wherein all the specialists on alcoholism and highway safety join a systematic, direct attack.

Law enforcement, while basic, is not going to be enough. Drinking drivers fall into different groups which require different rehabilitative approaches. Distinctions must be made between chronic alcoholics, problem drinkers, novice drinkers, social drinkers, and occasional drinkers. And specific countermeasures must then be applied to these different groups.

U.S. PROGRAM A BEGINNING

The United States Department of Transportation's new alcohol countermeasures program—geared in great measure to an identification and control of the "problem drinker"—is an important first step. In many ways the program can even be called a heroic effort. Acting on a limited budget with small staff (fewer than 10), the program is seeking to roll back years of inattention and neglect. At present the \$18 million program encompasses demonstration grants in some nine places around the United States. It is hoped

that Congress will fund an additional 20 grants next year.

Yet even this small beginning is not enough. The economic cost of the problem alone amounts to \$8 billion to \$10 billion a year in the U.S. Without total commitment from the highest levels of the federal government, the countermeasures program may well turn out to be only a stopgap.

ONE ASPECT LACKS DATA

Nor should the problem of the driving social drinker be overlooked, though this seems to be happening. It is known that the problem drinker is responsible for perhaps the largest chunk of all fatal accidents. Researchers do not yet precisely know how many liquor-related fatalities on the highways are caused, on the other hand, by social drinkers.

Researchers do tell us that their role in fatal accidents is relatively small. But it would be foolish to ignore the problem. It takes only one accident.

Enforcement, however, is the crux. It was high atop a Colorado mountain peak, recently, with the magnificent Sangre de Cristo range directly opposite me, that I saw that clearly. My host was Prof. Robert F. Borkenstein, a gentle, articulate scholar-inventor, now in his fourth decade of police-science work. We must make the "drinking-driver public" more aware of the "reasonable likelihood" of arrest, argued Professor Borkenstein. "It isn't just a fear of punishment that is important. It's a reasonable assumption of apprehension. It's the inconvenience of being arrested and going through the legal system. It's the attendant humiliation. And jail or enforced therapy can be equally distasteful."

A meaningful attack on the drunken driver would have to include the following steps as a minimum:

1. Each state should adopt an implied-consent statute and a minimum .10 percent presumptive blood-level statute. Once that level is reached, however, safety advocates should push for the more realistic Canadian and British .08 percent levels.

There is much to be said for the comprehensive Canadian and Ontario programs spelled out in the seventh article in this series. Utah has adopted an .08 percent alcohol blood-level statute. Eventually, the 49 other states will have to follow.

2. Police must step up enforcement and apprehension. Traffic units should be enlarged. Selective enforcement of problem areas along the lines of the San Diego force is essential. At the same time, political units should support the forces by realistic budgets.

SENTENCING FLEXIBILITY

3. Legislatures should adopt prearrest breath-test screening along the lines of the British and Baton Rouge, La., programs.

4. Courts must be given greater sentencing flexibility to combine fines, jail sentences, and enforced rehabilitation. But the laws themselves must be enforced.

5. States must tighten driver licensing standards, requiring road and written renewal tests at least every three years. State records systems must be computerized and interlaced—and then tied together into a national grid.

6. States should study the correlation of drinking hours and accident rates. This is perhaps the one area of the problem about which the least research exists. Weekend sales in particular should be given close scrutiny, as well as Saturday evening closing hours. It is no secret that the weekend driving hours are the most dangerous driving hours—and mainly because of alcohol.

HEALTH PROBLEM, TOO

7. Local communities and states must recognize that alcoholism involves health problems and must be treated as such—not as just a criminal offense.

8. Parents, educators, political and religious leaders must challenge the dangerously permissive attitudes about liquor that pervade society. Liquor is a drug, and it must be recognized as such.

9. Corporations and businesses must develop high-priority alcoholism and safe-driving programs.

Millions of miles of highways crisscross the U.S. They were built with tax money. Americans have a right to safety on the highways—control over them. Let's let our public officials know that. And let's demand action. Now.

PEOPLE TELL HOW TO STOP THE DRUNKEN DRIVER

Before this series began, the Monitor invited the public to share ideas on how to stop the drunken driver.

The response to a questionnaire was overwhelming—there were 15,670 returns. They came from specialists, such as traffic safety experts, law-enforcement officials, alcoholism rehabilitation workers, and from concerned private citizens, many of whom had lost relatives or friends because of drunk drivers. They came from all over the world.

Some returns covered large groups of people, such as the safety education class at Texas Wesleyan College, Fort Worth, Texas, which sent back comprehensive classroom papers discussing solutions to the problem.

The largest block of responses, more than 4,800 in all, came from employees of several plants of the Western Electric Company. Company officials had distributed the questionnaire among employees. The results indicated a desire for tougher enforcement through:

Stiffer jail sentences and fines for drinking drivers.

Some type of prearrest road breath test along the lines of the British system.

At the same time, many respondents urged a greater stress on rehabilitation of the problem alcoholic driver.

Here are the tabulated questionnaire results:

More public education.....	7,853
Compulsory testing to detect drunken drivers (on suspicion alone).....	9,320
Immediate suspension of driving privileges at first offense.....	7,082
Stiffer fines.....	9,041
Stiffer jail sentences.....	9,888
Compulsory attendance at drivers' school for those convicted.....	6,956
More uniform laws.....	8,085
More federal and state studies of why people drink.....	3,879
Other	7,291

EXCERPTS FROM LETTERS

The victims

"My husband was killed by a drunk driver in 1957 leaving two very young children without a father. . . . Perhaps the thing which has troubled me most over the years was the quick return of the driver's license. I have often wondered if other innocent people have suffered as we did. . . ."

Mrs. Y.

KENMORE, N.Y.

Second offense—get tough

"My first husband was an alcoholic. Many times I was helpless to keep him from driving when he was intoxicated. A few times I tried hiding the car keys, but the frenzied rage he went into was not worth it. Sometimes even I and our two babies had no choice but to ride with him and our lives were endangered. . . . I strongly recommend that a second offender for drunk driving should have his license revoked. . . ."

Mrs. J.

MIAMI.

A national law

"There should be one national law set at .05 percent alcohol in the blood for the legal

arrest of the drinking driver. . . . We cannot become too strict with the drinking driver. He threatens the highway safety of us all."

H.

WILMINGTON, DEL.

"The United States Government should withhold from those states that do not adopt a uniform drunk driver standard of .10 percent all funds for federal highway construction."

Unsigned.

A question of morals

"The real answer lies in the change of moral standards which precludes an acceptance of the drunken driver in society."

Ohio municipal court judge.

Weekend duty

"Weekend duty at emergency wards of hospitals. Let the intoxicated driver see . . . the agony, the tears, the heartbreaks involved in auto accidents when he or she is sober."

A Huntsville, Tex., Department of Corrections official.

Liquor-industry responsibility

"It is my opinion that the liquor industry should be held responsible for the great damage and loss of life due to their profitable product. . . ."

Unsigned.

"Maybe it is time the liquor people picked up the tab for rehabilitation instead of Mr. Taxpayer. . . . Somehow add a 1 percent or 2 percent tax to each bottle sold and let it take care of the troubles it causes."

M.,

LONG BEACH, CALIF.

"Enforcement of the law is important, but it is attacking only the 'results' of the problem and not the 'cause.' The cause is the drinking, and the reason that that phase is not stressed is simply because too many people like to drink. It is like extinguishing fires without arresting the arsonists. The first step: Prohibit liquor advertising by law."

A Washington State municipal police court judge.

Rehabilitation

"The problem isn't driving: The problem is behavior. . . . Massive public education is needed, so that shame and guilt brought on by alcoholism isn't swept under the rug as it has been for generations, but is brought out into the open so that people learn that there is hope and help (and health) for the alcoholic."

F., an insurance company vice-president.

Fines and jail sentences

"Fines and jail sentences are not likely to achieve anything constructive. I do feel that there should be an immediate suspension of driving privileges and if these are broken they should be punished by a mandatory jail sentence. But it is necessary to bring home to each culprit the enormity of the offense and his punishment should be made in some way to fit the crime, such as being a compulsory attendant to assist ambulance crews at traffic accidents and/or compulsory work to assist traffic accident victims in their hospitalization, treatment, and rehabilitation."

H.

Berlin.

"Suspend the license for life of anyone found driving under the influence of alcohol or of any other drug. . . ."

S., a senior at Sacramento State College.

"I believe that a stiff, uniform drunk-driving code throughout the United States, as in England, would be a deterrent. I do not believe the stiffer fine is the answer. The well-to-do think nothing of it and the more unfortunate lay it out in jail with a needy family being made to suffer. . . ."

An Idaho municipal police chief.

Local control

"I cannot avoid a feeling of impatience at the fatuity demonstrated by your multiple choices. . . . Allow me to dissect them serially: More public education: Unlikely to do much good. Everyone officially opposes drunk driving, just as everyone opposes Dutch elm disease and favors the whooping crane. Compulsory testing: You are stepping on my libertarian toes. . . . This is still a democracy, Jack. . . . The issue is inevitably, unavoidably, one of LOCAL CONTROL. Washington can't do a blamed thing. Raleigh can't do much more. Ultimately, the city and county . . . must do it for itself or it won't be done at all."

DURHAM, N.C.

X.

Identification

"Perhaps an indelible marking on the license plate to indicate publicly an offense, or [on] some permanent spot, but where it would not permanently damage the car."

Unsigned.

Insurance

"Insurance companies, with every justification, are raising their auto premiums. But with this increase, careful drivers are being penalized along with the drunken driver. This is not fair."

"Instead, the Department of Revenue should keep the individual insurance company informed of the number of traffic and other violations the client has, so that only the client's rates will be raised and not the rates of other drivers."

BETHEL PARK, PA.

J.

SENATE TRADE BILL CALLED URGENT TO PREVENT FURTHER JOB EROSION

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. BURKE of Massachusetts. Mr. Speaker may I at this time bring to the attention of the Members of the U.S. Congress an article in support of the Senate trade bill that appeared in this week's edition of the AFL-CIO News. Legislative Director Andrew J. Biemiller points out the growing problem of unemployment and the loss of 700,000 jobs as a result of rising imports from 1965 to 1969.

The AFL-CIO supports quotas on textiles and footwear.

The article follows:

SENATE TRADE BILL CALLED URGENT TO PREVENT FURTHER JOB EROSION

The trade bill awaiting action in the Senate is urgently needed to "prevent further erosion of U.S. jobs and the dismantling of our productive capacity," the AFL-CIO declared.

Legislative Director Andrew J. Biemiller spelled out labor's position on trade legislation in letter to all senators warning that "the problems next year will be far more acute if no action is taken in this Congress."

While critical of the House-passed trade bill, the AFL-CIO has termed the revised version drawn up by the Senate Finance Committee "a step forward" and, despite flaws, "a necessary bill."

Historically, Biemiller noted, the AFL-CIO has staunchly supported freer trade.

But he stressed that "the world has changed so dramatically that what is de-

fended as 'free trade' is to a great degree no longer free nor trade."

A new approach is needed "to save the livelihoods and purchasing power of America's millions of working families."

The Senate bill is "pro-worker, not anti-consumer," Biemiller declared.

"Some 700,000 U.S. workers have lost jobs between 1966 and 1969 due to imports—and that figure is rising sharply," he warned. "Thus as consumers their purchasing power has been wiped out, their tax payments have halted, and many of them have been forced onto public assistance—all at increased cost to other Americans."

The AFL-CIO supports quotas on textile apparel and footwear, Biemiller wrote senators.

He defended the quotas in the Senate bill as "a stop-gap measure which will allow continued heavy imports of these items while at the same time seeking to stabilize industries and jobs that are threatened with suffocation."

Contrary to claims made by critics, there is no reduction of trade. "Imports can actually rise. There is no rollback or high tariff wall against imports."

He urged senators to oppose any amendments that would include a provision of the House-passed bill establishing tax windfalls to businesses through a new Domestic International Sales Corporation (DISC).

Such a device, Biemiller said, "will not lead to expanded exports but to an expansion of a tax loophole and a \$1 billion yearly loss in treasury funds that will have to be made up by working Americans."

The AFL-CIO also opposed a House provision which would cut tariffs on chemicals, and "result in the loss of thousands of American jobs."

Labor-supported provisions of the Senate bill include a more realistic requirement for Tariff Commission action to assist industries and workers "acutely or severely injured" by rising imports.

Because of inadequacies of present law, the federation noted, "U.S. production of radios, non-electric typewriters, black and white television sets, sewing machines, and many other sophisticated manufacturing processes have been almost wiped out."

The AFL-CIO does not believe that action to protect U.S. jobs from further erosion will bring about a trade war or retaliation against U.S. exports, the letter said.

"The entire world is wise enough to know that they want the U.S. markets," the letter declared. "They know that the U.S. has problems today. Japan and the Common Market have full employment; yet we have a jobless rate of almost 6 percent nationally."

Despite various imperfections, the federation said, the Senate bill is a "beginning" in the direction of a greatly needed "new international trade concept."

THE EFFORT TO KEEP PUBLIC TELEVISION ALIVE IN WICHITA, KANS.

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. SHRIVER. Mr. Speaker, recently Mr. John Macy, president of the Corporation for Public Broadcasting testified before our Subcommittee on Labor and Health, Education, and Welfare Appropriations regarding the financial stability of local public television stations. He stated: "They live the 'Perils of Pauline' financially."

At the present time, KPTS, channel 8, in Wichita, Kans., is in a campaign to stay alive. I have been informed by Mr. Macy that the Corporation has provided counsel to KPTS in its fund raising efforts.

The fund raising campaign now underway in Wichita has taken several forms.

There has been direct contributions and special gifts. The station is seeking a goal of \$150,000 necessary to remain on the air. Approximately \$65,000 has been raised thus far.

A special fund raising effort, which has attracted nationwide attention and certainly is in keeping with this holiday season, now is being conducted in Wichita. Under the leadership of the Rainbo Baking Co., radio station KLEO, and KPTS, a campaign is underway to sell 100,000 fruitcakes with the proceeds benefiting KPTS, channel 8.

During this campaign Mike Miller, a staff member of KLEO, and Dale Ouzts, manager of KPTS, are living in a trailer at a busy intersection in the city. They will not leave the trailer until the fund-raising goal is achieved. This drive has the support of all radio stations in Wichita.

Citizens from all over the Nation have responded to this Wichita campaign. As more people watch public television, more are inclined to support public television financially and otherwise. It is evident that there is growing support for public television in Wichita as demonstrated by the response to the varied fund-raising efforts in behalf of KPTS.

SCOUTS WANT TO SHELVE BOREDOM AT NURSING HOME

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. GUDE. Mr. Speaker, the December 15 issue of the Washington Daily News featured an article on an excellent and imaginative community service project undertaken by two young Boy Scouts who live in my district. Mr. Bruce Gronkiewicz and Mr. John Ingram are building and stocking a library at the Grosvenor Lane Nursing and Convalescent Center. Both Scouts have delivered the Daily News to the center, and thought the people would enjoy having their own library, too. They hope to have the bookcases ready as a Christmas present to the center. The example of service these young men have shown is a fine Christmas present to us all.

I commend the article to the attention of my colleagues:

SCOUTS WANT TO SHELVE BOREDOM AT NURSING HOME

Bruce Gronkiewicz, a tall youngster with a shy smile, this month is bringing a bit of bright, Christmas light into the dark, lonely world of the aging.

Bruce, a 13-year-old eighth grader at North Bethesda Junior High, is working with a friend to build and stock a library at a local convalescent home. He thought of the library as his Eagle Scout community service project after delivering The Washington

Daily News to the Grosvenor Lane Nursing and Convalescent Center.

The friend, John Ingram, also 13, now has the convalescent home on the route. He is helping Bruce as part of his community service work to get the Scout star badge.

"The people were sort of lonely there at the home," Bruce recalled yesterday. "I thought they might like something to read. All they do is just sit around or watch television."

So after he got the idea, Bruce and John began to build some bookcases and try to find some books. They sanded the wood, nailed it together and now five brown, eight-foot-long shelves are sitting in Bruce's basement (he lives at 10305 Rossmore Court; John lives at 5703 Cheshire Drive), nearly finished and waiting to be filled.

"I went around with a wagon the other day and got quite a few books but we need a lot more," John said. He said the boys have printed up some sheets asking for book donations.

The two have worked diligently on the project ("we've put in about 60 man hours," said Bruce) even the carpentry isn't exactly their field. "Neither of us takes shop, we take band instead," according to John. "On one day I spent five hours on the bookcases."

The two do most of the work on Saturdays and Sundays.

With school activities and homework it may be a little difficult, but they want to have the shelves ready by next week.

"I sorta hope I can finish this before Christmas, so I can bring the bookcases over there as a present," Bruce said.

WARNING VOICED ON SCIENCE CUTBACKS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. MILLER of California. Mr. Speaker, late last month the Oakland Tribune in Oakland, Calif., carried a story written by Alton Blakeslee, AP science editor. The title of the story was "Warning Voiced on Science Cutback," and in it Mr. Blakeslee quotes extensively from some of the leading and most responsible scientists in this country. The article points up that some Members of Congress have become disenchanted with the value of basic research and ask what the payoff will be for the cost of this research. The story quotes some statements made by Dr. Jerome Wiesner of MIT, and Dr. Philip Handler of Duke University. Dr. Wiesner was formerly science adviser to President Kennedy. Dr. Handler is presently the president of the National Academy of Sciences. I know of no more responsible people in this field than these two gentlemen.

I commend to the reading of my colleagues this excellent piece:

WARNING VOICED ON SCIENCE CUTBACKS (By Alton Blakeslee)

American science is sailing into troubled and even critical times, and that spells danger for the nation's welfare, leading scientists are insistently warning.

Federal money for basic research and for training future scientists has been declining for four years, with particularly sharp cuts within the last year.

But science—and the technology it breeds—is the underpinning for the nation's progress, security and economic well being, these scientists hold.

From science comes the fundamental knowledge pointing new ways to cure disease, to feed the hungry, to solve some pressing problems of environmental pollution and other difficulties and crises.

Now is the time for more science, not less, these spokesmen declare.

They worry not only about money. They sense a growing anti-scientism, partly because many people are blaming science for problems created by technology—which is the way man uses new knowledge. But that kind of reaction, they say, is like killing the messenger who brings bad news.

Dr. Philip Handler, president of the National Academy of Sciences, says we are terribly close to great new discoveries but "we find science and technology under attack. With that attack has come a drastic decline in the scale and scope of our national scientific endeavor—a fall of perhaps 30 per cent since fiscal year 1968." Morale is low and "our national apparatus for conduct of research . . . is falling into shambles."

"We're not starting new things, we are just fighting to keep present activities alive," says Dr. Jerome Wiesner, provost of the Massachusetts Institute of Technology (MIT), and a former science adviser to President Kennedy. "In many things that would produce new knowledge, and instrumentation, we are falling behind."

A report last February of the National Science Board—a continuing presidentially appointed group—said the "U.S. science effort is currently threatened with possible mediocrity . . . it is clear there will be a day of reckoning for U.S. science and for the national well being. That day may be very near."

Because of reduced support for science students, "we are losing almost a whole generation of graduate students," says Dr. William D. McElroy, director of the National Science Foundation. "If we don't adjust, in five or six years, new Ph.Ds won't be coming out of the pipeline."

Medical research also is feeling the economy pinch and some officials of the National Institutes of Health (NIH) have said "a dark age of medical science" might be in the offing, with a loss also of a generation of potential medical researchers unless support is restored.

But all this is an overdrawn, over-apprehensive picture, say some government officials and some scientists as well. In their view:

—Science had become rather a fat cat, and should not be exempt from taking its economic lumps at a time when many other endeavors also are feeling the frost of economy.

—The country has enough scientists, at least in certain fields. Some major programs in the space field, in atomic energy and defense have been completed, and this reduced the need for a continuing large supply of engineers and specialists.

—Much basic research—that aimed at determining fundamental facts about nature—has been wasteful, poorly chosen, duplicatory.

—Science has not been relevant enough to critical national needs. Research should be focused more upon goals, such as reducing air pollution and expanding medical care services to more people.

Scientists can counterattack most of these views.

But both sides in such debate agree the posture of science vis-a-vis government is changing, with a 25-year honeymoon about over.

Before World War II, science was mostly privately funded, mainly in universities, and was "little" in most research projects.

But science became a wartime hero, mak-

ing tremendous contributions to victory, as with the A-bomb, the proximity fuse, radar, other weapons.

Much of this was "targeted" research, and scientists stress that it succeeded mainly because basic research had already established fundamental knowledge upon which to proceed—enough was known for example about atomic particles and atomic fission to believe that a bomb could be built. Doing that cost \$2 billion, with most of the effort going into engineering, technology and facilities.

Post war, science began to win increasing federal support, through the Office of Naval Research, Department of Defense, Atomic Energy Commission, the National Institutes of Health.

With Sputnik came another surge of enthusiastic and almost frenzied support for science, including funds for basic research through the National Aeronautics and Space Administration. Patterns of support and expectations of continued beneficence were established. By fiscal 1968, says Dr. Handler, the Federal Government was providing more than \$2 billion for fundamental research—and about \$13.8 billion for applied research and development—"and the results were superb. American science led the world in virtually every discipline."

Then the minds changed.

The enormous expense of the Vietnam war forced budget cuts, and science came under the same scalpel. Even if appropriations had held at the same annual level, inflation was a thief of real dollars. Further, as scientists began exploring ever deeper into nature's secrets, research became more complex, more sophisticated, demanding ever more expensive equipment.

All of this coincided with a growing disenchantment with science. Some congressmen began questioning the value of basic research, asking what were the payoffs? There rose an increasing feeling science should deal more directly with society's problems. Does this country, some also asked, have to be first in every field?

Science was blamed as immoral for having made possible the threat of nuclear annihilation and environmental decay. To some people, science was found wanting because they had somehow expected it to be capable of waving a wand and producing magical answers to problems, and it hadn't. Too, scientists were often regarded as aloof; they "became arrogant and grabby," says one career official in the federal Office of Management and Budget.

Science had a few defenders in Congress, nor did it have the ear of the public to tell its story. Numerous scientists contend there is no clear or well-considered national science policy.

Some leaders agree that scientists in general had been aloof, not being active in a politics of science, not convincing the public that basic research was a great touchstone of human progress.

And people, some scientists complain, overlook the good that science and technology have done, as in creating polio vaccines, computers, electronic labor-saving devices, a raft of benefits.

Dr. Handler and others object to some of their scientific compatriots who, they charge, have exaggerated some troubles the nation faces, and have over-promised what science might do about such problems as environmental pollution.

"We can't," he says, "solve all our problems with a Band Aid of technology."

The dollar squeeze for science began late in the Johnson administration, and has since intensified. Last year, the Nixon administration ordered a 5 to 10 per cent cut across the board in NIH and other agencies for research support. And along came the so-called Mansfield amendment which forbade the Department of Defense from supporting any research not bearing a clear and apparent

relation to a specific military function or operation.

That closed off an important source of money for universal ties which are the main nursery of fundamental research. There was, further, the sense that more research and development dollars should be devoted to national problems including crime, housing, transportation and environment.

Efforts now are under way in Congress to boost the funds to be allotted this year to the National Science Foundation, to take up part or all of the slack created by the stoppage of funds from the Department of Defense for fundamental research. The Nixon administration has asked for more money for the NSF above the previous fiscal year, to put its appropriation over \$500 million for the first time.

Aid shriveled for students preparing for science careers. The National Science Foundation had to drop its traineeship program, the NIH cut down on science fellowships, and NASA abolished its traineeship support and its program of sustaining grants for university research.

Graduate fellowships under the National Defense Education Act have been reduced and both NSF and NIH programs for science facilities were curtailed drastically. And Congress also began requiring universities to pay some part of the overhead costs of certain research project grants.

Traineeship programs were reduced because "we have enough scientists in some fields," says one government spokesman. The number of new Ph.D.s had been doubling every seven years, but now "we simply don't need so many in engineering, math and the physical sciences."

Despite all the cuts, some officials in the Office of Science and Technology, which advises the President, feel "we are in good general shape. There will be some short-term dislocations, but I don't see any great danger of our losing our leadership in science," one of them remarks. "But there's certainly not a lot of fat in the system now—we're pretty close to the bone."

But other scientists and university administrators are not quite so sanguine about the future. It was a combination of things, such as the Mansfield amendment atop budget cuts, that is hurting universities very severely, says Dr. James R. Killian, chairman of the Corporation of Massachusetts Institute of Technology.

Scientists are eager to tackle problems of environment, traffic, housing and urban crises, but "we are getting little or no support" financially for such programs, Dr. Killian adds.

In and out of universities, numerous scientists fear that bright young students, men and women, will avoid choosing scientific careers when they see science students and graduate students suddenly cut off from their financial support.

In times of emergency, everyone has to tighten his belt, but "it is the rapid cutting of funds that does the damage," says Dr. McElroy.

The sudden economic cutbacks hit most severely at the young not-yet-established scientists, but, says one investigator, "we need to support those with seemingly maverick ideas, ideas no one else has thought of." Further, the drying up of training grants is breaking up or hobbling some excellent research teams.

Medical schools are hurting from decreases in research funds. For economy reasons, two dental schools have just closed down.

Medical research is being reoriented to provide more good modern care to more people, to overcome disparities in care, and to have research projects bear upon this aspect, at least in some part, if they are to be approved.

THE CIVILIAN-MILITARY RELATIONSHIP

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. FRASER. Mr. Speaker, earlier this year I joined several colleagues to bring together a distinguished panel to shed the light of their collective knowledge on the complex of moral and legal questions surrounding modern warfare as exemplified by Vietnam and other "small wars" that have afflicted our planet since 1945.

Subsequently a book, "War Crimes and the American Conscience," a transcript of the conference proceedings edited by Erwin Knoll and Judith Nies McFadden, was published by Holt, Rinehardt, & Winston. Also included in the book are supplementary materials contributed by participants and prepared statements submitted by several experts who were unable to attend the conference.

Charles C. Moskos, Jr. authored one of these latter submissions. Professor Moskos' statement is a good one, and he raises issues deserving wide discussion. The relationship between civilian and military leadership and the general citizenry is crucial to the survival of our democratic system and world peace. Lessons we can learn from the Vietnam tragedy must not be lost, ignored, or misinterpreted.

The material follows:

THE CIVILIAN-MILITARY RELATIONSHIP

CHARLES C. MOSKOS, JR.: I would like to examine the question of responsibility for what happened at My Lai by looking at: (1) the attitudes and behavior of the combat GIs in Vietnam, and (2) the reaction of elite groups in our society as symbolized by many of the comments made by participants in this discussion. Both of these factors have ominous implications for the future of America's civil-military relations.

During the summers of 1965 and 1968, I took part—as a press correspondent—in numerous military operations and patrols in Vietnam. During these periods I witnessed the deaths and maimings of both Americans and Vietnamese. Cruel acts occurred on both sides with nauseating frequency. As a day-to-day participant in the combat situation, I was repeatedly struck by the brutal reactions of soldiers to their participation in the war. To understand the way in which combat soldiers' attitudes and behavior are shaped, however, one must try to comprehend the conditions under which they must manage. The misery of these conditions is so extreme that conventional moral standards are eclipsed in a way difficult for the noncombatant to appreciate. Much like the Hobbesian description of primitive life, the combat situation also reaches the state of being nasty, brutish, and short. Minute-by-minute survival is uppermost in the combat soldier's every thought and action. The ultimate standard rests on keeping alive—a harsh standard which can sanction atrocities.

First of all, there are the routine physical stresses of combat existence: the weight of the pack and armament, tasteless food, diarrhea, lack of water, leeches, mosquitoes, rain, torrid heat, mud, and loss of sleep. On top of this, the soldier not only faces the

imminent danger of loss of life or limb, but also witnesses combat wounds and deaths suffered by his comrades. In an actual firefight with the enemy, the scene is generally one of utmost chaos and confusion. Deaden- ing fear intermingles with acts of bravery and bestiality and, strangely enough, even moments of exhilaration. Moreover, even when not in battle, the presence of booby traps is a constant threat (according to Army statistics 65 per cent of casualties suffered in Vietnam are from such devices). Thus, the soldier's initial reluctance to endanger civilians is overcome by his fear that Vietnamese, of any age or sex, can be responsible for his own death. One hears again and again the expression—and I am sure it is im- memorial in battle—"it's them or us."

One consequence of the American combat soldier's animus toward and dread of the Vietnamese was reflected in his attitude toward peace demonstrators back home. The soldier almost always perceived the peace demonstrations as being directed against himself personally and not toward the war in general. The only major exception to the combat soldiers' general unconcern with political events was found in their denunciations of peace demonstrators. To a large extent the soldiers' attitudes were an outcome of class hostility. For many combat soldiers—themselves largely working and lower-middle class—peace demonstrators were regarded as draft- dodging college students. The mutually hostile reaction of peace demonstrators and combat soldiers augurs a new cleavage in an American society whose social fabric is already severely rent. This will not be along the line of the much vaunted generation gap, but between those youth who detest what they see as privileged anarchists and upper- middle-class college youth who regard soldiers as brutes in uniform.

The combat soldier too often saw the peace movement as undercutting and demeaning the hardships endured by American servicemen. The soldier's class bias against peace demonstrators was reinforced by his negative reactions to the substance of certain antiwar assertions. Arguments suggesting that the Vietcong were legitimate revolutionaries had no suasion, both because of the soldier's ignorance of Vietnamese history and, more importantly, because the Vietcong were his immediate enemy. Where the combat soldier was constantly concerned with his own safety and that of his fellow Americans, the peace demonstrators were seen to mourn only the Vietnamese. Statements bemoaning Vietnamese civilian casualties were interpreted as wishes for greater American losses. It appeared to me that the rhetoric of the antiwar movement which focused on American atrocities and Vietnamese suffering created a level of support for the war among combat soldiers which would otherwise have been absent.

It is fair to state that the original opposition to the war in Vietnam began within this country's intellectual and academic community and its main thrust has remained within this grouping. Moreover, as the antiwar movement has expanded and accelerated, it has come to impugn the very legitimacy of military service. The revelations of My Lai have added further passion to those predisposed to view American soldiers as wanton perpetrators of atrocities or proto-fascist automatons.

It is a cruel irony that so many of our national leaders and opinion shapers who were silent or supported the original intervention in Vietnam during the Kennedy Administration now adopt moralistic postures in the wake of the horrors of that war. There appears to be emerging a curious American inversion of the old "stab-in-the-back" the-

ory. Where the German general staff succeeded in placing the blame for the loss of World War I on the ensuing civilian leadership of the Weimar Republic, the liberal Establishment in America now seems to have embarked on placing the onus of the Vietnam adventure on the military.

In the cinema and on stage, military characters have achieved the status of buffoons or grotesque malefactors. The disestablishment of the R.O.T.C. on prestige campuses continues apace. The former director of the Selective Service System became an American folk villain. A minor industry exists in the production of books and lectures castigating the military mind, the Pentagon, and GI butchers. The military has come to be portrayed as the *bête noire* of American society—a caricature to which this discussion may inadvertently add a few strokes. It would not be too far afield to say that antimilitarism has become the anti-Semitism of the intellectual community.

This state of affairs is reprehensible because it is a cheap way to misdirect attention away from the bases of America's adventurist policies by melodramatically dealing with the byproducts of those policies. The blanket hostility toward military persons so endemic among most of my colleagues and students actually obscures the root causes of our country's malevolent actions. What must always be remembered is that the grievous chain of events that led us into Vietnam arose out of a broader Cold War and counterrevolutionary mentality that has been most forcefully articulated by civilian advisers and policy makers of putative liberal persuasion. The war in Vietnam is just one of many interventions of the United States against social revolutions throughout the Third World. Rather than shortsightedly castigating the men in uniform, it is the civilian militarists and the social system which produces them that ought to be the object of our critical concern.

It is with a deep sense of despair that I observe the justified opposition to the war in Vietnam being focused into a concerted attack on the armed forces *per se*. At the least, the concerned human being must always keep in mind the profound distinction between actions of individuals arising out of placement in particular situations—such as the My Lai's of war—and the structural and historical determinants which result in the creation of such situations. If our society is ever to fulfill its democratic promise, the relationship between the civilian and military structures requires especially sustained and intellectually honest attention. This will not be accomplished by scapegoating the military—whether for reasons of moral outrage or purposes of tactical expediency. Indeed, in many ways our American society has a much better military than it deserves.

The surge of antimilitarism at elite cultural and intellectual levels is occurring at a time when the whole framework of America's civil-military relations is undergoing fundamental change. More than a quarter-century ago, the noted political scientist Harold Lasswell first stated his theory of the garrison state. Forecasting a particular form of social organization, the garrison state would be characterized by the militarization of the civil order. The subordination of societal goals to the preparations for war would lead to the obliteration of the distinction between civilians and military personnel. The convergence of the armed forces and American society which began in World War II and continued through the Cold War decades of the 1950s and 1960s seemed, in certain respects, to confirm the emergence of the garrison state.

