

## EXTENSIONS OF REMARKS

## PEACE AND NATIONAL SECURITY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. GERALD R. FORD. Mr. Speaker, there are many Americans today who are crying out for peace in Southeast Asia without giving any thought to how peace might best be attained there.

There recently appeared in the *Dolphin*, a quarterly newspaper published by the NROTC unit at Duke University, a carefully done examination of the current demands by some of our people that we get out of Vietnam with all possible haste. The article is by Adm. George W. Anderson, retired, former chief of U.S. naval operations. I commend a reading of this article to all Members of the House.

The article follows:

## PEACE AND NATIONAL SECURITY

(By Adm. George W. Anderson)

At no time in my memory has there been such a vocal expression throughout the fabric of America, by a minority of the population, as there has been during the past two years in the call of "Peace" or alternatively to "Stop the War in Vietnam." Most recently the theme has been carried forward in accelerating volume in churches, universities, in the Congress, in various public and private assemblies, by speakers on television and radio and writers in newspapers and magazines. As a special example many major newspapers carry full page advertisements sponsored by one group or another, the staff work for whom is usually provided by members of the academic-political scientific complex. In massed marches in Washington during October and November, thousands of well meaning but inadequately informed young people echoed in good faith the cry for "Peace" as stimulated by an insidious minority whose objective is to break the will of the United States to achieve a just peace in Southeast Asia. Let us remember that up until 31 March 1969 the major theme of the same people was "Stop the bombing"—the major U.S. military action that was hurting the North Vietnamese and minimizing our own casualties.

Unfortunately, the thrust of all of the campaign is directed at the United States government and not at Hanoi, Moscow and Peking. The leaders in those three Communist capitals have clearly demonstrated that even though they may have certain differences, they do have a common three point objective in Vietnam:

(1) To win South Vietnam by one means or another and unite it to North Vietnam under Communist control.

(2) To eliminate U.S. power and influence in Southeast Asia.

(3) To discredit the United States in world opinion.

Furthermore, the onus for the warfare in Vietnam is placed on the United States and the Republic of South Vietnam by thousands and thousands of "dissenting" Americans even as it is by Hanoi, Moscow and Peking. None points the finger of responsibility at the government of North Vietnam from whose actions have stemmed the aggression, the terrorism and guerrilla warfare against the South; and which extends hostilities into Laos and subversion into Thailand. Among

the dissenters and protesters never a word of condemnation is cast at the Communist side of the negotiating table in Paris for its failure to show any movement towards peace except in terms equivalent to unconditional surrender by the United States.

Let me endeavor to set straight several points which if properly understood and accepted could lead to greater support for President Nixon in his indefatigable efforts to achieve a just and lasting peace in the interest of the United States. After all, as the President he has the unequivocal primary responsibility to look out for our interests—not those of Hanoi or Moscow or Peking; and only secondarily of the interests of our allies. His overriding duty is to the United States of America—for today, for tomorrow and for the day after tomorrow or for the present and both short and long term future.

Our founding fathers set forth, in historic documents, an enduring objective of the United States government.

"To provide for the common defense, to promote the general welfare and to assure the blessings of liberty for ourselves and our posterity."

Some thoughts about the quotation seem pertinent:

First: The authors were concerned about what they felt was most important for the people who lived here in America—not for those who live someplace else.

Second: They, in their wisdom, placed in one sentence the phrases concerning defense, welfare and liberty. This indicates their recognition of the interrelationship of the three and the equal importance of each in our nation.

Third: By inserting the word "posterity" they rejected the idea of accepting short term or expedient actions at the risk of longer term adverse consequences for future generations of Americans.

Fourth: "Posterity" is not something that is abstract in the current situation. It is very real! Consider the case of a five year old boy or girl in the United States today. By normal life expectancy that child today will live for another seventy years or close to the middle of the next century. Reflect back on what has happened in the last seventy years as some indication of what may occur in the next seventy. Our country has been involved in two World Wars, two big ones of lesser scope (Korea and Vietnam) and many crises in which the will and power of the United States were of decisive importance.

Fifth: The concisely stated objective of our founding fathers is constantly in the mind of the President of the United States. As a matter of personal reaction following each occasion in which I have had contact with President Nixon my words to my wife have been: "The American people do not know how lucky they are to have him as their President at this time." Why? Because he is able, alert, informed, dedicated, cool, decisive and confident. Moreover, he has no illusions as to the gravity of the problems which the United States faces at this period of the nation's life. In their scope and complexity, each individual problem requires wisdom, determination and patience to solve. To cope with all concurrently and successfully requires the special grace of God to bless the efforts of good people who are endeavoring to do their duty in time of trial and frustration. The President—and your government—need your support and your prayers and your willingness to do your duty within the framework of your present responsibilities whatever they may be.

"Peace"—which we all seek—does have different connotations and meanings. Most important to individuals is peace of mind, peace

of conscience or peace with God. In this connection there is probably a far greater degree of peace in the heart and mind of a soldier or marine in the humid jungles of Southeast Asia than in a "hippie" peddling an underground publication in Berkeley or Cambridge. I would think that a sailor or airman who knows that he has the unqualified respect of his shipmates would have more peace of mind than a politician who takes up an alien cause to compete for votes in Detroit or Los Angeles. Genuine peace of conscience flows from doing what is right, because you know what is right, to the best of your abilities.

In a broader sense most of us think of "Peace" as the absence of armed conflict. But to a dedicated communist "Peace" is simply the condition that will prevail when there is an absence of opposition. In the context of either of these connotations Peace in Vietnam can be achieved very quickly either by surrendering, abandoning our principles or precipitously withdrawing our forces from the area. Of course, we might lose face or prestige or national honor or the confidence of friends and allies. However, some spokesmen of the peace movement assert that these are not really matters of transcending importance. To them and to others perhaps they are not. But what is of overriding significance is the essential qualification to the absence of hostilities that there ensure a conformance to a rule of law and a prospect for the preservation of peace once it is attained. On the other hand, communist doctrine teaches that there will be a long series of violent clashes before Peace—by their definition—will be possible. Progress to date in the negotiation in Paris together with reflections of the prolonged conferences in Panmunjon to end the Korean war do not portend any agreement under prevailing circumstances.

Therefore, the process of disengaging U.S. forces from Vietnam seems most likely to be accomplished without benefit of a mutually agreed negotiated settlement in Paris or elsewhere. Rather, the concept of building up South Vietnamese strength adequate to provide their own defense offers a more appealing alternative under present circumstances to going "all out" to win a military victory or caving in to external and internal pressures. While the requirement to get our forces home may be accepted as a matter of urgency, common sense should indicate that time will be needed for its accomplishment. How much time and to what extent U.S. forces can be progressively reduced can best be judged by the President with the advice of the Joint Chiefs of Staff and the National Security Council. Certainly such advice, by any stretch of the imagination, should be much more sound than that from any other source no matter how sincere.

It is one thing for the United States to desire peace even after the conclusion of hostilities in Vietnam and another matter to preserve the peace. Witness all of the crises that have occurred in the past fifty years. From an analysis of our experiences, certain conclusions emerge:

The first lesson is that to deter aggression strength, determination and unity are of transcending importance. We can readily speculate that had there been a NATO with strong, versatile and ready military forces to back up the alliance at best. World Wars I and II would not have happened. As a minimum they would not have been as disastrous as they were. NATO now and in the future must be recognized as an alliance of vital importance to all of its members.

The second lesson is that the adoption of unrealistic or expedient solutions to peace

following hostilities can lead to subsequent wars of more devastating proportions. In terminating the U.S. involvement in Vietnam, let us be certain that our future security position in the Pacific is on a sound and realistic basis.

The third lesson is that the administration that is the elected custodian of the executive branch of the U.S. government and the congress each of which are charged with grave responsibilities under our constitution must demonstrate wisdom and common sense in matters of national security. Specifically:

(a) The deterrent posture of the United States strategic forces must be absolutely convincing to potential enemies and our allies. Deterrence to nuclear attack is of paramount importance.

(b) The conventional military and naval forces maintained by the United States must be consistent with the burdens placed upon them by our foreign policy. Of equal importance our foreign policy must be soundly conceived and realistic in terms of our capabilities. America's ideals, hopes and domestic politics should not be permitted to dominate our foreign and military policies that our national security may be placed in jeopardy.

(c) The National Security Act of 1947, as amended, reflects the mature judgment of the congress and both Republican and Democratic administrations of the executive branch under Presidents Truman and Eisenhower. It provided for a Department of Defense with civilian control of the military and for "unification of the armed forces." That is good! It is necessary! But the act also provided for a National Security Council and the Joint Chiefs of Staff delineating their duties. That was good too! They also are necessary and should function as intended! It would be appropriate that a serious and objective analysis be made to determine whether the Security Council and the Joint Chiefs of Staff were properly utilized in connection with the Vietnam experience.

(d) Over the centuries certain valid principles have evolved relative to the use of military power. These principles are as sound today as ever before even though weapons have changed and the world has become smaller with technological progress. When military force is to be employed those principles should be followed. When they are not adhered to even a great power such as the United States can be placed in as difficult a position as President Nixon inherited when he took the oath of office in January 1969. The same comment applies to the maintenance of a sound economy and financial structure for the United States.

The common defense, the general welfare and the blessings of liberty for ourselves and our posterity should be the continuing concern of every American citizen, not only those who hold public office. Some have great opportunity to contribute constructively to these ends by service in government, in the armed forces, in universities, in many walks of life. Every citizen, however, can make certain that he or she really makes a contribution to the country by avoiding the abuse of liberty or tolerating the substitution of license for our most precious heritage.

ST. JOSEPH'S HOSPITAL AND  
MEDICAL CENTER

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 24, 1970

Mr. FANNIN. Mr. President, through the years it has been my good fortune to watch the growth of St. Joseph's Hos-

pital and Medical Center as it has become one of the most complete and modern medical centers in the Nation.

Arizonans are extremely grateful for, and proud of, the effective and compassionate hospital service St. Joseph's has provided.

I have taken great personal pride in the building program which has been advanced over the years under the wonderful and able leadership of Sister Mary de Paul.

St. Joseph's Hospital and Medical Center in Phoenix is now observing its 75th anniversary, and the whole State of Arizona is joining in the celebration of this important milestone. Several public events have been planned to call attention to the diamond jubilee.

St. Joseph's is operated by the Catholic Church, but has always been a community project. Even in 1895, when the Sisters of Mercy established the hospital by renting a six-room cottage, the city of Phoenix took the institution to its heart. People of all faiths joined in to assure the success of the ministry of healing.

There were 4,000 people living in Phoenix at that time. Today, there are well over half a million. Through these 75 years of growth, St. Joseph's Hospital has kept pace, not only with the expanding population, but with the progress of medicine. Today, there is not a more modern establishment of this kind in America. It moved into its present quarters in 1953 and has never ceased expanding since.

Today, St. Joseph's is a 550-bed hospital. It is a center of teaching and research. It is a treasure of devices and personnel which offer the priceless gift of healing to thousands of people in the Southwest and throughout the country.

It is also the site of Barrow Neurological Institute, which is a wing of the hospital. BNI is one of three such institutes in the Western Hemisphere, covering the entire spectrum of neurology: Research, diagnosis, treatment, and surgery. "Miracles of the mind" have become almost commonplace at Barrow. This is the 1970 frontier of medicine, this growing understanding of the nervous system and its functions. The whole world comes to Barrow Neurological to learn the newest developments in this field.

But this is only a part of the St. Joseph's story. The hospital is attacking mental illness, alcoholism, and drug addiction. Its Mercy Clinic annually cares for thousands of indigent patients without charge. It is a vital link in the emergency medical system, and helicopters now routinely land patients on the hospital grounds for immediate treatment. It is now phasing out its nursing school, oldest in the State; but it will continue to be the training ground for nursing students taking their academic training at nearby institutions of higher learning.

And all of this is over and above the traditional functions of a hospital. In the past 75 years, St. Joseph's has seen thousands of babies born, has cared for the ill by the hundreds of thousands, performed prodigious acts of healing, comforted the hopeless, and consoled their loved ones, and served as a never-failing companion to a great community of Americans.

The history of St. Joseph's is the history of Phoenix, and in a real sense the history of Arizona. It began as six rooms in a dusty desert village; it continues today as a huge institution serving a great city without ever losing the compassion and love of a dependable friend and neighbor. Let me join today with all other Arizona citizens, and with the entire medical profession of America, in extending hearty congratulations, best wishes, and a sincere "well done" to St. Joseph's Hospital and Medical Center on its 75th anniversary.

NEED FOR NATIONAL FOREST  
TIMBER BILL IS IMPERATIVE

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MARTIN. Mr. Speaker, just 1 year ago I proposed the resolution which led to the investigatory hearings of the House Banking and Currency Committee into the skyrocketing prices of lumber and plywood used in housing construction. I did so not only as a consequence of my firsthand knowledge as a retail lumberman in Nebraska since 1931 but out of my deep concern for millions of potential homeowners.

At that time, homebuilding was recovering from the 1966 credit crunch and expectations were optimistic for the long-awaited upturn in construction. Over the 2 prior years, the wholesale price index for softwood lumber climbed 57 percent and the softwood plywood index jumped 123 percent. I believed it imperative that Congress fully investigate the situation.

During days of hearings the House and Senate Banking and Currency Committees found a combination of factors responsible for the price increases, including the distressing circumstance of an inelastic supply of raw material, or timber, due in large part to inadequate national commercial forest policies. The National Forest Timber Conservation and Management Act, which will soon be called up for House consideration, had its origins in the findings of those congressional committees.

Since that time, lumber and plywood prices have subsided as high mortgage rates and tight money pushed down housing starts. This has served to postpone another day of reckoning, but not to avoid one.