But the prospects for the 1970s require a reformulation of the garrison-state concept. For we are entering a time in which the

armed forces are becoming more distinct and segmented from civilian society. A series of developments points to a growing isolation of the military from the mainstream of American life: the move toward an all-volunteer force at enlisted levels, the recruitment of officers from narrowing circles of the social spectrum, the de-emphasis of the Reserve and National Guard, the use of the military as an overt welfare agency for America's underclasses, and growing institutional autonomy within the military services. All this is happening at the same time that antimilitarism has become the new rage in the intellectual fashion world.

The divergence of armed forces and society will be reflected in closer and more critical scrutiny of the military's budgetary and force demands. But it is highly improbable that this new skepticism will result in any basic curtailment of the dominant role military procurement has come to play in our nation's economy, or that the United States will fundamentally alter what it considers to be its global interests. In fact, the institution of an all-volunteer, fully professional military force may mean that overseas interventionist policies will engender fewer political repercussions at home. Witness to this proposition is the acceleration of opposition to the war in Vietnam as the personal interests of articulate and vocal middle-class youth became involved.

The immediate future, then, points to a new phase in American civil-military relations. The character of the post-Vietnam period will be the conjunction of a still massive military force which will be socially unrepresentative and considered a pariah at elite cultural and intellectual levels. To rephrase Lasswell, it might be more accurate to speak of our society moving toward a *split-level garrison state*. This is to say that the imminent danger to a democratic society is not the specter of overt military control of national policy, but the more subtle one of a military isolated from the general citizenry, allowing for greater international irresponsibility by its civilian leaders. It is only when the consequences of such irresponsibility are uniformly felt throughout the body politic that we can begin to hope constraints will develop on the use of violence to implement national policy.

HON. JOHN O. MARSH

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 1970

Mr. WHITEHURST. Mr. Speaker, I would like to associate myself with the members of my delegation in paying tribute to the splendid work in the House of my good friend and fellow Virginian, JACK MARSH. My friendship with JACK goes back almost a quarter of a century when both of us entered Washington and Lee University with the wave of veterans who flooded our colleges and universities after World War II. JACK and I shared classes together and he went on to law school after our undergraduate days as I proceeded to graduate school. I remember how delighted I was to learn of his election to Congress and I heard what a fine job he was doing here. Since my election 2 years ago, I have come to appreciate his energy and dedication. We have served together on the American Revolution Bicentennial Commission. In

the deliberations he has often taken the lead suggesting paths to be taken to properly observe the 200th birthday of our Republic. He has brought to the Commission the same skill that he has brought to the legislative business of the House.

All of us are going to miss JACK's presence, although we are pleased he will still be in Washington and thus in our vicinity. I want to take this opportunity to wish him and his family well and every success as he goes on to a new endeavor.

DISAPPOINTMENT EXPRESSED TOWARDS PRESIDENT'S LATEST VETO

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. TAYLOR. Mr. Speaker, I was disappointed that President Nixon vetoed the manpower training and employment bill. This bill was designed to aid the economic recovery by training the unemployed and by creating jobs in National Forests and National Parks and by local units of government in hospitals, public recreation, sanitation services, and so forth.

The President by his veto rejected a powerful training and employment program authorized by Congress. Training of the unskilled is one of the great needs of our Nation.

Many workers can be used advantageously in carrying out conservation practices in National Parks and National Forests and in keeping public campgrounds open in the spring and fall. Others can perform needed services in the cities.

I believe that the President has his priorities mixed up when he vetoes a bill to provide training and jobs, and at the same time advocates a guaranteed income for people whether they work or not. I prefer to work toward guaranteed employment rather than a guaranteed income. I believe that the best way to end poverty and unemployment is to go all out in providing all potential workers with needed skills and with job opportunities. The President says he does not want to create dead end public service jobs that would make government less efficient, but this program if properly administered should increase the efficiency of government and should improve public service. The training received by potential workers and the work experience should increase their opportunity for continued advancement.

The President said that this program would interfere with his family assistance plan. The choice seems to be between creating jobs and paying unemployed people to perform them and paying people not to work. Paying people not to work through a guaranteed income is more expensive, stifles initiative, and pride, and in the long run perpetuates poverty and dependence on the Government.

MARINE SCIENCE AID TRAINING PROGRAM

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. COLLIER. Mr. Speaker, during the debate on the Comprehensive Manpower Training Act on November 17, I engaged in a colloquy with my colleagues, Mr. PERKINS of Kentucky and Mr. STEIGER of Wisconsin, regarding a program providing training in oceanography and the marine sciences aboard the SS *Explorer*.

At that time I related information which had been given to me on this program and sought to get information regarding its cost and achievements. I also asked whether these programs were accomplishing their goals with particular emphasis on this program. The response to my inquiries were somewhat vague, and the figures which I presented on the floor were not challenged.

Subsequently I had the pleasure of talking to the contracting firm and the gentleman in charge of the project, and I am pleased to say that the information which was furnished me was most satisfactory and even encouraging in terms of the success of this program. The figures which had previously been furnished me neglected to include the actual per enrollee cost. However, a more detailed explanation has convinced me that it has, in fact, been a good program from the standpoint of its accomplishments and subsequent placement of enrollees. I would, therefore, not want to let the RECORD show otherwise.

The report on this program is the type of thing that we should have at our fingertips in evaluating manpower training programs which are so essential to youth training. For this reason I take this opportunity to include in the RECORD at this time a very comprehensive report on this program and suggest that others be reviewed in the same manner from time to time so as to eliminate questions which are certain to arise in our reevaluations.

The report follows:

MARINE-SCIENCE AIDE TRAINING PROGRAM DESCRIPTION

The primary objective of this experimental program was to demonstrate the feasibility of training disadvantaged central city youth, many of whom were D.C. high school dropouts, to fulfill technically-oriented para-professional jobs in the marine sciences. The approach taken was an innovative one consisting of two inter-related parts. One aspect was an emphasis on general education in which the program sought to improve the student's academic level so that he would be able to continue his learning process throughout his life and thereby aid his upward career mobility. Equally important was the vocational aspects of the approach. Here, the program sought to provide the student with specific skills for which there was a wide and growing demand leading to a career with community status in a reasonably short period of time. The students, all of whom

were unemployed or under-employed, were provided with both full-time academic instruction and cash stipends.

The program has graduated two classes (phase I and phase II), during which considerable program growth and refinement occurred. Specifically, the program orientation was broadened from that of an oceanographic aide to that of a marine-science aide. That is, the training was broadened to include not just oceanography but those skills required to deal on a para-professional level with the technology of water. The student selection process was also sharpened to concentrate on those students who could operate effectively in a technically-oriented field and who had attained approximately tenth-grade academic achievement. This program was re-cycled with a new contract earlier this year. The third class will graduate this month, and a fourth class is due to graduate during the summer of 1971.

PROGRAM STATISTICS

The subject contract included contract start-up and the instruction of two classes designated phase I (the first class) and phase II (the second class). The cost for the entire contract is shown as follows:

Start-up costs.....	\$32,810
Instructional costs (phases I and II) ..	213,592
Total contract.....	246,402
Student Stipend.....	92,773
Total contract costs plus student stipend.....	339,175
These costs are given per graduate, per program enrollee, and per contract trainee below.	
Graduates:	
Phase I.....	29
Phase II.....	35
Total graduates.....	64
Instructional plus start-up cost per graduate (\$246,402 ÷ 64).....	\$3,850
Stipend cost per graduate.....	\$1,450
Total cost per graduate.....	\$5,300
Total enrollees.....	108
Total cost per enrollee.....	\$3,140
Total contract trainees.....	120
Total cost per contract trainee.....	\$2,780

The key statistic is the instructional plus start-up cost per graduate of \$3,850.00—a cost which is in line with other technically-oriented manpower programs.

The benefit to the program graduate comes from his new technically-oriented career, his upward mobility, the improvement in the quality of his life, and specifically from his shift in status from a welfare recipient to a taxpayer. As a part of the program, an extensive career follow-up has been made of the 64 graduates. The result of the follow-up is shown below:

Unverified:

Left the Washington, D.C. area for personal reasons. Unable to contact. Moved from last known address. Unable to contact.....	2
Psychological problem precluded placement.....	1
Total.....	7

Nontraining related:

Working at Library of Congress.....	1
Working in real estate.....	1
Total.....	2

Attending college:

Hydro Tech Institute.....	2
Washington Technical Institute.....	1
Montgomery Junior College.....	1
George Washington University.....	1
Total.....	5

Armed services:

U.S. Army.....	3
U.S. Navy.....	3
U.S. Marines.....	3
Total.....	9

Specific training-related jobs:

Physical science aide.....	10
Ordinary seamen.....	2
Litho chart aide.....	6
Federal Water Pollution Control Administration.....	1
Aeronautical chart.....	1
NCFPC-lab assistant.....	2
ESSA.....	2
D.C. Department of Engrg.....	1
DC Sewage & Disposal.....	13
TRW Systems, Inc.....	1
Total.....	41

Total graduates..... 64

¹ Now taking night school courses in marine science to further improve qualifications for future job-related position.

² All of these program graduates are taking marine science majors for their college work.

³ These program graduates were drafted or enlisted—many directly from training-related jobs.

It is the nature of the marine science field that program graduates most often must start in a low job category. The motivational and vocational training provided by the program has enabled the graduates to qualify for rapid advancement, with the result that many have qualified for excellent positions with a minimum of on-the-job training. A good case in point are the program graduates who have joined the District of Columbia Department of Sanitation. These young men are all employed in well paying career jobs in environmental pollution control, and are using their biological and water-technology training in their jobs. One graduate, who is working for the Naval Oceanographic Office, has progressed to the point where he is now making over \$9,000 per year doing rewarding work in cartographic photography.

PROGRAM FINDINGS

As a result of the operation of this experimental program, certain conclusions and recommendations can be made. In general, we have found that it is feasible to bring technically-oriented but disadvantaged young men from the central city and train them to successfully fulfill career positions in the marine science field which gives them both status and upward mobility. The method which has been shown to be effective includes the following aspects:

1. In-house student recruitment control and responsibility.
2. A two-part instructional program including both a strong general educational component and an exciting, imaginative vocational component, leading to a job with status and career potential.
3. In-house psychological testing and counseling.
4. In-house job counseling and placement program.
5. Extensive follow-up of program graduates.
6. Built-in program flexibility to meet changing needs and changing program environment.

TO SAVE THE NATION'S ECONOMY

HON. BARRY M. GOLDWATER, JR.
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. GOLDWATER. Mr. Speaker, as we all know, there has been much discussion regarding the need for wage and price controls. However, past experience has clearly shown that this is not the answer. I believe that the following editorial, that appeared in the November 22, 1970, issue of the Los Angeles Times, is an excellent critique of the false hope that wage and price controls offers. I am pleased to present it to my colleagues:

TO SAVE THE NATION'S ECONOMY

The Nixon Administration's economic game plan has not worked. Although there are sporadic indications that the inflationary spiral may be moderating, prices are still going up. So, unfortunately, is unemployment.

Joblessness in the nation as a whole has reached 5.6% of the work force. In areas such as Los Angeles, where the cut in defense and aerospace spending has had a major impact, it is higher.

We must conquer inflation. But we can no longer afford to do so through means that indefinitely choke off the economic growth which must be achieved if truly dangerous levels of unemployment are to be avoided.

Obviously, some new medicine must be tried. Just as obviously, that medicine is going to have to involve some kind of "incomes policy"—a phrase that can mean anything from mild presidential preaching on wage and price restraint to outright wage and price controls.

There are a number of signs that this fact of life, so long resisted by President Nixon and his closest economic advisers, is finally beginning to be accepted at the White House.

Let us hope so, because surely it is plain by now that the alternative—turning the screw tighter on credit and on government spending—would probably do more harm than good.

It is true, of course, that heavy deficits loom in the federal budget. Rep. Wilbur Mills, chairman of the House Ways and Means Committee and an expert on such matters, estimates that spending in the current fiscal year will run \$12 to \$20 billion ahead of revenues. A similar deficit can be expected next year.

One way to attack inflation, of course, would be to chop federal spending by whatever it takes to balance the budget. There are some very persuasive arguments against such an approach, however.

To begin with, defense spending cannot be cut any further—and may in fact have to be increased a little—in light of the ominous Soviet buildup in conventional and strategic arms. Certainly we cannot indefinitely postpone, either, a more vigorous attack on the social ills which afflict us here at home.

Most important of all, however, is that while Congress obviously should not charge off on a wild spending spree, obsessive budget balancing would generate more unemployment without really getting at the major cause of rising prices.

It is sobering to realize that this country's gross national product, in terms of constant dollars, must grow 4% a year just to absorb the flow of new people into the labor force. Yet our real GNP is no higher now than it was two years ago—which goes

a long way toward explaining the rise in unemployment.

It we are to meet the Administration's goal of returning to a situation of relatively full employment by mid-1972, the economy will have to grow by 6% in each of the next two years.

That is a difficult thing at best. It is impossible if Washington uses tight-fisted fiscal and monetary policies to fight inflation by choking off economic growth. The President was represented Friday as sharing this view.

Finally, economists are pretty well agreed now anyway that inflation is currently being fed not so much by easy credit or government spending as by wage settlements that far exceed gains in labor productivity. Businessmen as a whole have been inclined to cave in to excessive wage demands because they know that they can pass the cost on to consumers in the form of higher prices.

Outright wage and price controls are not the answer. They breed artificial shortages and black markets. They can be administered only through a huge and expensive bureaucracy. They don't work very well anyway.

It is way past time, however, for President Nixon to use the moral power of his office to urge "voluntary" restraint upon both industry and labor unions, and to punish those who ignore such entreaties by turning upon them the hot light of publicity.

Inflationary psychology by now has become so firmly rooted, unfortunately, that this "jawboning" approach may be of only limited effectiveness. Unions, especially, are strongly inclined to ignore any guidelines that may now be set.

That being the case, a proposal advanced by Henry C. Wallich, a prominent economist and consultant to the Treasury Department, deserves consideration.

Wallich would impose a special surtax on the profits of businesses that grant wage increases above a prescribed noninflationary level. The idea, in essence, is to make it so costly for employers to give in to excessive wage demands that their backbones will be stiffened in collective bargaining sessions with the unions.

Like any innovative notion, Wallich's proposal may have some bugs in it. Surely, though, it is worth considering.

FREER TRADE SUPPORTED BY KEY INDUSTRIALIST

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. HAMILTON. Mr. Speaker, an outstanding American industrialist has recently expressed to me his thoughts on the Trade Act of 1970. J. Irwin Miller, chairman of the board of the Cummins Engine Co. of Columbus, Ind., points out in the following letter the adverse impact enactment of this legislation will have on the international economy and U.S. prestige, especially in Latin America. His refreshing thoughts are echoed by an editorial from the Wall Street Journal. Both items follow:

CUMMINS ENGINE CO., INC.,
Columbus, Ind., December 3, 1970.

Hon. LEE HAMILTON,
House of Representatives,
Longworth Building, Washington, D.C.

DEAR LEE: Xenia and I are recently returned from three weeks in South America visiting nearly all of the industrial countries and talking to businessmen, bankers, and government officials.

The amount of concern over the proposed import quota provisions in the Trade Bill is hard to believe. They feel that this is a signal that the United States is no longer a confident world competitor, and is therefore abandoning industrial leadership in the world. This conviction comes through in addition to irritation as to what the import quotas might do to any one specific country, and it damages our influence in foreign policy as well as in trade relations.

You know that Cummins has the strongest and most active Diesel competition worldwide. Nevertheless, we feel that it is our responsibility to compete on even terms with any Diesel engine manufacturer anywhere in the world, and we would like to see quotas and tariffs abandoned by all countries. We would be happy to give foreign manufacturers free access to U.S. markets, if we could have equally free access to theirs, because we believe that in respect to technology and costs our job is to stay ahead of everyone else.

Our personal belief is that this is the posture that the United States ought to offer around the world, if it is to be a genuine leader. Anything else could have very long-term effects on our influence for good in a troubled world.

Best wishes.

Sincerely yours,

IRWIN,
Chairman.

J. I. Miller/wlh

[From the Wall Street Journal, Dec. 7, 1970]

A BAD NEIGHBOR POLICY

A major argument used to support the protectionist legislation now in Congress is that other countries discriminate against U.S. exports, so why shouldn't we do the same to theirs. The chief example cited is Japan whose trade restrictions, while decreasing, do indeed remain severe.

Even if an economic attack on Japan made sense, and we don't for a moment think it does, the pending legislation is not selective enough to hit only the Japanese. The proposed quotas on textiles and shoes, and possibly later other products, would hurt a great many countries, including the neighboring nations of Latin America.

An attack on Latin American surely has nothing to recommend it. While the total U.S. trade position has weakened in recent years, this country's exports to Latin nations have continued to far exceed imports from the area. In a number of Latin countries, moreover, major exports to the U.S. are the two top targets of the pending measure: Textiles and shoes.

If the move is ridiculous from an economic standpoint, its political aspects are downright appalling. The protectionist gambit can hardly help but fuel the growing anti-U.S. sentiment in Latin America, a development that, among other things, poses dangers to U.S. security.

Of course that sort of reasoning carries little weight with U.S. businessmen hungry for new protection; they don't like competition, whatever its source. Members of Congress, however, certainly have an obligation to think long and hard before embarking on a Bad Neighbor Policy.

HON. ALLARD K. LOWENSTEIN

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 17, 1970

Mr. CORMAN. Mr. Speaker, the 91st Congress has been unique from the others I have served in due to the presence of AL LOWENSTEIN.

Many of us come to Congress as freshmen and have a difficult time establishing an identity being one of a group of 435. Without seniority and being eager to gain the acceptance of their colleagues, new Members are often reluctant to speak critically of the issues of the American process of Government.

AL LOWENSTEIN came to Congress with a national reputation he acquired with his vigorous opposition to the Vietnam war. Believing firmly in American withdrawal he was not reluctant to speak out for that belief when he came to Congress.

Besides believing strongly in peace, AL LOWENSTEIN has been instrumental in working at redirecting our national priorities and reforming the seniority system. Though his stay in Congress has been brief he has worked ceaselessly for the principles to which he is committed. He has served his constituents faithfully but has voted as his conscious has dictated even when the issue has been an unpopular one.

Most outstanding among his contributions has been the hope he has restored to our young people. Young people nationwide were first attracted to AL LOWENSTEIN when they realized that he offered them an answer to something many have wanted in depth even when it seemed impossible, that is, the opportunity to work within the system they truly believed in but desperately wanted to change.

Mr. Speaker, there are many rhetorical phrases and clichés one could use at a time like this. I choose not to use any of them but prefer to say that I for one am indebted to have been associated with this man and to say that he will be missed in Congress.

CONGRESSMEN CELLER AND HAROLD M. JACOBS HONORED BY BROOKLYN COMMUNITY COUNCIL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. PODELL. Mr. Speaker, on December 6, the Brooklyn Community Council, which represents the largest Jewish community in America, with more than 500 affiliated organizations, paid tribute to Congressman EMANUEL CELLER at its 31st annual dinner held at Temple Beth El of Manhattan Beach in Brooklyn.

I was privileged to present the award to Chairman CELLER that evening.

The evening was also devoted to paying homage to Mr. Harold M. Jacobs, past president of the council and an active community leader for more than 25 years, rendering humane service to his fellow man.

Rabbi Benjamin Kreitman, council vice president and spiritual leader of Congregation Shaare Torah of Flatbush, presented the award to Mr. Jacobs.

A fine welcoming statement was made by Mr. Sol A. Lieberman, counsel to New York City's Educational Construction Fund and president of the council.

More than 300 distinguished citizens attended the affair to pay tribute to the honored Congressman CELLER and Mr. Jacobs.

It is with pleasure that I include in the CONGRESSIONAL RECORD the moving remarks delivered at the council dinner.

OPENING REMARKS OF MR. SOL A. LIEBMAN, PRESIDENT OF THE BROOKLYN COMMUNITY COUNCIL

Mr. Chairman, Reverend Clergy, distinguished guests-friends: It is indeed a great pleasure for me to extend a hearty welcome to all of you to this meaningful function,—the 31st anniversary of the founding of the Brooklyn Jewish Community Council.

During that span of time, the efforts of the Council as a service unit for about 500 Jewish organizations in this Borough and as the voice of Brooklyn Jewry has met with reasonable success. Under the leadership of many able and dedicated men, of the character of the late Judge Maximilian Moss, upon whose untimely demise, Judge Emil Baar stepped into the breach, followed by Com. Abe Lindenbaum and then Harold Jacobs, the Council continued in high gear. The dedication of Past President Zeitz to the work of the Council has continued through the years. During my term of office, the knowledge, skill and dedication of our three Vice-Presidents, Rabbi Ben Kreitman, Supreme Court Justice Abe Multer and Judge Ed Silver, has been of inestimable value and has made my task as President, relatively easy to perform.

More recent events, however, have made it vital for all of you, as leaders in community endeavors, including those Jewish in nature, to actively support the work of the Council so that we may be even more effective in our efforts, not only to protect Jewish interests, but to help solve some of the more pressing problems confronting our City.

Violence is rife throughout our entire nation and the world. Activist groups of every nature are working overtime. Change by peaceful means seems to have lost its appeal to some,—fortunately a small percentage of our population.

The recent bombing of the building housing the office of the Soviet Aerofoil and the Soviet news agency, Tass, was an act of barbarous terrorism. It is especially repugnant that it should be presented to the public as a form of Jewish reprisal for the Soviet Government's outrageous oppression of Jewish Life in the Soviet Union and the denial of basic human rights to Soviet Jews.

We vigorously condemn such actions of small groups of misguided zealots who endanger the lives of innocent people, damage property or perform other acts of irresponsibility, for whatever reason or cause they assign. Anyone who applauds that bombing or its perpetrators violates all principles of responsible behavior in a civilized society.

Peaceful demonstrations and presentations is the method to effectively accomplish long range goals of this nature. It is by these means and not by destructive violence that we shall continue to press our appeal to the conscience of the world to obtain basic human rights for our fellow Jews in the Soviet Union.

The fact that we have so many persons present who are representative of a cross section of the Jewish population in Brooklyn and of all branches of our faith, as well as our Christian brethren, is gratifying and encouraging. I urge your active cooperation and support so that the work of the Council can become even more effective.

May I refer you to the identity of our Benefactors listed on the inside front cover of our Souvenir Journal, to whom we are deeply grateful. This group includes the Hon. Stanley Steingut, minority leader of the State Assembly, whose absence in Puerto Rico

for a well earned rest, did not prevent him from doing his full share as a director to insure the success of this banquet. Our special thanks, too, goes to my A B C team, consisting of Gerald Adler, the General Chairman of this beautiful event who worked diligently and effectively in the planning and implementation of this banquet, to Harry Bearman, the Dinner Chairman, who established a new high in telephone calls and travel to insure its financial and social success, and to Stanley Clark, who is responsible for our beautiful Journal produced in minimum time. Thanks also to Ned Miller, Dinner Co-Chairman, and Jay Meckler, Journal co-chairman, for their substantial aid and to the many others too numerous to mention, who contributed substantially to this outpouring of esteem and affection for our honored guest, Harold Jacobs.

Thank you very much.

REMARKS OF CONGRESSMAN BERTRAM L. PODELL HONORING CONGRESSMAN EMANUEL CELLER

It is an honor for me to have been selected this evening to present the Brooklyn Jewish Community Council's annual award to a man whose name has become synonymous with dedicated public service and with the unceasing fight for the rights and the dignity of Jews and of all men—Congressman Emanuel Celler.

There is so much that can be said about Manny—or Mr. Chairman as he is known to all in the House—his concern with the public interest, his unique and wonderful sense of humor, and his victories over sometimes insurmountable odds.

To Congress is the dean, the senior Member. To me is an idol, an advisor, a man above all men.

The legislation authored, introduced, and managed by Congressman Celler are among the most progressive and important pieces of legislation in this country's history. His defense of civil rights is renowned; he has authored and managed the last three constitutional amendments. No other Member in history has had that many to his credit. His name is directly associated with the major immigration reforms from 1924 to the present, the civil rights acts, anti-monopoly legislation—and the list could continue.

With all this, Manny's work on behalf of the Jewish community and the Jewish people is legendary for its scope and for the spirit and the dignity of its performance. And, for many years, he had to fight alone in Congress.

I would then like to present the Brooklyn Jewish Community Council's Public Service Award to Congressman Emanuel Celler, "in recognition of almost a half century of public service in Congress on behalf of all peoples of America, regardless of race, color, or creed."

STATEMENT OF REPRESENTATIVE EMANUEL CELLER

First, I hasten to accept the honor you bestow upon me. I say "hasten" because it reminds me of the story of the "Macher" who was a little slow in getting ready for a meeting of the "Verein" which had just elected him president. "Hurry," said his wife, "they might find out they can get along without you."

It is good to hear you laugh. These days it seems that every day is Tisha B'ov with no room for Simchas Torah.

I have often thought (I don't dare say so too often) that the secret of Jewish survival lay in the way Jews have wedded laughter to tears. Isn't it because laughter cleanses, heals, and seals the wound? Isn't it true that laughter exposes the fool and humbles the pretender? We are no strangers to tears, nor to anger, nor to hate. But we do know that tears and anger and hate in excess paralyze, while joy and exultation, the gift of life, frees

as to do; to move, to press forward, as it were.

Two old men, as the story goes, were discussing the comparative merits of their respective miracle-performing Rabbis. One said, "My Rabbi is a wonder. He was riding into town on his horse on Friday afternoon and, of course, had to get there before sundown. It was raining fiercely and neither he nor his horse could see the road. Every possible obstacle was placed in their way, falling rocks, tangled weeds, and so forth. There seemed to be no possibility of their arriving before sundown. But my Rabbi did not despair. He clapped his hands, and lo and behold, the rains stopped, the sun shone, and he came into town in sufficient time to preserve his holiness."

"Puh," scoffed the other man. "Now, my Rabbi was riding into town on a Friday afternoon. It poured and poured and there seemed no way that my Rabbi could get to town by sundown. What did he do? He clapped his hands, and lo and behold, it was Wednesday."

This is the Jewish heritage—to laugh at ourselves and our foibles, to turn away wrath with the word of wit, to blunt the sword by the blast of laughter, to fashion an identifiable brand of humor that has permeated every culture.

Out of the wisdom of the Talmud, and from the sages of our history who dug and dug into each word, we learn that each heart is at war with itself and that each soul affirms and contradicts at the same time. So we learned along with that truth that sorrow and compassion alone cannot build a House of God, cannot build a nation or a history. We learned that the cement is laughter.

You remember Shalom Aleichem's story of the old man who, when his neighbors jeered at him for wearing rims without lenses, shrugged his shoulders and answered, "Better than nothing."

That is what the Brooklyn Jewish Community Council has proved—*There will not be nothing; there is always something better.* And you proved it—not through the prison of tears—these you wiped away to make room for a little more joy, a little more warmth, a little more laughter.

So I hasten to take your offering. I'm not a schlemiel.

CLAY CALLS FOR RESIGNATION OF POLICE BOARD

HON. WILLIAM (BILL) CLAY
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1970

Mr. CLAY. Mr. Speaker, I want to bring to the attention of my colleagues the letter which I have written Col. James Sanders, president of the board of police commissioners in St. Louis. Due to their failure to take positive action in the shooting incident of police officer Steven Georgeff, I have today called for the resignation of the four members of the board of police commissioners.

The letter to Colonel Sanders follows:

WASHINGTON, D.C.,
December 18, 1970.

Col. JAMES SANDERS,
President, Board of Police Commissioners,
St. Louis Metropolitan Police Department,
St. Louis, Mo.

DEAR COLONEL SANDERS: On December 9, 1970, I requested that the Board of Police Commissioners hold a public and open hearing concerning the shooting of police officer Steven Georgeff. To date, I have not received a reply.

Apparently, the Board of Police Commissioners does not intend to hold public hearings and I am, therefore, calling for your resignation and the resignation of the three other members of the St. Louis Metropolitan Board of Police Commissioners.

It is evident by your failure to exercise the authority invested in you by the laws of the State of Missouri that you have forfeited your right to serve in that capacity. In fact, it is obvious that Chief of Police Eugene Camp has usurped the powers of the Board and is dictating policy decisions.

The Board of Police Commissioners has been derelict in discharging its duties since the selection of Chief of Police Camp. Many policemen and citizens who are knowledgeable about the operations of the Department are convinced that your Board is nothing but a rubber stamp for the Chief. Recent failures of the Board to act positively and authoritatively in matters clearly of policy nature tend to substantiate accusations that Chief Camp is "defacto" boss of the St. Louis Police Department. Refusal to exert leadership in times of crisis such as the "Cochran Public Housing Affair" and the "George Washington Hotel Plasco" renders the concept of civilian oversight of police matters totally meaningless.

I understand that the Inspector of Police has white-washed the case by asking for either oral or written reprimand for the officers involved in the shooting of Officer Georgeff. Police officers who would conspire to violate the laws of Missouri—who would plan and attempt to execute a person without due process of law—should be imprisoned not reprimanded.

We will not be able to instill respect for law among the citizenry until those responsible for enforcing laws are committed to respecting them. Therefore, in light of your failure to take positive action in this most serious matter, I ask that you resign immediately as a member of the St. Louis Metropolitan Board of Police Commissioners.

Sincerely,

WILLIAM L. CLAY,
Member of Congress.

ECOLOGY VERSUS ENTERPRISE

HON. JOE SKUBITZ
OF KANSAS

IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1970

Mr. SKUBITZ. Mr. Speaker, I wish to insert in the CONGRESSIONAL RECORD the attached editorial from the El Dorado Times, El Dorado, Kans., December 7, 1970 entitled "Ecology Versus Enterprise."

I think the editorial "laid it on the line." No one wants to see the air we breathe and the water we drink polluted. I agree with the editor that surely there is "some way to harmonize the interests of ecology and enterprise" without closing our business operations or endangering the health of our people.

The editorial follows:

ECOLOGY VERSUS ENTERPRISE

The cattle feed lots which zipped along so merrily only a few years ago have come a cropper. First, perhaps too many of them (like gasoline filling stations) have been built and second, they have bumped squarely into the new-found science of ecology and its accompanying handmaiden of pollution.

Kansas already knows at first hand about pollution. Most of the many oil pools developed within the state in the past 55 years spread pollution throughout all the creeks

and rivers that flowed through any given piece of land. Farmers whose land downstream from oil production was plastered with crude during every season of high water were hard hit by this condition. A few companies tried hard to control the free runoff of crude waste from their leases—but the advantage they gained was immaterial. Many lawsuits were filed with large claims for damages. Few of them got anywhere, however, because of the difficulty (yea impossibility) of proving just whose oil it was that caused the damage.

It is safe to say that all the oil produced in Kansas in the past eighty years paid practically nothing for all pollution damage it caused.

Now the state board of health proposes that feed lots are not going to escape the controls that allowed petroleum producers almost free range. The board's rules shutting off pollution from old established and newly-built water reservoirs by drainage runoff are aimed to prevent any recurrence of the oil fields' escape from tight regulations. Thus, a great deal of controversy has arisen in the cow country within recent days.

The big Crofoot feed lot at Strong City is an exact case in point. This lot is providing an annual \$5 million market for hay, silage and feed grains in addition to its services to the beef industry. Its owner probably would spend \$250,000 in conforming to the state board's requirements if that would be all. But he cannot be assured of the secondary treatment standards which the federal government plans to impose in 1975. These could be of a nature to wipe him out financially. So he says he will have to shut down his enterprise.

Kansas is a beef state center—and its cattle industry is of immense scope and dimension. But if both state and federal agencies are going to run it through the wringer of skin-tight regulations—leaving the hard-working beef producer with no chance of success—it might as well throw up the sponge.

Isn't there some way under the sun to harmonize the interests of ecology and enterprise?

NATIONAL ENVIRONMENTAL DATA SYSTEM

HON. JOHN D. DINGELL
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Friday, December 18, 1970

Mr. DINGELL. Mr. Speaker, the House on December 7, 1970, approved H.R. 17436, to establish a national environmental data system, and sent the measure to the Senate, where it was referred to the Committee on Commerce.

Under date of December 16, 1970, the Office of Management and Budget wrote Chairman MAGNUSON setting forth certain objections to H.R. 17436 and the identical Senate bill, S. 4496. Chairman MAGNUSON made a copy of the OMB letter available to me and under date of December 17, 1970, I wrote a letter to Chairman MAGNUSON setting forth my responses to the points raised by OMB.

So that my colleagues will have an opportunity to be aware of the points at issue in this matter, I include the text of the OMB letter to Chairman MAGNUSON and the text of my letter to Chairman MAGNUSON at this point in the RECORD:

WASHINGTON, D.C.,
December 17, 1970.

Senator WARREN G. MAGNUSON,
Chairman, Senate Committee on Commerce,
Washington, D.C.

DEAR MR. CHAIRMAN: I am in receipt of a copy of a letter to you dated December 16, 1970, from Mr. Donald B. Rice, Assistant Director of the Office of Management and Budget, expressing the Administration's views concerning Senator Hart's bill, S. 4496, "To amend the National Environmental Policy Act of 1969 to provide for a National Environmental Data System." As you are aware, this bill is identical to my bill, H.R. 17436, as passed by the House of Representatives on December 7, 1970.

I note that the purpose of Mr. Rice's letter is to urge your Committee to defer action on the grounds that enactment of legislation at this time would be premature. Five specific objections are presented in support of the Administration's position. In my judgment, each of the arguments presented, when properly viewed, demonstrates that the National Environmental Data System is actually overdue, rather than premature.

Let us consider the objections in sequence:

"(1) Any undertaking of the potential magnitude of the proposed 'National Environmental Data System' should be preceded by a thorough analysis of the requirements for such a system, the benefits and costs that would be involved, and the alternatives for meeting the requirements in the most effective and efficient way. We believe that the bills would error in establishing this system before such analysis has been conducted."

I agree heartily with the principle that such a system as this would benefit by as much preliminary study as possible. Our Committee was well aware of the research required in this regard and made every effort to become familiar with all studies being carried out by the various Federal agencies and private parties. The testimony received at the Committee hearings from witnesses representing the University of Illinois and the State of Maine was primarily for the purpose of learning the results of their programs. Testimony also was received on the Study of Environmental Quality Information Programs being conducted by the Office of Science and Technology in order to benefit from their findings to date. Other studies were recognized to be in progress by the Council on Environmental Quality and by several other Federal agencies.

The Committee investigated the ongoing data systems of the various agencies deeply involved with the environment, and considered their experiences in framing the amendments to H.R. 17436, as originally drafted. It is important to realize here that the National Environmental Data System does not replace any on-going data collection system; it merely provides for more efficient dissemination and broader use of the information being gathered. Further, it is important to note that one of the first duties of the new Director of the proposed Environmental Data System would be to conduct a study which will thoroughly analyze the requirements for the actual implementation of the System in order to optimize its operation in terms of benefits and costs, determine technical requirements, and meet these requirements in the most efficient way.

"(2) The bills do not define clearly what is meant by 'environmental data,' as was pointed out by most of the agencies which commented on H.R. 17436 to the House Committee. The variety and breadth of meanings commonly given the term 'environment' could well frustrate any attempt to systematically focus on the more critical areas needing attention. We believe that any legislation dealing with 'environmental data' should contain a workable definition of the phenomena to be examined."

As you know, it is a function of the Congress to foresee the Nation's needs and to enact legislation which will enable these needs to be met expeditiously, efficiently, and economically. Our Committee feels that the technical definition of "environmental data" is best left unanswered at this time. Based on studies—such as those now in progress by the Council on Environmental Quality and various Federal agencies, as well as the one to be carried out under the legislation—the Director of the Data System would be expected to develop such a definition at an appropriate time in consultation and in coordination with the various agencies affected. Other definitions contained in the bill such as "environmental quality indicators", "Data System", and "information, knowledge, and data" satisfactorily meet the needs in the meantime.

"(3) The bills are not clear as to the roles, responsibilities, and relationships of existing agencies within the proposed 'National Environmental Data System.' The potential confusion this could generate is particularly unfortunate in view of the major steps which have been taken in the past year, through the establishment of the Council on Environmental Quality and the Environmental Protection Agency, to rationalize the analytic and operational capabilities of the Federal Government in the area of environmental protection."

This point is really a reminder that active coordination between agencies is an essential part of the workings of government. Many examples can be cited to demonstrate that different agencies have programs which may appear to be overlapping, but because of enlightened coordination, are really complementary. For example, many different agencies have responsibilities for problems of water management. However, because of wise management they are able to coordinate their efforts for mutual advantage. This same question of explicit definition of roles was raised during the Committee hearings concerning establishment of the Environmental Protection Agency and the National Oceanic and Atmospheric Administration. At that time, the Office of Management and Budget pointed out that while the creation of these new agencies might cause new coordination problems, such problems could readily be worked out in the early stages of operation. There is no reason to assume that the same would not be true of the National Environmental Data System, especially since the bill gives the Director broad authority to cooperate with other agencies. In fact, the bill goes further and specifically cites that the duties of the Director include coordination of effort with heads of departments, agencies, and instrumentalities of the Executive Branch as may be required to fulfill the purposes of this Act.

"(4) The scope of the proposed system needs to be carefully studied to assure that it does not place an unwarranted and costly burden on Federal agencies."

One of the principle objectives of the National Environmental Data System is to provide an information system which will support efficient and economical management of the environment. Even ignoring the obvious long term benefits to be derived from the system, it is easy to see that considerable savings will result from avoiding duplication of facilities, redundancy of studies, and general access to a broad data base. The only way that the proposed system can be made to appear to impose an additional cost burden on Federal agencies is if the agencies abuse the system by misusing its capabilities or by ascribing the costs of data collection to it. The system is not intended to underwrite or induce additional agency activities in the area of environmental data development or collection. It is only intended to provide a vehicle for data coordination and dissemination to optimize the

utility and value of information already being acquired in the courses of normal agency operations. Moreover, the special studies called for by the bill are designed to increase the efficiency of management of the data processing system, to develop ecological models which will enhance predictive capability, and to develop a scheme of environmental indicators which are so essential for the wise management of the environment.

"(5) We are particularly concerned that the management and operation of the proposed system would be vested in the Council on Environmental Quality. Placing such an operating function in a small Presidential staff agency could seriously derogate from its essential policy advisory role."

It is regrettable that this short term view should be expressed at this time of critical environmental crises. The House Committee on Merchant Marine and Fisheries was responsible for reporting the legislation which created the Council on Environmental Quality and we feel that we, therefore, are in a position of knowing what the intent of Congress was concerning the functions and duties of the Council. In the development of the National Environmental Policy Act, it was assumed that this was a first step towards achievement of the broad national environmental goal. We view the establishment of the National Environmental Data System as a vital second step in this important effort. The President, the Council, and every responsible body is calling for such a system. Because of the necessity for such a basic tool of management, the Committee is dismayed at this apparent reluctance on the part of the Administration to seize the opportunity to implement a System.

We are well aware of the problems of limited personnel and huge demands being made on both the Office of Management and Budget and the Council on Environmental Quality. We can only commend them on how well they have performed under these great difficulties. It is only a passing phase, though, in their initial days of operation, and there is no question that they soon will improve their various operational problems to the extent that the additional support that will be afforded by a central source of information concerning those matters on which they must establish policy and advise the President will be welcomed. There is no reason why the operation of an information system would interfere with the advisory function of the Council any more than the responsibility of environmental program guidance does now. There certainly can be no two functions more complementary than that of giving advice and having access to useful and timely information.

In conclusion, I wish to assure you that the intent of this legislation is to improve the efficiency of environmental decision making, support policy determination, provide a factual basis for the annual report of the Council on Environmental Quality, and to reduce the costs of information management. I hope you will agree with me on these worthy objectives and take the necessary steps to see that the legislation is enacted into law during this session of the Congress.

Sincerely,

JOHN D. DINGELL,
Chairman, Subcommittee on Fisheries
and Wildlife Conservation.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., December 16, 1970.
HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, New Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: Recently there was referred to your Committee a bill, S. 4496, "To amend the National Environmental Policy Act of 1969, to provide for a National Environmental Data System," sponsored by Senator Hart. That bill is identical to H.R.

17436, as passed by the House of Representatives on December 7, 1970. The purpose of this letter is to clarify the Administration's position on this legislation.

In its report (No. 91-1629) on H.R. 17436 the House Committee made the following statements concerning the Administration's views of the legislation:

"Great care was taken by your Committee to make sure that all the specific objections presented by the various agencies were thoroughly considered and the bill, as reported with amendments, is designed to meet those objections. In fact, the reported bill includes all amendments suggested by the agencies *except the ones which suggest that the legislation is premature and that sufficient authority to carry out the purposes of the legislation already exists in the Council on Environmental Quality.*" (Emphasis added.)

The report goes on to note statements by the President and the Council on Environmental Quality, in connection with the Council's first annual report, concerning the inadequacy of present systems for measuring and monitoring environmental conditions and trends. Based on these statements, "and in particular the President's expression of the need for such a system," the Committee assumed "that the Executive Branch considers the establishment of a system for collecting, interpreting, disseminating, and utilizing environmental data of great value and urgent necessity." We are seriously concerned that the Administration's views in this regard may not have been fully understood.

Everyone would agree, in principle, that there is a need for environmental data or indicators, so as to enable us to know where we stand in our efforts to protect and enhance the quality of the environment, and where and how successfully these efforts are going. We have been concerned for some time with the need to improve the effectiveness and efficiency of the data collection required for the pursuit of a variety of objectives related to our natural resources and environment. Studies have been conducted and more are underway on specific data collection systems and efforts for common objectives that require participation by more than one agency. In our judgment, however, the statutory establishment of arrangements such as contemplated by H.R. 17436 and S. 4496 would be premature and could impede efforts to develop the most effective means of collecting and utilizing essential data.

Our basic concerns with the legislation may be summarized as follows:

(1) Any undertaking of the potential magnitude of the proposed "National Environmental Data System" should be preceded by a thorough analysis of the requirements for such a system, the benefits and costs that would be involved, and the alternatives for meeting the requirements in the most effective and efficient way. We believe that the bills would error in establishing this system before such an analysis has been conducted.

(2) The bills do not define clearly what is meant by "environmental data," as was pointed out by most of the agencies which commented on H.R. 17436 to the House Committee. The variety and breadth of meanings commonly given the term "environment" could well frustrate any attempt to systematically focus on the more critical areas needing attention. We believe that any legislation dealing with "environmental data" should contain a workable definition of the phenomena to be examined.

(3) The bills are not clear as to the roles, responsibilities and relationships of existing agencies within the proposed "National Environmental Data System." The potential confusion this could generate is particularly unfortunate in view of the major steps which have been taken in the past year, through the establishment of the Council on Environmental Quality and the Environmental Protection Agency, to rationalize the analytic and operational capabilities of the Federal

Government in the area of environmental protection.

(4) The scope of the proposed system needs to be carefully studied to assure that it does not place an unwarranted and costly burden on Federal agencies.

(5) We are particularly concerned that the management and operation of the proposed system would be vested in the Council on Environmental Quality. Placing such an operating function in a small Presidential staff agency could seriously derogate from its essential policy advisory role.

As a final point, I want to assure you that the interested agencies will address themselves to the problem of identifying requirements for data needed for various national environmental and natural resource objectives. They will identify existing activities that can be drawn upon to satisfy important requirements, identify gaps, delineate benefits and costs, and identify ways of improving the coordination and management of the extensive activities that are already underway in numerous agencies. Until these efforts are completed, we believe it would be premature to attempt an organizational solution to problems that are not yet clearly identified and described.

In light of the above, we urge your Committee to defer action at this time on legislation along the lines of S. 4496 and H.R. 17436.

Sincerely,

DONALD B. RICE,
Assistant Director.

REPORT TO NINTH DISTRICT RESIDENTS, DECEMBER 21, 1970

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

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

A COMMENTARY ON THE SALT TALKS

(By Congressman LEE H. HAMILTON)

The third round of the Strategic Arms Limitation Talks (SALT) came to a close in Helsinki last week as the world prepared to observe Christmas. It is not an overstatement to say that these critical meetings between the United States and the Soviet Union represent history's greatest hope for realization of the traditional Christmas prayer of "peace on earth".

The nuclear arms race has cast an ominous shadow over every corner of the globe. The relentless weapon improvements, the secrecy, and the continuing pessimistic assumptions about the other side's capabilities escalate the dangers and the costs of the arms race.

An accidental release, a misunderstanding or an unreasonable demand in a crisis could trigger a catastrophe.

The continued economic drain on both the U.S. and the Soviet Union during the 25 years of the arms race is incalculable. Outlays for arms around the world have doubled in the last 15 years.

The initial goal of the SALT talks is a degree of stability in the arms race. Ultimately, it is hoped that a plan of general disarmament will be evolved. President Nixon and the American delegation have proposed a "building block" progression of talks: (1) limitations on the numbers of missiles, (2) limitations on both the number and the destructive capabilities of missiles, and (3) reductions in offensive forces.

At the beginning of the third round of SALT talks last month, the U.S. made its first proposal on the curbing of strategic weapons. Although the details of the proposal have not been made public, it is believed that the U.S. has proposed a halt to its anti-bal-

listic missile (ABM) system in trade for a numerical limitation on the Soviet's huge SS-9 missiles, which have payloads far greater than present U.S. intercontinental missiles.

Also at issue in the discussions is the continuing development and deployment of multiple re-entry vehicles (MIRVs)—rockets carrying multiple warheads which can be dispersed to a number of targets. The U.S. appears to be ahead in the deployment of MIRVs, while the Soviet Union appears to have the lead in ABM systems.

The three rounds of meetings over the last 13 months have centered on strategic weapons—long range missiles based either on land or carried by submarines, and long range heavy bombers. Involved to a lesser extent are the tactical weapons of both countries—the great variety of short range rockets, fighter-bomber aircraft and atomic artillery systems.

While the attitude of the Soviet delegation to the SALT talks has continued to be business-like and intent upon reaching some agreement, there has been no response to the U.S. proposal. Observers are now speculating there will be none until after the convening of the Communist Party Congress in Moscow next March.

The head of the U.S. delegation to the SALT talks, Ambassador Gerard C. Smith has emphasized that the U.S. will not enter into any agreement based on good faith or trust that the Soviets will begin a program of weapon curtailment. Any agreement, he says, will be based on our ability to verify the actions of the Soviet government.

There are reasons to hope for a positive outcome of SALT. An agreement would strengthen national security for both sides and save vast resources which both sides would prefer to improve the well-being of their people. Each side now has sufficient nuclear power to deter attacks. Earlier arms limitation agreements (Antarctica, outer space, the seabeds, limited test bans and nuclear nonproliferation) have established a precedent.

The United States, then, wants a verifiable, comprehensive agreement on all offensive and defensive weapons which will keep the two countries in about the same relative strength they are in now. We know the talks will be long and complicated, and they may not succeed.

But the risk of talking is far smaller than the risk of not even trying for an agreement.

MARTIN, TENN., ONE OF "NINE HAPPY PLACES" TO LIVE

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. JONES of Tennessee. Mr. Speaker, in its December issue, Esquire magazine included a story entitled "Nine Happy Places." One of the towns featured was Martin, Tenn., located in the northern portion of the Eighth Congressional District. This selection is evidence of the insight, wisdom, and consummate good taste of Esquire.

I have many friends in Martin, and as a young man I attended college there. Over the years, I have come to love and respect the town, almost as much as if it were my own hometown.

The article recognized the civic pride of the community and called attention to some of its traditions, such as Doug and David Murphy's annual 'coon supper and Patrolman Hood's colorful speech. However, it overlooked some of the

town's better-known landmarks, such as the old Sebastian place, the Alpha Gamma Rho House, and the Do Drop Inn. Also, I cannot understand the omission of some mention of the high school's 42 consecutive football victories and the University of Tennessee at Martin's Tangerine Bowl victory a few years back.

Esquire was certainly wise in selecting Martin as one of the nine truly happy places in America. Moreover, I am inclined to believe that, had the magazine not been obliged to maintain a geographical balance, it would have selected the other eight communities from the Eighth Congressional District, where happy places are the rule rather than the exception.

PERSONAL TRIBUTE TO JACK MARSH

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

December 16, 1970

Mr. FUQUA. Mr. Speaker, the 435 men who are permitted to serve as Members of the U.S. House of Representatives quite often form warm personal friendships among that number.

Such is the case with me in referring to Representative JOHN O. MARSH, JR., of Virginia, as he retires from service in this body after four terms. This is a personal loss to me, for Jack and I came to the House together and he is among the warmest friends I have made in that service.

Jack has a special quality that endears him to his friends and I feel that he will again serve in public office in the years ahead, for he has the ability and those special qualities which those who know him respect and admire.

I was very sorry to learn that he had decided not to seek reelection and felt then, as I do now, that I would sincerely miss the dedication and energetic approach he brought to each task he approached.

JACK MARSH is one of those rare individuals who give of themselves unselfishly and boundlessly. Typical was his service in the Jaycees for which the Virginia Jaycees designated him in 1959 as the "Outstanding Young Man in Virginia."

He has been the recipient of the distinguished service medal by the Virginia Department of the American Legion as well as serving in the Veterans of Foreign Wars, National Guard Association of the United States, American Bar Association, Masons, Phi Kappa Psi, Omicron Delta Kappa, and numerous others.

Typical of his dedication was his service in World War II when he was commissioned at the age of 19 and today serves as a lieutenant colonel in the Virginia National Guard.

A graduate of Washington and Lee University, he is a member of the Virginia bar and I might add a highly respected attorney. He is an elder in the Strasburg, Va., Presbyterian Church.

Upon his election to Congress, he was named to the Interior and Insular

Affairs Committee along with the Veterans' Affairs Committee. Later he was named to the Appropriations Committee and has rendered distinguished service at each step along the way.

His wife, Glenn Ann, has shared this life of service and I have the highest regard for this gracious lady.

My tribute to JACK MARSH is not, however, based as much on his distinguished record, as I know all Members of the House recognize. It is rather that he has been a good and close friend. I look forward to that friendship continuing through the years ahead.

I know that my life has been enriched by this friendship and opportunity to serve with him. I feel that this Nation is richer for his having served his State and Nation so well.

HOUSE NEEDS TO REGISTER ITS OPPOSITION TO SMUT REPORT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. DULSKI. Mr. Speaker, in order for us in the House to make it unmistakably clear that the conclusions of the President's Commission on Obscenity and Pornography are not those of the Congress, I have introduced a resolution today calling for the rejection of the Commission's findings.

Indeed, and really more importantly, I feel we should make it clear that the conclusions of the President's Commission are not the law of the land.

There are countless reasons underlying the necessity for this step.

First, there is a tendency among certain law enforcement agencies to downgrade and, in some cases, even to ignore the law when there is reason to believe that the law is outdated and may be repealed or modified.

This tendency, while not a proper basis for law enforcement, is somewhat understandable.

The shortage of prosecutors and police has become acute in recent years at the same time that their workload has grown tremendously as a result of increases in all categories of crime.

CONGRESS ASKED TO HELP

In fact, the Congress has been asked to help these agencies, at all levels of government, by appropriating moneys to increase not only technological aid, but also their manpower capabilities in order to maintain viable law enforcement agencies.

To date, however, the shortage remains acute.

This lack of manpower and resources has resulted in a tendency to devote less time towards initiating criminal prosecutions against pornographers.

A further contribution to this tendency to reduce emphasis on pornography prosecutions has been the series of court decisions which have negated some fine work by these agencies in obscenity cases.

Who then can blame police and prose-

cutors who tend to rationalize that "the courts will dismiss this matter" or "it looks like the law will be changed anyway"?

NECESSITY TO STATE POSITION

In this light it is essential for us, as lawmakers, to reaffirm our position that there is no place in our society for smut and filth.

Further, we should make clear that our intentions are to strengthen antiobscenity laws, not repeal or relax them. In this manner we will not only offset any tendencies to reduce prosecutions but also will lend strong encouragement to law enforcement agencies to reverse their approach and become more aggressive.

It is important to understand, too, that this problem may be compounded further.

When interpreting present law, the courts may base their findings on the erroneous and inconclusive direction taken by the Commission.

Indeed, it has come to my attention that less than 2 months ago the U.S. District Court for the Western District of Wisconsin ruled a city ordinance unconstitutional, virtually restating the majority position of the Commission.

The case involved an alleged lewd performance in a nightclub in violation of a city ordinance in Madison, Wis.

USED REPORT AS BASIS

Thus, in the first case to my knowledge, it would appear that the conclusions of the Commission have been used as a basis for a legal decision.

Lest this decision open the floodgates of similar disastrous legal opinions, I believe it imperative that the House act promptly to state its position.

The House needs to make it clear that until such time that laws are enacted, the conclusions of the Commission are merely the opinions of a less than unanimous group and as such have no legal status.

The Commission's report has no basis in present law and is not the law of the land.

Mr. Speaker, I am proud of the work my committee has done in the enactment of legislation regulating the flow of pornography through the mails. These landmark laws have contributed greatly in stemming the tide the smut peddlers have inflicted upon the American public.

NEED FOR PROMPT ACTION

It is with a sense of urgency that I introduced this resolution today.

So long as the conclusions of the Commission lack adequate documentation, I believe we must reject them firmly so there is no question about their lack of stature.

In fact, even the majority of the Commission admits in its report that their findings are not conclusive when they state:

The Commission's effort to develop information has been limited by time, financial resources, and the paucity of previously existing research. Many of its findings are tentative and many questions remain to be answered. We trust that our modest pioneering work in empirical research into several problem areas will help to open the way for more extensive long-term research based on more refined methods directed to more refined questions.

The Commission's own words, therefore, make it imperative that these findings, with self-admitted deficiencies, are not used as a basis for future court decisions or as an excuse for less vigorous law enforcement.

I strongly urge that my colleagues join with me in supporting my resolution and thereby affirmatively reject this report of the President's Commission.

SHENANDOAHANS PRAY FOR BETRAYED

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. YATRON. Mr. Speaker, like many of my colleagues in the House of Representatives, I was appalled to learn about the denial of political asylum to a defecting Lithuanian sailor in the waters off Martha's Vineyard.

The seaman, a radio operator on a Soviet fishing vessel, made a dramatic and courageous leap for freedom.

Everyone is painfully familiar with the subsequent chain of events. The seaman was forcibly returned to the Russians, who boarded the American cutter *Vigilant* with the permission of the Coast Guard. He was then beaten by his captors while American seamen stood idly by.

This disgraceful episode stands in sharp violation of American tradition and international law. It has triggered a wave of protests and demonstrations from coast to coast.

Mr. Speaker, the priests of St. George's parish and members of the Lithuanian community of Shenandoah, Pa., under the leadership of Rev. Msgr. Joseph A. Karalius, recently held a Mass and public prayers on behalf of the victim of this tragedy. I include an article from the *Shenandoah Evening Herald* of December 9, entitled "Shenandoahans Pray for Betrayed," in the *RECORD* at this point:

SHENANDOAHANS PRAY FOR BETRAYED

Priests of St. George's parish and Lithuanian leaders in Shenandoah joined in a public expression of gratitude for the outburst of prayers for the seamen whose faith in the United States was betrayed.

Not only was the church overcrowded for the special Mass celebrated but groups have organized into prayer units in divine supplication for Simas Grudza.

This young man fled a Russian ship at Martha's Vineyard, Mass., and pleaded for asylum in the United States but was forced by the U.S. Coast Guard to return to the Soviet Ship.

On the afternoon of Nov. 23 the Lithuanian seaman made a dramatic leap for political asylum. A radio operator, Seman Grudza hurled himself across a ten-foot gap from the Soviet vessel, The *Sovetskaya Litva*, to the deck of the Coast Guard cutter *Vigilant*.

About ten hours later, after a series of ship-to-shore radio exchanges, Grudza was forcibly returned to the Soviet ship. According to witnesses he was beaten severely by the Russians while American seamen watched.

A civilian who was aboard the *Vigilant*, said that "Simas pleaded with the Americans to

let him stay. He was crying 'help' and begged them to save his life. But the captain said he was following 'orders.'"

This was the incident that prompted the Mass and public prayers in Shenandoah. It has led to many demonstrations in various cities and centers throughout the country. It has raised questions over a possible violation by the United States of the Geneva Convention protocol on political asylum.

About 100 gathered in Times Square, New York, where they protested a denial of political asylum. Similar demonstrations were reported in Boston, Philadelphia, Cleveland and Chicago. Many wore black armbands and carried signs reading: "Is State Department trading fish for human lives?" and "Russians and Coast Guard kill brave Lithuanian sailor."

When Grudza tumbled onto the deck of the cutter he was carrying a variety of papers, letters, his wife's picture and his passport.

Robert Brieze, president of the New Bedford Seafood Products Association, said Grudza was "known to have two children and he speaks English, German, Russian and Spanish as well as Lithuanian."

Captain Ralph E. Eustis, in charge of the cutter, said he received orders from Admiral Ellis to return the Lithuanian. Four Russian seamen got permission to come aboard and take him back. While Grudza prayed and pleaded on the deck he was seized by the Russians and beat up. Although bloody and sore he managed to break free and ran up on the deck. In the darkness it was believed Grudza jumped overboard. Actually he hid in the cutter's recesses.

The Russians found him and bound him hand and foot and kicked and beat him until he was unconscious. They were then lowered, with their prisoner, and returned to the Soviet ship.

Brieze said: "During all this time not one American sailor, or civilian, went to the aid of the Lithuanian, even though what they had seen was against their grain."

Lithuanian groups have expressed determination to draw public attention "to this outrage."

The New York Times in an editorial "Land of the Free" called it one of the most disgraceful incidents ever to occur on a ship flying the American flag. "It flouts the American tradition of granting political asylum and it may constitute a violation of the Geneva convention on refugees."

Many organized groups have appealed directly to President Nixon. They want answers and they want a thorough investigation of an incident they claim "stinks more than the fish they were talking about on the ships."

Edith Kermit Roosevelt, in her column in the Philadelphia Bulletin, asked if "forced repatriation of defectors is now U.S. policy."

The conference of the two ships was on fishing off the Atlantic Coast, a subject of continuing Soviet-American controversy.

According to an article sent out of Washington the President was furious when he heard the news. As vice-president, Nixon had taken the cold war with the Communist bloc as a personal crusade. The three officers most closely associated with the decision to deny asylum were relieved of their duties, pending the outcome of an official investigation.

The three officers are Rear Adm. William B. Ellis, commander of the Coast Guard First District; Capt. Fletcher W. Brown, his chief of staff and Comdr. Ralph W. Eustis, master of the cutter.

Article 33 of the 1951 Convention Relating to the Status of Refugees, commonly known as the Geneva Convention, states: "No contracting state shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened."

The inspirational leader in the Shenandoah area in prompting prayers and public protests is Msgr. Joseph A. Karalius.

PURE DRINKING WATER

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. ROBISON. Mr. Speaker, an article appearing in the winter 1970 edition of *Water Spectrum*, a Corps of Engineers publication, is a most informative and incisive analysis of one very real national need: Clean water. That article, "Where Now, Clean Water?" was written by Dr. David J. Allee and Dr. Leonard B. Dworsky, the associate director and director of the Cornell University Water Resources and Marine Science Center, respectively. I would like to take this opportunity to commend these two gentlemen for their fine work and their outstanding contribution to both Cornell University and the science of water resources.

The article points to the need for immediate action to provide our citizens with an adequate supply of pure water. In the words of Drs. Allee and Dworsky:

Now that the policy trends initiated some years ago for water quality are reaching a stage of maturity, it is time to start some new trends that will allow the practical integration of the whole water field. Achieving clean water will depend upon it.

If I might use a phrase more commonly associated with those under 30, "Right On!"

The article follows, and I commend it to my colleagues:

WHERE NOW, CLEAN WATER?

(By David J. Allee and Leonard B. Dworsky)

What needs to be done to solve the water pollution problem? Not more talk. We have been preaching coordinated, comprehensive, urban regional and river basin related action long enough. Now we need the Federal and/or State leadership to go do it. But it will not get done unless we recognize and put to use more of the approaches available in our public policy tool kit.

We have permit and enforcement powers that aren't fully used. Project planning and construction approaches that work for channels and dams should work even better for sewers, storm drains and treatment plants. Regional decision making, operating and financing arrangements now used for irrigation, flood control and water supply must be explored for water quality. For the affluent Nation, water quality should be as much a development objective as water supply.

Years ago it was recognized that piecemeal approaches to development were wasteful and ineffective. By one device after another attempts to correct this have been made for the so-called "construction programs." Not the least of these was the Water Resources Planning Act of 1965 and the Water Resources Council. Now that the policy trends initiated some years ago for water quality are reaching a stage of maturity, it is time to start some new trends that will allow the practical integration of the whole water field. Achieving clean water will depend upon it.

Alarmed, concerned and optimistic. We should be alarmed and concerned about the degradation of the Nation's aquatic environments; yet optimistic about the future. More of the same, in effective experience of the past, cannot be tolerated. It is time to reappraise, to restructure, to expand the capacity to act. The problem is less with what is being done than what is not being done to manage water quality.

We should be alarmed by mercury, DDT and other chemicals; by the municipal water supplies of questionable quality even by yesterday's standards; by shotgun investment patterns; and by the gaps in our knowledge and awareness that cause us to grope toward solutions.

We should be concerned that the recent changes in Federal water pollution control funding and organization will not be followed by the significant additions to program and governmental action which will be necessary and would be accepted. In particular the Nation's approach to the planning and development of its internal improvements should again be reassessed and restructured in response to the challenges of waste management in a now affluent society. None of the major water development agencies which have helped achieve that affluence can be allowed to have only minor roles in this effort. For example, under the new interpretation of the old navigation oriented Refuse Act of 1899, the Corps of Engineers has some of the most far-reaching waste management enforcement powers of any agency in the Federal Government. We should be concerned that this potential may not be combined with the other roles and experience of the Corps. This experience includes comprehensive hydrologic planning and hydrologic interpretations, including streamflow regulation for multiple purposes—ranging from navigation to recreation to low flow augmentation for water quality enhancement, and particularly in managing complex multipurpose development programs.

We should be optimistic. The authors first made tentative proposals for just this kind of restructuring in 1965 and 1968. Since then the evidence of its need has increased. And the signs are favorable that both the public and our several governments would accept such a shift. Many others have examined a number of questions posed in the achievement of high quality aquatic environments. There is a growing understanding of technology, both as to cause and to the correction of the degradation of water quality; of organization, both to gain the economies and to gain the greater effectiveness of regionalization; of evaluation, both to set priorities between the many actions that could be taken and to suggest new policies and programs.

Whether it is in the General Accounting Office reviews of the Federal water pollution control construction grant program or in the speeches of congressional leaders or in the first annual report of the Council on Environmental Quality, there are signs of a readiness to make one of those shifts in policy and structure that has characterized the Nation's response to such opportunities. In particular the legislative process seems ready to focus on the need for reassessment and restructuring. For example one of the first bills to authorize specific action by the new Environmental Protection Agency is suggestive. The Pure Drinking Water Act introduced by Congressman Howard Robison of New York is in direct response to the recent Department of Health, Education and Welfare's Community Water Supply Study which found that of those systems studied:

41 percent were delivering water of inferior quality;

50 percent could not recall any outside inspection of their facilities ever;

79 percent had not been inspected in the past year.

As Mr. Robison said in introducing the bill, "Current drinking water standards do little more than mention viruses, neglect numerous inorganic chemicals which are known to be toxic to man, and identify only one index that is supposed to cover the entire family of organic chemical compounds. These standards must be updated."

This bill and the events that surround it

are in the tradition of congressional reassessment and restructuring of Federal programs to better meet pressing national problems. Local and State governments have been given every chance to act and now a new but restrained Federal facilitating role is proposed. Frederic Cleaveland and his associates in a 1969 Brookings Institution report, "Congress and Urban Problems," detail a number of cases similar to the one at hand. Included in their exploration of the functioning of the Congress and the nature of urban problems is an examination of the process of water pollution control legislation in the Eisenhower and Kennedy periods. It is clear to us that the emerging three part Federalism, where cities are more effectively joining in the State-Federal partnership to deal with the urban and the environmental crises, requires some drastic reshaping of old approaches. Not the least of these is to put the water resource development agencies into a posture where they can deal with a wide range of interrelated urban resource problems on an urban region basis. The creation of institutional arrangements for urban regions must be given as much attention as the design of the improvements that can be more effectively operated on that basis. Resource development agencies must see the urban region as a necessary unit of action. The urban region will be as useful a focal point as the river basin has been in the past, if not more so.

Setting Realistic Goals. Progress has been made during the last 15 years but it has been offset by a rising tide of public expectations. Professionals in the water field must help the public adjust their expectations to real world solutions; help public leaders understand what is "promisable;" and work hard to help them deliver on the promises. A large part of water pollution is controllable now at an acceptable price.

But water clean enough to meet current public expectations will not be achieved within the next 5 years. The addition of unneeded further strains on an overburdened society need not happen if professionals share with the public a realistic appraisal of what is possible during the seventies. During the first half of the seventies we should be able to count a number of specific gains if we make some needed changes in our approach to water pollution control. Gains can include, for example:

The removal of gross pollution from all municipal and industrial waste outlets, resulting from the installation of secondary waste treatment facilities or its equivalent.

Demonstrating the use of advanced waste treatment technologies in 15-20 percent of municipal waste systems.

Demonstrating control of total pollution on a regional-systems basis in 20 percent of the Nation's 225 sub-basin areas.

The gradual reduction of DDT and other hard pesticides, and of detergents to acceptable limits if strong measures are instituted to ban their use or provide non-polluting substitutes.