I point out to my colleagues that not one thing has occurred during the past year to indicate that we will not experience another dramatic shortage and consequential rise in lumber and plywood prices with a recovery in homebuilding.

A major solution to the problem of an inadequate and inelastic supply of timber depends upon passage of H.R. 12025, the National Forest Timber Conservation and Management Act. Revisions in the original bill have added full safeguards for assuring activities carried out under provisions of the act will conform to multiple use-sustained yield law and sound conservation principles. We are

now talking about a bill that is necessary to meeting the pent-up demand for housing.

At no time since World War II have we seen a greater deficit in the supply of housing. The Housing and Urban Development Act of 1968 set an annual goal of 2.6 million new and rehabilitated units each year. We are already 1.1 million units behind that schedule and the deficit is accumulating. The inventory of vacant new and older homes is virtually nonexistent. Servicemen returning from Vietnam, the poor, and minorities pressing for upgraded housing, and growing families shifting from apartments to single-family dwellings, are increasing the demand for new and rehabilitated homes at an estimated rate of 300,000 units per month.

This then is the challenge. We will not have the housing we need unless we have adequate and economical supplies of lumber and plywood. And we will not have the wood products for housing unless we have the timber supply which this bill will help to assure.

#### DOD AWARDS CERTIFICATE OF ESTEEM TO UNIVERSITY OF TEXAS

### HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, February 24, 1970

Mr. PRICE of Texas. Mr. Speaker, the Department of Defense has awarded the certificate of esteem to the University of Texas in Austin. This award is not lightly given; it is confined to those instances in which an individual or an organization—"acting in a civilian capacity"—renders the department an outstanding patriotic service in an overseas assignment.

The University of Texas rendered such a service last summer by sending representatives of its noted drama department on a USO-sponsored tour overseas. For 12 weeks UT collegians entertained our servicemen in the east and west Mediterranean commands with a stellar review entitled "Here's US."

Those of us who have served our country abroad in the armed services know full well that shows from home provide a general tonic for the troops and serve as a big morale booster. This fact is recognized by the Department of the Army, for as Army Secretary Resor stated in a letter to UT President Norman Hackerman:

Entertainment from home is extremely popular with our servicemen and women throughout the world and is among the most effective of the recreational programs designed to stimulate and maintain high group morale in the Armed Services.

Mr. Speaker, I am particularly proud that the University of Texas has achieved this particular award. It constitutes official recognition of the fact that this great Texas institution is achieving high standards of excellence in the arts as well as the sciences. I congratulate the university for a patriotic service performed and a job well done.

#### TREES AND GAME—TWIN CROPS

### HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, February 24, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, there has been a great deal of interest and discussion on the upcoming legislation, the National Forest Conservation and Management Act.

Recently, I read a very interesting and informative article that, I believe, would be helpful to my congressional colleagues, as they deliberate on the pending bill.

Much of what is said in this article has application to forest conservation and land management concepts that I sincerely feel must be encouraged and expanded in the future. Many people have referred to the Black Forests of Germany as the outstanding example of forest conservation and management practices. I had the pleasure of visiting the Baden-Baden and other forested areas of Germany and ever since then, I have been motivated to do everything possible to encourage the improvement of our domestic forestry and land management programs.

This article states, very well, thoughts and ideas that are consistent with my own forest land use concepts.

I hope we can move toward the implementation of this very constructive trees and game program.

The article follows:

#### FOREWORD

In these times of a mushrooming population, when demand for outdoor space and wood products is increasing steadily, it is highly important that all segments of the American public understand the relationship between timber and wildlife. It is particularly important to timbermen and sportsmen, for with them lies the responsibility to educate the public to the needs of a permanent timber supply, as well as the need to perpetuate wildlife as a part of our American heritage.

An increasing number of sportsmen and timbermen realize the opportunities and responsibilities of timber and game management. They recognize the importance of forest edge as a favorable habitat for many species of wildlife. They realize that the primary function of the managed timberland is to produce wood for the nation's needs. Fortunately we can have both timber and game from the same lands so long as there is co-operation and understanding.

Despite substantial progress in recent years, there still are regions in the United States where timbermen and those looking for an opportunity to enjoy the out-of-doors can join forces to the common interest and mutual advantage of both. To accomplish this, there must be a profound and sympathetic understanding of the basic problems involved; and in this instance the old adage "to have good neighbors, one must be a good neighbor" truly applies.

In this book one of the nation's most eminent outdoor writers, Mr. Arthur Carhart, deals with the subject of timber and game in a most effective manner. The reader will quickly grasp the fact that the timberman and the sportsman can improve the lots of each other by dealing intelligently with the many problems of timber and game management.

I feel that Mr. Carhart's book will do much to establish a common ground on which both timbermen and sportsmen can serve each

other for the mutual benefit and for the general welfare of all.

ERNEST SWIFT,  
Executive Director, National Wildlife  
Federation.

#### ABOUT THE AUTHOR

Art Carhart's name is well known to outdoor folk across the nation; he has received the Founder's Award of the Izaak Walton League of America and the similar top award of the Outdoor Writers Association of America, both for leadership in conservation of natural resources.

His experience ranges from a boyhood that was partly spent on a "tree claim" patented by his grandfather Hawthorne to organizing and for five years directing the Federal Aid in Wildlife Restoration program in Colorado. It was during this period that the deer-elk studies in Colorado became the pioneer, systematic research into food requirements of these animals.

Other experiences include supervision of laboratory control of the water, milk and ice cream supplies of Camp Meade, Md., during World War I; some three years as the regional information executive of Office of Price Administration in all the Rocky Mountain states, and a decade of professional practice in landscape architecture and city planning which is his field of professional training. And he was the first man with this training to be hired by the U. S. Forest Service (1919) to blaze trails in planning recreational uses of national forest lands.

#### TREES AND GAME—TWIN CROPS

(By Arthur H. Carhart)

Trees and wildlife live together on nearly half a billion acres of commercial timberlands in the United States. A great many of our native animals and birds require forest environments for food and shelter.

The value of natural resources lies in people making wise use of such wealth. Therefore, wise management of timber and of game is directed at the production and harvest of each as a crop—indeed, they are twin crops.

Well planned management of our timberlands means two things of prime interest to sportsmen. First, in most instances, it assures high levels of production of both wood and wildlife. Second, it is the best prospect we have of sustained yields in both resources.

In this booklet we explore the co-existence of trees and animals; how animals live in and near our timberlands, mostly in congenial association with trees, sometimes in conflict.

It is also our purpose to show how people interested in timber and those interested in wildlife can assist each other in producing and harvesting more timber and more game from wooded acres.

#### FOREST IS A CHANGING COMPLEX

We must keep in mind that a forest is a constantly changing complex made up of bits and quantities of many things. Even a minor shift of the status of any part may affect numerous other segments. A major change, such as harvesting a crop of game animals, or ready-for-use trees, can cause severe impacts on other forest values. Such effects may be adverse or distinctly beneficial.

Moose, elk, deer, bighorn sheep, mountain goats and bears are timberland dwellers during some stages of their existence or in certain seasons. These animals would be hard put to survive if forested acres suited to their needs were unavailable.

Woods are homeland for many of the fur-bearers. Grouse, partridge, woodcock and other game birds find homes in or near timber. Small game such as rabbits, woodchucks, all varieties of squirrels, locate their dens and burrows in or close to the woodlands.

Trees are the fisherman's best friends because the managed forest excels in protecting slopes that gather the waters of streams. Wooded acres assure more constant stream flow and water of better quality. Tree growing lands prevent excessive and destructive erosion—the silt which is the greatest by volume of all water pollutants.

Another contribution to underwriting wildlife values is the protection timber-covered slopes give the habitat of waterfowl. Silt carried by floods from unmanaged or poorly managed water shed lands is most certain death for pond, slough or marsh. Timbered hillsides do not bleed silt.

For such reasons, approximately 40 million hunters and fishermen who each year buy licenses, plus 20 million youngsters and other privileged to hunt and fish without a license, have the keenest interest in how our forest lands are managed. The student, naturalist, and vacationer also have their stake in how forests are handled. Having ample lands dedicated to growing trees is the most positive assurance we may have that our forest wildlife will continue to live in natural homelands rather than to exist as remnants preserved in museum-like parks and zoos.

Let's now explore and discuss how good forest management and the management of many types of North American wildlife are linked together.

#### WILDLIFE MANAGEMENT IS YOUNG

The profession of wildlife management is less than a quarter century old. Acceptance of its position in conservation has come only within the last decade or so. The present-day systematic approach to wildlife's needs arrived after and partly because of numerous fumbles, flops, and calamities in game and fish administrations.

As the year 1900 arrived, many kinds of American wildlife faced serious trouble. Bison, elk and woodland caribou had been wiped out in eastern states. Passenger pigeons and heath hens were entering the realm of legend. In numerous localities once-abundant deer approached oblivion.

In Michigan there was another story. Here, briefly is what happened there between 1880 and 1900.

Old trees that cast dense shade had been logged off. Unopposed wildfire swept away cull and weed trees. Brush and young tree sprouts sprang up. Thousands of acres became loaded with excellent deer forage.

Wherever nature produces an extravagant supply of food, wildlife populations often erupt. The Michigan deer population erupted. At the high point considerably over a million head of deer fed through thickets on 8 million acres.

No exact data were kept of this population eruption. Field evidence and news stories of the day indicate that the rapidly multiplying deer herds ate themselves out of food supplies. Surviving trees grew so tall that tender tips stood above the reach of hungry deer. A new forest canopy formed. Shrubby browse plants not eaten out by deer were shaded out by new forest.

Uncounted hundreds of thousands of Michigan deer died.

Market hunters were generally blamed for the collapse of Michigan deer herds. Early efforts at saving wildlife centered at halting over-shooting. Closed seasons and increased law enforcement had their values, but they were no cure for such a situation as that affecting Michigan deer from 1880 to 1900.

So a new movement, another type of protection, began about 1900. Game refuges and sanctuaries were hailed as the panacea for saving our wildlife.

The Wichita National Wildlife Refuge in Oklahoma was established in 1905. The Lower Klamath National Wildlife Refuge, a vital link in the Pacific Coast flyway used by migratory waterfowl, was made official in 1908. The famous National Elk Refuge in Jackson

Hole, Wyo., dates from 1912. The Charles Sheldon Antelope Refuge in northwestern Nevada was closed to hunting in January, 1931.

States began throwing big acreages into bigger, and it was believed, better, refuges. Some were so large a big game animal might live its entire life within refuge boundaries. Such a long, protected life could be devoted mainly to eating and producing more of its kind.

A widespread campaign of trapping, shooting and poisoning predatory animals began about 1918. That removed some of nature's checks on many game species and allowed populations to spiral upwards.

Over-size refuges began to be incubators of wildlife catastrophes.

#### CASE OF KAIBAB DEER

Harold Titus, the distinguished conservationist who wrote "Timber and Game—Twin Crops," the antecedent of this book, ably reported two important milestones of wildlife management reached soon after World War I.

The first milestone was The Case of the Kaibab Deer. This is what happened to those deer:

The Kaibab Plateau is a vast tableland north of the Grand Canyon in Arizona, much of it within the Kaibab National Forest. The great canyon lies as a barrier against deer traveling southward. On the other three sides is desert. Kaibab deer were, and are, dependent on what that plateau offers.

Mature ponderosa pines in moderately open stands were typical trees of the Kaibab. Cliff rose, aspen sprouts, and twigs and shoots the deer could reach provided fairly abundant browse beneath the high-crowned evergreens. Both the deer hunting and timber were "hard to get to." The harvesting of deer by hunting, of timber by logging, might have prevented calamity. In their isolation the populations of Kaibab deer herds began to pyramid.

Between 1918 and 1924 the herds built from an estimated 20,000 head to over 100,000. The original food supply could have maintained only about 32,000 head of deer.

Browse was eaten out. Deer died in droves. Men argued over authority to permit emergency hunting to remove surplus animals and save the battered deer range. Several highly qualified observers believe the Kaibab deer population hit bottom with less than 5,000 surviving.

The Kaibab story brought certain facts into sharp focus. First, with adequate checks removed, game populations starting in good environment often erupt, then skid to near-extinction. Second, the Kaibab record was a positive demonstration of how management plans for every part of the forest complex are inseparably intertwined.

The second milestone to which Titus directed attention was a study of the bobwhite quail, made by Herbert L. Stoddard in Georgia between 1924 and 1928.

Pioneer hunters undoubtedly knew that forests solidly blocked with mature trees are not good game territory. The part of a forest preferred by wildlife is the "edge." As Dr. Ira N. Gabrielson stated in his book, "Wildlife Conservation," a virgin forest is practically a biological desert. The "edge" means not only the forest border, but it includes openings and clearings within the forest.

Stoddard's studies brought sharp attention to bear on the high value of the forest "edge" as game habitat. It was, in a considerable degree, confirmation of what had been demonstrated in the Kaibab—for it was abundant brushy browse growing in open pine and aspen stands that first underwrote the upsurge of deer populations. Then, as it was eaten out, its disappearance sealed the doom of the deer.

Prior to Stoddard's work, technical studies

of wildlife often were made by vacationing university biology professors. Or naturalists studied wildlife in less exact ways known as nature study. These scholars contributed greatly to wildlife work that was to follow, but generally they lacked opportunities and funds to do the job that had to be done. State game and fish departments needed facilities to dig, and dig, and dig, deep, with thoroughness and twelve months each year, for vital facts concerning wildlife needs.

The needed funds became available to the states in the late 1930's.

The 11 per cent excise tax on sporting arms and ammunition that had been collected under the Federal Aid in Wildlife (Pittman-Robertson) Act, was first put to work in the autumn of 1938. Among the activities approved by the law and the supervising U.S. Fish and Wildlife Service was a program of systematic studies of problems affecting game species. Later the Dingell-Johnson Act supplied the same opportunity with relation to game fishes and sport fishing. The states now can put trained men into the field to procure the facts essential in sound management of game species.