A recognizable reduction in the rate of deterioration of inland water bodies like the Great Lakes.

Substantially increased effectiveness in managing waste heat from electric power and industrial sources.

Improvement in the control over oil exploration, production, transportation and use.

In order to achieve these and other gains, marked changes are needed in the national water pollution control program. The following points represent some of these needed changes.

Federal Jurisdiction Over All Navigable Waters. The Federal Government should enforce pollution control in all navigable waters of the United States, either in cooperation with the States or by itself. Federal jurisdiction over all the navigable waters of the United States for pollution control purposes

has been delayed too long. The Refuse Act of 1899 contains such jurisdiction. But for 36 years from 1912 to 1948 no change was made in national policy for the Federal Government to accept responsibility for enforcement of other water pollution control (except for the Oil Pollution Act of 1924). The shift from total State enforcement was initiated in the Water Pollution Control Act of 1948. By amendments in 1956, 1961, 1965, 1966 and 1970 the Congress has very gradually placed a greater share of pollution control under Federal authority.

Full Federal enforcement authority over all the Nation's navigable waters was proposed by President Johnson in 1966. President Nixon is again proposing this action in the current amendments now being considered by Congress.

The Allocation of Federal Financial Aid and the Determination of Project Priorities. The Federal construction grant allocation procedure should be extensively revised. The revision should include an improved selection and assurance of a greatly improved program of reporting by the Executive Branch on project planning and project completion. Congress, through its Public Works Committees has a long experience in this procedure. A comparable arrangement, carefully developed to avoid criticism over "log-rolling" tactics should be established for water pollution control processes. Program planning and budgeting techniques are available which could go a long way toward avoiding such criticism.

The history of water pollution control in the United States is characterized by "piecemeal" control procedures. In very few, if any, places in the Nation can it be claimed that water pollution in a significant water body has been effectively controlled even though substantial investments have been made in pollution control facilities. An analogous situation would be the construction of only half dams on river systems by dam builders.

For 22 years (1948 to 1970) the Congress has supported in principle this system of piecemeal development of pollution control works and for 14 years (1956 to 1970) appropriations have been spent under this system. In providing financial aid to communities to construct pollution control works the Congress established a formula under which the monies were allocated to the States. The formula has been based upon population (50 percent) and per capita income (50 percent). Monies allocated to the States are then further allocated by the States to projects within each State, the priority of projects determined by a procedure developed individually by each State.

In theory, the Congress established a requirement to insure that the funds expended would be used in a planned manner to achieve effective pollution control in Section 8(b)(1) of the Federal Water Pollution Control Act.

In practice the requirement of approving a project within a comprehensive program has never been effectively utilized even though resources in excess of \$100 million have been spent in search of comprehensive programs since the inception of the act. In addition, State approval of projects has more usually been granted on the basis of when a project is ready to go to construction rather than as part of a logical plan to bring pollution under control in a specific region in a specific time period.

It is time to redesign this system. It has not produced the results desired and the General Accounting Office, Congress's own watchdog over expenditures, has indicated this in a recent report.

Regional Water Quality Management Programs. A series of regional water quality management studies as demonstration projects should be initiated. Most recently the proposal to select one or more regions to demonstrate what can be done with full use

of technology and organization was made in the first annual report of the Council on Environmental Quality. Many river systems, subriver systems, large metropolitan areas, estuaries and the like can best be managed as a single entity to control pollution. Political boundaries and the difficulty of achieving cooperation among large numbers of governmental bodies have been major obstacles to the development of such management arrangements. In addition, such obstacles have kept us from applying our full knowledge in science, technology and management skills to control water pollution.

An initial step in developing this process is to move toward a new type of client-planner relationship that can provide for the development of a regional water quality plan by an appropriate planning-engineering agency (public, private or a combination thereof) under the authority of an appropriate client (State, Federal Government, other) that has or can assume responsibility for the entire region.

Laws presently available in New York, Ohio and Maryland (and in Ontario in Canada and proposed in Pennsylvania) provide for the State to act as a client for a region, and to employ a planning-engineering agency for the development of a regional plan. The Federal Government under the usual planning authorization process employed by the Public Works Committees of the Congress, can also authorize a planning program for a selected region using a Federal construction agency in cooperation with the Federal Water Quality Administration. An analogous arrangement in part already has been initiated by the Congress under the Northeast Water Supply Study through the Corps of Engineers. In addition, River Basin Commissions under the Water Resources Planning Act of 1965 or organizations like the Delaware River Basin Commission can be useful instruments for planning model regional water quality control agencies.

It must be understood that the development of a regional management plan for quality control does not by itself insure the acceptance or adoption of the plan. Appropriate negotiations will be required among the Federal Government, the affected States and the local communities concerned to reach agreement on the implementation of such a plan. Indeed, the plan should embody such agreement. Federal Government leverage can consist of the use of its various construction funds, its technical assistance program and other powers, including enforcement. Much deeper analysis of this kind of negotiation is needed.

Planning an Effective National Pollution Control Program. The collection of detailed information concerned with the industrial contribution to the national water pollution problem should be authorized in order to effectively plan a national water pollution control program. Planning a national water pollution control program requires that information be available about the problem in such terms as sources of pollution, location, name, number, characteristics, amounts and effects. Reasonably good information is available about municipal sewage and waste water contributions. Unfortunately, and nearly incredibly in 1970, the national water pollution control program has no effective procedure to gather data on the industrial component of the national pollution problem. In the absence of such data, it is apparent that we do not have nor can we effectively plan for a well designed national program. Data in recent Federal reports suggest that organic, industrial wastes may amount to three times the volume of domestic wastes and yet may cost only one-third as much to prevent.

The fault does not lie with the Federal Water Quality Administration. The operating program as well as the program by the predecessor agency in the Public Health

Service has sought, for nearly a decade, authority to establish a procedure to gather such data. The Congress and the Executive Office of the President have full knowledge about the problem. The case for action has been extensively explored by a Committee on Government Operations Subcommittee headed by Congressman Robert Jones of Alabama. A report by the Jones Subcommittee pointed out nearly 2 years ago that if effective voluntary action was not taken to gather such data, the Congress should enact necessary legislation. A voluntary program is not what is called for today and the time is overdue for action on this matter. Might not the 1899 Refuse Act be used as basis for the registration and reporting of all industrial waste discharges? It could and should be so utilized if the devices prepared can be agreed upon.

Consolidation of Water Supply and Waste Water Service Functions in Local Government. The water supply and waste water utility services of local government should undergo a program of consolidation and reorientation. There are approximately 35,000 local water and waste water organizations in local governments in the United States. In many places, primarily where a number of communities exist side by side, such organizations should be consolidated and their services reoriented to operate essentially self-sufficient utility services comparable to electric, gas and telephone utility services.

State government should play a major role in this effort by:

Establishing a State regulatory agency (or strengthening an existing agency) whose responsibilities would include (1) the establishment of appropriate water and waste water service areas without regard to political boundaries; (2) the review and ultimate control over a rate structure that would provide for the maintenance of service to meet public needs, established standards of quality and other objectives including that of meeting future growth sufficiently in advance of needs.

Obligating such utility services to be legally liable to provide the services and to meet the objectives for which they are established.

The Federal Government should develop its cost sharing, planning, technical assistance and construction programs for internal improvements to facilitate such consolidation. It must also provide the incentives and means for the accomplishment of multiple objective investments by such consolidated utility service units and insure the achievement of related indirect benefits.

Technology Assessment. A national program of technology assessment should be established to insure, to the degree currently feasible, the minimization of consequences harmful to man, plants, animals and other natural bodies as a result of the introduction of materials, machines or practices by science, industry, technology or other activities of man.

This is a problem that is receiving considerable attention by the Congress and by the Executive Branch. In relation to the national water pollution control program it is essential that a vigorous attempt be made to assess the consequences of man's actions on the water resource in order to eliminate problems such as those resulting from the use of DDT, detergents and mercury.

Unless a program of assessment is initiated it can be stated with a high degree of assurance that more situations having very grave consequences on man and the natural ecology of earth will occur. It can be accepted that a satisfactory and effective program will not be developed easily or soon to carry out such an assessment program. It is important, however, that a start be made immediately in order to provide an operating base and to initiate a program of improvement.

PEP PILL QUOTAS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. WALDIE. Mr. Speaker, the amphetamine pill issue is one that gives me great concern. While the Congress did not feel that an amendment placing a quota on the production of these pills was necessary—at least as proposed by the Select Committee on Crime—I maintain my belief that this quota must be enacted.

I would at this time, Mr. Speaker, place in the RECORD an excellent article on this subject written by Mr. Robert Jackson of the Los Angeles Times.

The article follows:

CONGRESSMAN WANTS QUOTA ON PEP PILLS

(By Robert L. Jackson)

WASHINGTON.—A new congressional battle is shaping up over whether drug companies should be forced to curtail their production of amphetamines, the stimulants known to young addicts as "speed," pep pills and "bennies."

The drug industry is lobbying against the proposal, which is being pushed by leading members of the House Crime Committee.

These members are hoping for action in the closing days of this session. If not, they plan to renew their battle early next year.

At stake, according to those who advocate production quotas, is the health and well-being of thousands of potential addicts, some of them high school students.

Committee Chairman Claude Pepper (D-Fla.), who is leading the drive for quotas, said 8 billion amphetamine pills are manufactured each year in the United States.

FORTY PILLS EACH

This represents such a vast overproduction, Pepper said, that the figure is equal to 40 pills a year "for every man, woman and child in this country."

Since the manufacture of amphetamines is largely in the hands of four New York companies, Pepper's proposal would direct the U.S. attorney general to establish production limits "upon the advice and counsel of the secretary of health, education and welfare."

Pepper, whose committee held extensive hearings last year in California and elsewhere, said 50 percent of these 8 billion pills "go into illicit channels of trade."

"They are not subject to any regulation," he said. "Limiting production by a quota system is the best way to get control."

Some major drug companies do not see it that way. They argue that rigid quotas for amphetamines would not eliminate drug abuse, and could impose a hardship on legitimate users of these drugs. They say only fly-by-night firms sell to customers they do not know.

ILLICIT TRADE

"Even zero quotas do not prevent illicit drug trafficking," said Phil Jahle, Washington representative for Smith, Kline & French Laboratories, a major amphetamine producer.

"And quotas have no meaning with respect to the operations of clandestine manufacturers," Jahle said.

William Patton, assistant general counsel for the Washington-based Pharmaceutical Manufacturers Assn., added, "Companies are generally opposed to the enactment of production quotas. They see them as not necessary and difficult to administer."

Rep. Jerome R. Waldie (D-Calif.), a committee member who has joined Pepper in the drive, said the legitimate need for amphetamines "does not exceed several hundred thousand pills annually" far below the billions being produced.

"When we balance the equities, as to any inconvenience which might occur to the drug manufacturers as against the definitive tragedies no one argues about, the situation demands action," Waldie said.

CRIME PROBLEM

Another California committee member, Republican Rep. Charles E. Wiggins, said the abundance of amphetamines "is creating incalculable problems—crime problems and social problems." Producers of this drug "have not practiced any self-restraint, have not limited production," Wiggins said.

Committee hearings showed that a Chicago manufacturer shipped 1.2 million amphetamine pills to an unknown consignee in Mexico. Investigating the transaction, federal agents found the consignee's address was actually the eleventh hole of a Tijuana golf course. The pills had gone into the black market and are believed to have been widely distributed in Southern California.

Amphetamines—and there are various types—are legitimately used to control narcolepsy, a chronic sleepiness, and hyperkinesia, a behavioral disorder in children. They may also be used in controlling weight.

But committee members contend only a fraction of the amphetamines currently being produced are needed for these legitimate uses. They suggest that some producers may be overly concerned with profits from larger sales.

LENGTHY "HIGH"

"Speed freaks," or those who become addicted to amphetamines or methamphetamines, either orally or through injections, can live on a "high" of feverish excitement for days.

But psychotic reactions or brain damage may develop later, sometimes leading the victim to commit crimes, some authorities say.

The Nixon Administration has withheld support from Pepper's quota proposal, arguing that the Justice Department could impose controls on an administrative basis. But Pepper contends that in the absence of legislation, administrative procedures would face legal challenges, a process that could take years.

The Justice Department's bureau of narcotics and dangerous drugs is not ready to recommend production quotas for amphetamines "at this time," its director, John E. Ingersoll, wrote Pepper.

"We are still in the process of gathering all the information on these myriad drugs and their combinations," Ingersoll said.

SENATE PASSAGE

Despite the Administration's coolness, the Pepper proposal passed the Senate in October by a vote of 40 to 16, under the sponsorship of Sen. Thomas F. Eagleton (D-Mo.).

But—largely because of drug industry lobbying, according to Pepper—the measure was killed by House conferees in a closed-door Senate-House conference committee. Pepper is currently drumming up new support among House members and is exploring ways of getting the proposition to a vote on the House floor.

"The drug lobby had people all over the Capitol," he said.

The Pharmaceutical Manufacturers Assn., which Pepper said is coordinating the opposition, has a 70-member staff in Washington and a budget of \$3.6 million a year. It represents 125 member companies in the prescription drug field.

Patton, the PMA assistant general counsel, said his group has been "very actively involved" in helping to draft drug abuse con-

trol legislation. But he denied that any specific lobbying has been waged, as an organization, against Pepper's proposal.

He conceded that most major manufacturers are against the measure.

AN AMERICAN REMEMBRANCE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. McDADE. Mr. Speaker, if there is any tradition which is more American than any other, it is that which keeps alive in our memories those who have gone before us, who shared in the building of this great nation. In a moving manner, a man called Ed O'Brien took pen in hand to write a prose elegy and a tribute to another man who would always be part of his life. I commend it to the reading of my colleagues:

MY BROTHER BILL

He was seven and I was eight when we became partners. I had bought six duck eggs from Ben Levan; three white and three blue duck eggs. I set them under a setting hen and told Bill if they hatched, he could have "half." That started our partnership, because they all hatched. We were partners over 50 years.

From then on it seemed that everything we set "hatched" for us. We had the first hotdog stand between Elmira and Binghamton and many of you, our friends, remember the old stand. Then our two places you remember on Broad Street, O'Brien's Cabin Diner and the Terminal News.

Later, Dad thought a place on top of Waverly Hill would be good. This, of course, grew to be the now famous O'Brien's Inn. But to thousands over the northeast, it was known as "Ed and Bill."

A little over three years ago, Bill decided to do some traveling and he sold out to me, even talked of retiring. But while in the sunshine of Florida he got an outstanding offer from the Holiday Inn chain. With them he went on to new success . . . and was in Oklahoma, Ohio and was just waiting to take over a new Holiday Inn in Detroit, Michigan.

So Bill went away from Waverly Hill, and after so many years together, I sure missed him and was bound to be lonesome, and, believe me, I was. But we kept in close touch.

He was here with me about a month ago—looked great. He saw the "Ed & Bill" pictures where they always were and where they'll always stay.

But shortly after Christmas, he called me one night, he was alone, in his apartment and got thinking about me. We chatted "old times" for about 20 minutes on the phone. We recalled funny things over the years that can and did happen to brothers and partners. We laughed as we recalled those happy things, silly things, serious things down through the years. When Bill was in Florida this past January, he would send me cards from different points of interest and we kept close.

Then early, very early, the other morning, the phone rang. It was all over, Bill was gone to his real home, the one we all hope to enjoy someday. No more phone calls and cheery "How the hell are you Ed?" No more visits from Bill. Life sometimes seems long, but, it is, oh so quick! So short!

I know Bill would want to say to all of you, but I will say it for both of us: "Thanks a million for all you have done for us . . . for Ed and Bill . . . thanks to you, our friends in the valley and to our friends for miles

around. Thanks for all you have done through the years.

O'Brien's Inn with your continued help will reach new heights, new glories. But in my soul, my heart, and in my mind, it will always be known as "Ed & Bill."

COUNCILMAN MARIO POLVOROSA

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. MILLER of California. Mr. Speaker, the California State Senate recently approved a resolution, a copy of which I include at this point in my remarks commending San Leandro City Councilman Mario Polvorosa for the leadership that he has exercised in the field of public service. Mr. Polvorosa, known to his intimate friends as "The Wheel" has had a distinguished career which is typically American. He started from scratch and is now a responsible member of the city council of one of the most progressive cities in our country.

RESOLUTION OF THE SENATE RULES COMMITTEE

(By Senator Lewis F. Sherman)

Relative to Commending Councilman Mario Polvorosa

Whereas, Mario Polvorosa has been cited by the San Leandro Morning News for his many contributions to the City of San Leandro; and

Whereas, The people of San Leandro have shown their confidence in Mario by twice electing him to the City Council since his first appointment in 1965; and

Whereas, Councilman Polvorosa, "The Wheel," has twice been mentioned in the Congressional Record for his part in obtaining 150 pints of blood for a hospital patient and for his other outstanding accomplishments; and

Whereas, Finding that state legislation was needed to implement his proposal for automobile safety, this resourceful man took the time and trouble to shepherd a bill through the legislative committees to the Governor's desk; and

Whereas, Councilman Polvorosa was named Chamber of Commerce "Man of the Year" in 1967 and 1968 and was honored as "Citizen of the Day" by radio station KABL both this year and last; and

Whereas, He has served with distinction in many other organizations, including the San Leandro Boys Club, the San Leandro Girls Club, the U.P.E.C., and the March of Dimes; and

Whereas, His engaging personality and innate selling ability have sparked highly successful fund-raising efforts for many worthwhile community projects; now, therefore, be it

Resolved by the Senate Rules Committee, That the Members do commend Councilman Polvorosa for his devotion to the people of his community and wish him the greatest success in his future efforts on their behalf; and be it further

Resolved, That a suitably prepared copy of this resolution be forwarded to Councilman Mario Polvorosa.

Senate Rules Resolution No. 233 adopted October 13, 1970.

JACK SCHRADE,

Chairman,

LEWIS F. SHERMAN,

Senator, Eighth District.

VETO OF EMPLOYMENT AND
MANPOWER ACT OF 1970

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. ANDERSON of Illinois. Mr. Speaker, President Nixon's decision to veto the Employment and Manpower Act of 1970 was undoubtedly a difficult one. At a time when the ranks of the unemployed are growing and the indicators point to an uncertain economic future, mere political expediency would have counseled acquiescence in a large-scale job creation program—no matter how slight its prospects for contributing to economic improvement or how great the attendant administrative and fiscal complications. But the President did not take the politically easy or attractive way out; instead, he applied the standards for manpower program reform that he laid out in his message to Congress of August 1969 and found the conference bill wanting.

Mr. Speaker, I commend the President for the forthrightness and political courage he displayed in this decision. By putting considerations of substantive policy ahead of mere politics, he demonstrated that there still is hope that the reckless proliferation of redtape, bureaucracy, duplication and confusion in our Federal grant programs can be reversed. And in the long run, I would remind my colleagues, the most significant thing we can do to ease our national ills is get our vast array of Federal programs rationalized, consolidated and decentralized before we open any wider the Federal appropriations spigot.

There are those, of course, who will interpret this action as indicating a lack of sensitivity in this administration for the plight of those who would benefit from these manpower programs. I would submit, however, that nothing could be further from the truth. In fact, it was a deep concern for the victims of empty promises and the bureaucratic shell game by which trainees are often shunted from one so-called training program to another, never seeing the light of day in the real job market, that led the administration to propose a drastic overhaul of these programs in the first place.

The bill approved by the House last month shared this concern and represented, I believe, a major step toward restructuring a vital component of our overall social policy in accordance with the tenets of the New Federalism. By not renewing the authorization for narrow categorical programs, and instead providing for broad grants to local prime sponsors for the development of a comprehensive manpower package attuned to local needs and job opportunities, the bill gave promising embodiment to one of the President's central recommendations.

Unfortunately, the conference bill sharply undermines and reverses this constructive movement toward reform. In parts B, C and D of title IV, most of the old categorical programs are given a new lease on life: The Job Corps, Neighborhood Youth Corps, New Careers, Op-

eration Mainstream, Green Thumb, opportunities industrialization centers, are all extended as are such new programs as community environment services, Jobs for Progress and management training programs. The aim of the administration proposal and the House bill was to reduce the current staggering total of 10,000 separate manpower sponsors to a more manageable 300 or 400. However, with this reauthorization of the categorical programs, and the expanded public service title, it appears we are right back where we started with redtape, bureaucratic entanglement, and program fragmentation.

Mr. Speaker, a second undesirable provision of the conference bill is the deletion of the specific language in the House bill which required sponsors to set goals for moving trainees off federally subsidized jobs and into private or regular public employment. By not requiring that the Secretary of Labor reduce or cut off funds when sponsors fail to achieve progress toward placing the trainees in a self-sustaining permanent job, the bill opens up the back door to a vast and costly WPA make-work program. For it should not be forgotten that once hundreds of thousands or even millions of individuals become dependent upon these programs it will be very difficult to cut them off or even reduce the scale. As President Nixon noted in his veto message:

WPA-type jobs are not the answer for the men and women who have them, for government which is less efficient as a result, or for the taxpayers who must foot the bill. Such a program represents a reversion to the remedies that were tried 35 years ago. Surely it is an inappropriate and ineffective response to the problems of the seventies.

Finally, Mr. Speaker, the conference bill severely undermines the occupational upgrading title which, in my view, is one of the most important innovations in recent manpower legislation. Until now the predominant thrust of our Federal training programs has been toward preparing marginal workers for entry level jobs. While this objective is a laudable and necessary one, it tends to have two undesirable effects: First, it increases the competition for the limited supply of this type of job, thus contributing to racial tensions in the working class community; and second, it fails to serve the pressing need of our economy for a reallocation of manpower toward the skilled and technical end of the job ladder. The House bill would have done much to remedy this lack of balance by providing to private and public employers aid toward 90 percent of the cost of retraining and upgrading current employees for skilled and technical positions. While the conference bill retains this provision in form, it in fact relegates the program to the prospect of very marginal funding by lumping it with title IV in the allocation formula. This means it will be forced to compete with established categorical programs, the summer youth programs, the research and development activities and job bank program for the 33 percent of the total funds made available for these purposes under the bill, making it quite likely that this

innovative new program will have a very difficult time getting off the ground.

Mr. Speaker, I have suggested three major deficiencies of the conference bill which I believe constitute solid justification for the President's veto. I believe the President has made it perfectly clear that he fully supports the objective of expanded manpower training; but he also wants a program that can be administered effectively, that is responsive to local needs and job market conditions, and that accords with the New Federalism emphasis on decentralization and vitalization of local and State government. The manpower proposal that the President sent to Congress a year and one-half ago embodies precisely these aims and therefore deserves prompt consideration and early approval when the new Congress convenes.

WHITE HOUSE CONFERENCE ON
CHILDREN

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. GOODLING. Mr. Speaker, the White House Conference on Children has been in process during the week of December 14, 1970, with 4,000 delegates from all of the States of the Union having been invited by President Richard M. Nixon to come to the capital city and discuss matters relating to the health, education, and welfare of America's children.

My son, William F. Goodling, superintendent of the Spring Grove area schools, was fortunate in being selected as one of the delegates to this conference. I asked him for his appraisal of its progress. Because his observations represent an interesting insight by one delegate into the functions, attainments and hopes of the conference, I insert them into the CONGRESSIONAL RECORD and commend them to the attention of my colleagues. His observations follow:

OBSERVATIONS BY WILLIAM F. GOODLING

Although the opening meeting of the White House Conference on Children on Monday morning began on a negative note, and although there were those in attendance who wanted it to remain that way, the majority of the delegates delved into the business of finding a way to help all children become literate, productive and happy citizens because they have that right and because we, as accountable adults, have the responsibility to see that this right is realized.

After much discussion, some of it heated and animated but nevertheless sincere, the delegates to the Conference have assembled recommendations which we believe merit a top priority when Federal priorities are considered, because the welfare of our children and that of our country are, in effect, synonymous.

It is the belief of the delegates to the Conference that the Congress and Administration will seriously consider our recommendations and, where the Federal Government is involved, add the momentum needed to implement them.

As one delegate, I would like to thank the Congress and the Administration for giving us delegates the opportunity to help work toward solutions for the problems confronting the children of America.

PLANE CRASH TAKES THE LIVES OF TWO OUTSTANDING SENIOR GOVERNMENT OFFICIALS

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. HOLIFIELD. Mr. Speaker, on November 25, 1970, two outstanding senior Government officials were killed in a plane crash in Nevada—Atomic Energy Commissioner Theos "Tommie" Thompson, and Col. Jack Rosen. In that crash our country lost two of its finest nuclear experts.

The loss of Colonel Rosen is particularly poignant to me because Jack served with distinction as a staff consultant to the Joint Committee on Atomic Energy from 1963 to 1967. His service to me as chairman and to all members of the Joint Committee was truly outstanding. He brought to the very demanding and difficult job of advising on nuclear matters, both foreign and domestic, a technical expertise and understanding of the complexities of the atom which greatly contributed to the effectiveness of the Joint Committee on Atomic Energy. His professional qualities were of the highest order; but, above all, Jack brought to the job a compassion and understanding for his fellow man which enriched all of us who worked with him. His sense of dedication, his effectiveness in solving the difficult problems and arriving at a beneficial solution to all—and always with a fine sense of humor—will be missed by all of us. His wife, Lorraine; his son and now the head of the family, David; his daughters, Loreda, Shira, and Rina can well be proud of the record of accomplishments of this distinguished American. We will miss Jack, and we are all a great deal richer for having known him.

At the memorial service there were three tributes, which more eloquently than I, expressed the impact that Jack Rosen had on our national security and his fellow man. I include eulogies given by Lt. Gen. Alfred D. Starbird, U.S. Army; Dr. Gerald Tape, and Rabbi George Vida in the RECORD at this point:

EULOGY BY LT. GEN. ALFRED D. STARBIRD, U.S. ARMY, AT THE FUNERAL OF LT. COL. JACK ROSEN

Colonel Jack Rosen's Army career was a remarkable blend of technical and military accomplishment with a warm understanding of others. Jack enlisted in the Army early in World War II, when he was just 19 years old. He saw service as a communications expert in the Solomon Islands, in the Philippine Islands, and in postwar Japan. When the tensions of war relaxed, Jack returned to the United States and resumed his formal education. In the field of Physics he earned a Bachelor of Science degree at the University of Chicago, and later his Master's in Science at the University of Illinois.

With that education barely complete, Jack returned to uniform during the Korean conflict to serve as an officer overseas in the combat area, again in the Army Signal Corps. He was awarded the Korean Service Medal, the United Nations Service Medal and the Bronze Star Medal. The Commanding General of the 24th Infantry Division, in awarding the Bronze Star, cited Jack's exceptional service as radio officer and as a Special

Staff Officer on the staff of the Division Commander.

After his service in Korea, there followed a period of technical contributions in communications research and development at the US Army Signal Laboratory. Then, as a Company Commander from 1954 to 1957 he had responsibility for all Army micro-wave communications over a sizable portion of West Germany.

In 1957, Jack Rosen was selected for, and reported to the Atomic Energy Commission as a member—the youngest member—of its military staff. It was at this time that I first came to know him. All in the Commission and the staff very rapidly recognized his warm cooperativeness and understanding. They recognized his sincere dedication to his country and his technical professionalism. Personally, I came to rely heavily upon his ability to understand and resolve the most complex technical-military and diplomatic-military problems we faced. It was during this period that Jack served for a time as a technical representative with the United States Delegation to the Geneva Conference on Cessation of Nuclear Testing. There, as earlier, he showed a great appreciation for the need for a strong but peace-seeking America. He devoted his professional life then and later toward achieving these ends.

Jack brought to all with whom he came into contact an infectious enthusiasm—a source of inspiration to them. Devoted to his family, devout in his beliefs, he was at the same time a most practical executive and a practicing patriot. In the finest tradition of our country, he served in uniform for more than 20 years. His last military assignment, on the staff of one of the most important committees of the Congress, gave him the opportunity to serve his country in an even broader area of national affairs. In the name of the President of the United States, he was awarded the Legion of Merit for this service.

The nation is indebted to Colonel Jack Rosen. As he joins his comrades in arms here in Arlington we are the richer for having known him. We hope and pray that Lorraine and the children will find comfort in the knowledge of the contributions Jack made and the high purpose and benefit he brought to others. We who remain behind salute the memory of a distinguished soldier and an outstanding American.

JACK ROSEN—THE LATER YEARS

(By Gerald F. Tape)

Jack Rosen served his country and his fellow men in many ways. By the time of his retirement from military service, he had participated in and contributed to the fostering of scientific research, the advancement of technology, the maintenance of national security and the promotion of progress and peace.

As Staff Consultant to the Joint Committee on Atomic Energy from 1963 to 1967, Jack earned the respect of the members and staff and of their colleagues in the Congress. His pursuit of factual information, his analytical acumen, his logical presentations and his command of language became his trademarks. He was advisor to the Committee on matters of nuclear weapons, disarmament, peaceful application of nuclear explosives, special nuclear materials, and physical research. Upon his departure from "the Hill" he received many accolades; he was recognized for his professional achievements and for his personal qualities. Chairman Holifield of the JCAE, most recently and in connection with the tragic accident involving Colonel Rosen and Commissioner Thompson, stated that they "were both outstanding scientists to whom our nation owes so much."

Upon completion of his assignment with the JCAE and his retirement from the Army in 1967, Jack joined the staff of the Atomic

Energy Commission. I was personally most fortunate in having Jack as my Special Assistant and close associate. And yet, in many ways, he served the whole Commission—the Commissioners and the staff in Washington, and those in the field and in the laboratories. His enthusiasm, his sparkle and sense of humor were pervasive. His breadth of experience, his wealth of information, his common sense, and his appreciation of the needs and sensitivities of others caused his views and judgment to be sought out and widely respected.

Commissioner Thompson, as my successor, asked Jack to continue with him in a similar role, one which because of Jack's initiative, vigor and competence was ever broadening. Jack's service continued with the high degree of unselfish dedication and limitless energy which I had come to know and appreciate. Three weeks ago when the three of us returned together from Brookhaven, Tommie told me, as he had many times before, how grateful he was to have Jack as his associate. This close association and dedication existed to the very end.

Jack's friends are legion. They are not limited to his Washington associates in the government and in the community. They are scientists and engineers in the laboratories and professors in the universities; they are administrators, managers, and liaison representatives from home and abroad; they come from all walks of life and all nations of the world. I cannot hope to express adequately their admiration and respect for Jack.

Those of us who have had the privilege of being with the Rosens know of the great devotion of Jack to his family. The joy which Jack and Lorraine experienced in assisting in the educational and cultural growth and progress of their children is the envy of us all. Many here today shared in Jack's most recent great moment, his son David's Bar Mitzvah—a day made even more glorious by David's excellent work.

Lorraine, Loreda, Shira, Rina and David, we share with you this sad hour. Our hearts go out to you. We are the better for having known your husband and father. We hope that you will take comfort in knowing how much his life has enriched our lives and how grateful we all are for having been associated with Jack Rosen.

EULOGY FOR LT. COL. JACK ROSEN

(By Rabbi George Vida)

The Psalmist sings: "Teach us to number our days, so that we may get us a heart of wisdom." (Psalm 90, xii)

Has there ever been a man who knew the number of his days, who could tell the length of his life? Can we measure the life of any man in days, months or years? Or should we not rather evaluate a man's life by what he accomplished, how much life he filled his years with and not how many years he counted in his lifetime?

"Life is a journey, death is coming home." Jack Rosen has come home. His life was much too brief in years. Yet, in these few years he lived so fully that those who knew him well will never forget him. He was able to fill these much too few years of his life with so much patriotism, love, dedication and achievement, that he made each day of his short life count. He knew how to number his days and therefore his wisdom was the wisdom of the heart.

His scientific achievements were extolled by those who worked with him on the Atomic Energy Commission. As his Rabbi I can speak of him as a man, as a Jew, as an American. How proud he was of the musical accomplishments of his children, of the pleasant and hospitable home his beloved wife made for him. He was truly a father, a husband, a brother, a friend. During this brief journey on earth, he travelled through many lands and met many people. Everyone whom he

came in contact with felt, here was a man, loving and beloved, respectful and respected, understanding and understood.

On the traditional Jewish tombstone there are five Hebrew letters. They are the first letters of five words which form a sentence: "May his soul be bound up in the bond of life." Jack Rosen will not be forgotten! His soul will be bound up in the bond of life forever. He will live on in the hearts of many: his dear wife, his beloved children, his brothers and sisters, his relatives and friends and even in the hearts of the countless men and women whose lives he only touched briefly.

May this precious memory be their consolation!

EIGHTH GRADER'S QUICK ACTION AVERTS POSSIBLE TRAGEDY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following account of heroism by a 12-year-old Oolitic, Ind., newspaper carrier. The presence of mind and quick action by Randy Duncan averted a tragedy, and it is fitting that his act be recognized here.

An article, describing his actions was printed in the December 13 issue of the Bloomington-Bedford, Ind., Sunday Herald-Times. It reads as follows:

FOR SAVING WOMAN'S LIFE: H-T CARRIER CITED
(By Ray Snapp)

If it hadn't been for that child, I would have burned up. I owe my life to him.

Those were the words of Martha Cain, 85, who lives alone at 231 Lafayette Street, Oolitic, and who was saved from death by fire a few days ago by her Times-Mail carrier boy who also happens to be her great grandson.

While delivering his papers one evening about a week ago, the youth, 12-year-old Randy Duncan, observed through the front door that Mrs. Cain's clothing was ablaze. He threw down his paper bag, rushed inside, ripped the burning clothing from Mrs. Cain's body and threw it onto the front porch which has a concrete floor.

The result was that Mrs. Cain was burned only on her right arm. Randy said he was wearing gloves which protected his hands from burns. He was not hurt.

Recalling the incident, Randy said that when he approached the front door of his great grandmother's home, he saw her clothing burning on and under her right arm. "Oh, mamaw, you're on fire," the boy screamed as he slammed open the door and rushed to her aid.

The sleeve from the burning garment crumpled into ashes on the porch floor.

Mrs. Cain explained that she was wearing a dress and robe while she was working in the kitchen. She apparently had left a gas burner on her kitchen range burning and caught the sleeve on the robe on fire as she reached across the burner to reach a tea-kettle. She has poor eyesight and did not observe the fire in the front burner. The sleeve of the robe and one side of it was in flames before she realized what was happening.

Randy has been a Times-Mail carrier since November 8, 1969. He serves 56 customers on his route. An eighth grader at Oolitic School, he plans to join the Navy when he gets out of high school and perhaps make a career of the service.

He is the son of Mr. and Mrs. Dean Duncan of Oolitic. His father is a member of the Bedford Police Department.

"He has the wisdom of a man," said the grateful great grandmother of young Randy.

THE NEED FOR PRESIDENTIAL LEADERSHIP

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. RIEGLE. Mr. Speaker, I have recently read two interesting articles concerning the need for greater national leadership to unify our Nation. One editorial appeared in the Washington Evening Star on December 17, 1970, and the other appeared in the Flint Journal on December 15, 1970. I would like to insert these articles in the RECORD so that all Americans may read these views:

THE GOVERNORS' LAMENT

The nation's dwindling fraternity of Republican governors has much to complain about, and prominent among the objects of complaint is the result of the November election. Democrats wrested thirteen governorships from the GOP and lost only two in return, for the best net gain by either party since 1938. All seven of the incumbent governors who lost their jobs were Republicans.

The setback transcends the interests of the election-day losers. The loss of statehouse patronage will make it harder for party organizations to work toward majorities in the 1972 voting. And Democrats, with their additional statehouse power, will have more to say about the redrawing of congressional district lines on the basis of the new census, a key factor in the 1972 elections.

So the unease of the GOP governors gathered in Sun Valley, and their suspicion that something went wrong in 1970, are at least understandable. But if they expected understanding or a measure of agreement from their national leadership, they were disappointed by the speech of an unregenerate Vice President Agnew.

Don't criticize the divisive campaign strategy, because that's the name of the game, Agnew's message went. Don't knock the negativism of the election pitch, because the idea was to attack Democratic Senate incumbents. Above all, don't criticize—and there's no such thing as "constructive criticism"—because that hurts party unity and comforts the enemy.

So much for the statesmanlike observations by the more sensitive governors who seek more positive political leadership from the President, based on accomplishment rather than attempts to exploit the "social issue." Time and again, governors, like Virginia's Linwood Holton, deplored the White House tendency to "write off" segments of the population—Negroes, Spanish-speaking Americans, the young. "We must deal with problems whether the solutions are popular or not," said Michigan's Governor Milliken. "To write off whole groups for expediency—such as the blacks—is not only morally wrong but politically stupid."

We don't approve of the Agnewian tone of Governor McCall of Oregon, who said of the Agnew remarks, "There was the most unbelievable, incredible misunderstanding of the mood of America in that rotten, bigoted little speech." But if that kind of GOP reaction can help put to rest forever the folly of the Nixon-Agnew mid-term campaign, and advance the cause of unifying national leadership, the sojourn at Sun Valley will have been worth the trip.

PRESIDENCY INVOLVES MORAL LEADERSHIP

Not unexpectedly, President Nixon rejected a conclusion of his Commission on Campus Unrest that he bears the major responsibility for providing moral leadership to end divisions in American society.

He did so in a letter to William W. Scranton, chairman of the commission, that was made public last week. The letter served mainly to underscore what others in the administration had already said.

It is, at first glance, difficult to grasp why the President rejected a conclusion that on its face seems so well rooted in logic. He is, after all, the nation's highest leader. Is he not obligated by his office to be the highest dispenser of moral leadership?

In a real sense he is, but the matter becomes more complicated when considered in light of the commission's report. Easily overlooked are hidden implications of blame, for the violence that has taken place already and which may yet happen during the remaining two years of Nixon's term. To accept the commission's conclusion might be construed by some as accepting sole blame, which obviously is not his. No single individual can be asked to shoulder it—even by implication. Thus there is a force toward defensiveness on Nixon's part.

In his letter to Scranton, Nixon said: "There are thousands upon thousands of individuals—clergy, teachers, public officials, scholars, writers—to whom segments of the nation look for moral, intellectual and political leadership."

One is hard put to quarrel with this appraisal. Indeed, just as blame for what has already happened cannot be placed on a single action or individual, moral leadership is not of a single source. Moral thrust is a combination of elements toward the development of a desired climate. But if one holds to a theory of "example," then it can be expected to receive impetus from the top. Clearly, any president bears "a" (as opposed to "the") major responsibility for providing such moral impetus.

Another aspect of the leadership question, underlined by Nixon's message, deserves examination. It is the idea that some in Washington seem bent on propagating that merely deploring violence is exerting the leadership that can prevent it. But if deploring violence is such a potent weapon against it, then we should not have had any at all because an overwhelming majority of the American citizenry does deplore it.

Were it only that simple to create a national climate completely without violence or its threat. But such a goal must be sought by seeking solutions to the problems that divide—just as the commission said.

This involves, among many other things, recognition by the chief executive that nearly every major and minor issue that confronts him involves a moral question. And each decision made by a president applies to the sum total of the moral leadership of his office.

Even the decision on how to react to that single conclusion of the Scranton commission involved a moral question. It is unfortunate that the result of that decision could not in itself have contained more of the elements of moral leadership.

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

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

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

POLITICAL SURVEY BY PALM BEACH JUNIOR COLLEGE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. ROGERS of Florida. Mr. Speaker, during the recent election campaign, Mr. E. V. Pugh, social science instructor, Palm Beach Junior College, Lake Worth, Fla., conducted a nonpartisan survey on women's political activity with the assistance of his students.

I believe this survey gives considerable insight into the degree of political activity of women in our society and I insert at this point in the RECORD, the results of the survey for the benefit of my colleagues:

The enclosed is a copy of the Palm Beach Junior College non-partisan survey on Women's Political Activity. Some 160 sheets were distributed and 70 were returned. The sheets were handed out after the Second Primary and collected after the general election, November 3, 1970.

Why, with more eligible voters, are the women a minority at the polls and almost missing on the political scene?

The results give the bare figures; they also suggest the shadowy "average Florida female voter" in the area of Palm Beach Junior College.

Our female has lived in Florida less than 12 years and moved here in June (12) July (10) or August (9). (Chances are only one in six that she is a Florida native.)

She is a high school graduate with some additional schooling or training. Now 43 years of age, she married in 1950-54 and has two or three children, ages 14 to 19.

Chances are about even that she works and contributes to the \$10 to \$15,000 family income.

She is protestant and probably does not hold an office in her church.

She probably did not hold a school class office either and it's almost 50-50 that she is in P.T.A., but less than half of that she holds a P.T.A. office.

Television watching of politicians reveals 55 watched the President, 42 the Vice President and 47, watched politicians. Some 40 said they read political ads and literature. On the question of political literature for women 32 agreed, but 26 disagreed.

Is the "woman's place" in the home? Twenty said, "yes", but 19 said, "No"! Most agreed that her "place" might be in the college classroom, however, as 61 agreed. In the concluding summary section, when asked to "give three main reasons for not becoming actively involved in politics, only 2 said, "a woman's place is in the home."

If their children were grown, or properly cared for would she enter politics? Only 7 said they would. (Six of these were college graduates.) But, 55 rejected politics out of hand—even on these conditions. Fourteen did not respond at all, eleven confessed they were "not interested"—while eight found they were unprepared or unqualified. Many reasons were given to reject the political career but only three said they felt their job would still be at home.

The ladies were not asked if they read newspapers, but news magazines; 49 said

yes, 16 said no with Time, Newsweek and Life, in the order preferred.

Only one of the 70 ever ran for a public office and only twenty-one had helped campaign for an office seeker.

In this two-primary and general election fall '55 voted and 14 did not. In the presidential election year of 1968, 56 voted and 9 did not.

There was some difference of opinion in the spaced questions concerning their husbands. Fifty-five said their husbands did not influence their choice of candidates, but later only 41 said they "did not let their husbands influence their political decisions."

Politics was discussed "frequently" with friends by 66, but only 36 said they discussed politics with their husbands, and 26 failed to respond. The wife-husband discussions were held frequently, however.

Would friend husband encourage her to enter politics? Forty-three said he would not, or probably would not. However, in the concluding three main reasons only 1 said she would not enter politics because her husband would not want her to. Seven said they would enter politics with hubby's approval and five said it would be all right if they (the women) wanted to enter.

Most, 64, had heard of the League of Women Voters and 53 correctly identified it as being non-partisan. But, only 43 correctly identified N.O.W.; National Organization of Women. Margaret Chase Smith was correctly identified by 57, while only 7 fully identified Betty Friedan as an author and N.O.W. official, three listed her as author of *Feminine Mystique* and 14 identified her as head of N.O.W., yet 34 failed to make any identification whatsoever.

In the concluding: Three main reasons for not being actively involved in politics, ten did not reply, fifteen said their home, husband and children were demanding her time, twelve admitted they were "not interested personally", nine "lacked time", eight "lacked background", two said a "woman's place is in the home" and one said, "because her husband wouldn't want her to."

Question: Why Aren't More Women Active In Politics?

E. V. PUGH.

ACTION ON FOOD STAMP BILL

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, an article appeared in last evening's Washington Star with reference to the food stamp bill. This story mentioned that the reason the Foley-Quile amendment was not adopted was because of the failure of supporters of the amendment to be present on the floor during the crucial teller votes. In this article reference was made to a very small gathering in my office wherein my staff was tendering a farewell party to another staff member who is leaving our office as of the first of the year.

In order to clarify this matter may I say that not one Member of the U.S. Congress was present in my office during the teller votes. The handful of Members who did stop by only stayed for 1 or 2 minutes to pay their respects and immediately returned to the House floor.

As one of those vitally interested in the food stamp program and a strong supporter of the Foley amendment I was

present during the debate and voted against the so-called Abbitt substitute on the two teller votes and also on the rollcall vote against the Abbitt amendment. Not only did I support my colleague, Mr. FOLEY, in his effort to authorize a nationwide food stamp program with broader coverage and greater benefits than the present program and the committee bill offered on the floor, but I also assisted in rounding up votes from the cloakroom and the Speaker's lobby.

The following outlines my votes on each of the questions raised during the food stamp legislation consideration: I voted "nay" on a teller vote to accept the Abbitt substitute to the Foley substitute; however, the yeas prevailed by a vote of 119 yeas to 116 nays. Second, on a teller vote of 133 yeas to 116 nays, I voted "nay" to a motion to agree to the Foley substitute as amended by the Abbitt substitute. Third, after the Committee of the Whole rose, on a request for a separate vote, the Foley substitute as amended by the Abbitt substitute was rejected by a record vote of 172 yeas to 183 nays, and on this record vote I voted "nay" in order to negate the Abbitt amendment. Fourth, on final passage of the food stamp legislation on a record vote of 290 yeas to 68 nays, I voted in favor of final passage.

THE PUBLIC ON TRIAL

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. ROBISON. Mr. Speaker, I include in the RECORD an article which appeared in the December 7, 1970, edition of the Christian Science Monitor dealing with the siting of a new powerplant by Northeast Utilities. This utility company, departing from past practices of the utility industry, has not only at an early date made known its desire to build a new plant, but has additionally brought the public in on the decisionmaking procedure as to whether such a plant should be built, and, if so, where it should be located. To insure that there was sufficient, meaningful, public input, Northeast Utilities has made \$180,000 available through the Boston-based Fund for the Preservation of Wildlife and Natural Resources to enable the private groups to have studies made of the need for and location of this new plant.

I think that this is a meaningful development because it might very well show whether the public has the vision to be constructive in its approach to these needs of industry or whether such advance notice merely opens industry up to criticism at an earlier stage. This appears to be a sincere and needed effort on the part of industry to give the public a proper voice in environmental decisions, and I hope that the residents of the area affected will respond with a like amount of sincerity. I commend this most interesting article to the attention of my colleagues:

[From the Christian Science Monitor, December 7, 1970]

"OPEN PLANNING" TRIED BY NORTHEAST
(By Monty Hoyt)

BOSTON.—Nobody loves a utility—especially as a neighbor.

So where does a company put its new power plants in order to keep up with the growing demand for electric power?

In New England, Northeast Utilities decided upon a bold experiment:

Whereas environmentalists generally criticize utility companies for keeping siting plans under wraps until the last minute, Northeast Utilities opted for "open planning." Residents of the area, conservation groups, and government agencies were invited from the start to help determine where a new plant should be sited, if at all.

STUDIES FUNDED

Knowing that the general public does not have the base of expertise and resources to make such a decision, Northeast Utilities made \$180,000 available for Project CEVAL (citizen evaluation) committee. The money was to enable a group of residents to conduct independent studies and to act as an impartial educational outlet, informing the public at large about economic and environmental considerations of the project.

To avoid charges of attempting to buy the goodwill of the CEVAL committee, Northeast Utilities gave the money as an unrestricted grant to the Boston-based Fund for the Preservation of Wildlife and Natural Resources to be used to underwrite the activities of Project CEVAL.

In addition, the utilities solicited the assistance of the New England Natural Resources Center to organize broad-based examination of the public issues involved in the study. The center, funded indirectly, like the CEVAL committee, maintains an independent stance and serves as environmental adviser to all parties involved in the open planning project.

Under proposal is one of the world's largest pumped-storage hydroelectric plants, producing two million kilowatts of power at an estimated cost of \$185 million.

TENTATIVE SITES CHOSEN

Based on two earlier engineering studies, Northeast Utilities picked two tentative sites on the western Massachusetts-Connecticut border: Falls Village, Conn., and Sheffield, Mass.

A pumped-storage facility uses surplus nighttime electricity to lift water from a lower reservoir into a higher storage pond. Then during peak demand hours, the water is allowed to fall into the lower basin, generating electric energy as it turns the giant turbines.

High-voltage transmission lines bring in the pumping power at night and carry out the energy created at peak demand periods. Thus, pumped-storage is a means of "storing" electric energy.

The proposed Connecticut site calls for damming Wangum Lake Brook to create a 750-acre lower lake and one of comparable size atop Canaan Mountain. The powerhouse would be constructed inside the mountain.

DIKES TO ENLARGE POND

At the Sheffield, Mass., site a picturesque trout stream, Schenob Brook, would be used to create a 2,300-acre lower recreational lake. Water would be pumped from the lake up Mt. Washington to Plaintain Pond. The pond would be enlarged to 275 acres by building dikes at either end.

As the overture to the project, Northeast Utilities applied to the Federal Power Commission early in 1970 for a preliminary permit. The permit gives the company exclusive exploratory rights in the area for two years.

"The permit [which is not required] was a way of making public disclosure of the

company's activities," Lelan F. Sillin Jr., president of Northeast Utilities, explained in an interview.

The utility hoped thereby to encourage the staff of the FPC, federal and state resource agencies, and the public to help in the decisionmaking process, according to Mr. Sillin.

"We don't know whether either of the two sites should or should not be developed," he says, stressing that the utility is not committed to either location. "Open planning has not been tried before in this form."

NO "REBELLION" WANTED

"I'm not going to be a Judas goat," he warns, however. "I'm not going to lead industry into a blind alley."

"We don't want a Shays' rebellion. Most of the voices expressed publicly so far have been critics of the project. It's time for the conservation interests to begin expressing themselves not on whether this is the right project, but whether this type of examination has any merit."

"Or does open planning merely subject the utility to far earlier criticism?" Mr. Sillin questions.

Out of the open planning project has sprung an adamant opposition group, the Berkshire-Litchfield Environmental Conservancy Council (BLECC), named after the adjoining counties where the proposed sites are located.

In spite of BLECC's opposition to the project for environmental reasons, it sees open planning as a giant step in the right direction.

"DISTRUST" CITED

"Heavens forbid," states John Roesler, a spokesman for BLECC, "if utilities should go back to sneaking around and grabbing up land options. It's the long history of this which today results in people's distrusts of utilities."

Mr. Roesler faults the CEVAL committee not because it is indirectly financed by the utility or because it attempts to represent local opinion, but because it does not have the power to disagree.

"If CEVAL is not convincing in their opposition to the project, they will win no support from the utility," he contends.

The CEVAL committee, on the other hand, prides itself in representing the spectrum of local opinion. It even has overlapping board members with BLECC.

In the past few months, CEVAL has conducted an educational drive through newsletters and the local news media to inform people in the region about the issues. Citizen groups are being formed as well to study specific aspects of the impact of a power plant on the economy, the environment, fish and wildlife, and open spaces.

"AN EXCITING CONCEPT"

"It's an exciting concept to acknowledge the citizen's right to determine how our natural resources are to be used," enthuses Mrs. Bernard Flood, chairman of CEVAL and president of the Housatonic River Watershed Association.

Some people in the area feel that the pumped-storage plant would be an advantage to the community, Mrs. Flood reports. They see it as a clean industry providing a good tax base and recreational value. Others see it as an environmental disaster. Many remain undecided.

"The public is on trial," stresses Dr. Charles H. W. Foster, director of the New England Natural Resources Center.

The experiment will discover whether the public can make a meaningful contribution to an industrial decision that involves the environment, he says.

GREAT IMPACT SEEN

The final decision will have great impact on regional power needs, he predicts. If neither site is selected, he sees that the

utility will have three options: redevelop its current generating plants, encourage a power conservation program among its customers, or import power from Canada.

The current timetable calls for a preliminary engineering report, which may recommend one site over the other, to be issued early next year by Northeast Utilities.

CEVAL expects to galvanize into action, dissecting the studies in an effort to determine whether to support the findings or not. BLECC has announced its opposition to both sites.

The decision whether to go ahead with final engineering studies and to apply to the FPC for a construction permit "will be based on public inputs, if we are as honest as we say we are," confirms the president of Northeast Utilities.

Thus, the stage is being set for a decision that will effect the environment and the power capabilities of the New England region—and for the first time, the public has been invited.

SOVIET JEWISH POLITICAL PRISONERS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. RODINO. Mr. Speaker, it is of special concern to me to note that just at this time when our entire Nation has become aware of the plight of the Lithuanian seaman, Simas Kudirka, who was refused asylum and forcibly returned into the hands of Soviet seamen, that more than 30 Soviet Jews are being brought to trial in Leningrad for the crime of desiring to emigrate.

Rabbi Zev Segal, chairman of the Essex County Conference on Soviet Jewry, has brought my attention to the enclosed background report of Soviet Jews who now face the prospects of long prison terms or even execution.

The policy of granting political asylum is a life and death matter to many people who view the United States as a last hope to escape tyranny. In this country we must keep the door open and we must raise our voices against those who persecute peoples because of reasons of religion or nationality.

Today I introduced a "sense of Congress" resolution reaffirming the offer of asylum to refugees from persecution and tyranny. And, while the case of the unfortunate Lithuanian seaman is now well known, the offer of hope to others such as Soviet Jews also propels us to keep alive the fact that the United States represents a sanctuary for the victims of totalitarian tyranny and oppression.

The report follows:

SOVIET JEWISH POLITICAL PRISONERS: BACKGROUND REPORT

(Prepared by: American Jewish Conference on Soviet Jewry)

Thirty-four Soviet Jews, arrested and held incommunicado within the past six months in Leningrad, Riga, Kishinev and Tbilisi, face the imminent prospect of political trials that can lead to life imprisonment, and even the death penalty.

The weight of evidence, filtered out to the outside world by close relatives and friends, leaves little room for doubt that regardless of

the legal specifications that may be brought at the trials their thrust will be anti-Jewish.

In the larger context of recent Soviet policy, it is clear that the immediate purpose of the arrests and any accompanying trials is to stifle the voices of the scores of Jews who, in the last year, have undertaken to struggle to leave the USSR for Israel, where they can maintain their Jewish identity. The long-range objective may be to crush a larger-scale renaissance Jewish national consciousness among many thousands of Soviet Jews.

All the available information leads to the conclusion that last spring a high-level policy decision was made to initiate a nationally coordinated, concerted secret police (KGB) action against militant Jews which used entrapment and provocation and involved large-scale searches and seizures, confiscation of printed matter, interrogations and, ultimately, forced confessions that can be used as incriminating evidence in public trials.

The known facts are these:

At 8:30 A.M. on June 15, 1970, nine Riga Jews were apprehended at Leningrad's Smolny Airport as they were walking from the terminal to an airplane. That afternoon, *Vecherny Leningrad*, the main afternoon paper, carried a brief announcement of the action, indicating that those arrested had planned to hijack the plane out of the country. The same item appeared the next day in *Leningradskaya Pravda*, the main morning newspaper.

As a matter of policy the Soviet press rarely publishes crime news, and even then it is not until long after the event. The fact that these papers carried this report within less than twenty-four hours suggests that they were altered in advance. The fact that the Jews were arrested while walking on the ground is a sure sign of the KGB's advance information and planning.

The probability of a meticulously coordinated police provocation is enhanced even further by the virtual simultaneity of other actions that day.

At about the same hour of the arrests at Smolny Airport, eight Leningrad Jews were arrested in scattered places—at work, at home, on assignment some distance from the city, and even on vacation as far away as Odessa. Within a few hours searches were carried out in dozens of homes in Moscow, Leningrad, Riga and Kharkov; scores of people were detained for questioning and then released. Since June there have been more arrests in Tbilisi, Kishinev, Riga and again in Leningrad, bringing the number of Jewish political prisoners at this date to thirty-six, including two sentenced prior to the new arrests.

The man in charge of "the Leningrad case," involving at least the prisoners from Riga and Leningrad itself, is the chief city prosecutor, S. Ye. Soloviov, well known to local Jews as an anti-Semite.

In 1961 he served as a judge in the city's criminal court, and presided over two notorious trials involving Jews. In one case, he handed down a series of death sentences for alleged economic crimes to a group of Jews. In another, he sentenced Leningrad synagogue leaders, including an 84-year-old man, to lengthy prison terms on charges of subversion. The charges were due to the defendants determined efforts in behalf of Jewish religious observances, and their active contacts with synagogue leaders in other cities.

I

The new arrests and the ominous possibility of trials must be understood within the larger context of official policy, as reflected in the massive winter propaganda campaign against Israel during January-March 1970. What began as a concerted nationwide chorus of condemnation of Israeli policies swiftly degenerated into a general anti-Jewish cam-

paign. Publications in the thousands all over the country, through articles, editorials, pamphlets, letters to the editor, and caricatures, assumed an anti-Semitic tone and character.

The campaign itself was an expanded, but more intensified, version of the Soviet propaganda line that now views Judaism as the ideological progenitor of Zionism, and Zionism as the equivalent of Nazism. The whole amalgam is a key element in the doctrine of "International Zionism" as the Jewish ally and servant of Western imperialism—an updated and refurbished adaptation of the discredited Tsarist "Protocols of the Elders of Zion."

A number of Jews, both prominent and obscure, were pressed into service in this campaign, to proclaim their loyalty to the Soviet Union, to reiterate official apologetics about Soviet Jewry, to sign attacks on Israel and world Jewry, and to brand as betrayal any desire to leave for Israel. The apex was reached at a Moscow press conference on March 4, when 52 prominent Jews were brought together by the Foreign Ministry to speak to the world and, indirectly, to Soviet Jews.

What must have shocked the authorities, however, was the instantaneous reaction of dozens of Soviet Jews, as individuals and in groups, in Moscow, Leningrad, Riga and elsewhere, repudiating the assertions of the "house-broken" Jews and their right to speak for all of Soviet Jewry. It was very likely in reaction to this unprecedented audacity that the regime decided to intensify anti-Jewish pressures.

Of course, the authorities have been aware for some time of the growing frustration and resentment of many Soviet Jews at the discrimination they face in higher education and employment, the widespread anti-Jewish propaganda, the hostility they and their children frequently encounter in the streets, at school or at work, and, not least, at the deprivation of their cultural and religious rights, foreclosing the possibility of perpetuating their heritage and maintaining their group identity.

Furious with official anti-Semitism, and inspired by the spiritual self-regeneration which Israel represents to them, a rising generation of young Soviet Jews rejects this situation as intolerable. Tens of thousands have applied for exit permits to emigrate to Israel. With few exceptions, their applications have repeatedly been turned down.

Several hundred of the more daring have circulated appeals and open letters addressed to the Soviet leadership, to the UN Human Rights Commission, to UN Secretary General U Thant, to the International Red Cross, and also to President Richard Nixon and Israel Premier Golda Meir. In effect, they have appealed to public opinion and to the conscience of the world. Such letters have been written by individuals and by groups in every major city.

This wholly unanticipated upsurge of pride and national consciousness has manifestly so upset the regime that it has resorted to severely repressive measures. The striving for Jewish national identity has begun to be treated like a criminal or anti-social act, with procedures of intimidation used against many who applied for exit permits, including interrogation by the KGB, expulsion from the Party, suspension from the university, discharge from employment, and general social hostility at work.

II

But, what of the imminence of a trial of those arrested since June?

In order to better understand what may happen, it must be borne in mind that there are basically two separate groups involved in "the Leningrad case."

We know precious little about their fate. No indictment has been issued. The prisoners have been kept incommunicado. Relatives,

friends and even potential defense counsel have been forbidden to visit them, and they have evidently been under intensive interrogation. Since we have no precise idea of how they will be charged, it is only possible to speculate on the circumstances in which they will be tried, and the penalties they are likely to incur.

Accordingly to law, conspiracy to hijack an airplane is considered treason and is therefore subject to the death penalty. Even knowledge of such a plan and failure to report it can be subsumed under a charge of anti-Soviet activity and entails life imprisonment. Attempted hijacking can be treated as a plot to damage or steal State property, and may also entail the death penalty.

About the Riga group, relatives and friends living abroad but in the closest feasible contact at home believe that the Riga Jews were entrapped by someone in their midst.

We have learned, in a letter from the wives, mothers and sisters of eight of the Leningrad group, that police interrogators informed the women that the prisoners confessed to "anti-Soviet activity" and the attempted hijacking of a plane. The women made it clear that they believe these were forced confessions.

Forced confessions raise the ominous spectre of show trials. Such staged trials, using forced confessions as decisive evidence, are no innovation in Soviet law and public life, even though they have been in disuse in the last few years. This sad tradition goes back to the early 1920's and culminates, of course, in Stalin's notorious Great Purges of 1936-40, with their anti-Jewish component.

For Soviet Jews, this form of terror as an anti-Semitic expression began in earnest only after World War II, in the last five years of Stalin's death, known to them as "the Black Years." Those years witnessed a series of grim experiences: a massive anti-Semitic campaign of propaganda and purge against "unmasked cosmopolitans" (a thinly veiled and well-understood euphemism for Jewish intellectuals, large numbers of whom publicly "confessed" their sins); the liquidation of Jewish cultural institutions and the arrest and execution of hundreds of Jewish cultural leaders; a series of anti-Semitic show trials, replete with confessions, of the top leadership of Communist parties in the Soviet satellites, especially the infamous "Slansky trial" in Czechoslovakia, plotted by Stalin in 1952.

The wave of terror culminated with the announcement, in January 1953, of an alleged "plot" by which Soviet Jewish doctors had murdered, or were planning to murder, Soviet political leaders at the behest of an international Jewish conspiracy in league with Western imperialism—a charge that is closely akin to the present Soviet trilogy of Judaism=Zionism=Nazism! Only the death of Stalin, in March 1953, ended what most observers believed was going to be a vast new purge, with an emphasis on trials and the deportation of Jews.

It is also essential to recall the experience and the lessons of the more recent widespread economic crimes campaign of 1961-64. This was another of those nationally coordinated enterprises which the police authorities stage so well. All the institutions of Soviet power were used to expose and eradicate those accused of alleged large-scale economic offenses, such as theft of State property, embezzlement, dealing in foreign currency, counterfeiting, and bribery.

The Communist Party apparatus, the Komsomol (Young Communist League), the militia, the secret police, the regular police, local prosecutors and courts, and the national and regional press were brought into service. Crude propaganda material, overtly anti-Jewish, blanketed the country and mass trials were staged in which the accused invariably confessed and were given stiff penalties.

For the purposes of this campaign, the death penalty was reinstituted after a lapse of many years. Of the several hundred executed, more than fifty per cent were Jews, who constitute just over one per cent of the total population. Just six years ago the International Commission of Jurists, in a meticulously detailed study, pointed up the anti-Semitic taint of the campaign. Certain Soviet jurists themselves, in a moment of criticism, noted its legal excesses.

More immediately and directly relevant to our present concern is the case of Boris Kochubiyevsky, the first of the Soviet Jewish political prisoners—a 33-year-old electronics engineer from Kiev, in the Ukraine.

Kochubiyevsky was arrested in December 1968, and five months later he was tried and sentenced to three years of forced labor for "anti-Soviet slander." His "slander" consisted of a public defense of Israel in June 1967, and his public assertion in September 1968 that Babi Yar—the ravine outside Kiev where the Nazis slaughtered scores of thousands of Jews in 1941—was a tragedy for the Jewish people. Also included were his statements, in a November 1968 letter to the Soviet leadership, that it was impossible for him to live as a Jew in the USSR since there are no Jewish educational, cultural or communal institutions, and that he consequently wanted to go to Israel.

In short, the accusations against Kochubiyevsky were essentially identical with the regime's real grievances against its present Jewish prisoners. His trial is now being viewed as a harbinger of gloom for additional trials, and as a foreboding precedent.

In the Kochubiyevsky case, *Khronika*, the generally reliable "Chronicle of Current Events" disseminated by the Soviet democratic underground, reported segments of the trial transcript as well as reports by persons present at the trial which painted the following picture.

Some prosecution witnesses were provocateurs. Several repudiated the testimony they gave at the preliminary hearings; one admitted to having given his testimony while drunk; others said they testified under pressure from the KGB interrogators. The general public was kept away.

Not even friends or relatives were permitted inside the courtroom. At the same time, the KGB packed the courtroom with its own members, as well as with citizens who were mobilized and instructed to act hostile to the defense. Witnesses were sent out of the court immediately after their testimony, which is against Soviet legal procedures. The judge acted like a prosecutor, indulging in remarks that were hostile to the defense in tone and substance, and generally permitted anti-Semitic and hooligan behavior in his court. At the same time the defense counsel assumed the role of assistant prosecutor, not only accepting the basic validity of the charges against his client but actually indicating his disbelief of Kochubiyevsky's own defense.

It is, of course, entirely conceivable that Soviet authorities will attempt to underplay or even avoid, in any direct way, the essentially anti-Jewish political character of the new case. Very likely apprehensive about protests in the outside world over a mass anti-Jewish trial, they may seek to divert attention to the narrow legal question of a hijacking plot through an emphasis on forced confessions. This would serve them especially well at a period when much of the civilized world has gone through a period of shock with regard to airplane hijackings.

But regardless of how the trial is conducted, and how Soviet propaganda handles it, it will be difficult to shift the focus from the fact that people are on trial for their convictions, and that Jews are being persecuted as Jews. The defendants had no desire to attack, change, subvert or overthrow the Soviet system. On the contrary, their only

desire was to leave that system altogether, and to exercise their elementary human right to leave their country of origin and to settle in Israel, which they now regard as their ancestral homeland and as the sole place where they can live as Jews.

The materials confiscated from those interrogated and arrested demonstrate conclusively that this will be a Jewish case. Among the items seized were Hebrew grammars, Jewish history books, open letters of appeal for help to leave, postal cards from Israel, and Jewish encyclopedias. In short, as some have written, everything with the words "Jew," "Jewish," "Judaism" was confiscated.

Within days after the June 15 action a young Leningrad Jew Viktor Boguslavsky, wrote an impassioned letter pleading the innocence of his friends. He noted that "A lively interest in the fate of one's people and love for one's people cannot be considered an offense. Their only crime was that they were born Jews and they sought to remain Jews."

In July, Viktor Boguslavsky was arrested.