World War II temporarily derailed the Pittman-Robertson program. Since the war, hundreds of trained young men have assembled more information about American wildlife than was recorded from Colonial times to 1940. Encounter these "college dudes" in the field and you'll probably find them in jeans, dusty, muddy, whiskery and deep-plunged in their exacting, often exciting work. Don't sell them short; they know their business. They are as fully qualified in their field as the young forester is in his work. Teamed with the forester, they can assure results in managing "Trees and Game—Twin Crops."

This is the third major milestone, the one of paramount importance that marks the arrival of modern wildlife management. Most of the former guess-and-hope techniques by which officials did their best to conserve our wildlife has been replaced by knowledge, that most potent of all management tools.

Let us now take a brief inventory of the lands of the country that are classified as "forest." These are prime game producing areas on which foresters and game managers may work together to assure future crops of trees and wildlife.

#### FORESTS PRODUCE WOOD AND WILDLIFE

Statistics usually are uninteresting. You must look beyond mere figures, envisioning what they represent, if statistics are to come alive. These data to follow represent the size of our forests. The acres they tally are fields from which we will harvest crops of wood and wildlife.

Look beyond the figures. You will then see the woodlots, groves, great blocks of man-planted forest growing rampant, the millions of other acres of naturally reproduced forest. Then these figures may translate into something as big as all outdoors.

Before Europeans arrived on this continent, about 965,000,000 acres of what now is the United States were forested. Nearly a fifth of this acreage has been cleared of timber and serves other useful uses—in farms, cities, giant reservoirs, highways, airfields. We have 786,000,000 acres that should be maintained as forest.

Foresters classify some 489,000,000 acres as "commercial," that is, timberlands which produce timber in commercial quantity for sale and manufacture. "Commercial" does not refer to ownership status.

The largest block of commercial forest land under one management is in the national forests, 85,000,000 acres. Approximately 15,000,000 acres of reserved forest land are in national parks and similarly reserved federal areas where, for the most part, neither logging nor hunting is permitted.

About 28,000,000 acres in western grazing districts are classified as forest land.

States own 19,000,000 acres of commercial forest, and 8,000,000 acres are owned by counties, towns and villages.

These are the government forests. They contain a lot of acreage.

But here are figures more arresting.

Of the 786,000,000 acres of forest in the United States, 358,250,000 acres are privately owned.

Owship of this vast acreage is spread among 4,510,000 individuals or companies.

The average size of these private forest properties is 79 acres.

About 300 owners hold title to holdings of 50,000 or more acres each. The average size of these "large" properties is 127,317 acres. The owners are timber companies, pulp and paper enterprises, mining, railroad, oil, power, water system and other concerns. They are known as "industry forests."

Subtract 300 "large owners" from the 4,510,000 who each and severally own a chunk of forest, and you still have most of the 4,510,000 who hold title to three fifths of the commercial forest land in the nation.

Taking 500 acres as the upper limit of forest holdings to be regarded as "small," the average across the nation is 49 acres per owner.

With varying degrees of success, the agencies responsible for government forests and state-owned wildlife have co-operated. We should assume these government agencies will do their best to achieve good management of the resources in their charge.

It doesn't take much figuring to reach the arresting conclusion that some of the most hopeful prospects for producing a greater abundance of wildlife are in the privately owned forests.

It should be equally clear that these acres will greatly benefit wildlife if they are assigned to and maintained in wood production. In fact, if we can find the way toward having most of the 4½ million owners of private forests adopt good timber management practices we have a great potential increase of the most productive type of wildlife habitat in the nation.

Question is—how might this gigantic job be done?

#### THE TREE FARM PROGRAM

Though still in its infancy, the nationwide movement initiated by the wood-using industries, known as "tree farming," gives promise of bringing many smaller forest properties under good timberland management. Most of the larger holdings are accredited Tree Farms. Thousands of the smaller ones also are enrolled in this tree growing movement.

Those who launched the Tree Farm program agree that their foremost interest in it is based on long-range business planning. A number of timber and pulp companies own sizeable blocks of forest land, but few have enough wood production potential on their own lands to keep mills and plants running indefinitely.

Taking a hard look at the future, these companies realize they must have greater supplies of wood than can be harvested continuously from their properties. The smaller properties include 62 per cent of all commercial forests. A high level of production from all these must be achieved if these forest products companies are to have a future wood supply. The consumer, meaning you also, has a stake in having those smaller holdings growing wood at full capacity; you're the one who will feel the jolt of higher and higher prices for wood products if we fail to get most of these acres under full-scale management.

And remember, increased wildlife production usually results from good forest management.

To get most of these acres to growing all the wood possible is a Herculean task. This program is a challenge to every forester, sportsman-conversationist and woodland owner.

Tree farming in itself is not an involved operation. It means handling a plot of land to grow good trees so they may be harvested as a crop, again and again. Whether a Tree Farm contains 100,000 acres in Georgia or is a 20-acre woodlot in Wisconsin owned by a fellow named Peterson, Pottelby or Pavich, its primary job is to grow useful wood. But as it is actively busy at achieving that Number 1 purpose, it also protects watershed, grows wildlife, cloaks hillsides with mantles of greenery and may supply recreation such as only woodlands may afford.

This is not the place to state in detail how a private property, suited to growing wood, becomes a unit in the nationwide Tree Farm system. Briefly, these are the general requirements.

The property must be privately owned, tax-paying and dedicated by its owner to growing and harvesting repeated crops of timber.

The forest must be managed in accord with good practices.

Protection against fire, insects, disease and destructive grazing must be in basic management programs. Acceptable protective measures may include such items as constructing fire lanes, removing dead trees and other fire hazards, and having equipment ready for fire fighting. Fire lanes and access roads both can provide forest "edge" so important to wildlife.

Though the land is dedicated to growing and harvesting of trees, the accredited tree farmer gives consideration to other inherent values and uses such as watershed protection, wildlife and recreation.

Since the property is managed to produce repeated crops of trees, harvest by accepted methods is part of the standards applying to the approved Tree Farm. Furthermore, each harvest must provide for establishing the next crop of trees.

Certification of property as a Tree Farm usually is the job of a state-wide Tree Farm committee. Full information on steps to be taken can be secured from the American Forest Products Industries, 1816 N Street, N.W., Washington 6, D.C.

You probably are fully aware of how much more privately owned forests contribute to greater crops of wildlife and game, as well as timber, when managed as Tree Farms. Now comes your logical question:

"Suppose sportsmen-conversationists back the Tree Farm program—what about 'No Trespass' signs? What's the chance of my hunting partner and me getting any more hunting if there are more of these Tree Farms?"

The most assuring answer to that question is case after case of Tree Farm forests, where true sportsmen are welcome.

#### HUNTERS PLEDGE FOREST PROTECTION

Each season a paper company in Pennsylvania has issued approximately 1,000 permits to hunt on its large Tree Farm, which is heavily populated with deer. In receiving the permits the hunter pledges himself not to build fires on the forest lands, nor damage property. He also pledges he will help fight forest fires if they break out, prevent damage-doing by others if he can, and report to the company as a good and co-operative visitor any off-trail doings he may come across on the Tree Farm.

"Welcome Hunter" signs greet sportsmen entering the 275,000 acres opened to their use (except some outright sanctuary areas), by a paper company in the South. This company, a large one, instructs crew workers to leave persimmon, hickory, cedar and mulberry trees as food-producers for game.

This company also floods pin oak flats for winter feeding of ducks; the flats are drained

each spring by breaking the dams so no lasting damage is done to trees.

Two oil companies in Louisiana welcome hunters to their holdings, while another forest industry not only welcomes sportsmen but is co-operating with Louisiana State University's wildlife studies by having fenced an area of 4,500 acres assigned to this use.

In North Carolina still another pattern shows up in co-operation between the State Game Department and a paper company. As the company makes a planting of small trees after clear-cut harvesting, the state comes in and sows seed which produce super-quail cover. Until pines over-top the lesser plants, hunters enjoy the finest sort of quail hunting for they can shoot over tops of the small pines.

In Florida the same company has tied in with state and federal agencies and with other industries in wildlife management on 5 million acres. To underwrite the co-operative program, a moderate fee in addition to state licenses is collected from hunters using the area.

In the Pacific Northwest a large lumber and pulp company not only opened one of its Tree Farms to hunters, but supplied maps of the unit, gave sportsmen hot coffee, and had visitors sign the "Red Hat Pledge" of the Izaak Walton League which puts in words basic creeds of real sportsmen. With this positive approach, it was reported soon after season closed that:

Among 500 hunters there were no civil nor game laws violated.

No lost hunters were reported.

No uncontrolled fires started during hunting season.

No gates were broken down, no equipment stolen or damaged.

Signs were respected and sportsmen kept out of dangerous areas where the company had asked there be no auto travel.

In Maine one company co-operates with the state to protect and improve spawning runs of Atlantic salmon and alewives in streams with its properties.

Another Maine company teams up with the state to develop wildlife habitat, even to a limited use of heavy equipment in the co-operative program.

These cases are representative of how the leaders in the Tree Farm program have produced and provided for the harvesting of timber crops and game. A recent survey of 46,263,852 acres of privately owned forest land revealed a million and a half visitors enjoying these lands, including those coming to hunt and fish. The survey was limited to 455 companies owning "industry" forests. Of the properties on which reports were secured, hunting was provided for on 42,737,538 acres which is 92.4 per cent of the total. Nearly 900,000 acres were in cooperative game refuges and management areas, and 31 companies employed game specialists.

Near where you live there may be timber lands owned by your neighbors that could qualify as a certified Tree Farm—which is another term for sound forestry practices that inevitably will underwrite more productive wildlife management.

Small, medium or large, whatever the acreage of a block of timberland may be, there's a wide open opportunity for the hometown sportsmen to promote its establishment as a Tree Farm.

Furthermore, the sportsman-hunter has a vital function in basic operations of tree farming. And here is why he has that function!

#### CONSERVATION'S GOAL—HARVEST FOR USE

Basically, tree farmers and informed sportsmen are genuine conservationists. They believe in the same goals. A primary precept of both is prevention of waste in natural wealth. To reach its proper objective, natural wealth must be used; it must perform a service.

With this philosophy, the tree farmer would wish to have put to use the game,

fish and recreation available on his timberlands. For this is a way of thinking that is a tie between all who may be regarded as the real article in conservationists.

But there is a far more definable set of reasons for the sportsman and tree farmer to co-operate. Several woodland creatures are tree eaters. If a species starts pyramiding in population, headed toward ultimate disaster for itself and the food supply on which it exists, the one most feasible means for checking that eruption is a well-thought-out hunting harvest. It can be, in an extreme situation, as imperative to reduce overabundant animals as it is to fight a forest fire.

Porcupine, elk, bear and beaver feed on tree parts in sufficient amounts to greatly damage or destroy forest growth. Topping all in this category are deer.

Since the turn of the century, deer herds have staged a phenomenal comeback. Practically every community with even a little forest cover nearby has its deer herd—and often its deer problems.

Deer are our most nearly universal big game. As such their management is of concern to most sportsmen, most tree farmers. These are illustrative of management problems on which forester, sportsmen and game and fish officials may, and need to, apply fullest co-operation.

To assure this co-operation, many of us must discard certain long-nurtured misbeliefs and myths about deer. Regardless of much data we now have, some of these unfounded beliefs persist and have raised hob with the best management of timber and deer.

The principal portion of deer diets comes from woody plants. Until we had systematic determinations of what deer eat, many thought a grass range was excellent deer range.

A pioneer investigation of food requirements of Colorado mule deer, carried on through 1938 to 1942, showed only one period of three months in which grass made up any appreciable part of their food. In spring, grass was 12.22 per cent of total deer diet. Throughout the other nine months grass was less than 1 per cent of food taken. This data was based on stomach samples collected as 250 deer were range slaughtered for scientific examinations. Shrubby plants, leaves, buds, twigs, bark and fruit supplied most of the deer food. And surprisingly, two kinds of evergreens, pinon pine and the western junipers, supplied approximately 35 per cent of the winter diet of the mules.

California found that in January deer ranging in the far northeastern corner of the state included evergreens as 26.4 per cent by bulk of their diet. Even more significant was finding evergreen browse in 89 per cent of the stomachs examined. Almost surely growing tips of young trees and branches were the portion of the evergreens browsed. The future of any young tree can be blighted, a whole generation of forest can be "eaten out" if only the tender, growing tips of the young trees are nipped off.

#### TOO MANY DEER HAMPER REFORESTATION

The problem of deer feeding on woody plants is not peculiar to western game ranges. At least forty-seven studies of feeding habits of white tail deer have been made in northern states, Maine through New York and Pennsylvania to Minnesota. White tails seem to prefer white cedar for food, with hemlock, the maples, and then the sumacs acceptable in that order. They feed, however, on the tips and buds of most of the better hardwoods and seem to particularly relish the tips of young planted fir, red pine and white pine. Heavy deer populations make it impossible to successfully reforest many areas.

In the southern states, eleven studies supplied less positive definition of deer food

requirements. In that region deer ate young growth of hardwood forest trees—maples, gums and their associates. Curiously in Texas and North Carolina, deer fed comparatively heavily on grass.

As early as 1931, investigators in Pennsylvania placed four yearling deer in a 5-acre test plot of typical mixed forest type. Between spring and September 10 these deer had eaten out all leafy growth and were beginning to chew on twigs and branches, though a goodly supply of grass was available. When a deer herd begins to over-use its range, damage in massive chunks is just ahead for both the carrying capacity in the range and the herd, or herds, depending on the food it supplies. Just how much damage may build up is well illustrated by the "peak" in Wisconsin deer populations that arrived about 1948.

A statewide check was made to determine how seriously the over-abundant deer were hurting the young forests. The report came back—browsing deer were destroying young trees at a rate one hundred times the loss that season caused by forest fires. At that time forestry officials were expanding Wisconsin's state nurseries to grow 40 to 60 million seedling trees per year for planting on denuded land. That year deer were destroying an estimated 600 million trees by browsing!

Of course beavers destroy trees by cutting them down for food, flooding tree-growing sites and building beaver houses. In many locations even greater damage to the forest is caused by the ponds drowning out tree roots.

Moose and elk take food from woody plants much as do deer. And if there is any question about bear doing damage to a forest, you should have been with me one day recently when I inspected one 35-foot fir tree in Grays Harbor County, Wash., that had at least half its trunk stripped to the solid wood. Within view were many other trees of like size that bears had thoroughly stripped of bark. Bears like sugar and it is believed this is the reason they tear off sweetish inner bark of younger conifers.

In every part of the country, with no regard for land ownership, some of our more important wildlife species do damage, particularly to future forests. Recently the American Forest Products Industries, Inc., made nationwide inquiries on wildlife damage on industrially-owned woodlands.

Altogether 46,263,852 acres were surveyed. Deer damage was reported by owners of 20,046,017 acres and was rated serious by the owners of 12,724,980 acres. Bear damage, almost entirely in the West, was reported by the owners of 8,911,289 acres with serious damage on ownerships of 5,859,099 acres.

Across the nation, deer are principally browse eaters. We now should have a better understanding of what we mean by forest "edge." Specifically, in the case of the deer, it is browse, mostly bushes, twigs of young trees and weedy growth with occasional use of grass.

Typical "edge" is found where forest surrounds a meadow. From the margin of the grassy open space, shrubs and vines build up through stages of tree-like shrub-like trees, and the low-crowned trees, toward tall timber.

But "edge" used in reference to wildlife environment may spread over thousands of acres in continuous plant-type associations. It exists in the more open stands of some of the pine species, where an understory of shrubs and vines grows in semishade and where one or several old trees are selectively cut and young growth takes hold.

Most certainly, under modern methods of timber harvest, there always will be acres of "edge." It is the recurring creation of "edge" by maintaining forests on a sustained yield basis which calls for recurrent harvest of older trees that is the greatest promise, perhaps assurance, that in the future there

will be habitat that can supply our most valuable wildlife with suitable homes.

#### HUNTING IS HARVESTING

The case of the Kaibab deer became the classic example of what happens to a deer herd when it begins to erupt. There probably were times and places where this happened before Michigan had its 1880-1900 build-up and die-off, and before the Kaibab rise and fall. The Kaibab became famous because of the big squabbling over who should order what in the way of hunting to harvest and make use of the surplus animals while the deer died by thousands.

The complete eruption and collapse pattern has occurred in a number of places—including the squabbling over the basic issue of reducing the number of breeding does to stop the snow-balling increase in the herd.

Between 1910 and 1928, beginning with an estimated 1,000 deer, plus large refuges, plus an iron-clad buck law, Pennsylvania's deer population exploded to in excess of 1,000,000 head—then hit the skids.

Michigan in 1937 again had a deer crisis. An estimated 1,172,975 head roamed range which could properly take care of about 450,000. Inadequate liberalized hunting only partially blocked an all-out die-off.

In Colorado, where in the late 1930's and early 1940's ground alfalfa and stock food pellets were being fed to deer in an attempt to tide animals through the winter crisis time, nearly half the fawns died on one canyon feeding ground. Comparable losses occurred in other feed grounds, and after snow melted, game wardens working in one limited locality stacked up nearly 6,000 carcasses of dead deer out of sight from the highway, threw oil on them, and lit the pyre. The range was capable of carrying a herd of 12,000 head on a sustained basis, yet a census showed 23,400 head of deer were on it, and the local people fought furiously against shooting does to check the population eruption.

A like pattern showed up about the same time on the Dixie National Forest in Utah. The deer herd built to a dangerous 50,000 head on range capable of supporting 35,000, and when officials tried to control the herd by reducing the does on it, sportsmen and politicians whooped protest. Men bought the special doe licenses, and while news cameras clicked, burned the licenses or tore them to pieces. It made news; it made no sense. After cooling off, Utah sportsmen saw the rightness of controlling herds by hunting harvest. They have checked back the herd several times and found it resurgent at an even greater increase rate (with more hunting as a result) each time the reduction has been made.

The list could be extended by many times if all comparable problems of population build-up among deer were listed. These are typical examples—the beginning of snow-balling in population, the faster-and-faster increase, the efforts of the officials who know what impends to get reduction of the productive does, the outcry against any killing of the "sacred doe," and then either the big die-off or some relief, some adjustment though late, as sportsmen finally are convinced harvest is better than mass starvation of the entire herd unit.

Until systematic records were kept, not much information on how fast deer might increase was available. We know now that potentially a healthy deer herd might more than double in size in one season. Here's why it might do so.

Between 1938 and 1943 some 250 range-slaughtered Colorado mule deer does were examined after the rut for evidence of pregnancy. Right across the board, including yearlings and "dry" does, 166 recognizable embryos were tallied for every 100 does.

Applying this to a deer herd in which there is one buck to each five does, the 100-doe herd, plus 20 bucks, would add up to 120.

Add, now, the 166 fawns. The total would be a possible 286 animals. Carry it to the second season; if the ratio holds at one buck to five does, the 100-doe herd would be 183, for half of the fawns would be females. Bucks on a 1-to-5 ratio would number 36. The total breeding herd would stand at 219. The theoretical maximum fawn crop would approximate 200 head—and half of them would be females.

California found in comparable studies that 100 does carried 173 embryos in one herd, 171 in another herd investigated, with a high of 175 in another part of the state. The lowest ratio found was 127 per 100 does.

In normal habitat deer never reach this maximum theoretical reproduction. But the approximate average increase is enough to shake one into realizing the imperative need to watch and control against eruption of population.

In Michigan, 1928, four does, two bucks were placed in a big enclosure, large enough to approximate natural conditions. Five years later that sextette had boomed up to 160 head.

Another case: Eleven years after one buck, three does, were released in 1933 on the Horseshoe Lake National Wildlife Refuge in Illinois, the herd had grown to 250 head.

The wildlife research men figure an annual net increase of about 40 per cent can be expected, and hunters may safely take about 25 per cent each year of both sexes.

#### MOST DOES PRODUCE TWIN FAWNS EACH YEAR

Two significant sets of facts should be added to the deer data. First, though it was believed that doe fawns did not breed until they were well into their second year, it is now known certainly they may breed in their first year. The average life span of the doe is 8 to 12 years, and they are capable of producing twin fawns each year of their lives. It has been established that one buck can service as many as 20 does, but the optimum buck-doe ratio is one buck to five does.

Devoted sportsmen once fought militantly to protect does; what they did then performed a great service in re-establishing our deer herds. They can do as great a service today by insisting on and lending a hand in harvesting excess she-stock before herd or flock populations start snowballing toward a disastrous overstocking of a game area. This is nobody's opinion as to what must be done to curb population explosions. It is common sense application of facts we now know about wildlife.

The other set of facts double-emphasizes the common sense of keeping livestock, though wild, in balance with its available food.

The percentage of fawns born decreases terrifically in the herd living on a beat-out range. The survival of the fawns falls off as drastically. The weights and condition of individual animals suffer extreme deterioration. In one herd where white tail bucks had been averaging 150 pounds hog-dressed weight, the weight dropped to 115 pounds.

The rock-bottom truth is that a smaller breeding herd maintained on a top-condition range may produce a greater annual crop of venison, numbers of pounds, than a greater population with its winter-crisis loss due to malnutrition, disease and parasite epidemics and common, outright starvation.

These are representative facts of wildlife management that sportsmen, foresters and game and fish officials now have with which they may work out full, well-balanced programs for the wood-growing Tree Farm and the wildlife that inevitably utilizes that managed forest as its home. Deer has been used here as the species to illustrate essential conditions that may be present on most timberlands. Deer was used as the illustrative species also because it is so universally established as our main type of big game, and be-

cause we have such positive evidence that failure to harvest surpluses as a crop can cause great damage to both game and its habitat.

In varying degrees, the principles of wildlife management are similar in most localities with reference to most species.

Permit me now to be direct and personal. I've tried to supply you, whether you're forester, landowner, game official or sportsman, with enough bed-rock facts on which all can develop teamwork in insuring good management plans for the twin crops of trees and game. There's a potential, in the Tree Farm movement and all forest management like it, to materially increase not only timber supplies, but game resources.

The opportunity's too good to pass by; grab hold, brother outdoorsmen, and let's get our part of the job going!

### UNDEFEATED NEW BRUNSWICK HIGH TEAM

#### HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. PATTEN. Mr. Speaker, New Brunswick High School recently completed its regular 1969-70 basketball season with its first undefeated season in history. Winning 19 consecutive games is a great achievement, but I know the team will continue to advance in tournaments.

Coach Bob Bornstein deserves credit for a superb coaching performance and so does the team with its great record—a team that played together for victory—not glory.

I am proud and happy that NBHS compiled this remarkable record and even though the team is presently ranked third in the State, I strongly believe that after the county and State tournaments are over, the "Zebras" of New Brunswick High School will be ranked first.

So even though I graduated from a rival school—Perth Amboy High—I join the students of New Brunswick High School in singing their old, but beautiful school song, which begins with, "Hail to dear old high school" and ends with, "We will salute thee, New Brunswick High."

I salute the school and its great team, now, and I will salute them after the team captures the State basketball championship.

An article was published in the Home News, of New Brunswick, on February 12, 1970, and it shows the tremendous spirit of the students that helped inspire the team to 19 straight victories. Since then, the "Zebras" have won two more games. The article follows:

#### HEY KNICKS, WE ARE NO. 1!

"All I can think is basketball, basketball, basketball," said a blonde senior girl yesterday at New Brunswick High School.

She probably was expressing the feelings of the entire school: Ecstasy over the fact that the Zebras had just completed their first undefeated season in history.

The excitement that rippled throughout the schoolday culminated in a rally that Principal Willard Lindstrom described as the most enthusiastic he had ever seen.

#### WE ARE NO. 1

"Who's number one?" asked John Ragone, director of athletics.

"We are!" yelled the 2,000 students who filled the school gymnasium.

There was a standing ovation and cheers for Coach Bob Bornstein and members of the team, who wrapped up a skein of 19 winning games with a lopsided score of 93-50 over East Brunswick High School Wednesday night.

The students themselves were accorded their share of praise.

"Having fans like you makes the team look good," Bornstein declared.

#### SCHOOL "POLICY"

Ragone revealed that he has been invited to a state athletic association meeting to explain what sort of "policy" the school uses to produce such exemplary crowd behavior at games.

Guest speaker was City Commissioner Al- drage B. Cooper Jr., star of the New Brunswick High 1954-55 basketball team, which was described by Ragone as the school's "last good championship team."

"Coach Bornstein deserves to be commended for putting together a team that plays as a unit," said Cooper, who attended all but two of this season's games.

The former all-state basketball player who went on to success at the University of Connecticut noted that with the fine ability of individual team members, it would have been easy for Bornstein to center on one or two players.

He didn't, Cooper said, and the undefeated season is "exemplary of team work and team spirit."

Lindstrom, whose blue-and-white tie and blue blazer reflected the school's colors, exclaimed that everyone at the school should display pride "not just in the team but in ourselves." This will pave the way for being "not only the number one team in the state but the number one school," he said.

#### CLIMBING A MOUNTAIN

Bornstein observed that the rally and hoopla are merely a pause. "We're climbing a mountain and we're about halfway there," he said, referring to the fact that the Zebras now must compete for the Middlesex County and then the state championships.

"I know we have a lot of work . . ." continued Bornstein, who was interrupted by an enthusiastic group of 10 boys who shouted, "Defense!" The students were repeating one of Bornstein's key concerns in the Zebras' march to victory.

The school band, color guard and cheerleaders also participated in the rally, which not only celebrated a victorious season but also showed the team the school's support in its upcoming championship games.

### MAN'S INHUMANITY TO MAN— HOW LONG?

#### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

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

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

How long?

CONGRESS PROHIBITS BUSING TO  
ACHIEVE RACIAL BALANCE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. EVINS of Tennessee. Mr. Speaker, the Congress has spoken both in the Civil Rights Act of 1964 and also in prohibitions and limitations set out in the Appropriations Acts of 1969 and 1970 against busing students to achieve racial balance. The intent of the Congress in laws and statutes is thus clear or should be clear with respect to this issue.

However, the administration of the laws by the Department of Health, Education, and Welfare continues to be fuzzy.

In this connection, I submit for inclusion in the RECORD a column by the noted columnist, David Lawrence, from the Nashville Banner, which will be of interest to my colleagues and the American people.

The column entitled "Law of the Land Prohibits Forced School Busing" follows:

"LAW OF THE LAND" PROHIBITS FORCED SCHOOL  
BUSING

(By David Lawrence)

WASHINGTON.—The Constitution of the United States specifically says that Congress may by law limit the jurisdiction of the Supreme Court. Congress recently has passed such a law, forbidding the courts to issue any order to achieve "racial balance" in the schools by busing. The Civil Rights Act of 1964 says:

"Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the courts to insure compliance with constitutional standards."

In another section of the same act is the following provision:

"Desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance."

In the 1969 appropriations act of the Department of Health, Education, and Welfare, there were two sections that dealt with the forced busing of students. These provide:

"Section 409. No part of the funds contained in this act may be used to force busing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance.

"Section 410. No part of the funds contained in this act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining federal funds otherwise available to any state, school district or school."