TRIED AND SENTENCED

(Ukrainian SSR)

Boris L. Kochubiyevsky.—34 years old. Engineer. Married. One child: a year-old daughter. Former address: Kiev, Ukraine SSR. Charged with anti-Soviet slander December 1968. Sentenced May 1969 to three years at hard labor.

Lilya A. Ontman.—Married; family includes a sister and an adopted child. Former address: Chernovitz, Ukraine SSR. Charged with anti-Soviet slander. Sentenced January 1970 to two and a half years in prison.

AWAITING TRIAL—WITH ARREST DATES INDICATED

Georgian SSR

Abraham Danilashvili, June 1970, Biniamin Dzhanelashvili, June 1970.

Leningrad, Russian SFSR

Vladimir Osherovich Mogilever, June 15, 1970.—30 years old. Engineer. Wife: Yulia Issaevna Mogilever. One child: a two-year-old son. Address: Ul. Telmana D. 36, korp. 1, kv. 209.

David Iserovich Chernoglaz, June 15, 1970.—30 years old. Agronomist. Wife: Berta Petrovna Veinger. One child: an eight-month-old infant. Address: Pr. Maklina D. 26, kv. 25.

Grigory Ilya Butman, June 15, 1970.—37 years old. Engineer. Wife: Yeva Shmulevna Butman. One child: a four-year-old daughter. Address: Vitebsky pr. D. 23, korp. 4, kv. 33.

Lassal Kaminsky, June 15, 1970.—40 years old. Engineer. Wife: Serafima Mayerovna Kaminsky. Two children: ten and seventeen. Address: Ul. Vostaniya D. 6, kv. 4.

Lev Leibovich Korenblit, June 15, 1970.—48 years old. Mathematician. Wife: Revena Moiseyevna Korenblit. One child: a daughter. Address: Ul. Veretskaya D. 12, kv. 10.

Solomon Dreizner, June 15, 1970.—38 years old. Engineer. Married: wife hospitalized. One child: a five-month-old son. Address: 19 Olega Koshevo, Apt. 23.

Anatoly Moiseyevich Goldfeld, June 15, 1970.—24 years old. Engineer. Unmarried. Mother: Liya Samsonovna Shimanovich. Address: Pr. Shaumyan D. 58, kv. 18.

Lev Naumovich Yagman, June 15, 1970.—30 years old. Wife: Musya Khaim-Leibovna Yagman. Two children: 2 and 6 years old. Address: Ul. Karbyshova D. 6, korp. 1, kv. 80.

Viktor David Boguslavsky, July 12, 1970.—30 years old. Unmarried. Mother hospitalized. Address: Pr. Shaumyan 47, apt. 25.

Hillel Zalmanovich Shur, September 5, 1970.—34 years old. Marital status unknown. Sister: Kreina Zalmanovna Shur. Address: Ul. Zhukovskogo D. 20, kv. 20.

Viktor Shtilbans, November 16, 1970.—28 years old. Physician. Married.

Mikhail Korenblit, November 16, 1970.—Brother of Lev Korenblit.

Riga, Latvian SSR

Leib G. Khanokh, June 15, 1970.—26 years old. Address: 21 Milisnas Street.

Meri Mendeleovich Khanokh, June 15, 1970.—20 years old. Wife of Leib G. Khanokh. Same address.

Yosif M. Mendeleovich, June 15, 1970.—23 years old. Brother of Mary M. Khanokh. Address: 176/44 Lenin Street.

Edvard Kuznetsov, June 15, 1970.—Address: 45 Valdenbaum Street, apt. 22.

Silva Zalmanson Kuznetsov, June 15, 1970.—Wife of Edvard Kuznetsov. Same address.

Isak Zalmanson, June 15, 1970.—26 years old. Brother of Silva Z. Kuznetsov. Same address.

Wolf Zalmanson, June 15, 1970.—31 years old. Brother of Isak Zalmanson and Silva Kuznetsov. Same address.

Anatoly A. Altman, June 15, 1970.—38 years old.

Boris Pestner, June 15, 1970. Mendel Bodnia, July 1970.—33 years old. Wife: Zeld Bodnia. Address: Shkolnaya Street 7, apt. 2.

Arkady Shpilberg, August 4, 1970.—32 years old. Engineer. Wife: Margarita Mikhailovna Shpilberg. One child: a daughter. Address: Lenina Street 205, apt. 6.

Boris Maftslar, August 4, 1970.—23 years old. Wife: Genia Moiseyevna Maftslar. Address: Siltsiema Street 15, korp. 5, apt. 61.

Ruth Aleksandrovich, October 7, 1970.—23 years old. Nurse. Address: Surorova Street 16, apt. 20.

Mikhail Shepshelovich, October 16, 1970.—27 years old. Address: Yugas Street 5, apt. 42.

Kishinev, Moldavian SSR

Aleksander Galperin, July 24, 1970.—24 years old. Unmarried. Mother: Makhla Yefimovna Galperina. Address: 37, Ul. Tesbash-evskaya 11-13.

Arkady Voloshin, August 15, 1970.—Address: Ul. Kievshaya 41, kv. 5.

Gari Kirshner, August 15, 1970.

David Rabinovich, August 15, 1970.

Abraham Trakhtenberg, August 15, 1970. Semeon Abramovich Levit, November 1970.—Address: Ul. Svoboda 8.

YOUTH CAN WIN A BETTER AMERICA

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. OBEY. Mr. Speaker, yesterday a number of his colleagues paid tribute to an outstanding Member of the 91st Congress, Representative ALLARD K. LOWENSTEIN of New York. At that time I described a speech delivered by Representative LOWENSTEIN at Harvard University saying:

I do not believe there was a more eloquent appeal to nonviolence, a more eloquent appeal to the consciences of us all, and more eloquent appeal against the polarization than we could find in that speech.

I promised to insert a copy of that most perceptive speech in today's RECORD, and do so at this time:

[From the Boston Globe, Sept. 27, 1970]

YOUTH CAN WIN A BETTER AMERICA

(By Allard K. Lowenstein)

As I stand here in this troubled place, in this anniversary month, three extraordinary Americans seem everywhere present. All three were worshipped and detested by their

fellow countrymen, were committed to, and made legend by, disinherited men everywhere.

Dr. Martin Luther King Jr., was to have made this Class Day speech last year. The others, shaped by Harvard and New York, are Franklin D. Roosevelt and Robert F. Kennedy, men whose lives were joined in remarkable ways, perhaps none more remarkable than the fatefulness of their last June 6ths.

On June 6, 1944, twenty-five years ago, a long quarter of a century ago, Franklin D. Roosevelt spoke the heart of America in a prayer for our soldiers as they crossed to France:

"Almighty God: Our sons, pride of our Nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity . . .

"They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and good will among all Thy people . . .

"O Lord, give us Faith. Give us Faith in Thee; Faith in our sons; Faith in each other; Faith in our united crusade. Let not the keenness of our spirit ever be dulled. Let not the impact of temporary events, of temporal matters of but fleeting moment—let not these deter us in our unconquerable purpose.

"With thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogancies. Lead us to the saving of our country, and with our sister Nations into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all men live in freedom, reaping the just rewards of their honest toil."

It was left to Jack Newfield, the brilliant journalist from New York, to speak the heart of America on the second of these June 6ths, 24 years later, in one of the most powerful paragraphs to appear in years:

"Now I realize what makes our generation unique, what defines us apart from those who came before the hopeful Winter of 1961, and those who came after the murderous Spring of 1968. We are the first generation that learned from experience, in our innocent twenties, that things were not really getting better, that we shall NOT overcome. We felt, by the time we reached thirty, that we had already glimpsed the most compassionate leaders our national could produce, and they had all been assassinated. And from this time forward, things would get worse: our best political leaders were part of memory now, not hope. The stone was at the bottom of the hill and we were alone."

WHAT HAS HAPPENED?

Now we meet at the bottom of the hill, to face the questions raised by a troubled and growing majority of Americans—to wonder what has happened to us as a people in this crowded quarter-century, to ask how we got from there to here, to ask what has gone wrong, and to ask if we can do anything to set it right.

I'm part of the generation that grew up under Franklin and Eleanor Roosevelt, a generation given courage by the boldness of his innovations and elevated by the nobleness of her gentle strength; a generation whose optimism grew from great gains made and great tasks done, a generation whose heroes grew old and died of natural causes in their beds. We were wrong that things would inexorably get better. But maybe because I remember when it seemed so certain that they would, I'm not prepared to agree now, after so short a time that inevitably they won't.

Which should itself tell us something about the difference in the relative hopefulness of my generation and of this new gen-

eration. They have never experienced a war which made them proud of their country. They have yet to experience an America facing up to her problems, however tough, at home. Their choices in presidential elections have been as inspiring as the sum of Johnson, Goldwater, Nixon, Humphrey and George Wallace; the greatest political events of their formative years have been the assassinations of their heroes.

This is not, all in all, the sort of political history that gives reasonable men much cause for optimism, and it ought to surprise no one that a generation that has grown up with this history is vulnerable to cynicism and even despair. But hope is one thing this country needs desperately from its young people. So we've got to remind them and ourselves, that it is, after all, barely a year since ordinary people, working without precedent, working at first without money or visible leadership; since ordinary people, at the beginning most of them students, undid the political mythology and reversed the course of history for their country.

The major goals of two years ago, so remote and heretical then, are now the accepted national goals. The problem is implementation. But what a triumph it would be by any ordinary standards to have achieved so quickly what was achieved. But, these are not of course, ordinary times, as each new casualty list reminds us.

Nonetheless it's important to realize that the confusion about whether we can affect our future arises not because we failed, but because we didn't fail. It arises from the failure to consummate success with the election of a President who would now be implementing the policies dictated by the new goals. And the judgment seems fair that that failure arose from the events of last June 6th, not from any permanent inevitable immobilism in the political process.

Nor does this judgment constitute flight into a personality cult. It is, I think, simply accurate reporting. No country, not even one far less troubled than ours, could lose its greatest public figures in time of crisis without facing severe new difficulties. We lost two of ours in as many months, and lost them in a way that cost us not only their unequal capacity to inspire energies and handle problems, but much of our confidence in the process of self-government itself.

What would have happened to the United States if Franklin Roosevelt had been murdered in 1933? Could we have coped with John Nance Garner and the Depression? I don't know. But I do know that nothing so betrays us, and our country—and God knows, Martin King and Robert Kennedy—as the presumption that hope and possibility ended with their deaths.

So I'm not prepared to accept as final the judgment that we shall not overcome, that from this time forward things will get worse.

The only thing that seems certain to me is that nothing is certain; that inevitabilities are myths, that how we behave will profoundly affect how things come out, that the dogma that things cannot get better is suitable only for those who hope to make such prophecies of doom self-fulfilling.

There is, in fact, great danger in the arrogance of final assertions about the future, hopeful or gloomy.

The Class Day Speaker two years ago, Greg Craig, described the state of mind of his contemporaries as follows:

"This generation of students," he said "has become tough-minded and seasoned idealists. Their commitment to social justice outweighs institutional or social loyalties. It is a generation that is up for grabs, for their hope could easily turn to hate, and their passion for building a more equitable society could easily surrender to the temptation to tear down an unjust and oppressive society."

"It is a generation whose skepticism was born with the murder of a President, nur-

tured by the bitter frustrations of the civil rights movement, and perpetuated by the brutality of a senseless war."

Has anything occurred in the two years since that speech that so modifies its indictment or answers its challenges that we can say its skepticism is undeserved?

The war drags on and on. So do the poverty and injustice that learned commissions remind us make increasing violence unavoidable. And while the Kerner Commission recedes into a period piece, more politicians get elected on the fears and hates that come with violence, as if incantations to law and order will fill empty stomachs, or trap rats, or heat buildings—or will in any other way help cure what's wrong in this society.

But anyone who says that the events of the last two years have established as fact that we cannot change this country by democratic process misreads these events too. Isn't it nonsense to decide now that we are impotent, when a year ago anything seemed possible?

This doctrine that we are impotent to make things better is especially pernicious for it gives a kind of spurious credibility to the idea that the only way to remake America is to help make things worse—to predict and encourage events that lead to repression, and then to gloat when repression sets in, as if somehow that guarantees some kind of eventual victory. Victory for what, for whom?—If there's one thing you can be sure about, it's that there will not be a unilateral disarmament of everyone in this country except the out-left.

And in the meanwhile, if we turn this country into an armed camp, we will have to live in it. And if we burn it down, we will have to live in what's left of it.

We are already paying a terrible price for silence about things we know are wrong. Some people have even gotten themselves trapped into a kind of rear-guard defense of people's "right" to do things on campuses that they know no one has a right to do—as if the more outrageous the act the greater the test of virtue that inheres in one's willingness to defend it.

And it is precisely this kind of double-standard that can split us away from that majority of decent Americans who have showed in two Presidential elections and countless other ways that they, too, want to right wrongs and end wars—a majority that includes not just the young, the black and the poor, but the middle-class, the middle-aged, the Middle West, the middle everything.

OUR CAUSE THEIRS ALSO

For our cause is the cause of middle America too, and last year showed the power of this political fact, if only we don't throw it away.

I must say something more about the violence that has come to so many campuses, including this one, for it is this as much as anything that threatens to throw that power away.

As you know, much of this violence is imported by embittered little groups. It comes wrapped in high-sounding excuses, and is all too often incubated by confused and disorganized majorities. Sometimes the wrong done by a particular act of student coercion has been quickly overshadowed by far greater wrongs done by administrators or police in the name of restoring order, but this fact does not help very much with the general public, which judges the response of constituted authority far more benignly than it judges student provocations.

And there have been provocations: Deans and professors pushed around, speakers shouted down and unarmed people bullied, buildings ransacked and some burned.

It is past time that we asked what principle or pragmatism is served by this kind of behavior. Will someone please tell me how it hurts racism in South Africa to as-

sault the president of Cornell? Do we really help end the war by shouting down James Reston or hurling profanities at Mary Bunting? Are we contributing to the downfall of the military-industrial complex by burning down ROTC huts or pitching deans out of random buildings? Will gutting the First Amendment make it easier to create a republic with liberty and justice for all?

There's certainly plenty that's wrong with the educational system in this country. There's a great deal that needs to be changed, and there's a great deal that needs to be protested until it is changed. But there seems to be a strange new doctrine abroad that no tactics exist between committee meetings and riots, that the only things one can do are either parliamentary or coercive, almost as if the vast creative pulse that courses down our history from Thoreau to Martin King and Norman Thomas did not exist.

It's a waste of time—and self-deceiving—to argue with people who have different goals than their tactics are counter-productive from the point of view of your own goals. That, of course, is the point of their tactics—to achieve their goals, not yours. So these remarks are not aimed at those who seek to destroy universities or who want to tear down the country, for whatever reason—to start over in whatever direction.

Some even claim that it would mean nothing to end the war in Vietnam. They may not be comfortable working with those of us who believe that to end the war in Vietnam would mean a great deal.

As for those of us who would reform and restructure the educational system, we ought, to use a current phrase—we ought to get our priorities straight. There are plenty of things that can be done to improve education without damaging what is, after all, the central effort: the effort, in Edward Kennedy's phrase, to right wrongs, to heal wounds, and to end war.

It's as harmful as it is stupid to take out on universities all one's frustrations and resentments about societal injustices. Scapegoating may be becoming a national pastime, but closing a college won't end the war. It probably won't even improve the college.

They don't understand and I think Coretta King had this in mind when she spoke here in place of her husband last year: "I've sometimes thought that the best of our young people," she said, "do not always understand the extent to which our great universities are authentically the most liberal of our institutions. But," she added, "universities, too, must face up to very hard questions which they have thus far avoided."

Basic questions, not footnotes: questions from governance to relevance, questions to which the answer that they are "not negotiable" is no more rational—no more relevant, no more accurate—from university authorities than from agitated students. One hopes we have learned this Spring, if nothing else, that non-negotiability in campus situations is not a statement of policy but an announcement of bankruptcy.

I noticed enthusiastic applause from older people when I said it's terrible to throw around a dean. I think it IS terrible to throw around a dean. (I once WAS a dean). But I think it's time we understood that buffeting people about, even deans, seems a rather minor offense to a generation faced with the decision of whether to go off to shoot and get shot, in a war they regard as immoral, or to go to jail or into exile. Those faced with this decision, find appeals for patience about ending the war more insulting than persuasive.

And then there are all those people whose devotion to non-violence on campus, is so oddly arranged that they roar in horror about buffeted deans, but find nothing whatever to yell about when the governor of California

tear-gases a community and has 141 unarmed people shot in a street.

But the greatest inducement for thousands of students to tolerate disorder on campus is the contrast between the great outbursts of indignation about campus violence and the endless excuses and muted protests about endless killing in Vietnam and endless poverty and injustice at home. The towering hypocrisy of this contrast blows like a gale of political halitosis across the land and sours everything in its wake.

So I must ask—especially, I must ask the older people here—is there any reason left on this earth why there should be one more month while American boys—these boys, and others like them less likely to find ways out—while American boys are mowed down and squandered in a succession of irrelevant Hamburger Hills? And if not, what are you willing to do about it?

The House voted the other day for another appropriation of \$1.3 billion for the war: Will you help us to get congressmen to vote NO on supplemental appropriations for supplemental Hamburger Hills? Will you tell the President to start bringing the troops home in large enough quantities so the Saigon government knows the party's over, and they will have to accept coalition or do their own fighting after all this time?

The Congress is not a collection of evil men—what it really is at heart is a group of people more anxious about holding onto their jobs than Ivy League assistant deans. So when the House votes money to continue the war, it does so because a great majority of the members believe that the country wants that money voted—because these political seismographs think the tremors registering from their constituents make it necessary for them to vote this money.

And the reason people are assumed to want this money voted is not that they approve of the war, but that they think that if we don't appropriate the money, we will be killing American boys who won't be able to defend themselves. So our job—your job—is clear: to explain in every community that this is not the case, that at this point in the war it is those who vote additional money that are sending kids off to die. And to explain that anyone who casts such a vote will be held accountable for that consequence.

Applaud for this, you old folks, do this, and then maybe students will applaud reasonable measures to stop violence on campus. As Professor George Wald put it, the greatest antidote for student unrest is adult unrest. Goodness knows there's enough to be unrested about.

It seems necessary to say at this point what should be obvious: that America owes much of what is hopeful and best about her to this wondrous new generation. For one thing, it has forced us to face questions we have always pretended didn't exist—questions it turns out we have evaded because we had no idea how to answer them.

DEMOCRACY A RACKET?

For openers, it has rejected the Churchillian nostrum that democracy is the worst form of government ever invented except every other form, and has posed instead the questions no nostrum can answer: Is democracy a racket? Are we coming closer to government of the people, by the people and for the people, or have we been kidding ourselves all these years?

After all, the "system" people talk about "staying in" or "tearing down" is supposed to be democracy. And if democracy is simply an unending repetition of unfulfillable promises, a device to make people believe they can affect their lives when in fact they can't—if "the system" is largely a manipulative contraption that preserves an unjust status quo, then it is no longer good enough if it ever was, and no one should urge anyone to "stay in" to be manipulated. We

should rather join a search for a better way of doing things.

I don't think democracy is either automatically a racket or automatically not a racket. I think that matter is, in Greg Craig's phrase, up for grabs.

But if democracy in America is not to be a racket, we had better understand why so many now doubt that it is not a racket—understand, and then change both the procedures and the attitudes that have produced so much doubt. We know what the American dream means to those who have achieved it; the problem is, what does it mean to those who have not, who seem forever excluded from it, who go hungry and grow bitter in the midst of the greatest affluence the Lord has ever bestowed on any place in the history of the world?

I guess what troubles me most, this year of all years, is how much we are losing by not trying, how costly is the despair that tells us we can't succeed, that tells us democracy in America is forever a hoax, and that then leads us into behavior designed to prove the premise.

America must not be forced to choose between the change that comes with violence and the violence that comes with no change. And that is precisely the choice America faces if so many of us continue to assume that these questions about democracy have already been answered, or that we cannot affect how they will be answered.

You who are about to graduate—and your contemporaries around the globe—have confronted us with another question—by your dress, by your speech, by your search for "relevancy" in education; by your rejection of the sterile in personal relationships and careers—a question more upsetting to many of your elders than questions about democracy. Can't we, you say, can't we develop a life-style that liberates instead of cripples?

I think most older people understand, if only privately and uncomfortably, that the life-style that has enveloped America since the Second World War—that that life-style is not, after all, very satisfactory. Given what we've got, we've made pretty much a mess of things.

The two cars from every garage turn highways into parking lots, and join the unlandable airplanes and uncontrollable industrial wastes to poison the atmosphere and pollute the water, to close the beaches and destroy the open places. We have discovered to our great confusion that affluence does not necessarily bring happiness, that leisure can mean boredom, that greed and corruption are contagious and are not limited to lesser breeds in distant places.

FOR SOMETHING BETTER

The melting pot seems to be producing a nation of undigestible, depersonalized lumps, a nation of barriers and gaps—not just between races and generations and economic groups, but within these categories as well: husbands from wives, friends from friends. We struggle to "communicate" and then all too often find there's nothing to communicate about. The concept of "neighbors" fades into an announcement of distance. We are better at hating than loving, more at home watching than doing, more admiring of ostentation than compassion. Our personal values, in short, are as screwed up as our national priorities.

A people in this situation would, I think be wise to welcome instead of fear those who question its style of life. They would, one would hope, be eager to join the quest for something better.

Finally, our young have made us face the self-deception of our most cherished illusion: the notion that whatever is wrong will surely get better, if we just keep patient and believe our traditional rhetoric with sufficient faith.

But, they keep saying, if so much is so wrong in this country, both for those who

have made it and for those who have not; if, in fact, the trend is more often than not in the wrong direction—then isn't there something wrong with our strategy, with the way we've been going about trying to change things? And, of course, they're right about that, too.

Some new tactics have of course emerged, new approaches, new initiatives, many of them helpful, some of them promising if inconclusive. But more new tactics, new approaches, new initiatives, are desperately needed.

And someone must keep reminding us that there are limits to tactics, if we mean what we have said about goals.

Hate multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness, only light can do that. Hate cannot drive out hate, only love can do that. Hate multiplies hate and violence multiplies violence in a descending spiral of destruction."

It is not too late to show that those of us who love this country next only to liberty and justice themselves—who are proud of the work and sacrifice and miracles that have produced America, and that America has produced—it is not too late to show that we are determined not to abandon this country but to reclaim it, not to leave the arena to those who would force a choice between Ronald Reagan and the SDS, but rather to pick up where we were a year ago this week-end.

What we must have, then, is a resurgence of people determined to reverse the lockstep that has undone so much that was so good. The lockstep that has wasted lives and resources as if there were nothing better to do with them, that has incubated violence hate instead of isolating them.

So I finish today with one of those haunting, prophetic epitaphs that were left us by Robert Kennedy during the last and greatest months of his life.

This is what he had to say in the hours after the assassination of Martin King, some of it to a black audience in Indianapolis. But we read it today and know all of it was said as well to steel workers in Gary and students at Harvard; and in fact, to all Americans everywhere:

"Some Americans who preach nonviolence abroad fail to practice it here at home. Some who accuse others of inciting riots have by their own conduct invited them. Some look for scapegoats, others look for conspiracies, but this much is clear: violence breeds violence, repression brings retaliation, and only a cleaning of our whole society can remove this sickness from our soul.

VIOLENCE OF INACTION

"For there is another kind of violence, slower but just as deadly, destructive as the shot or the bomb in the night. This is the violence of institutions; indifference and inaction and slow decay. This is the violence that afflicts the poor, that poisons relations between men because their skin has different colors. This is a slow destruction of a child by hunger, and schools without books and homes without heat in the winter . . .

"We learn, at the last, to look at our brothers as aliens, men with whom we share a city, but not a community, men bound to us in common dwelling, but not in common effort. We learn to share only a common fear—only a common desire to retreat from each other—only a common impulse to meet disagreement with force . . .

"What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness, but love and wisdom, and compassion toward one another, and a feeling of justice toward those who still suffer within our country, whether they be white or they be black . . .

"My favorite poet was Aeschylus. He wrote: 'In our sleep, pain which cannot forget

falls drop by drop upon the heart until, in our own despair, against our will, comes wisdom through the awful grace of God.' . . .

"So let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savagery of man and to make gentle the life of this world.

"Let us dedicate ourselves to that, and say a prayer for our country, and for our people."

CHANCES WE'RE NOT WILLING TO LOSE

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Saturday, December 19, 1970

Mr. GRAVEL. Mr. President, yesterday an underground bomb test in Nevada threw radioactivity 8,000 feet into the air, and contaminated at least 300 workers on the ground. Fallout from the radioactive cloud will probably touch members of the public, too. It was the second bomb accident in Nevada this week.

Because we have not had an accident of catastrophic size, yet, we continue to increase our dependence on both nuclear weapons and nuclear electricity. The inevitable byproduct of both is long-lived nuclear radiation in large quantities.

When bomb tests are conducted underground instead of in the air, they produce just as much radioactivity—they simply put it in a different place. Can anyone estimate how many million, billion, or trillion curies of radiation, each with reusable lethal power, will enter the food chain eventually—maybe 150 years from now—via underground water from more than 200 nuclear-bomb cavities in Nevada? From two cavities already in Alaska?

Herbert York, Chief of Research and Engineering for the Department of Defense from 1958 to 1961, is now calling for an end to all nuclear bomb tests, and a rollback in nuclear armaments. His brief, 10-point plan in *Life* magazine, December 11, 1970, ends with the warning that his safe, unilateral rollback plan will not be easily accepted. He also said:

I am equally sure that unless we nerve ourselves to make the attempt, and make it soon, we are quite simply doomed.

I ask unanimous consent to place Dr. York's article in the *RECORD*.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRAVEL. At the same time that we have been increasing our overkill power in nuclear weapons, we have been sliding into future dependence on nuclear power as the major source of electricity in this country. How many people realize that just one, large, nuclear powerplant produces as much long-lived radioactivity in its lifetime as all the atmospheric bomb tests combined?

With approximately 600 radioactive powerplants projected by the AEC for this country during the next 30 years, accidents are inevitable. In fact, the AEC already requires electric utilities building nuclear plants to provide emergency evacuation plans for public areas. And

the AEC begins a 1969 series of booklets for nurses and policemen and ambulance squads with this statement:

The anticipated growth of the Nuclear Energy Industry is tremendous. Despite an outstanding Safety record, there will be more accidents as the nuclear industry continues its dynamic expansion.

The question is not whether or not there will be accidents. The questions boil down to exactly what degree of disaster, and how often?

The record in Nevada is not at all reassuring. There are significant radiation accidents admitted with at least 7 percent of the underground bombs, and if you can count smaller accidents where the monitors do not read radiation beyond the Nevada test site, and no announcements are made, then perhaps 33 percent of the tests release radioactivity accidentally into the air. The tests are all designed to be completely contained.

Even if unplanned releases were only 7 percent on routine underground bomb tests, of which we have had more than 200, what level of confidence should we then have in the operation of the large nuclear powerplants, with which we have had no experience at all?

If we believe the AEC's own WASH-740 report, then it seems that if just 10 percent of the radioactivity got out of one 1,000-megawatt nuclear powerplant which had been operating for 6 months, it could contaminate an area from Boston to Philadelphia—or 150,000 square miles. Sometimes I wonder if mankind is still heeding the old maxim: "Never take chances you are not willing to lose."

We ought to be considering the implications of making this country dependent for its electrical energy on the most dangerous process ever developed by man—nuclear fission. Safety in a radioactive economy would depend on 99.99 percent success in radiation containment at every step of the process, year in and year out. One of the main radioactive substances involved, plutonium-239, lasts 240,000 years.

A decision to go nuclear in peace as well as in war is a decision for all men for all time, and at the very least, Congress should be encouraging public debate on it.

I am struck by the possibility that suddenly one day, we will all wake up to read that tuna fish are not only contaminated with mercury, but they are radioactive as well. Yesterday, the Ralston-Purina Co. promised they will start testing tuna for mercury before the company puts it on the market. That is progress. But does anyone know if the tuna species is permanently contaminated? Can the food chain ever cleanse itself of mercury, and if so, where will the mercury go?

Sheer, blind luck may or may not save man from his mercury pollution, and all the other pollutions he has already perpetrated. The question is, faced with the opportunity to prevent irrevocable nuclear pollution, will man use his head?

There are signs that we are learning prudence in some other fields, at least.

Yesterday, the Surgeon General called for the abandonment of NTA in detergents because of birth defects in mice and rats, even though no harm to hu-

mans has been proven yet. In October, the Food and Drug Administration removed two birth-control pills from the market even though no harm to humans had been demonstrated, because an ingredient caused tiny tumors in the breasts of beagle dogs; the tumors might or might not turn cancerous.

Both decisions put health ahead of immediate economic considerations.

But when it comes to nuclear radiation, economic considerations still smother official concern for health. Official regulations actually permit the release of diluted radioactive waste into the environment, even though we have known since 1902 that radiation can induce cancer in man, even though virtually every kind of tumor was induced in every kind of lab animal between 1910 and 1960, even though we have known for many, many years that radiation can cause genetic mutations and birth defects, even though we now know that most human diseases have a genetic basis, even though we have observed chromosome damage in man himself from radiation levels described as considered safe by AEC Chairman Glenn Seaborg in a notable speech, November 19, 1970.

In other words, when it comes to substances which are radioactive, we seem to throw away the public health principles which we apply to other substances. I think Congress ought to be taking a hard look at that, too.

Another curious thing happens with radiation. To my knowledge, no one in the nuclear world disputes that even the tiniest radiation exposure, down to zero, can cause its share of cancer and mutation. Therefore, to justify nuclear reactors and nuclear bomb tests, it is necessary to argue that the benefits exceed the risks. AEC regulations on radioactive reactor effluents are supposed to limit public exposure to a dose of 500 milliroentgens per year. But it looks as if the limit on civilian exposure from weapons testing is set higher—with an additional 2,800 milliroentgens per year allowed. If true, we should find out who—by name—made that benefit-risk judgment, for it makes it the official policy of this country that the warlike atom is about six times more beneficial than the peaceful atom.

I am asking AEC Chairman Glenn Seaborg to clarify that in a set of questions about the accidents in Nevada this week.

EXHIBIT 1

WE CAN REVERSE THE ARMS RACE: A 10-POINT PLAN

(By Herbert F. York)

(NOTE.—Dr. York was chief of research and engineering in the Pentagon from 1958 to 1961. He is chairman of the Federation of American Scientists and acting chancellor of the University of California at San Diego. His recent book *Race to Oblivion* is about the arms race.)

As American and Soviet delegations meet in Helsinki for the third round of the Strategic Arms Limitation Talks (SALT), both superpowers face a terrible dilemma. Even if the talks succeed in slowing down the arms race, or bringing it to a halt, the world will continue to be haunted by enormous batteries of destruction already in existence, fully primed and increasingly vulnerable to error and misuse.

During the last 25 years the United States and the Soviet Union have spent hundreds of billions of dollars and rubles on the systematic development of more and more sophisticated and powerful arms. Temporary advantages gained by one side or the other were successively neutralized until today each possesses enough strategic weapons—largely in the form of silo-based intercontinental ballistic missiles (ICBMs)—to kill more than half the other's population in a single all-out surprise attack. Neither country, however, has anywhere near enough weapons to knock out the victim's ability to retaliate. Well over half our approximately 1,000 Minuteman and Titan ICBMs would survive a surprise Soviet attack and vice versa. These facts constitute what has come to be known as "the balance of terror" between the Soviet Union and the U.S.

Grim as it may be, until now this balance has been stable. It will not remain stable for long. Two major new systems are already being tested in the U.S. and the Soviet Union which will on the one hand shake up the existing missile numbers game and, on the other, put more and more stress on acting fast—or first. The MIRV (Multiple Independently-targetable Reentry Vehicles) system in effect turns a single conventional ICBM into several missiles by loading it with from three to 20 separate warheads that can be individually aimed at different targets. The ABM (Anti-Ballistic Missile) system proposes to defend targets (missile sites, for example) from incoming attackers.

These new weapons are more complicated and more fully automated than such things used to be. They also cost more. But more to the point, their effective use requires that very complex decisions be made in very short times on the basis of information gathered by automatic devices and processed by electronic computers. While our official national policy still specifies that "approval by the highest authority" is required before any strategic weapons are launched, the fact is that the new technology is inexorably reducing the time available for decision-making. It is easily conceivable that eventually there will be only time enough for a computer to decide whether civilization will live or die.

Thus further technological refinements aimed at maintaining the old balance of terror are really no solution to our dilemma at all. If we continue to spend all our energies and treasure in this fruitless effort, the situation is bound to get even worse. We must not only bring the arms race to a halt, we must, still more imperatively, reverse it. SALT could accomplish the first goal, but the second is more difficult.