In the 1970 appropriations act for the Department of Health, Education, and Welfare, which has been vetoed by President Nixon, these sections were revised to read:

"Section 407. Except as required by the Constitution, no part of the funds contained in this act may be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the assignment of any student attending any elementary or secondary

school to a particular school against the choice of his or her parents or parent.

"Section 408. Except as required by the Constitution, no part of the funds contained in this act shall be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the assignment of students to a particular school as a condition precedent to obtaining federal funds otherwise available to any state, school district or school."

After President Nixon's veto of the bill, it went back to a House Appropriations subcommittee. The phrase "except as required by the Constitution" makes the two provisions valueless because there is nothing in the Constitution that directly or indirectly deals with the compulsory busing of school children. The Civil Rights Act of 1964 states broadly the power of Congress to forbid the use of public funds to correct "racial imbalance," of a state law or deliberate discrimination locally.

What the people everywhere are insisting upon is "freedom of choice" insofar as the districts in which they reside are concerned. They want to be able to send their children to any school within a school district, but they cannot, under court orders, object to children of other races attending the same schools. The parents, however, do not feel their own children should be required to go to a distant school to correct "racial imbalance." Congress has specifically ruled against this remedy and has, in effect, prohibited not only the courts from issuing such an order but also the Department of Health, Education, and Welfare from carrying out any such instructions of the courts.

The administration has appointed a special cabinet committee under Vice President Agnew to try to solve the problem. It certainly needs further study, particularly by legal experts, so that some solution in conformity with "the law of the land" may be found.

THE LATE HONORABLE GLENARD P.  
LIPSCOMB

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MAHON. Mr. Speaker, at its meeting on February 16, 1970, the Committee on Appropriations unanimously adopted a set of resolutions on the life and service of the late Honorable Glenard P. Lipscomb, of California, a member of the committee.

I include a copy of the resolutions:

Whereas, on the afternoon of Sunday, the first of February, nineteen hundred and seventy, the Honorable Glenard P. Lipscomb of California, after more than sixteen years in the service of his country as a Member of the House of Representatives, responded to the final call of his Maker; and

Whereas, he was a senior and valuable member of the Committee on Appropriations, and ranking minority member of the subcommittee on defense for five years; and

Whereas, his outstanding contributions to the American people and his unrelenting efforts on behalf of the security of our country were always characterized by his fairness and objectivity, by his patience and compassion; and

Whereas, the warmth of his friendship and his uncommon spirit and determination shall stand as an example to Members of this House for years to come: Now, therefore, be it

Resolved, That we, the Members of the Committee on Appropriations, recognize in

the passing of our colleague, Glenard P. Lipscomb, we have lost a beloved friend and our Nation a great public servant, with a profound understanding of the needs of our Nation, and a courageous and tireless worker for the good of all mankind; and be it further

Resolved, That we extend our deepest sympathy to his wife, Virginia, his daughters Diane and Joyce, and other members of his family whom he loved so much; and therefore, be it further

Resolved, That these resolutions be entered in the Journal of this Committee; that a copy be sent to Mrs. Lipscomb; that a copy be sent to Mrs. Louis Grasso; that a copy be sent to Mrs. Robert Murrell; and that the Chairman of the Committee on Appropriations place a copy of these resolutions in the Congressional Record.

ENVIRONMENTAL POLLUTION

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. GIBBONS. Mr. Speaker, because of the tremendous amount of interest evidenced by my constituents in air and water pollution programs, I asked the Library of Congress to analyze for me the status of existing laws and programs. The attached is an excellent summary which I would like to have placed in the CONGRESSIONAL RECORD.

Before we enact new legislation, I think it would be well to review the laws we now have on the books, as well as legislation still pending in Congress.

I commend the following summary to the Members of the House:

ENVIRONMENTAL POLLUTION

(Compiled by John Douglas Wellman, analyst in Conservation and Natural Resources, Environmental Policy Division, February 1970)

A Summary of Federal Legislation and Programs in the Areas of Water and Air, and Solid Waste Management.

WATER POLLUTION

Legislation.—The Federal Water Pollution Control Act of 1956, as amended in 1961, 1965, and 1966, is the legal backbone for our national water cleanup campaign. In essence, this legislation provides for construction grants, enforcement procedures, and research programs. The 1956 Act (P.L. 84-660) authorized a \$50 million a year, five-year program of construction grants to municipalities for sewage treatment plant construction. It had limits on Federal participation of 30% of the total project cost and \$250,000 for any single project. It further established the enforcement machinery (which, with some strengthening, still exists), increased research, and extended aid to state and interstate water pollution control agencies.

The amendments of 1961 (P.L. 87-88) increased construction grants to \$100 million a year, extended enforcement authority to navigable as well as interstate waters, raised the ceiling on aid to individual projects to \$600,000, encouraged joint municipal projects by setting a \$2.4 million ceiling, increased research to \$5 million a year, authorized seven regional laboratories, and transferred authority for the program to the Secretary of HEW from the Surgeon General.

The Water Quality Act of 1965 (P.L. 89-234) created the agency currently leading the Federal effort, the Federal Water Pollution Control Administration (FWPCA). Orig-

inally in HEW, FWPCA was transferred in 1966 to the Dept. of the Interior. The 1965 Act authorized the demonstration program of projects on the separation of storm and sanitary sewers, with a \$20 million-a-year, four-year authorization. It increased construction grants to \$150 million and raised the individual project ceiling to \$4.8 million. It provided an incentive of up to an additional 10% for projects conforming to metropolitan area plans. Perhaps most important, this law authorized the program of mandatory standards for the quality of interstate waters which is discussed below.

The Clean Water Restoration Act of 1966 (P.L. 89-753) had as its major contribution the authorization of extensive funding for construction of treatment facilities. The \$3.4 billion was to be dispensed as follows: \$450 million in FY 68, \$700 million in FY 69, \$1 billion in FY 70 and \$1.25 billion in FY 71. This Act also authorized \$305 million for research and development and \$3 million for a study of estuaries, completed in Nov. 69. It removed all ceilings on aid to individual projects and provided incentive features making it possible for a city to receive as much as 55% Federal aid. The incentives encourage state matching funds and the establishment of enforceable state water quality standards. Research authorized for a three-year period for the first time included authority to make grants to industry. This research is to cover demonstration of industrial waste-treatment methods, advanced waste treatment, and joint municipal and industrial treatment.

This constitutes the existing water pollution control legislation. Currently in conference are two bills (H.R. 4148 and S. 7) which would: begin to deal with sewage pollution from vessels; provide for more effective oil spill cleanup measures, with liability to the offenders; forbid Federal agencies or licensees to pollute navigable waters; authorize a \$50 million revolving fund for emergency oil cleanup costs for Federal agencies; provide for identification, designation and cleanup of discharge of hazardous substances other than oil; extend research authorization for acid mine drainage, lake eutrophication, Great Lakes pollution control, and oil pollution removal (\$15 million for acid mine drainage and \$20 million for the Great Lakes); establish an Office of Environmental Quality in the Executive Office of the President; authorize the Secretary of the Interior to apply unallocated funds for construction grants to approved projects or for reimbursement of state and local governments which have advanced funds for construction of sewage treatment facilities in anticipation of Federal grants; provide for a study of pesticide pollution control; and provide for safe water facilities on Federal lands in Alaskan rural villages.

**Standards.**—The FWPCA, acting under the Water Quality Act of 1965, has participated in the establishment in whole or part, of water quality standards for all of the 50 states. After approval by the Secretary of the Interior, the standards become the basis for Federal enforcement actions. Should the Secretary find the standards submitted by the state to be inadequate, he has the power to set the standards himself.

The standards, established through a process of public hearings and consultation with affected Federal, state, interstate, and local interests, have three major components: designation of the uses which interstate waters are to serve (e.g. municipal water supply, industrial usage); specification of narrative and numerical criteria to protect and enhance water quality (ex. dissolved oxygen level, temperature, radioactivity); and specification of a plan of implementation and enforcement.

The Department of Interior in 1966 issued "Guidelines for Establishing Water Quality

Standards in Interstate Water." This publication stressed the desire to avoid adversary proceedings in the courts; made it clear that the prime objective of the standards is to improve water quality, not to justify using a stream as a sewer; require some treatment of all wastes, regardless of standards, and placed the burden of proof on the polluter to justify using less than the "best practicable" treatment; and provided that the standards be "adequate to protect and upgrade water quality in the face of population and industrial growth, urbanization, and technological change," with periodic review for adjustment.

The two most controversial questions causing disagreement between the Department of the Interior and some states have been Interior's insistence on secondary or equivalent treatment of all wastes, and the non-degradation clause concerning waters with quality currently higher than the standards require.

**Enforcement.**—Violation of the standards for interstate water can, according to the law, result in a pollution abatement suit by the Attorney General. Over the last 12 years, 46 enforcement actions have been taken. There are three steps in the enforcement process: enforcement conference; public hearings before a Hearing Board; and court action. Only one court action has evolved, and only a handful of cases have passed the conference stage. For the most part leverage is applied through public opinion rather than through the courts, although a policy shift is evident in the notices delivered recently to four steel companies and one city polluting Lake Erie.

**Construction Grants.**—The construction grant program, with very substantial authorization under the 1966 Clean Water Restoration Act, has dropped far behind schedule and run into financial difficulties due to a reluctance to spend the money available. The Vietnam budget restrictions have been the main reason for the lagging appropriations and has lately been joined by the anti-inflation attack. In 1968 \$203 million of the \$450 million authorized was spent, and in 1969 \$214 million of the \$700 million authorized was spent. This year, although \$1 billion was authorized, only \$214 million was requested. A campaign in the House resulted in a \$600 million appropriation bill, and recently the Senate has passed a bill for full \$1 billion funding. The two bills are now in conference. As a result of the conference, \$800 million was appropriated for fiscal year 1970.

**Other Programs.**—In addition to its work in funding treatment construction works and in establishing and enforcing standards, FWPCA carries out a large workload of research and development, training, and aid to state and interstate control programs. Though it has the lead, FWPCA is not the only Federal agency involved in water pollution control. The Department of Housing and Urban Development administers three programs which provide funding for water and sewer facilities. The Commerce Department's Economic Development Administration makes both grants and loans for water and sewer systems under its program of aiding facilities to create employment. The FHA finances up to 50% of the cost for planning and construction of rural water and sewer systems. The Public Health Service of HEW plays a significant role as related to water quality and health; these functions are administered by the Environmental Control Administration, a unit of the Environmental Health Service. Altogether, 38 Federal agencies are involved in some way with water.

#### AIR POLLUTION

**Legislation and Programs.**—The development of Federal air pollution control effort has followed that of water pollution control, several years behind. It began with a law

(P.L. 84-159) passed in 1955 which authorized the Public Health Service to conduct a research program and to give technical assistance to cities, states and other groups concerned with air pollution control. Funding under this law rose from less than \$1 million in 1956 to almost \$13 million in 1964. In 1960 another law (P.L. 86-493) directed the Surgeon General to study automotive pollution; his report was published in 1962 as House Document 489.

The Clean Air Act of 1963 (P.L. 88-206) authorized a three-year program of research, technical assistance, and other aids to state and local agencies, and abatement procedures. Three specific research areas were designated for special attention: control of motor vehicle exhaust, removal of sulfur from fuels, and development of air-quality criteria for major pollutants to serve as guidelines to control agencies in establishing source-emission limits and ambient air-quality standards. The grants provided up to two-thirds of the cost of developing, establishing, or improving state or municipal air pollution control programs. For comprehensive regional programs the Federal share could be as much as three-fourths. Only 20% of the authorization could be spent for grants. The abatement authority provided for federal conferences and recommendations in cases of interstate pollution in which local agencies failed to act. If a conference failed to produce results, a hearing board could be convened, and eventually the case could be taken to court, under procedures nearly the same as those for water pollution.

The Clean Air Act of 1965 (P.L. 89-272) provided for Federal regulation of motor vehicle emissions, authorized an expanded research program and creation of a Federal laboratory, authorized investigation of new sources of pollution, and instituted a procedure for abating international air pollution.

In 1966 Congress authorized (in P.L. 89-675) a \$186 million, three-year expansion of the program. For the first time grants were authorized for operations of local control agencies as well as for the establishment or improvement of local programs. The legislation authorized \$46 million for fiscal year 1967, \$66 million for 1968, and \$74 million for 1969.

The Clean Air Act of 1967 revamped the whole program, however, providing a complicated procedure for issuance of air-quality-control criteria, establishment of atmospheric areas and air-quality-control regions, setting of standards and adoption of implementation plans by the states, and Federal action only if the states fail to act.

The National Air Pollution Control Administration in HEW has designated eight atmospheric areas covering the continental United States according to homogeneity of climate, meteorology, and topography. Currently NAPCA is working on designating air-quality-control regions, described as including groups of communities, in the same or different states, that share common air-pollution problems. The plan is to designate 32 such regions. The boundaries of regions covering Washington, D.C., New York, Chicago and Philadelphia were the first to be announced. The regional boundaries are being drawn on the basis of meteorological and topographical factors, the extent of urban-industrial development, and jurisdictional factors, including existing arrangements for regional action. State and local officials are being consulted about the boundaries in a series of hearings before final action is being taken in each region.

NAPCA is also laboring on the air-quality criteria, scientific descriptive documents about the damage that a particular air pollutant does to health and property. The intent is for the states to use the criteria in the preparation of standards. Criteria on sulfur oxides and particulates have been published.

The 1967 Act authorized a total of \$428.3 million for the program, including \$125 mil-

lion earmarked for research on fuels. The remaining \$303.3 million is for operating expenses, grants to state and local agencies for abatement programs, training, and other research. The research authorization was for fiscal 1968-69 while other funds were authorized through 1970. S. 2276 was passed on Dec. 5, 1969 to extend research authorization in the amount of \$18,700,000 for FY 70 (PL 91-137).

Another feature of the 1967 Act requires the registration of fuel additives with the Secretary of HEW. The fuel manufacturer is required to provide the name, range of concentration, and purpose in use of any additive in fuel sold in interstate commerce. The registration requires the furnishing of information on chemical composition and structure, with provision for protection of trade secrets. No research relating to health is required as a condition of registration, however. NAPCA is currently in the early stages of implementing this program.

The fiscal 1970 budget request was for \$95.8 million to implement the Air Quality Act. Of this amount, over \$53 million was for research, with emphasis on automotive pollution, and the rest was for control programs, training, and fellowships.

In summary, aside from motor-vehicle-exhaust standards instituted in 1968 and due to be stiffened in 1970, the Federal air pollution control effort is just getting started. It is following the same pattern set by the water pollution control effort, but it is behind in development and expenditures.

#### SOLID WASTES

*Legislation and Program.* The Solid Waste Disposal Act of 1965, Title II of the Clean Air Act of the same year, marks the beginning of Federal involvement in this growing problem. The Act authorizes federal research, training programs, and grant support for demonstration projects and planning of state and local programs. The object of the research program is to find ways of disposal without creating health hazards or environmental pollution and to recycle scrap materials into production processes. The grant program provides for payment of up to two-thirds of the cost of local demonstration projects, or three-fourths in the case of regional projects. Unlike air and water pollution, the Federal program—so far—has not tended toward regulation; this follows, in part at least, from the fact that solid wastes, as opposed to air and water pollutants, are not carried across state boundaries by natural transport systems.

The Federal role, so far limited completely to support of local and state efforts, is jointly carried out by the Departments of HEW and Interior. The administration of the program rests with HEW and is carried out by the Solid Wastes Program, Environmental Control Administration, Environmental Health Service. Interior is responsible for solid wastes resulting from the extraction, processing, or utilization of minerals and fossil fuels. Fiscal authorizations—later decreased in appropriations for budgetary reasons—were to give HEW \$7 million in 1966 and \$20 million by 1969. Interior was authorized \$3 million for the first year's work and \$12.5 million for 1969. HEW is spending most of its funds on research and development programs and technical and financial assistance to state and local governments. Included in the demonstration programs are new incineration technology, sanitary landfill techniques, rail haul, recovery and reuse, and composting. Interior's work, under the leadership of the Bureau of Mines, covers three major categories—municipal wastes, tailings, and scrap. As is the case with HEW, the major thrust of the program is in research and development. Research grants and contracts supplement and Bureau's internal work and

are coordinated with the Solid Waste Program of HEW.

(NOTE.—In the preparation of this summary, extensive use has been made of *Federal Pollution Control Programs: Water, Air, and Solid Wastes*, written by Stanley E. Degler and Sandra C. Bloom, and published by the Bureau of National Affairs, Washington, D.C., in 1969. To avoid cumbersomeness, direct quotations from this text have not been identified, though much of the language has been copied directly.)

### NO GUARANTEED INCOME NEEDED

#### HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. PRICE of Texas. Mr. Speaker, in this age when it is popular to talk about guaranteed income and more opportunities for minorities, I am pleased to report that at least one minority family is guaranteeing their own income. Mr. and Mrs. Emigdio Ramos, of Swisher County, Tex., in my district have sent 12 of 13 children to college and give away food from their garden to anyone who needs it.

An excellent article in the February 16, 1970, issue of the Amarillo Daily News outlines the accomplishments of this remarkable family. I commend it to the attention of all those who believe there are no opportunities for minority group Americans to "pull themselves up by their own bootstraps."

The article follows:

#### FAMILY PROSPERS WITH HARD WORK

(By Doug Smith)

HAPPY.—While some farmers grumble about the adversities that affect their crops and daily chores, a Castro County family has stoically faced life and sought to improve their lot.

About 15 miles southwest of Happy, in a community called Arney, live Mr. and Mrs. Emigdio Ramos.

Most of their 13 children now are gone from home, but while they were in school the family farmhouse was a hubbub of off-campus activity that probably rivaled many small college towns.

For this soft-spoken couple have put a dozen sons and daughters through colleges with the proceeds sifted from the High Plains soil and livestock operations.

No sign hangs above the door of the Ramos home to tell visitors "my home is your home," but traditional Latin-American hospitality welcomes them.

Mr. and Mrs. Ramos, both Texans, are "proud to be living in America and to be Americans."

They are Americans—not hyphenated. And in them is part of the curious mixture that perhaps can be found only in America: pride and humility, Mexican culture and modern education; and charitable feelings toward others, while striving to be independent—to stand alone, unaided as individuals.

They are aware of bigotry among their fellow men, and try to understand it when "some poor Christian has lost his way."

Their two eldest daughters graduated from Shallowater High School; their next daughter and three sons from Whiteface High School; a daughter and a son, from Tulla High School; and their three youngest daughters, from Happy High School.

The youngest son, Jesus "Jesse" Ramos, 19,

is a senior student at Happy High School, where as tailback and fullback, he has lettered for three years on the Cowboys' football team.

Weighing 186 pounds "dripping wet," Jesse also lettered three years in track, running the mile and sprints relays and the open quarter mile.

He pitches and plays third base in the Babe Ruth League of Happy.

As is the family custom, Jesse plans to go on to college and "probably be an engineering major, maybe a teacher."

"I'm undecided right now," Jesse said, "but I might try to play football somewhere . . . Texas Tech of Sul Ross."

If he follows in the footsteps of his siblings, Jesse will wind up with a bachelor's degree and probably a master's degree, although his father left school in the eighth grade because he "had to get out and plow."

"Those were the depression years, you remember," Ramos said.

But he has taken night courses and correspondence courses. Although he gained it "the hard way," Ramos believes he has the equivalent of a two-year college level-education.

The 56 year-old farmer has taught conversational Spanish in free adult night education courses for the past 20 years in Austin, Levelland, Tulla, Plainview and Happy.

His students, "mostly Anglos," have included bankers, doctors and nurses and totaled as many as 70 in a single class.

Ramos plans to start a new class this month in the Happy Community Center.

Serving as a teacher without pay is part of his "good neighbor" policy, Ramos said.

The produce from his five-acre vegetable garden are often given as a friendly gesture, too.

Part of the 662-acre farm that the Ramos family leases from Pete McFarland, who lives nearby, is used yearly to raise okra, black-eyed peas, pinto beans, watermelons, tomatoes, corn, turnips and peppers.

"It's for ourselves and neighbors, too," Ramos said.

"I always put an ad on the radio to come and get it, it's free. Some people even come from Amarillo.

"Do you know we can grow 70 tons of tomatoes per acre?"

"I've had people tell me I'm crazy," Ramos said, "that you can't grow tomatoes in this country."

"One man told me 'they'll grow for you, but not for me,'" he said, describing some of the two-pound tomatoes he has grown.

The rest of the land is put to good use, with 400 acres being irrigated. Here he raises milo, wheat, and soybeans.

"We've been hailed out too many times," said the persistent farmer. "You can't depend on crops alone. You've got to have a lot of stock, too."

Part of the farm serves as dry-land pastures for about 120 steers, and a place to keep 40 to 50 Hampshire hogs, he said.

"Somebody will ask me how I keep the kids in school," Ramos said. "If you put them to work doing chores around the place Saturday afternoons, they're ready to go to school Monday morning."

Son Jesse doesn't agree much with the idea, but said, "I guess he does it anyway most of the time."

Like his older brothers did in the past, Jesse helps out.

"Whenever there's much to do in the summer, I always work around the farm—just drive the tractor, feed the pigs—something like that," Jesse said.

"Somebody's going to read that, and they're not going to believe you," his father joked.

But what about all the problems of putting 13 children through high school, college or a university?

"Some of it has been expensive," Ramos

admitted, saying that it cost about \$2,000 to \$5,000 per student.

"Except for a \$2,000 scholarship, the rest came from Momma and Daddy," Ramos said. "It cost around \$35,000 over a period of 18 years," he said.

Mrs. Ramos? She's proud of her children. "They should never stop when they graduate from high school," she said in Spanish to her husband.

And Juana and Emigdio, who "have had lots of experience at raising children," proudly reflected back to when their eldest daughter, then an honor student at Shallowater High School, started the trend by winning a four-year \$2,000 scholarship.

Now Mrs. Maria Ellis, an elementary school teacher at Las Cruces, N.M., the daughter received her B.A. degree from Texas Tech and her M.A. at Pennsylvania State University.

Her sister, Mrs. Marcelina Harrel, a teacher at Pasadena, Tex., got her M.A. degree at the University of Oklahoma after getting her B.A. degree at Texas Tech.

Miss Ventura Ramos, now Sister Maria Juanita, teaches at the Good Shepherd Convent in Phoenix, Ariz. A graduate of Texas Tech, she is working on her master's degree.

Ysidoro Ramos, employed in computer engineering with International Business Machines (IBM) at Dallas, attended South Plains College at Levelland before obtaining his engineering degree while serving with the U.S. Army in Germany.

Emigdio Ramos Jr. attended South Plains College, received his B.A. degree at Texas Christian University and is working on his master's degree at the University of Illinois.

Juan Ramos is a high-salaried employe with Ford Motor Co. at Birmingham, Mich., where he supervises overseas shipments of all farm implements. A graduate of Texas Tech, he also graduated from the American Institute for Foreign Trade at Phoenix.

Another daughter, Mrs. Francisca Zavala, is studying for her B.A. degree at the University of Washington at Seattle.

Miss Petra Ramos is a senior student at Texas Tech.

A younger brother, Jose Ramos, now serving with the U.S. Army at Ft. Sill, Okla., attended Foothills Junior College at San Jose, Calif., before entering the service.

Mrs. Lupe Diaz, a senior at West Texas State University, and Miss Flora Ramos, a sophomore there, are both majoring in nursing education.

The youngest daughter, Miss Irene Ramos, attended the University of Mexico at Mexico City and is now employed as a key-punch trainee with IBM at Dallas.

That leaves only young Jesse back home, going to Happy High School and thinking about college.

Aren't things kind of quiet now that most of the children are away?

"You bet," Ramos said. "Once in awhile I feel real lonesome because they're gone. We get daily long-distance calls from some of the children, though."

Collect?

"No, they've got more money than we've got," the farmer said.

Emigdio Ramos has heard about plans to create a School of Agriculture at WTSU.

"If I wasn't 56 years old, I would go to WT and study farming methods," Ramos said.

"Here's the way I feel about agriculture," he said. "It's one of the greatest things on earth."

"Whatever you grow or make, it's God's gift," Ramos said. "You don't take it away from anybody."

His son, Juan, at Birmingham, looked back at his early days at home and paid tribute to his parents.

"They encouraged us, but never pushed. "We did it for them in a way. The worst

thing would have been to let them down," Juan said.

"You can imagine nine or 10 kids fling out of the house to try and catch the school bus."

"Mom? She's kind of like the Rock of Gibraltar. She's been through a lot.

"More than anything else she gave us faith and courage," Juan said. "Just doing her singing and tending the younger kids."

"My Dad is a very remarkable Man," said Juan, telling how his father faced trying times in the past.

"One year we had a crop just looking beautiful with the cotton coming up.

"In five or ten minutes everything was wiped out by one of those sudden, summer hailstorms," Juan recalled.

"A neighbor came by to sympathize and see if he could help, but my Dad could not complain about his problem to others.

"He just took it in stride," Juan said. "He was unwilling to burden others with his problems.

"Somehow we always made out," Juan said. "Sometimes we ate beans all winter and the pumpkins I used to plant."

"Christmas at home was always close to my heart," the faraway son said. "When a family has 13 kids you don't get new gifts every year."

Juan told of hand-me-down gifts and of wrapping old shoes to give over again.

"The pair of shoes you wore the week before, you would get on Christmas Eve just so there would be something under the tree."

Yes, young Juan and his brothers and sisters are proud of their mother and father.

Maybe they have a right to hold their own heads high, too.

#### A NEW FORMULA FOR ALLOTING FEDERAL FUNDS TO STATES

### HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 18, 1970

Mrs. REID of Illinois. Mr. Speaker, in the past, the Federal program for awarding money to States and cities for the construction of waste treatment plants has been criticized as a "shotgun" approach.

Under existing formula, Federal funds are allotted to States on the basis of population and per capita income. This arrangement simply has not put the money where the principal water pollution control needs are.

These needs are primarily in the heavily industrialized, heavily populated States of the Northeast, the Great Lakes, and surrounding area, and on the west coast.

A new formula is required to meet these needs. The President recognizes this and has asked:

That the Secretary of the Interior have greater flexibility in placing water pollution control funds where the greatest needs exist.

That the allocation formula be reformed to give a positive incentive to States to adopt a matching system of grants.

That the time taken for allocating Federal funds be cut to 12 months from the present 18 months.

That the States develop comprehensive river basin plans as a condition for receiving Federal assistance.

President Nixon has pointed the direction.

By tightening and redirecting the formula for allocating Federal money, we will put the money where the trouble is and effectively move against pollution.

#### TIMBER GRAB BILL

### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. RODINO. Mr. Speaker, one of the most significant facts in the continuing consideration of H.R. 12025 is that some observers in the heart of the timber country are making known their distrust of the bill. There is a realization that communities which depend to a large extent on Forest Service timber will, in the long run, be jeopardized by such a hasty rewriting of basic forest policy.

In Medford, Ore.—a lumber industry center—the Medford Mail Tribune puts it plainly:

This bill is just the newest gimmick in the age-old game of "cut-out-and-get-out" no matter how it is dressed up with lip-service to sustained yields and allowable cuts.

The author of the editorial is Eric W. Allen, Jr., whose familiarity with Oregon's forest resources was recognized in his appointment to the Forest Service's Rogue River National Forest Advisory Council, and to the Interior Department's O and C Lands Advisory Board, of which he has been a member since 1961 and of which he was chairman in 1969.