Any proposal for a rollback, it seems to me, ought to meet several specific requirements. It should be substantial: the end result must be a real reduction in the numbers of weapons, a reduction in the styles of weapons, a reduction in research and development on new weapons. It should be bilateral: armaments on each side are not precisely the same and therefore cannot be reduced symmetrically, but the plan should permit roughly equivalent response. It should be safe: most of the steps, even if taken unilaterally, should not be such as to impair the "deterrent" if the other side fails to go along. It should require little or no inspection: the Russians are extremely sensitive on the point and in the event the U.S. probably would be too. It should eliminate first those weapons systems requiring carefully tuned, computer-generated responses, because they are the most dangerous.

The 10-point program which follows meets these requirements. It is phrased in terms of what the U.S. should do. The Russians would be expected to do something similar. For both sides to agree on a complete roll-

back plan would, of course, be preferable, but this one is set up in such a way that the U.S. could safely begin unilaterally in order to get the ball rolling. I personally recommend that we do proceed.

POINT 1: ABANDON MISSILES STORED IN UNDERGROUND SILOS

Our nuclear deterrent consists of three main weapons—underground-sited ICBMs (Minuteman and Titan missiles), submarine-launched Polaris missiles and nuclear bombs carried by aircraft. Everyone agrees that the underground missiles are secure against a surprise attack—right now. But Secretary of Defense Melvin Laird, along with other Defense Department officials, has stated that sometime in the mid-1970s these missiles will become vulnerable to Soviet attack. The reason given is recent Soviet progress in the development of MIRV—which means an enormous increase in the numbers of warheads deliverable—and in missile accuracy and reliability. The Defense Department pointed to these developments in arguing in favor of deploying a defensive Safeguard ABM system.

Those of us who opposed Safeguard did so not because we disagreed about the potential vulnerability of our underground missiles, but because we have little faith in the real reliability of the ABM system. Some kind of ABM system may work, but there is no way of being sure that it will, until too late. Unless it is infallible, we can never again have a high level of confidence in our ICBMs. Consequently, we should abandon these underground missiles and turn to other weapons systems whose vulnerability is unimpaired, and in which we can have a high level of confidence.

POINT 2: REDUCE SUB-LAUNCHED MISSILE FORCES

Of the 41 U.S. submarines now equipped to carry Polaris missiles, approximately 30 are scheduled to be converted to carry the new Poseidon missiles. These scheduled conversions should be carried out, but the rest of the submarine missile fleet should be scrapped.

The new Poseidon missiles have a longer range than the Polaris missiles they replace, and instead of a single warhead will carry a MIRV warhead composed of from 10 to 14 individually targetable warheads. Each sub carries 16 missiles, so a 30-boat fleet would be able to deliver a total of at least 5,000 warheads. This is about three times as many as we now have in land-based and sub-based missiles combined.

While the Soviets have fewer missile-carrying subs than we do, they are deploying new ones fairly rapidly. As they become persuaded that their silo-based missiles are, like ours, obsolescent, they might be expected to continue their missile-sub buildup until they match us. Or, considering the huge Soviet landmass, they may prefer to build mobile land-based missiles instead. I see no reason why both countries need approach the problem of mobile missiles in the same way, so long as the result is a balance of force.

POINT 3: REDUCE THE STRATEGIC BOMBER FORCE

Keep, at most, about 250 of the 500 or so B-52 bombers we now have. Arm them with high-performance, short-range air-to-ground missiles capable of low-level attack, and perhaps some bombs. Fit them out with the best devices available for penetrating bomber defenses. Have them operate strictly as a deterrent force, targeted on a secret and changing selection of Soviet cities so as to create an impossible defense problem.

POINT 4: ABANDON ABM

If we do away with underground missiles, an ABM system—even if it worked—will no longer have a role to play in defending them. And since nearly all authorities from the

Eisenhower administration to the present have agreed that it is simply not possible to build an ABM system capable of defending cities against determined thermonuclear attack by enemy missiles, the whole system may be abandoned.

POINT 5: GO AHEAD WITH THE DEVELOPMENT OF MIRV FOR POSEIDON

Many of us who previously opposed the development and deployment of composite warheads did so because we believed that the move would upset the balance of terror and lead to an expansion of the arms race. But it is their use on—and against—silo-based underground missiles that cause there is no way to calculate the actual strength or vulnerability of two such opposing MIRV forces. In an uncontrolled arms race, moreover, the factors are constantly shifting.

By now the development of MIRV has probably gone too far (especially in this country) to stop it and maintain a ban on it except by the use of unacceptable inspection methods. With silo-based missiles out of the picture, fitting out a controlled number of submarine-based missiles with MIRV would make sense. It would also provide insurance against any attempt by the other side to deploy, secretly, an antimissile defense; MIRV can penetrate any such defense.

POINT 6: MAINTAIN PRESENT LEVELS OF BOMBER DEFENSES

Present U.S. defenses against bombers cannot cope successfully with a concentrated Soviet attack, especially a coordinated missile-bomber attack. But they can cope fairly well with attacks which might be mounted against us by some "third power." It seems to me that, in a world where offensive arms levels are decreasing, such a "Coast Guard of the Air" could exert a stabilizing influence. It is true that Soviet bomber defenses are much more intensive than ours, but our bomber fleet is bigger and constitutes a bigger threat. Also, with China on one flank and Europe on the other, the Soviet Union has more reason to worry about bomber attacks across its borders than we do. We must expect and allow some dissimilarity over this matter.

POINT 7: REDUCE EXPENDITURES FOR DEVELOPMENT OF NEW STRATEGIC WEAPONS SYSTEMS BY AT LEAST ONE THIRD

Hundreds of projects and programs, often interrelated, are already under way, so it is impossible for an outsider like myself to be very specific about cutbacks in this area. However, we should probably eliminate all work on land-based underground missiles, and greatly reduce research and development dealing with ABM. In the past, much of the research, development and deployment of new missile systems was carried out concurrently. This occasionally made things happen sooner, but it always made them cost more. This procedure is no longer justified.

On the other hand we should continue research and development on several programs, including the search for better ways to make missile warheads penetrate to enemy targets. Also, at least during this first disarmament stage, we should keep working on ULMS (Undersea Long-range Missile System), a new, very-long-range, submarine-based missile system that is a successor to Poseidon; improved armaments and penetration aids to help bombers reach their targets; and perhaps the B-1 bomber or some other successor to B-52. (If disarmament proceeds fast enough, this last might be dropped.)

POINT 8: MAINTAIN SURFACE NAVY TO PROTECT THE POSEIDON FORCES

An important mission for the surface Navy, perhaps its main mission, will be to maintain the security of our missile-sub fleet through what might be called "anti-anti-submarine warfare." It has been repeatedly suggested that one reason we dare not

abandon our land-based missiles is that someday, somehow, our missile-bearing subs will become almost totally vulnerable to attack by enemy forces. This seems to me a very farfetched theory, but just in case there is anything to it, the rest of the Navy should be able to make sure it doesn't happen.

POINT 9: EARLY WARNING AND TECHNICAL INTELLIGENCE

Programs for the development and deployment of early warning, surveillance and reconnaissance systems should continue at about the present rate. Such monitoring systems for checking on what the other fellow is really doing are especially needed during a period of active disarmament. They also serve to allay the public nervousness that frequently accompanies the most modest disarmament measures.

POINT 10: STOP ALL NUCLEAR TESTS

Expand the present partial test ban to cover all types of nuclear bomb testing. Preferably this ban would include all nuclear explosive tests of whatever size and purpose, including the so-called "Plowshare Program" for the development of "peaceful" uses of nuclear bombs. If such a total ban is politically impossible, then no tests of devices larger than, say, a few kilotons should be permitted. This sort of a ban ought to be helpful in maintaining the cooperation of other countries who have signed the nuclear nonproliferation treaty.

Our final goal must remain general and complete disarmament. Even if the program I have outlined above were fully effected, we would still be far from that goal. But we would have moved significantly closer to it, and done so in a way that seems to me safe. I do not imagine for a moment that this rollback plan—or any other—will be accepted easily by anyone, Russian or American. But I am equally sure that unless we nerve ourselves to make the attempt, and make it soon, we are quite simply doomed.

ARMY SURVEILLANCE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. BINGHAM. Mr. Speaker, I want to add my voice to those who have participated in this special order expressing admiration for our colleague from Illinois (Mr. MIKVA) and condemnation of the reported military spying on civilian officials.

The accusations made by Mr. John O'Brien that he was ordered to spy on many civilian officials, including Senator ADLAI E. STEVENSON and Congressman MIKVA, have the ring of truth. I know from my own experience that military intelligence personnel in the past have built up and maintained their own files on Americans they believed to be subversive. The kind of activity that Mr. O'Brien has described may very well have been going on without the knowledge of the top officers and civilian officials in the Pentagon. The Secretary of the Army, Mr. Stanley Resor, has denied that he had any knowledge of it, and I believe him, since I have great confidence in his integrity, as well as in his ability.

Obviously what is needed is a thorough-going and fearless inquiry, not only by the congressional committees con-

cerned, but by the Defense Department itself.

In addition, the various legislative steps suggested by our colleague, Mr. MIKVA, should be taken in an effort to provide safeguards in the future against what may fairly be described as outrageous aping of totalitarian government.

Those steps include passage of legislation, which I have cosponsored, that would give every citizen the right upon request to be informed of any information kept on him by the Federal Government, to review that information, and to supplement it with his own side of the story. Even with such protection, however, the type of activity that is alleged to have taken place in this case cannot be tolerated and, if proved to have occurred, should be stopped.

THE ISSUES AS 13,443 RESIDENTS OF THE SEVENTH CONGRESSIONAL DISTRICT OF NEW JERSEY VIEW THEM

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 19, 1970

Mr. WIDNALL. Mr. Speaker, in late September, I mailed an extensive questionnaire to 152,800 addressees in the Seventh District of New Jersey which encompasses the western portion of Bergen County.

Our office has received 13,443 responses, a rate of 8.8 percent, which is very high for a questionnaire of this nature. I think that this high rate of return reflects a definite lack of apathy on the part of Seventh District residents. I would add that the comments on the questionnaire show an admirable degree of knowledge on problems which the Government faces.

THE 1966 PROBLEMS REVISITED

Mr. Speaker, in 1966, I asked my constituents what they felt were the three most important issues facing our Nation today. I asked them the same question approximately 4 years later, and I think the comparison is interesting:

COMPARISON OF PROBLEMS

1966

1. Vietnam
2. The economy
3. Government spending
4. Civil rights/race relations
5. Welfare
6. Foreign policy
7. Taxes
8. Law and order
9. Communism
10. Foreign aid
11. Education
12. Labor
13. Poverty
14. Morality
15. World peace
16. Drug abuse
17. Patriotism
18. Ecology
19. Population
20. Commuters

1970

1. Indochina
2. The economy

3. Ecology
4. Law and order
5. Drug abuse
6. Civil rights/race relations
7. Student unrest
8. Taxes
9. Welfare
10. Government spending
11. World peace
12. Mideast
13. Morality
14. Foreign policy and aid
15. Communism
16. Poverty
17. Education
18. Urban problems
19. Radicalism
20. Corruption in politics

The same two major problems that preoccupied the peoples minds in 1966 remain in 1970. Vietnam and our economy are still the chief concern, though to a lesser degree. Sixteen percent regard Vietnam as first in 1970, down from 47 percent in 1966, and also 16 percent for the economy, down from 37 percent in 1966.

ECOLOGY AND DRUG ABUSE

Government spending, welfare, foreign policy, and labor are considered relatively lesser problems. While environmental pollution has jumped from 18th place to third, and drug abuse from 16th place to fifth. Law and order has also moved up as a chief concern. Student unrest was unthought of in 1966, but is now adjudged to be our seventh most important problem.

RESPONSES TO CHIEF ISSUES

The most important problems are further explored in the other 16 items in the questionnaire. Broadly speaking, the questions can be categorized into national defense, the economy, ecology, drug abuse, senior citizens, and students, and the Nixon administration. An analysis of the responses to questions in each of these six categories follows.

VOLUNTEER ARMY

Nearly half of my constituents would prefer an all-volunteer army to what we have now. The Voluntary Manpower Act, which I cosponsored, would begin an all-volunteer force in 1971. The younger the respondent, the more an all-volunteer army is supported; the 18 to 29 group had a 57- to 32-percent preference over the present draft system.

WITHDRAWAL FROM VIETNAM

Most want us to withdraw troops but take as many years to do this as are needed to turn the war over to the South

Vietnamese. The older one is, the more he is for this.

However, the majority of respondents want withdrawal of all troops, at least by June 30, 1971. A bill that I cosponsored asks for this measure and 51.2 percent—combining immediate withdrawal and withdrawal by June 30—concur. Ninety-six percent evidently oppose sending more troops.

Furthermore, in a slight edge, 3 percent of the respondents are opposed to the United States giving military air support to the Cambodian armed forces.

BUILD THE ABM

Many people declined answering the ABM question, but of those who answered, nearly twice as many favor the President's program.

In the Middle East conflict, respondents prefer, in order, that the United States negotiate for peace—25.9 percent—work through the United Nations—25.5 percent—or stay out of the conflict—22.8 percent.

COST OF VIETNAM

The people of the Seventh District were presented the opportunity to assess the impact of nine factors as inflationary causes. The cost of Vietnam ran first with union wage demands and Government spending following. And as an antidote to these causes, they suggest a cut in Federal spending—80.3 percent, and with lesser agreement, wage-price controls, a tight money policy, and continuation of a tax surcharge.

GIVE MONEY TO STATES

In considering a concept which I have long advocated, 53.6 percent favor revenue sharing with State and local governments. This would consist of \$1.1 billion returned to State and local treasuries with no strings attached. The measure is most strongly approved by 18- to 29-year-olds.

AIR AND WATER CONCERN

The greatest consensus on any question is that 86.8 percent believe air pollution in Bergen County is at a serious level. The political parties are in virtual agreement, while people show less concern in older age groups.

Not as noted, but still serious, is acknowledgement of water pollution in the county. The consensus between party lines and age groups is more divided than on the air question.

DISTRICT WIDE POLL OF CONSTITUENTS

[In percent]

Questions	Party preference				Age (years)		
	Total	Demo- crat	Repub- lican	Inde- pend- ent	18 to 29	30 to 49	50+
1. In obtaining manpower for the military which of the following would you prefer:							
Volunteer army as a substitute for the present draft lottery system	49.4	52.5	45.9	52.8	56.5	50.5	45.8
Keep the present draft system	39.5	36.6	43.6	35.3	32.4	38.4	43.2
Not sure	11.1	10.9	10.5	11.9	11.1	11.1	11.0
2. Here are 4 different plans the United States could follow in dealing with war in Vietnam. Which one do you prefer:							
Withdraw troops but take as many years to do this as are needed to turn the war over to the South Vietnamese	40.9	29.5	49.0	34.4	31.6	42.1	42.8

HEROIN, COCAINE, AND MARIHUANA

As noted earlier, drug abuse has become a major problem in the respondents' viewpoint. To control the traffic of hard drugs, 84.5 percent support a bill that I cosponsored which would cut off aid to countries which produce heroin and cocaine but refuse to control their flow into the United States. The strongest agreement comes from nine out of 10 over age 50 respondents.

Marihuana legality is opposed by nearly three-fourths of the people. Over half those aged 18 to 29 years are against legalization.

TAX HELP FOR SENIOR CITIZENS

Different replies emanating from different perspectives show when I asked for remedies that the Federal Government could take to ease the living conditions of the senior citizens. The young group thinks that senior citizens should have increased social security benefits, then more low-cost housing.

However, the over aged 50 group wants tax relief first, then increased benefits, both before housing is improved. It appears that these people are asking for freedom from taxation harassment from the Government. Many noted in the margins of their returns that increasing property taxes are a particular problem.

RAISE STUDENT LOAN ELIGIBILITY

Forty-three percent ask that eligibility for federally supported student loans be set for families whose income is \$15,000. Most of the student loans today are channeled to youths of families whose income is below \$12,000.

HAPPY WITH NIXON

Among all respondents, 59.3 percent approve of the way Nixon is handling his job as President. Not surprisingly, 77.1 percent of Republicans approve, with 46.9 percent independents, and 29.0 percent of the Democrats.

Despite the high priority—sixth—of racial strife among problems noted, 52.2 percent believe the administration is moving toward racial integration at about the right rate. The 18- to 29-year-olds are split on whether the move is about right or too slow. No strong sentiment indicates that the President is going too fast.

THE FIGURES FOLLOW

I include at this point a complete tabulation of the results of this questionnaire:

Questions	Party preference				Age (years)		
	Total	Demo- crat	Repub- lican	Inde- pend- ent	18 to 29	30 to 49	50+
Withdraw all by June 30, 1971.....	33.7	36.8	31.9	35.0	36.1	33.2	33.5
Withdraw all troops from Viet- nam immediately.....	17.5	28.2	10.7	22.4	23.6	16.9	15.9
Send more troops to Vietnam and step up the fighting.....	4.0	3.1	4.2	4.1	4.8	3.9	3.8
Not sure.....	3.9	2.4	4.2	4.1	3.9	3.9	4.0
3. If you are familiar with the discus- sions on the ABM proposal and have an opinion on this complex issue, do you favor or oppose the ABM program as submitted by President Nixon:							
Favor.....	46.4	28.8	57.7	38.1	34.5	46.7	50.4
Oppose.....	25.6	41.9	14.9	33.5	37.2	26.4	20.5
Not sure.....	28.0	29.3	27.4	28.4	28.3	26.9	29.1

DISTRICT WIDE POLL OF CONSTITUENTS—Continued

[In percent]

Questions	Party preference				Age (years)			
	Total	Democrat	Republican	Independent	18 to 29	30 to 49	50+	
4. Your opinion of the way Nixon is handling his job as President:								
Approve.....	59.3	29.0	77.1	46.9	47.0	59.6	63.3	
Disapprove.....	26.8	54.7	11.4	36.9	39.4	27.8	21.1	
Not sure.....	13.9	16.3	11.5	16.2	13.6	12.6	15.6	
5. The Nixon administration is moving toward racial integration:								
About right.....	52.2	35.1	63.7	43.5	39.7	53.0	55.9	
Too slow.....	26.2	45.4	14.3	34.7	39.7	28.1	19.3	
Too fast.....	13.7	11.9	14.9	11.5	10.9	11.3	16.2	
Not sure.....	8.4	7.6	7.1	10.3	9.7	7.6	8.6	
6. How serious a problem do you feel water pollution—the pollution of rivers, streams, lakes, and water supply—is in Bergen County:								
Very serious.....	73.1	76.7	69.4	76.7	82.1	76.5	66.2	
Somewhat serious.....	22.0	19.4	25.0	19.1	14.7	20.1	26.6	
Not serious.....	2.2	1.9	2.5	1.9	1.1	1.4	3.5	
Not sure.....	2.7	2.0	3.1	2.3	2.1	2.0	3.7	
7. From what you know or have heard, how much air pollution do you think there is in Bergen County:								
A lot—some.....	86.8	87.8	86.2	87.2	91.6	89.2	82.7	
Little—none.....	8.7	7.7	9.8	7.7	5.2	6.8	12.0	
Not sure.....	4.5	4.5	4.0	5.1	3.2	4.0	5.3	
8. Regarding the control of heroin and cocaine, do you favor cutting off aid to countries which produce these drugs but refuse to control their flow to the United States:								
Cut off aid.....	84.5	79.8	87.7	82.1	70.6	83.9	90.0	
Do not cut off aid.....	7.9	11.5	5.3	9.9	18.2	7.5	4.8	
Not sure.....	7.6	8.7	7.0	8.0	11.2	8.6	5.2	
9. Do you think the use of marihuana should be made legal or not:								
Should not.....	71.3	65.8	79.7	62.5	51.1	72.3	77.4	
Should.....	17.0	23.7	10.5	22.9	35.9	15.4	12.0	
Not sure.....	11.7	10.5	9.8	14.6	13.0	12.3	10.6	
10. To what degree is Federal Government spending a cause of inflation:								
Major.....	73.1	62.8	77.3	71.0	69.3	71.7	76.1	
Minor.....	17.8	23.7	15.6	18.8	20.3	19.0	15.5	
Not much.....	4.8	8.3	3.6	5.2	4.8	5.4	4.3	
Not sure.....	4.3	5.2	3.5	5.0	5.6	3.9	4.1	
To what degree is the cost of Vietnam a cause of inflation:								
Major.....	80.1	83.2	77.9	81.7	81.6	79.3	80.2	
Minor.....	14.1	10.9	16.4	12.5	12.3	15.3	13.7	
Not much.....	2.8	2.2	3.1	2.5	2.8	2.7	2.8	
Not sure.....	3.0	3.7	2.6	3.3	3.3	2.7	3.3	
To what degree is the high interest rate on borrowing a cause of inflation:								
Major.....	36.0	48.4	30.7	38.1	35.6	35.2	37.0	
Minor.....	27.4	21.8	29.9	26.1	27.4	28.0	26.4	
Not much.....	26.7	19.4	30.2	25.2	25.5	28.4	25.6	
Not sure.....	9.9	10.4	9.2	10.6	11.5	8.4	11.0	
To what degree are union wage demands a cause of inflation:								
Major.....	75.4	61.5	83.2	69.8	63.1	74.8	80.5	
Minor.....	15.8	23.6	11.6	18.8	23.2	17.4	11.4	
Not much.....	5.7	10.9	3.2	7.2	8.3	5.6	4.9	
Not sure.....	3.1	4.0	2.0	4.2	5.4	2.2	3.2	
To what degree are high business profits a cause of inflation:								
Major.....	30.4	43.8	23.3	34.4	33.5	28.9	31.1	
Minor.....	34.9	30.6	37.1	33.7	33.8	36.5	33.1	
Not much.....	26.7	16.9	32.6	23.1	22.4	27.9	27.2	
Not sure.....	8.0	8.7	7.0	8.8	10.3	6.7	8.6	
To what degree are war and relief payments a cause of inflation:								
Major.....	55.3	49.5	58.7	53.0	45.0	51.3	64.0	
Minor.....	23.6	24.0	23.5	23.7	27.1	26.3	19.2	
Not much.....	14.0	18.6	12.0	15.0	18.6	15.7	10.1	
Not sure.....	7.1	7.9	5.8	8.3	9.3	6.7	6.7	
To what degree are taxes a cause of inflation:								
Major.....	39.4	39.1	42.3	35.8	34.5	34.9	47.1	
Minor.....	24.3	24.0	24.0	25.0	27.0	26.6	20.4	
Not much.....	27.4	26.0	26.3	29.2	28.2	31.3	22.1	
Not sure.....	8.9	10.9	7.4	10.0	10.3	7.2	10.4	
To what degree is people having too much money to spend a cause of inflation:								
Major.....	21.4	17.2	23.7	20.1	18.1	19.5	25.2	
Minor.....	36.3	34.7	37.3	35.4	35.0	36.7	36.2	
Not much.....	35.2	39.9	32.5	37.0	39.5	37.6	30.4	
Not sure.....	7.1	8.2	6.5	7.5	7.4	6.2	8.2	
To what degree is Federal money spent on education and health a cause of inflation:								
Major.....	11.2	6.2	14.8	8.4	6.9	8.8	15.8	
Minor.....	36.0	31.3	39.5	33.1	29.7	37.9	36.1	
Not much.....	47.7	57.7	40.3	53.6	59.2	49.2	41.2	
Not sure.....	5.1	4.8	5.4	4.9	4.2	4.1	6.9	
11. In order to curb inflation would you favor or oppose a Federal spending cut:								
Favor.....	80.3	68.0	85.5	77.6	74.3	78.9	84.0	
Oppose.....	10.6	19.0	7.3	12.1	13.9	12.0	7.8	
Not sure.....	9.1	13.0	7.2	10.3	11.8	9.1	8.2	
In order to curb inflation would you favor or oppose wage-price controls:								
Favor.....	52.7	60.8	49.1	54.5	52.1	47.8	58.3	
Oppose.....	34.8	27.2	38.9	32.3	35.0	39.5	29.5	
Not sure.....	12.5	12.0	12.0	13.2	12.9	12.7	12.2	
In order to curb inflation would you favor or oppose a tight money policy:								
Favor.....	32.0	22.0	37.7	28.4	24.6	33.8	32.9	
Oppose.....	45.3	54.7	40.3	48.1	51.7	46.2	41.3	
Not sure.....	22.7	23.3	22.0	23.5	23.7	20.0	25.8	
In order to curb inflation would you favor or oppose continuation of the tax surcharge:								
Favor.....	31.2	30.1	32.6	29.7	23.5	31.8	33.5	
Oppose.....	55.4	55.1	54.9	56.1	60.1	55.2	53.7	
Not sure.....	13.4	14.8	12.5	14.2	16.4	13.0	12.8	
In order to curb inflation would you favor or oppose substituting a national sales tax for a corporate tax:								
Favor.....	12.8	13.8	12.3	13.1	14.7	11.5	13.6	
Oppose.....	66.2	62.3	67.5	66.0	60.2	67.8	66.8	
Not sure.....	21.0	23.9	20.2	20.9	25.1	20.7	19.6	
12. What remedies could the Federal Government take to ease the living conditions of the senior citizens:								
Tax relief.....	28.0	20.2	33.5	24.5	15.6	28.1	31.8	
Raise Social Security benefits.....	23.7	29.5	20.7	25.2	33.5	22.6	21.6	
Low cost housing.....	19.5	23.3	16.6	21.4	25.6	19.3	17.8	
Expand and improve Medicare.....	11.5	13.9	9.5	12.9	12.1	11.7	11.0	
Curb inflation.....	6.9	3.1	9.0	5.7	3.5	7.0	8.0	
Increase earnings limitation.....	5.3	3.9	6.4	4.6	2.8	5.4	6.1	
Food subsidies.....	3.2	3.9	2.5	3.8	4.8	3.9	1.9	
Better nursing homes.....	1.9	2.2	1.8	1.9	2.1	2.0	1.8	
13. It has been suggested that \$1,000,000,000 of the revenue which Washington collects in Federal income taxes be returned to the States and local governments to be used by those States and local governments as they see fit:								
Favor.....	53.6	55.1	53.8	52.9	59.2	55.5	49.7	
Oppose.....	26.5	26.3	26.3	26.8	23.2	26.1	28.0	
Not sure.....	19.9	18.6	19.9	20.3	17.6	18.4	22.3	
14. Currently the bulk of student loans go to youths of families whose income is below \$12,000. Do you think that eligibility for Federally-supported student loans should be limited to qualified students from families whose income is below:								
\$15,000.....	43.6	46.2	40.2	46.9	44.5	52.7	33.3	
\$10,000.....	25.3	26.0	27.3	22.7	22.7	17.2	35.2	
\$12,000.....	20.7	17.8	21.2	21.0	25.2	19.1	20.9	
Not sure.....	10.4	10.0	11.3	9.4	7.6	11.0	10.6	
15. As the Gallup poll asked this year what would you like to see the U.S. Government do about the troubles between Israel and the Arab nations in the Middle East:								
Negotiate for peace.....	25.9	25.3	26.3	25.8	28.6	26.5	24.6	
Work through the United Nations.....	25.5	25.0	25.3	25.8	25.8	25.7	25.2	
Stay out of the conflict.....	22.8	17.9	25.4	21.1	20.7	19.9	26.6	
Support Israel with military aid.....	11.5	15.4	9.7	12.5	11.6	12.8	10.0	
Support Israel with nonmilitary aid.....	9.8	12.6	9.0	9.9	9.2	10.6	9.1	
Support the Arab nations with nonmilitary aid.....	3.1	2.5	3.0	3.5	2.7	3.3	3.0	
Support the Arab nations with military aid.....	.4	.3	.4	.4	.2	.5	.4	
No opinion.....	1.0	1.0	.9	1.0	1.2	.7	1.1	
16. Should the United States give military aid support to the Cambodian armed forces:								
No.....	45.8	63.2	37.0	51.0	56.4	45.3	42.5	
Yes.....	42.7	30.8	50.1	37.6	35.8	43.9	44.1	
No opinion.....	11.5	6.0	12.9	11.4	7.8	10.0	13.4	
17. What do you feel are the 3 most important issues or problems facing our Nation today:								
Indochina.....	16.2	19.7	12.6	17.9	21.0	16.1	14.5	
The economy.....	16.0	15.6	18.1	14.8	12.1	15.8	1.7	
Ecology.....	14.2	15.5	12.6	15.9	21.1	15.1	10.7	
Law and order.....	12.0	8.5	14.4	10.1	7.5	11.1	14.7	
Drug abuse.....	9.6	9.5	10.1	9.1	8.0	9.9	10.0	
Race relations and civil rights.....	6.9	9.3	5.7	7.7	9.6	7.1	5.7	
Student unrest.....	5.1	.3	5.5	4.9	3.9	5.0	5.5	
High taxes.....	2.6	2.1	3.0	2.2	1.1	2.1	3.8	
Welfare.....	2.1	1.6	2.3	1.9	1.6	1.8	2.5	
Government spending.....	1.7	1.1	2.1	1.5	.9	1.4	2.4	
World peace.....	1.5	1.1	1.4	1.6	1.1	1.6	1.4	
Mid-East.....	1.5	2.0	1.4	1.5	2.3	1.7	1.0	
Morality.....	1.5	.7	1.8	1.4	1.0	1.7	1.5	
Foreign policy and aid.....	1.5	1.4	1.6	1.5	1.5	1.4	1.7	
Communism.....	1.4	.9	1.8	1.2	.8	1.5	1.5	
What do you feel are the 3 most important issues or problems facing our Nation today:								
Poverty.....	1.3	1.9	0.8	1.7	1.9	1.5	0.7	
Education.....	1.3	1.4	1.4	1.0	.6	1.6	1.0	
Urban problems.....	1.2	1.4	1.0	1.4	1.6	1.1	1.3	
Radicalism.....	1.2	.7	1.3	1.2	1.1	1.3	1.1	
Corruption in Politics.....	1.2	1.0	1.1	1.5	1.3	1.1	1.3	

ADDITIONAL DATA

Total questionnaires mailed—152,806.
 Total questionnaires received—13,443 (8.8%).
 Republicans—6,500 (48.4%).
 Independents—5,249 (39%).
 Democrats—1,694 (12.6%).
 Total—13,443.
 30-49 years old—5,994 (44.6%).
 50 and over—5,493 (40.9%).
 18-29 years old—1,956 (14.5%).

PRIVATE ENTERPRISE SALUTES
AMERICA'S POLICEMEN

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 19, 1970

Mr. ROUSSELOT. Mr. Speaker, on some occasions we hear loud outcries from various segments of our diverse society that private-enterprise entrepreneurs, and especially large corporations, are insensitive, crass profiteers who have no concern for the American public as a whole. American business and corporate giants are pictured as conniving, greedy, wretched, faceless Scrooges who are somehow unaware of the thousands of community servants and good citizens about them. Most of these ridiculous charges, and many times unfair attacks on our private-enterprise system, are generally overexaggerated and piecemeal criticisms drawn from half-truths and unqualified evidence.

The Warner & Swasey Co., of Cleveland, Ohio, has for many years utilized its hard sell advertising space in well-circulated national publications to compliment and commend worthy individuals and/or organizations who are making significant contributions to the well-being of America. The Warner & Swasey Co. is but one of many responsible corporate enterprises in America who are assuming a proper citizens' obligation to express their appreciation to the many segments of our American populace who are doing their part. In the December 21, 1970, issue of Newsweek magazine there appeared a message praising America's policemen who day-in and day-out make a valiant attempt to keep the peace for the 205 million American people living throughout the land. It was a simple, straightforward message that needed to be stated. While it is true, Mr. Speaker, that the Warner & Swasey Co. also includes in these type advertisements an additional footnote about various products and services they have, I believe they are to be complimented for their continuing effort to reflect in media normally used for other purposes; that is, advertising their own products, willingness to express gratitude to their various fellow citizens who are performing their independent tasks in a quiet, positive way. President Nixon has stated that one of the great strengths of our Nation lies not only in our ability to critically evaluate those things which are wrong, but also, and more importantly, to occasionally speak up for those things which are right about America. The Warner & Swasey Co. has accepted this responsibility, and their example of talk-

ing so correctly about American policemen and law enforcement agents is private enterprise operating at its best.

Mr. Speaker, I recommend that my colleagues review the brief but thoughtful message contained in this advertisement:

WITH PROFOUND ADMIRATION AND GRATITUDE
 WE SALUTE AMERICA'S POLICEMEN

Except for you and your courage and integrity, our so-called civilized cities would be jungles, our children unsafe even in their own home and school yards, our businesses would be in a losing war with hoodlums.

You and the fine wives who back you up are what keep this country out of ours from plunging into chaos.

We and all decent Americans are deeply grateful to you, and we are immensely proud to be fellow citizens of men like you.

ARMY SURVEILLANCE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. KOCH. Mr. Speaker, I want to praise the gentleman from Illinois (Mr. MRKVA) for his brilliant statement on this subject. Like him, I have now served 2 years in the House.