Mr. Allen sums up the issue on which Members will have to decide:

There are right ways and wrong ways to do things. A carefully planned, well-thought-out approach to increasing timber harvest through intensified management, with more money to make it possible, is one thing. A crash program to force the Forest Service to acquiesce in the rape of the forests is something else.

I commend this perceptive editorial to the attention of my colleagues and ask that it appear at this point in the RECORD:

#### TIMBER GRAB BILL—II

(On Thursday, Feb. 5, the National Forest Timber Conservation and Management Act of 1969 was due for a vote in the House of Representatives, but at the last minute was withdrawn from the calendar in what was interpreted as a victory for conservation forces, in that supporters of the bill doubted they had the votes to pass it. It may come up for another vote the last week in February. If it does, and is passed, it still must go to the Senate.)

Three letters on this page today take the editor to task for his opposition to the National Forest Timber Conservation and Management Act of 1969.

Two of the letters are signed "Conservationist." They are from George E. Knowles, district forester for the Industrial Forestry Association, and Martin Craine, secretary-manager of the Southern Oregon Timber Industries Association. (The latter USED to be called the Southern Oregon Conservation and Tree Farm Association. Should that name-change tell us something?)

In response to Mr. Knowles question, yes,

we have read the bill, and will quote portions of it:

Section 2 . . . it is necessary to increase substantially the timber yield from the commercial forest land of the Nation including that in the National Forests; . . . through intensified development and management, such land is capable of producing a substantially increased yield; . . . that increased annual harvests from National Forest commercial forest land may be permitted under sound conservation principles on the basis of short-range accomplishments so long as long-range goals are assured. . . .

Section 7. The Secretary of Agriculture . . . shall immediately establish programs to carry out the policy and purposes of this Act and shall specifically—

(1) develop into optimum timber productivity as soon as possible the National Forest commercial timberlands; and

(2) revise the allowable annual harvesting rates in National Forests to take into account (A) rotation ages estimated to be appropriate for markets and technology at the expected time of harvest, (B) the need for and benefits from use of High level current harvest rates options available within sustained yield limitations, and (C) increased timber yields which will result from application of the measures authorized . . . as rapidly as possible after such measures have been undertaken: Provided, That appropriate reduction in allowable harvesting rates will be made if planned measures are not satisfactorily accomplished. . . .

We have quoted only the most objectionable features of the bill; we have also added the emphasis.

Any careful reading of these excerpts will reveal at least four things:

1. The forest products industry is in a tearing hurry to get as much timber off the National Forest lands as possible, and as soon as possible;

2. The industry displays hardly a care in the world for any uses of the forests other than logging (such as hunting, fishing, camping, watershed management, and so on);

3. Many of the measures advocated to make increased allowable cuts possible are largely unproven, as the explicit language of the bill makes abundantly clear;

4. "Forest commercial timberlands" means everything not already set aside for other purposes, whether or not it may be desirable to do so in the future.

The Forest Service is now empowered to put into effect all the intensified management practices called for in the bill. All it lacks is the money to do it.

We have said before we would favor increased funds for these purposes. We have also said that it is evident that allowable cuts can be safely increased somewhat if these practices are employed.

But this bill goes far beyond this. Mr. Knowles states that this bill does not change the Forest Service's operating philosophy. Who is he kidding? The entire thrust of the bill is on "substantial" increases, "as soon as possible," "short-range" benefits, "expected" harvests, "high level" yields.

Would not any forest administrator in his right mind, faced with this kind of mandate, knock himself out to sell timber and do it in a crashing hurry?

It is not the Forest Service personnel we distrust—far from it. We know them to be a dedicated lot of men, men who are increasingly sensitive to the validity and necessity of multiple use management—including, in more and more areas, such things as scenery, wilderness and water quality.

No—the ones we distrust are the promoters of this gigantic timber grab, whether they sign themselves as conservationists or something else.

It is to our friend John Dellenback's discredit that he had allowed himself to be blinded to the real purposes of this bill through his natural concern for the health of the industry.

But the health of the industry should not be served at the expense of the forest resource. This bill is just the newest gimmick in the age-old game of "cut-out-and-get-out," no matter how it is dressed up with lip-service to sustained yields and allowable cuts.

A few simple amendments would make the bill acceptable to conservation-minded people. The decision to press ahead with it in its present form ended with a justifiable rebuff. What will happen now remains to be seen.

Mr. Crain finds our opposition contrary to our "customary liberal views of public responsibility." When it comes to conservation, Mr. Crain, we're just as conservative as you can get. Those forests belong to us—all of us—and to our grandchildren, too.

There are right ways and wrong ways to do things. A carefully planned, well-thought-out approach to increasing timber harvest through intensified management, with more money to make it possible, is one thing. A crash program to force the Forest Service to acquiesce in the rape of the forests is something else.

We suggest the lumber industry peddle its credibility gap elsewhere.

### SIGNAL'S "TASK FORCE" LOOKS AT OIL IMPORTS PROGRAM

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. UTT. Mr. Speaker, I would like to include an interesting article which appeared in the Oil Daily on February 2, 1970, written by the president of Signal Oil & Gas Co., Mr. F. D. Lortscher. I think that Mr. Lortscher's description of how a task force is selected is hilarious, and deserves wide circulation.

The article follows:

SIGNAL'S "TASK FORCE" LOOKS AT OIL IMPORTS PROGRAM

(By F. D. Lortscher)

The first thing to do when you're looking for an answer to a problem is to appoint a committee, a task force. That's just what we did. Of course you have to choose people who will look at the problem objectively.

Our Number 1 choice was Jesse who, among other duties, serves coffee to Signal's executives. Then Louise, our chief cook. Next we picked Pete, who runs our parking lot. We added Earl, he's in charge of building security. We had no choice but to use Grant who washes the windows and Pat who changes light bulbs. Of course, the committee needed Henry, our gardener. Finally, as Executive Director of the Task Force we appointed our friendly cafeteria cashier, Margaret.

We wanted people with no direct involvement in the issues to be weighed so they could remain detached.

There has been no official report from the Task Force yet, but there have been a couple of leaks from reliable sources. Several committee members are said to be recommending that oil companies give their products away, that additional profits are not necessary since all money is made through tax loopholes.

Another leak says they will recommend the closing of service stations in certain beach cities on the West Coast until the people in those towns can get back on their feet again.

There will be a reported demand from one member for an end to controls on Spanish Onions which he allegedly enjoys so much on his chili con carne. He believes that oil interests in Spain are behind an embargo.

Scores of company engineers, geologists and economists have testified before the committee, but it is said that their comments have been dismissed by five of the seven members. As one reportedly said, "I never thought much of the company anyway. I think the government should run all businesses. This is a good time to help me get my way."

Does what you've read so far sound incredible? Well, it is not as way out as it might seem. In fact it's quite similar to what's happening to the oil industry today. We must add here not to Signal Oil and Gas Company. That committee wasn't for real, but those people sure are, and they do a lot more on their jobs than the things we mentioned. If we didn't know them as well as we do and think as much of them as we do we wouldn't be able to kid them as we did.

But the point is, and we're sure those folks we mentioned understand, they have not had practical experience in the business end of petroleum. We think when you want an answer to a question you go to someone who knows the subject.

Recently, President Nixon appointed a Cabinet Task Force on Oil Import Controls to look into the quota system, to make recommendations to him. This was all well and good. In fact, it was the American Petroleum Institute representing our industry who had asked the President to look into the matter!!! They wanted him to have a serious review undertaken on the system!

These are the men whose background gave them their "insight" into the problems in the field of petroleum. As Executive Director, there was a professor from Harvard Law School. We always wondered how really interested he was in the "problem" as several times he indicated that he couldn't wait to get back to teaching.

The Task Force Chairman's background included an education at Princeton and a career steeped in Industrial Relations. Other members of the committee had the following professional backgrounds: a lawyer who studied at Colgate; an accountant who studied at Columbia; a banker who went to Rutgers; a Brigadier General who learned his economics at Oxford; a gentleman who succeeded his father when he died as a state senator and has been in politics ever since; and a man who quit school to go out and make a fortune in real estate and construction.

We do not mean to "knock" any of the backgrounds of these men. There's not a thing in the world wrong with them. They are all fine men, indeed all but one is a member of the President's Cabinet. But we do question their interest in petroleum and their understanding of its role in our country's and the free world's defense. Several had the reputation for being anti-oil to begin with.

We don't say they went in with their minds made up, but this Task Force certainly approached its work from a strange point of view. It openly hunted out ways to relax import controls. It was harsh in its language towards what it called "high domestic oil prices" and "its heavy costs to the nation." Yet this is the group that should in all fairness hand the President an accurate, balanced report with equitable and workable recommendations on which to base the nation's oil policy.

How is this report being put together? Our Harvard law professor, who knows nothing about the industry, put together a staff. The staff's knowledge of oil economics is limited to what they have read about the industry, mainly what academic critics have written on the basis of pure theory without any practical experience.

Since his staff is biased toward free trade and biased against the oil industry, it puts the industry in a fairly hopeless position. Sure papers were submitted to the staff, but the key cabinet members did not have time to read them. So the staff summarized the

industry papers and passed summaries to the Task Force slanted to their own bias. We can't expect the Task Force to go back and read tons of original papers so they will probably do what the staff recommends.

Vice President Agnew recently criticized the networks for what he said was the granting of preferential treatment to the politically Liberal point of view. It has certainly been true with the petroleum industry with Democratic Sens. Ted Kennedy of Massachusetts, Edmund Muskie of Maine, William Proxmire of Wisconsin and John Pastore of Rhode Island as leading members of our vocal critics. Their faces and voices have constantly come into the nation's living rooms. We can remember Senator Pastore shouting, "The (oil import) system reeks and is ripe for change. The industry should know that this is a time for consumer revolt!"

Consumer revolt? Against an industry which has continually produced a superior product at no increase in consumer prices? Against an industry which has contributed so much to bettering our standard of living? Someone's got to be kidding! If you don't count the taxes put on gasoline, it costs five cents a gallon less than it did 45 years ago! We would be interested in learning of any other major industry which can match that record. (By the way, those taxes on motor fuel generate revenue at the rate of one million dollars an hour! The total for 1969 was around \$9 billion more than the revenue derived from any other commodity in this country!)

Five cents a gallon less . . . how does that compare with other prices and costs these days? Like, for instance, salaries of Senators. They recently voted themselves a raise in pay from \$30,000 to \$42,500 a year!!! That's more than a 41 percent increase. And what was it they said about inflation? About keeping wage increases to something like six percent? It seems their motto is "do as we say, not as we do." Yes, let's have a consumer revolt, but let's be fair and not cloud the issues with propaganda against just the petroleum industry, an industry which has contributed a great deal to the American way of life.

It's been said the oil industry is privileged, that it is, in essence, getting a government subsidy through oil import controls. That is not true but even if it were, how do we explain the fact that our government subsidized farmers to the tune of \$293 million last year? And that \$233 million was only the amount going to farmers who got payments of more than \$25,000 each!!! We haven't even included the "small" farmers.

We hear constant senatorial speeches about the nation's poor who have to go to bed at night hungry. Then why are we paying out these hundreds of millions of dollars to farmers not to plant crops? Why do we order tons of food thrown away each year? If the government really wants to help the people, why not knock out supports on every commodity. The facts are that most petroleum product prices are not more, but less than they were 45 years ago, with import controls which have contributed to the vitality of all branches of the petroleum industry.

It's time the oil industry fought back. The old image of the millionaire with money sticking out of his pockets, wearing a ten-gallon hat, standing by his oil wells went out of style 30 years ago, just as did the image of the railroad tycoon. But it is still being used by politicians who seemingly hope for government controls of business and prices. They seem to think this image makes good copy. The fact that it is not true today doesn't bother them one iota. It's not how you play the game as long as you win. The fact that petroleum companies had an average return on net worth for the past ten years less than that of all manufacturing companies doesn't seem to enter into the

picture at all. Profits in petroleum are not excessive. In fact, they are under most other major industries.

Instead of passing on higher costs to consumers, they have been absorbed by the oil companies. How many other industries today can make that statement? Like we said, it's time we shouted back. The President can afford to keep a "soft voice." His job is not at stake. Thousands of men and women in the oil industry don't have that same assurance. If the people of this nation were presented the facts, they'd be able to see through this political smokescreen.

The subject is immense, but we shall be as brief as possible, at least try to cover the major points on why we have an Oil Import Control Program and what will happen if it is tossed out. And one of the latest "leaks" is that the recommendation of the Presidential Task Force will be to scuttle it, to desert the ship, to let it sink. Before we drown let's look at what's happened.

Not too long after World War II, crude from the rich oil fields of South America and the Middle East began to come into the United States. It was a small amount at first, then with the jumbo tankers it really started to "pour" in.

The government and most of the petroleum industry were concerned. It wouldn't be long before these unlimited low-cost imports would economically force closure of two-thirds of the oil wells in the United States. Once they were shut-in, it would be impossible to return most of them to production. The result would be that at least one-third of America's crude oil reserves could be lost forever.

There was an even greater problem: the effect on the nation's security. Security is something we Americans think is worth keeping and fighting for. If the United States were to become dependent on foreign crude—as England, France, Germany and Japan are—this country could become vulnerable in many ways, in peace or war.

In July, 1954, President Eisenhower established an Advisory Committee on Energy Supplies and Resources which recommended that in the interest of national defense and to insure "orderly industrial growth," imports of crude oil and petroleum products be limited to a fixed proportion of domestic crude oil production.

Three-fourths of the energy that powers and lubricates American industry came from petroleum hydrocarbons. Armies, navies and industry succeed depending on the availability of oil. The threat to national security was obvious.