The revelations of the Army surveillance activities in Illinois are most serious. One of the constitutional principles of our Republic is that of civilian control over the military, and yet, now we find the military operating its own organized system of surveillance on our country's people and elected officials.

I believe the Government's invasion into the private lives of the citizenry at large, as well as the surveillance of their political activities, is of such importance that I intend to pursue this as a matter of top priority in the next Congress.

Last year I introduced a Federal Privacy Bill, H.R. 7214, that would instruct all Federal agencies to notify individuals of all records maintained on them. Furthermore, these persons would be permitted, except in instances of national security, to inspect these records and add explanatory statements where they desire to do so.

I believe that a hearing on H.R. 7214 would be an appropriate forum for the Congress to investigate both the dimensions of the Army's surveillance activities and the collection of data by Government agencies, not only on public officials, but also on the citizenry at large.

I advised this House yesterday that I had asked the distinguished chairman of the Government Operations Committee, Mr. HOLIFIELD to hold hearings on my bill, and during these hearings to inquire into all of the circumstances relating to the Army's intelligence activities in the entire country as well as Illinois. I believe that we have seen but the tip of the iceberg in the Army's activities in Illinois, and that the Congress should investigate all similar activities conducted by all branches of the Government, including the FBI.

I know that many Members believe the phones in our congressional offices may

be tapped. I would like to have witnesses from the various investigatory agencies of the administration appear and testify under oath as to whether or not they conduct any wiretapping of congressional offices.

Even more important, however, than protecting the Congress is protecting the public. We in public office at least are able to fight back, not always successfully but at least we have a forum. The average citizen has no recourse, and an unknown number of decent citizens have been destroyed by malicious and false information appearing in the millions of dossiers held by Government agencies. It is necessary that the Congress act both to protect the individual's right to privacy and to give him some means for defending himself against misinformation. My bill would provide this protection.

I will be reintroducing the bill on the first day of the 92d Congress, and I invite my colleagues to cosponsor it.

JUSTICE DOUGLAS MUST GO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 19, 1970

Mr. RARICK. Mr. Speaker, old Justice Douglas had scarcely completed his press conference at his Supreme Court office—celebrating his short-lived reprieve—when he again misused his entrusted authority in matters of national security.

This time he intervened against military regulations which do not feel that mothers should serve in our armed services. The case in point is an unwed female officer with an illegitimate child.

Perhaps Douglas feels that by his standards such an officer can still be regarded as a gentleman—a gentlewoman in this instance.

The moral judgment of a man always reflects his personal morals.

Douglas must go.

I include a pertinent newsclipping with my remarks:

[From the Washington (D.C.) Evening Star, Dec. 18, 1970]

CAPTAIN'S DISCHARGE BLOCKED BY DOUGLAS

Supreme Court Justice William O. Douglas has ordered the Air Force to keep on active duty temporarily an officer it wants to discharge because she had a baby. In a brief order yesterday, Douglas said Capt. Susan R. Struck, 26, may not be discharged before a lower court rules on her challenge to discharge orders.

Under an Air Force regulation, a woman officer who becomes pregnant must be discharged as soon as possible. Capt. Struck was ordered discharged when, while serving in Vietnam, she became pregnant.

Capt. Struck gave birth to a six-pound daughter Dec. 3. Before the baby was born, Capt. Struck, who is unmarried, filed a complaint in U.S. District Court in Seattle arguing her constitutional rights would be violated if she were discharged.

She faced discharge as of midnight tonight. Douglas' order will block the discharge until the Seattle Court has reached a decision. The Justice Department had opposed postponement of the discharge.

PRIVATE EMPLOYMENT AGENCIES
AND THE MANPOWER BILL

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 19, 1970

Mr. BUCHANAN. Mr. Speaker, during the debate on the manpower bill recently vetoed by the President I offered a floor amendment which was narrowly defeated and which would have substituted language in one instance already included in the Senate bill. However, the conferees upheld the House version despite the close division in the House and the contrary vote of the Senate.

It is my profound hope that language similar to that of the Senate bill will be included in whatever manpower legislation is passed in the future. In order to zero Government programs in on the areas of greatest need and to undergird the system of private enterprise which has provided so much opportunity for so many people, we should avoid all-out competition between State employment offices and private employment agencies. The language in question would help safeguard against such a development.

I submit herewith for the edification of the House a letter from the National Employment Association to the President on this subject:

NATIONAL EMPLOYMENT ASSOCIATION,
Washington, D.C., December 17, 1970.

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

DEAR MR. PRESIDENT: The owners of 9,000 small businesses and their 45,000 employees commend you for vetoing the Manpower Bill.

Private employment agencies are engaged in the business of bringing the job seeker and the employer together in an amicable and mutually profitable arrangement. The passage of this bill as it was approved in conference and ultimately passed by the House of Representatives and the U.S. Senate would have given the Secretary of Labor much broader authority than he presently has under the Wagner-Peyser Act. The bill stated that he shall "... provide for the prompt referral of those persons who are qualified to suitable employment opportunities." This provision would have placed the 2,200 state employment offices in direct competition with private employment agencies.

These small businesses, Mr. President, help support the economy through their taxes and through their many job placements. Their employees pay taxes on their income. They have worked alongside state employment offices in many communities, but with the understanding that the tax-supported employment offices would help those who were not in a position to help themselves. Therefore, it was with dismay that they learned of the broad powers that the proposed 1970 manpower bills would grant to the Secretary of Labor. Individually and through this Association, they made their views known to their legislators in Washington.

Their concern was recognized and heeded to some extent. The Senate Bill, S. 3867, provided that the Secretary of Labor shall "... provide for the prompt referral to suitable employment opportunities of persons who are seeking work, with special consideration for the placement of qualified individuals who are unemployed, unskilled or underemployed." An amendment to provide similar wording in the House Bill was introduced by Congressman Buchanan of Alabama during debate on the bill, but the amendment was

narrowly defeated on a 46 to 42 vote. This language was not included in the Conference Bill.

Your veto, Mr. President, will now make it possible for these small businesses to explain to their elected representatives their grave concern about the expansion of the authority of tax-supported state employment offices. If it is our view that this public institution should concern itself primarily with placing the unemployed, the unskilled and the disadvantaged.

The members of this Association concur with your views that the interest of society and of the business world will be best served by having every employable individual at work on the job that utilizes his finest skills, abilities and ambitions ... a job from which he derives the greatest satisfaction, self-respect and a profound belief in the dignity of work.

The leadership of this Association would welcome an opportunity to work with you or your representatives in playing a greater role in placing the returning veterans and the unemployed.

The support of our members and our prayers are with you during these critical times. We thank you for taking on such an awesome task as the Presidency of these United States.

Sincerely,

JOHN E. HARMON, C.A.E.,
Executive Vice President.

THE U.N.O.—SUBSIDIZED ANTI-AMERICANISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 19, 1970

Mr. RARICK. Mr. Speaker, House Joint Resolution 1146 seeks \$20 million from U.S. taxpayers for enlargement of the U.N. headquarters in New York City.

If, as the resolution states, "a special contribution by the United States as the host Government would constitute a positive act of reaffirmation of the faith of the American people in the future of the U.N." then the converse is also true. Defeat of House Joint Resolution 1146 will constitute a positive act of reaffirmation of the faith of the American people in the future of these United States under constitutional government.

Even more peculiar is the silence from those quarters usually so outspoken about national priorities, slums, the poor, and jobs.

I ask that several recent reports by that able and authoritative author Dan Smoot of Dallas, Tex. follow:

[From the Dan Smoot Report, Dec. 14, 1970]

U.N.: A NEST OF COMMUNIST SPIES

April 22, 1970, was the 100th anniversary of the birth of V. I. Lenin. Promising the people of Russia freedom, Lenin came to power in 1917.

At that time, according to Alexander Kerensky, Lenin's brain was already half destroyed by syphilis. He was a madman with a psychotic dream of setting up a communist world dictatorship under the absolute control of the Kremlin.¹

Lenin founded the Soviet dictatorship of the proletariat, and created the institutions which have been standard features of communist dictatorships ever since: networks of secret police which set citizens spying on each other, and terrorize the total population; revolutionary tribunals (later called

"peoples' courts" in communist China) which hold street trials with wild mobs serving as juries, screaming verdicts of death against anyone accused by the communists; concentration camps; the international communist revolutionary apparatus to spread disruption, chaos, and terror into other nations.²

Explaining his program, Lenin said:

"It doesn't matter if three-fourths of mankind perish! The only thing that matters is that, in the end, the remaining fourth shall be communist."³

Lenin held power for six years, from 1917 until his death (at the age of 54) in 1924. Professor Ivan A. Kurganov, former director of the Leningrad Finance Institute, has compiled statistics on the number of people killed as a result of Lenin's orders and programs during the six years of his reign. The total is 12,070,000. Of those, Lenin liquidated 6 million in 1921-1922 by a program of planned starvation; 2.3 million were murdered during the Red Terror that lasted until 1923.⁴

This is a glimpse at the record of the man who was honored, on the centenary of his birth, by such American "statesmen" as Henry Kissinger (assistant to President Nixon) and blank Kissinger and blank were among some 1500 comrades who jammed the Soviet Embassy in Washington on April 22, 1970, to celebrate Lenin's birthday.⁵

The United Nations also paid tribute to Lenin. In 1968, UNESCO (United Nations Educational, Scientific, and Cultural Organization) authorized the convening in 1970 of an international symposium to pay tribute to Lenin's work for mankind.⁶ In March, 1969, the United Nations Commission on Human Rights, expressing approval of the forthcoming symposium, praised Lenin as a "prominent humanist," and lauded his "practical and theoretical contributions in the cause of economic, social, and cultural rights."⁷

UNESCO's symposium on Lenin was held in Finland, April 6-10, 1970. Its official theme was "Lenin and the Development of Science, Culture, and Education."⁸

The U.S. government objected to the UNESCO symposium on Lenin, but was voted down.⁹ The U.S. pays 29.73 per cent of UNESCO's budget.¹⁰ Most other nations get far more in aid from us than they contribute to UN agencies. So, U.S. taxpayers paid most of the expenses incurred by UNESCO in paying tribute to Lenin.

The highest official and chief spokesman of the United Nations (U Thant, UN Secretary-General) sent a message to the UNESCO Lenin symposium saying:

"Lenin's ideals of peace and peaceful co-existence among states have won widespread international acceptance, and they are in line with the aims of the UN charter."¹¹

Thant, a marxist, is not often right; but, in this instance, he was.

In Lenin's dialectics, *peace* did not mean the absence of war. It meant the absence of any resistance to communism. *Peaceful co-existence among states* means that all nations not yet ruled by communist dictatorships would be subservient to those nations in which communist dictatorships had been formally established.

It may not be accurate to say that these "ideals" of Lenin "have won widespread international acceptance." But it is a fact that more than half of the world's population is now controlled by communist dictatorships. Most of the other half is ruled by liberals (socialists) who adhere to much of the political, economic, and social ideology of communism.

It is quite accurate to say that Lenin's "ideals" are "in line with the aims of the UN charter." The UN charter was largely a communist creation. The United Nations

Footnotes at end of article.

charter is a multi-nation treaty which, if obeyed by all parties to it, would require member nations to cooperate in socializing their national economies and then to merge into a unified worldwide socialist system. Establishment of a world socialist system is the objective which Lenin set for communism. Thus, as created, the United Nations and all its specialized agencies, are designed to serve the cause of communism.

Who were the creators?

As acting director (1944) and director (1945) of the U.S. State Department's Office of Special Political Affairs, Alger Hiss (communist spy) was in charge of State Department postwar policy planning. Hiss arranged, and selected American personnel who attended, the Dumbarton Oaks Conference at Washington, August-September, 1944. Hiss directed the conference as executive secretary. It was at this conference that the first draft of the UN charter was written.⁴

Hiss attended the Yalta conference in February, 1945, as President Roosevelt's adviser on United Nations affairs.⁵ At Yalta, Roosevelt agreed to let the Soviet Union have three votes to our one in the United Nations that was to be formed later that year.⁶ This agreement was formally confirmed by a committee of experts, composed of three men: Gromyko of the USSR, Alger Hiss of the U.S., and Gladwyn Jebb of Great Britain.⁷

Hiss was in charge of U.S. planning for the United Nations founding conference held at San Francisco in June, 1945. Hiss ran the conference as Secretary-General.

In fact, of 17 Americans who played key roles in organizing and directing the UN founding conference and in writing the final draft of the UN charter, 16 were later identified as secret communist agents.⁸

The first 500 Americans employed by the UN after it was organized, were selected by Alger Hiss.⁹

Chesly Manly makes a concise, but rather comprehensive, statement about the communist role and purpose in the creation of the United Nations:

"Roosevelt, Churchill and Stalin were the founders of the UN, but its architect, the man who designed it, fashioned it, manned it, launched it and set its ideological course on a voyage to One Socialist World was Alger Hiss. . . .

"Hiss's ambition [was] to use the UN as an instrument for the control of the foreign and domestic policies of the United States and the gradual expansion of the USSR into the World Soviet Socialist Republic as envisaged by Stalin. . . .

"Hiss's leading role in planning for the UN, in the drafting of its charter, and in negotiations with the Russians, is set forth in State Department Publication 3580, a volume of 726 pages titled *Postwar Foreign Policy Preparation, 1939-45*, issued in 1949."¹⁰

Mr. Manly says Alger Hiss's ambition for the United Nations was frustrated. A little, perhaps, but not entirely!

The communist purpose in creating the United Nations was to strengthen and expand world communism, while weakening the United States.

The United Nations has been the keystone of U.S. foreign policy since 1945. That policy has dragged America to the very precipice of disaster. It has caused the confiscation of hundreds of billions of dollars from American taxpayers for the defense and support of other nations—many of which are communist, most of which are socialist and anti-American. U.S. foreign policy, built on the UN as the keystone, has put us in the position of financing both sides of armaments races between nations throughout the world, with the result that we have bought the enmity of all. This foreign policy has involved us in two bloody, undeclared wars in the past 20 years, keeping thousands of our

fighting men actually engaged in combat during most of that time.

Meanwhile, pursuit of this UN-based policy has led our government to neglect our own national defense and to move so far toward unilateral disarmament of the United States that our nation is now in grave jeopardy, imperiled by the Soviet Union whose strategic striking power was not even in our class when the UN was formed.

Although the Soviet Union has three votes to our one in the United Nations, we are assessed more than twice as much as the Soviets for the payment of UN expenses. In 1970, for example, assessment against the United States for the UN and three of its specialized agencies (UNESCO, World Health Organization, Food and Agriculture Organization) was \$95 million. Total assessment against the Soviet Union was \$44.8 million.¹¹

The United States pays almost one-third (31.57 per cent) of all UN operating expenses. The other 125 members are supposed to pay 68.43 per cent;¹² but most of them (including the Soviet Union and France) are years behind in their payments.

Article 19 of the UN Charter provides that any nation two years "in arrears in the payment of its financial contributions" shall have no vote in the UN General Assembly, but also provides that the "General Assembly may, nevertheless, permit such a member to vote."

Prior to the 1964 convening of the UN General Assembly, the U.S. government gave notice that it would exert all its power and influence to invoke Article 19 against the Soviet Union unless the Soviets paid some of the \$60 million they owed in delinquent UN assessments for UN "peace keeping" activities—activities which had enormously strengthened international communism. The Soviets refused to pay. Our government backed down. The Soviets never paid any part of the \$60 million past-due UN assessment; and our government has dropped the matter.

To this day, our government has never tried to invoke Article 19 of the UN Charter against any nation for not paying its UN assessments. One reason is rather apparent: we do not have enough power and influence in the UN. The delinquent nations have an overwhelming majority vote in the UN General Assembly. They can always permit themselves to vote and control the UN, without paying anything.

The UN assessment against the U.S. each year is greater than the combined assessments against 107 other nations.¹³ The combined population of 65 UN member nations is less than the population of the U.S. Many UN members are mere aggregations of tribal groups whose general culture has not advanced beyond the stone age. Yet, each one has the same voting strength in the UN that the U.S. has. Some are totally controlled by communists. Most are pro-communist. Virtually all are anti-American.

That is the United Nations—a nest of communist spies, saboteurs, propagandists, secret police, and narcotics smugglers, all living and operating inside the United States, largely at our expense, while enjoying diplomatic immunity from our laws to do as they please.

On January 12, 1971, President Nixon's 45-member Commission for Observance of the Twenty-fifth Anniversary of the United Nations will have a meeting in San Francisco and conduct public hearings, to get statements from interested citizens on what our country's policy toward the United Nations should be.¹⁴

The affair will be rigged, of course, to produce another spate of false propaganda about the UN as man's best hope for peace.

Americans who know and care should anticipate the event by flooding President Nixon and members of Congress with demands that we abrogate all laws, treaties,

and conventions involving us with the UN, that we get out of the organization, and get it out of the United States.

FOOTNOTES

¹ Material inserted in the *Congressional Record* by U.S. Representative John R. Rarick: April 13, 1970, pp. 11502-11507; April 21, 1970, pp. 12648-12650; April 23, 1970, pp. 12942-12947.

² *Statistical Abstract of the United States*, compiled and published annually by the U.S. Bureau of the Census.

³ *Los Angeles Times*, April 7, 1970.

⁴ *The UN Record*, by Chesly Manly, pp. 101-102.

⁵ *The Twenty-Year Revolution*, by Chesly Manly, p. 180.

⁶ *Triumph and Tragedy*, by Winston S. Churchill, pp. 357 ff.

⁷ Article by U.S. Representative Lawrence H. Smith, *American Mercury*, July, 1955, p. 106.

⁸ *The Review of the News*, May 6, 1970, p. 16.

⁹ Remarks by U.S. Representative James B. Utt, *Congressional Record*, Jan. 15, 1962.

¹⁰ AP, Dec. 3, 1970.

[From the Dan Smoot Report, Dec. 7, 1970]

U.N. PIPELINE TO THE ENEMY?

Since the beginning of the Vietnam war, we have known that communists subject our captured men to the same kind of savage treatment inflicted on U.S. prisoners of war in Korea. Americans have been tortured, starved, and murdered. They have been caged like animals, and paraded before jeering mobs through enemy towns and villages.

U.S. officials estimate that 3000 Americans are prisoners in North Vietnam. They are kept in compounds near heavy population centers, as hostages to discourage U.S. air raids.¹

Early this year, U.S. military officials asked for permission to rescue Americans who were dying from maltreatment in a POW camp at Son Tay, about 20 miles west of Hanoi. Selection and training of volunteers for the rescue mission began in August, when Defense Secretary Melvin Laird gave his approval. On November 21, the mission was executed. U.S. Navy planes dropped flares along the coast east of Hanoi, jammed communist radar installations, and bombed a military installation near the city. While these diversionary activities were in progress, ten big U.S. helicopters, bearing about 50 volunteers, took off from a base in Thailand. The rescue team landed in the Son Tay camp, overwhelmed the guards (killing about 25 of them), broke open prisoner lockers, and thoroughly searched the compound—but found that all American prisoners had been moved.²

Communists fired more than thirty Soviet-built SAMS (surface to air anti-aircraft missiles) at the raiders; but the U.S. rescue team returned safely to base without suffering a serious casualty. One U.S. soldier was slightly wounded by a bullet from a Russian AK-47 rifle.³

Fired at low level, the communist SAMS did, however, cause considerable damage to structures and installations on the ground in the Hanoi suburbs. Western newspaper correspondents in Hanoi immediately filed stories for worldwide distribution, reporting the sounds of the recklessly-fired communist SAMS as the exploding of American bombs⁴ on innocent civilians in a residential neighborhood, pointing to the damage, which the communists themselves had done, as the work of callous Americans bent on slaughter.

All of that was to be expected. It was also to be expected that radical liberals in the U.S. Congress would side with the communists. When learning of the U.S. raid on Son Tay, U.S. Senator Claiborne Pell (Rhode Island

Footnotes at end of article.

Democrat) expressed no regret that the mission had failed to free American prisoners. Reacting with horror that force had been used in an effort to save American soldiers who were dying in a communist prison camp, Senator Pell could only exclaim "My God!"³ Senator J. William Fulbright (Arkansas Democrat) was also incensed by the effort to rescue American prisoners. Outwardly calmer than Senator Pell, but of the same mind and same loyalty, Fulbright said the rescue attempt "has the implications of a much wider war."⁴

On the other hand, all Americans with any decent concern for their own country and the lives of its soldiers found in the news of the rescue attempt something to lift the spirits, even though there was sorrowful disappointment that no rescue was accomplished.

For years, we have been angered by the spectacle of American soldiers committed to fight and die in a war they are not permitted to win.

We were outraged that President Johnson prohibited the bombing of strategic targets in North Vietnam—bombing which would have ended the military conflict in a few weeks, thus saving not only the lives of Americans and South Vietnamese but of North Vietnamese as well.

We were appalled that President Johnson, while prohibiting bombing that would have defeated the communist dictatorship, ordered massive raids, with multi-million-dollar aircraft, on empty jungles, pig trails, bicycle paths, and foot bridges. Such bombing (which cost us considerably more in property destroyed and wasted and in precious lives lost, than it ever cost the enemy) nourished worldwide communist propaganda slandering Americans as a people and the U.S. as a military power.

We have listened with anguish as President Nixon talks about Vietnamization and phased withdrawal as a substitute for victory in Vietnam. There is no substitute for victory. Without a U.S. military victory in Vietnam, there is absolutely no hope of getting American prisoners released. Our experience in Korea proved that we cannot negotiate our soldiers out of communist prison camps. Unless we use overwhelming military force to rescue them, more than 90 percent of them are doomed, just as American prisoners were doomed when President Eisenhower stopped the Korean war on communist terms.

Although highest American officials have all along been aware of the barbaric treatment of American prisoners of war in Vietnam, the Son Tay raid was the first effort ever made to rescue any of them. That is a shameful commentary on Presidents Johnson and Nixon.

Nonetheless, it was good to know that President Nixon personally approved this one rescue mission. It was admirable of him to bring the leaders of the raid to the White House for special commendation, despite the loud lamentations of red doves in Congress and elsewhere.

On this lone, isolated event we cannot pin much hope that the President will go on now to do what he should do—what he should have done when he first took office: use enough military power to overthrow the communist dictatorship in North Vietnam and get all of our men out of all the prison camps throughout the land.

But miraculous things can be accomplished, if enough people work with dedication toward a common goal. Richard Nixon is a political weather vane, veering with changing currents of public opinion, yielding to prevailing pressures.

If enough Americans sent the President telegrams and letters praising him for the rescue raid on the communist POW camp, and pleading with him to use all necessary force for military victory, as the only possible way to free all of our men—it could have a profoundly beneficial effect.

The U.S. rescue raid on November 20 was

an act of patriotism and heroism, something our demoralized country badly needed, a peg to hang a hope on. Yet, there was in it, I fear, something else.

Why had U.S. prisoners been removed from the camp? Defense Secretary Laird says that U.S. intelligence was excellent; military officials say there was no leak. Both of these claims cannot be completely accurate. If U.S. intelligence was excellent, then the American prisoners should have been in the camp, as reported. Then what are we to believe?

I believe there was a leak, of the kind that often occurred during the Korean war, not in the field but in Washington and in UN headquarters at New York.

The Korean war was formally designated a "United Nations police action," although Americans and South Koreans did practically all the fighting and dying on the anti-communist side.

The UN Charter provides that UN military action can be ordered only by the UN Security Council; and it stipulates that the Security Council's military affairs shall be conducted by the Military Staff Committee, consisting of one representative from each of the "Big Five" powers—nations which have permanent seats on the Council: U.S., U.S.S.R., Great Britain, France, and free China. The UN civilian officer who has general supervision over the Military Staff Committee is the Under Secretary of Political and Security Council Affairs. Former UN Secretary General Trygve Lie said this office is the most important Assistant Secretaryship in the United Nations. It has always been held by a communist, and always will be, because of a special agreement among the "Big Five" powers.⁵

All this being so, and the Korean war having been formally proclaimed a UN military operation, there is still a widespread but mistaken belief in the United States that our forces fighting communists in Korea were under the supreme command of a communist who supervises the UN Security Council's Military Staff Committee.

Actually, however, the "UN police action" in Korea was illegal by the terms of the UN charter. With their veto, the Soviets prevented the UN Security Council from ordering military action in Korea. Under American leadership, the UN General Assembly illegally decided that it can order military action when the Security Council fails to do so. By-passing the Security Council, the UN General Assembly ordered military intervention in Korea and designated an American General (initially, Douglas MacArthur) commander; but General MacArthur and his successors commanded on orders from Washington.

Nonetheless, there was much treachery against our fighting forces in Korea. Although American commanders in Korea were not responsible to a communist-controlled UN committee, their plans and orders were generally known throughout the UN, because our State Department kept other UN members advised, trying to give an appearance of fact to the fiction that the Korean war was a United Nations effort.⁶

There were many occasions during that war when it was obvious that the communist enemy was being informed of American military activities. A most significant incident was related by General Mark Clark, American commanding general at the time of the Korean armistice. Testifying before the Senate Internal Security Subcommittee on August 10, 1954, General Clark said:

"One day I got a report, a flash one, very much concerned, that there was a tremendous buildup of enemy planes there on the north bank of the [Yalu] river. Of course, what I should have done was to smack them. That was my chance to catch their eggs in one basket, but I did not have the authority. All I did was to report facts back to . . . Washington. Those things [planes] did disappear. Very shortly after that, those planes took off and went someplace else."⁷

Obviously, communists in Asia had a pipeline through the United Nations into the Pentagon. The communist contact in the Pentagon apparently thought there was a possibility that General Clark might be authorized to destroy the concentration of planes across the Yalu. Warned of this danger through UN channels, the reds in China scrambled their planes to safety.

That is my speculative explanation of the intriguing event related by General Clark. I have a similar explanation for the removal of U.S. prisoners from the Son Tay POW camp just before our men raided it.

The war in Vietnam is not being fought as a UN affair. In fact, most UN members are harshly critical of us for fighting in Vietnam. Many of them are helping our communist enemy.

Yet, Presidents Johnson and Nixon, trying to justify U.S. action "in the eyes of the world," have said that our responsibility in Vietnam arises from the SEATO treaty, which they say was made in compliance with and under the authority of the United Nations Charter.

As Truman tried to make fact of the fiction that the Korean war was a United Nations effort, so Johnson and Nixon (to a lesser degree) have tried in Vietnam. Because of this, I believe there are official channels of communication which keep the UN generally advised of what we are doing in Vietnam, and that traitors use these channels for relaying vital information to our enemy.

The fact that this situation existed during the Korean war, and the mere possibility that it exists now, would be reason enough for us to get out of the UN and get the UN out of the U.S.—if we had no other reasons.

FOOTNOTES

¹ AP, Nov. 25, 1970

² Times-Post News Service, Nov. 26, 27, 1970; New York Times News Service, Nov. 27, 1970

³ UPI, Nov. 24, 1970, AP, Nov. 25, 1970

⁴ *In The Cause Of Peace*, by Trygve Lie, Macmillan Company, 1954, pp. 45-6; Letter from State Department, signed by Assistant Secretary Frederick G. Dutton, October 2, 1962

⁵ *The Korean War and Related Matters*, Report of the Senate Internal Security Subcommittee, Jan. 21, 1955

⁶ *Interlocking Subversion in Government Departments* (Part 21), Report of the Senate Internal Security Subcommittee, Aug. 10, 1954, p. 1968

A CHRISTMAS POEM

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 19, 1970

Mr. BUCHANAN. Mr. Speaker, those of us who are fortunate enough to be on the Christmas card list of our colleague FRANK BRASCO, look forward each year to the unique and delightful cards we receive from the Brasco family. This year the card includes a Christmas poem written by FRANK BRASCO's lovely wife, Linda, which I felt should be called to the attention of all the readers of the CONGRESSIONAL RECORD. The thoughts so beautifully expressed represent the prayers of millions of Americans for peace. During this Christmas season it seems particularly appropriate that it be included in the CONGRESSIONAL RECORD, as follows:

In days of old and days of new,
The dreams of Christmas still are true.
The children wait for morning's light,

And whisper prayers for their friend in flight—
That all their wishes will arrive this night.
But we, as older children know
That bombs are falling with the snow.
And while we are blessed—together and warm,

Half of our world is alone in the storm—
Some never seeing the light of this dawn.
It's a long time our world has waited,
Some people hungry, some people hated.
So please God! For all mankind,
Give us the peace that will clear our mind.
Erase the will, not the might, to fight,
And bless us with your silent night.

—LINDA BRASCO.

FROM SANTA: PHOTOS OF PRESIDENT NIXON AND ELVIS PRESLEY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 18, 1970

Mr. FINDLEY. Mr. Speaker, a frantic call last night from a friend in Quincy, Ill., disclosed this problem. His 8-year-old granddaughter believes most firmly in Santa Claus and at that very late hour

announced to her granddad the only things she wants for Christmas are photographs of her two heroes—President Nixon and Elvis Presley.

I have solved the Nixon photo problem, but I make this appeal hoping that one of my colleagues has a photo of Elvis he or she is willing to part with. If so, this will brighten Christmas in a Quincy home.

I voice this appeal with some reluctance, because it just may ruin Mr. Agnew's Christmas to know that he has slipped from No. 2 position on at least one person's list.

SENATE—Monday, December 21, 1970

(Legislative day of Tuesday, December 15, 1970)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Eternal Spirit, "Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God." Thy grace and wisdom are sufficient for all our needs. Make us humble before Thee that we may know both our strength and our weaknesses.

Spare us, O Righteous God, from self-righteousness, from moral arrogance, from unloving dogmatism, from all hostility to one another, concealed or revealed. Help us in this place to open our lives before Thee and before one another. Keep us sincere, honest, and brave in all our ways, mindful of the purpose for which we work, the cause to which we are dedicated, the Nation we serve, and the peaceful and righteous world to which we aspire.

In the name of Him whose name is called Wonderful, Counselor, the Mighty God, the Everlasting Father, the Prince of Peace. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Saturday, December 19, 1970, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE THAT THE 9 A.M. TO 10 A.M. PERIOD TOMORROW WILL BE SET ASIDE FOR TRIBUTES TO SENATORS

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish

to reiterate what the deputy majority leader said on Saturday; namely, that tomorrow, the hour between 9 and 10 a.m. will be set aside for tributes to some of our departing Members.

ORDER SETTING TIME FOR VOTE ON CLOTURE MOTION

Mr. MANSFIELD. Therefore, the 1-hour limitation on the cloture motion will begin at 10 a.m. and the vote thereon will be held at 11 a.m. or shortly thereafter. I ask unanimous consent that that be the order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Chair would inquire of the Senator from Montana as to how the time will be divided.

Mr. MANSFIELD. Between the majority and minority leaders or whomever they may designate. I designate the Senator from Nevada (Mr. BIBLE).

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF VETO OF MANPOWER BILL—PRINTING OF VETO MESSAGE AS SENATE DOCUMENT (S. DOC. NO. 91-118)

Mr. MANSFIELD. Mr. President, during a conversation with some Senators late last week the question of the President's veto of the manpower bill came up, and I believe I agreed that I would go along with their expressed wishes. I therefore ask unanimous consent that at an appropriate time later today a period of not to exceed 1½ hours, at the most, be set aside for the discussion of this matter, with the time to be divided between the majority and minority leaders, and that the Senate prepare itself for the consideration and disposition of this matter.

Mr. SCOTT. To begin at what hour?

Mr. MANSFIELD. Later this afternoon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the veto message be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR DIVISION OF TIME ON TRIBUTES TO SENATOR YARBOROUGH TOMORROW

Mr. KENNEDY. Mr. President, for the information of the Senate, as I understand it, an order has been entered to convene the Senate tomorrow at 9 a.m., and I therefore at this time ask unanimous consent that after the disposition of the reading of the Journal, 1 hour be set aside so that Senators may have the opportunity to pay tribute to the distinguished Senator from Texas (Mr. YARBOROUGH); and that, following that period, which is not to extend beyond the hour of 10 o'clock, the time for the next hour then be devoted to the consideration on the cloture motion.

Mr. SCOTT. There is no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Would the same disposition of control of the time during the first hour be in order?

Mr. KENNEDY. It would be controlled by the majority leader.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time, under the previous order, the Senator from Minnesota (Mr. MONDALE) is recognized for 1 hour.

TRIBUTES TO THE DISTINGUISHED SENIOR SENATOR FROM MINNESOTA, EUGENE MCCARTHY

Mr. MONDALE. Mr. President, at the end of this Congress a great American, one of America's greatest, my friend and a friend of all my colleagues, retires from the Senate, completing 22 years in Congress, in which he established one of the most remarkable parliamentary records in our Nation's history. These have been 22 years in which his name and his leadership were found on virtually every piece of social and economic reform legislation, every piece of legislation designed to expand this Nation's civil rights and civil liberties, the rights of minorities and the powerless, and the rights of women. In every respect, during these years, he sought to expand the opportunity of the people of this country to obtain the fairest and fullest life.