Then came the 1956 Suez Crisis. The canal was blocked cutting off supplies of vital petroleum. Overnight, Europe was thrown into panic. Only by a fantastic effort was the U.S. oil industry able to supply the oil and prevent even wilder military adventures from taking place in the Middle East.

Subsequent Congressional investigations, hearings by the Office of Defense Mobilization, and study by the President's "Special Cabinet Committee to Investigate Crude Oil Imports" prompted the President in July, 1957 to establish a program of voluntary controls on the level of crude oil imports.

The Suez Crisis was an eye opener for a lot of people. It added weight to a growing problem. In February, 1959, the Director of the Office of Civil and Defense Mobilization advised the President that the level of oil imports was still adversely affecting domestic exploration and development, and therefore, threatening to impair the national security. As a result, President Eisenhower issued a Presidential Proclamation on March 10, 1959, establishing the Mandatory Oil Import Control Program.

That policy has been in effect to this day. It "limits oil imports to whatever amount is required to supplement domestic production, and still be able to foster growth of a

strong domestic oil industry, capable of exploring for and developing new domestic reserves." Of our total supply today, about 22 percent is imported crude and products, mostly going to the East Coast.

Certainly the program gets more complicated than this, but a policy of controls has enabled our nation to promote a strong viable domestic oil industry and has, thereby, avoided dependency on foreign oil supply. Under this policy the United States is flexible and can balance its requirements between domestic and foreign sources in order to maintain a viable domestic petroleum industry.

No other major industrial nation in the free world has this option. Only Russia has it in the Communist world. To determine whether or not the U.S. policy is correct, we need only ask ourselves what England or France or Germany or Japan would do if nature had given them this option. (It is interesting to note that Australia, which also has the option of choosing between domestic and foreign suppliers, has adopted a control program very similar to that of the U.S.)

During the Kennedy-Johnson years, political tampering began in the administration of the oil import program. Special exemptions made the program a political football hurting the industry as a whole. This is why the majority of members of the petroleum industry went to the President and asked him to move the program administration back to the President, to study the problems so as to return the program back to what it was intended to be. The industry did not expect the President to turn the problem over to a group of men with no practical experience in the oil industry, to a group who had in the past spoken out openly against the petroleum industry. According to the Task Force "leaks" some of them would like to "cut out the entire control program!" Isn't that smart? You have a sore on one of your toes, so you cut off your foot? It makes about as much sense?

While no single overseas producing country has a big enough share of total reserves to dominate the international world market, groups of oil producing countries with common interests do have large enough shares. In fact, it is the openly avowed aim of the members of the Organization of Petroleum Exporting Countries (Saudi Arabia, Kuwait, Iraq, Iran, Libya, Qatar, Abu Dhabi, Venezuela and Indonesia) to control the export market for crude oil. The main reason the control of market prices is yet to be achieved is that, so far, no individual country has been willing to give up producing income for the sake of the others. But without a strong U.S. petroleum industry to counter the potential market power of the OPEC group, it could in time act as a monopolistic entity at the expense of the consuming countries. This would include the entire free world and even the United States to a degree that we were overly dependent on oil from OPEC members to power our own economy. It is naive to think Mideast oil will remain cheap for very long. Then, of course, a move could be made by petroleum critics to nationalize the industry which may be what they wanted all along.

Some critics of oil shout, "You don't have to rely on oil from the Middle East. You can get it from Venezuela. It's the largest producer, with 17 percent of free world production, outside of North America. True, critics, but for how long? Venezuela has 4 percent of the world's reserves. The Middle East and North Africa have 86 percent! And shipments from both areas have been interrupted eight times since World War II.

Suppose the oil import control is abolished. What will happen? Any immediate savings to consumers would be wiped out in a few years by price increases. Once the U.S. became dependent on foreign sources, how long would prices stay low? If you have a monop-

only do you keep prices as low as you can? That wouldn't make sense in today's economic world. At least not according to what those nations have planned!

By the early 1970's the United States could be dependent on foreign oil for 50 percent of its supply! . . . while the Soviet Union's naval forces continues to sit in the Mediterranean, continues to rearm Egyptian forces . . . yes, it makes a lot of sense for us to become dependent on the Middle East for our oil. We'd better wake up to the fact that if we cannot produce a substantial part of our own we're going to be in trouble!

Elimination of controls would cause domestic production to be seven million barrels per day lower in 1985 than production anticipated with a continuation of import controls.

Without controls, the number of wells drilled in search for new oil and gas supplies would be reduced by 85 percent or approximately 4,500 wells annually in the 1970-1985 period! Development wells would be cut by 50 percent or approximately 8,000 wells per year!! The tax reform bill removed some risk-taking incentive. It would be ridiculous to pile drastic changes in our imports policy on top of this.

Elimination of controls would result in the premature abandonment of 185,000 small wells, representing 60 percent of the active wells in the U.S. in the early 1930's. Total completion would be off from 485,000 to 190,000. Expenditures for development drilling would be off by \$1.1 billion for 1976-1980. Discoveries after 1971 would become insignificant.

Without controls, it will worsen the country's balance of payments problems. The dollar outflow for oil would more than double by 1970 to nearly \$4 billion. The country's total deficit in balance of payments is now \$9.5 billion per year. And inflation, no matter what the Congress does, will grow even worse!

Without controls, the economies of oil producing states would be severely crippled. Labor forces would be cut—amounting to the elimination of as many as 165,000 workers—earnings would be off by \$1,650,000,000.

Without controls, future domestic oil reserves would be 55 percent below current projections by the year 1985.

Domestic crude prices might be cut by \$.80 to \$1.00 per barrel and U.S. crude oil producing capacity could drop by at least 8 percent per year. Lease bonuses to the various government bodies would be off drastically. So would the billions in taxes now paid to the government. Who's going to pick up the slack? The public. But who will care? They might save a penny or two a gallon on gasoline, but have their total tax bill upped many times their possible savings on gasoline purchases!

There's a side effect, too, a very important one. Natural gas supplies would be severely cut with a reduction in domestic exploration and drilling. Most gas is found while looking for oil. The cost of natural gas to consumers will go up and up and up and up! That's not a threat, it's a fact of life.

Since 1954 the Federal Power Commission has regulated the price of natural gas. The petroleum industry tried in every way to demonstrate that these regulations would work against the American people, not for them, that controls would limit new supplies.

But the FPC members had no practical background in the petroleum industry. They lacked knowledge, they lacked understanding, a situation very similar to what's happening today with the Oil Imports Task Force.

So today, there is a shortage of natural gas. There will be some cold feet this winter

because of the lack of foresight by a group of men who wouldn't listen to the petroleum industry's side to things. True men on the FPC today say poor judgment was used in the past, but they may not be in time. There's a big time lag between discovery and delivery and lots of cold feet in between.

The American public can thank a former government "task force" for this. The question is will the American public allow another task force to make even greater mistakes today with the oil imports program?

Sure the oil import control program has problems. The industry was the first to point that out. Certainly we ought to take a long hard look at the inequities that have developed. But let's not cut out the whole program because the last Secretary of the Interior "goofed." A firm decision should be made to phase out of the program those elements of favoritism which have allowed to creep in.

It is said a tariff system will be recommended to replace the quotas. Many inland refineries would be legislated out of business under such a system. True, it would bring in revenues to the government at first, but this must be weighed against job losses, price increases to consumers as inland refineries are eliminated, and in addition any revenues gained by the Treasury through tariff would undoubtedly be offset by revenue losses from federal lease sales and from losses in federal taxes paid by both coal and oil. (Yes, even the coal industry realizes full well that flooding the country with cheap foreign oil will render it less competitive.)

It's amazing though, the beating the oil industry has been taking recently. When we spoke of fighting back, we meant fighting in order to save one of the greatest industries in the world—not only in this current attack, but against future ones as well. The political destroyers will be there, believe us. They won't stop until they have either completely crippled the petroleum industry, or maybe nationalized it.

If the oil business goes on the rocks and our nation's defense is immobilized for lack of fuel, it won't take the public long to decide who put it there—not if the petroleum industry does its public relations job well. Above all we must not forget the matter of security. Certainly we recognize that the men on the Task Force are intelligent and dedicated, that they have developed data to support change. What we do question is their complete lack of practical knowledge and understanding of the petroleum industry. We simply point out that uncertainties exist. National security is too vital to have policy based on uncertainties.

The administration of the Oil Import Program should be moved as rapidly as possible toward an objective basis, fully justified by the requirements of national security. The key issue in this whole debate is the relationship that exists between dependable petroleum supplies and the economic and military security of this nation.

Elimination of import controls means dependence on foreign oil—and dependence on foreign oil will make America insecure. When the last word has been spoken, this is what we must remember.

We are optimistic about the survival of the oil industry should it just be given an even break by our national government. The oil industry needs an identifying symbol, similar to Reddy Kilowatt of the electric industry. We need a symbol that would be used by all of the oil companies—to help the man on the go realize what allows him to get there!

Our industry should work with various government bodies to formulate programs designed to end pollution. And these programs should make sense.

Our industry should also try to make some sense out of our marketing practices. We

think the public feels they're often being used and misled.

Above all, the oil industry needs to unite in a strong and positive public relations campaign. We've got to go on the offensive. We've got to stop allowing ourselves to be put on the defensive all of the time. We're the only major industry which constantly finds itself in that position.

There's too much at stake, and we're not just talking about the companies that are involved. We're talking about our country. This is our country, yours and mine. If we allow the very basics on which this country was born, to be destroyed, we might as well say goodbye to tomorrow. It sure won't be worth much.

But we've got a chance. It will take all of us pulling together, but the opportunity is there. We've got to make it work. Given half a break, we will, as we always have.

#### THE EFFECTS OF EXECUTIVE ORDER 11491 UPON BLACK LABOR ORGANIZATION

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. DIGGS. Mr. Speaker, because there is great concern regarding the effects upon black labor organizations in the Federal Government of the administration's new Executive Order 11491, I place the following communications and statistics in the RECORD for the attention of my colleagues:

Congressman CHARLES C. DIGGS, Jr.,  
Washington, D.C.:

Fully associate myself with position of National Alliance of Postal Employees re effects of Executive Order 11491 upon independent unions despite position of Civil Service Labor Division that all qualified labor organizations have equal opportunity for recognition and representation rights. The National Alliance, a predominantly black organization, came into existence because black employees were refused membership in other labor organizations and it, by its very nature and cause, has continued to this day to be the principal spokesman and action group for equal opportunity and merit promotions for all in the postal system without regard to race, sex, or religion. Since there are only 18.9% black employees, 2.1% Spanish-American, 0.5% Orientals, 0.2% American Indians, against 78.3% all others in the entire postal system, it is a statistical certainty that no predominantly black labor organization can achieve the required majority or 52% membership for exclusive recognition. In face of the current burgeoning movement toward self-determination as exemplified in black labor organization in the construction trades; black business ventures, etc., there could be no worst time for the administration to silence the voice and action of black and other minority labor groups.

#### AN OPEN LETTER TO PEOPLE WHO BELIEVE IN JUSTICE

Attention: U.S. Senators and Representatives, Republican and Democratic Parties, National committee chairmen, State committee chairmen, congressional district chairmen, precinct delegates, civic, religious and neighborhood organizations

On October 29, 1969, President Richard Nixon issued Executive Order 11491—Labor-Management Relations in the Federal Serv-

ice—which revokes a Presidential Order issued in 1962 giving all labor organizations operating within government agencies, the right to sit at the bargaining table with representatives of national, regional and local agencies, to negotiate on matters of concern to workers, to settle their grievances, and granting to workers the right to select their own union representatives for the handling of grievances. All unions were granted dues check-off privileges.

The new Executive Order will be administered and interpreted by a Federal Labor Relations Council composed of the Chairman of the Civil Service Commission, Secretary of Labor, an official of the Executive Office of the President, and such other officials of the Executive branch of government as the President may designate from time to time. Implementation of certain provisions of this order will mean that independent labor organizations will not be recognized formally or informally at the national, regional and local agency levels.

The President's Executive Order violates the basic right of a worker to join a union of his choice and be represented by this organization at negotiations on matters concerning working conditions, personnel policies and practices, grievances and other matters affecting employees of a government agency. Effective January 1, 1970, the new Executive Order revokes the right of over 1/2 million postal and federal workers to belong to independent labor organizations, be represented by these unions, and have their dues checked off.

The National Alliance of Postal and Federal Employees, a 56-year-old industrially organized labor organization with a predominantly black membership, will be adversely affected by Executive Order 11491. Organized in 1913, this union has a history of brotherhood and service for all postal and federal workers. It is the only union, with affiliated local units, which has never refused membership to employees because of racial identity, sex, religion, national origin or employment status. The Alliance has worked cooperatively with other unions to secure higher wages, achieve salary comparability, improve working conditions and fringe benefits. However, the Alliance, as a labor organization within the Federal Service, is somewhat unique, for it is the only organization which has been an outspoken advocate of equal opportunity, merit promotions, and is concerned about human dignity and justice for all. While these concerns have been at some time shared by all workers, the National Alliance of Postal and Federal Employees has been the only union which has actively pursued programs and worked to eliminate and overcome inequalities in these areas.

Why does the government want to silence the voice of the Alliance and other independent unions in the Federal Service?

Why is the government allowing one giant union to form a monopoly and represent all employees in all government agencies?

Why is the government denying 1/2 million postal and federal workers the right to be represented by an organization of their own choice?

If you believe as we do, that the President's Executive Order seeks to crush the effectiveness of independent labor organizations, is unfair, and violates freedom of choice and individual rights of workers, we want you to come forward and join with us in our protest. Write your Senator and Congressman. TODAY, it is our rights which are being violated, but TOMORROW, it might be yours.

Sincerely,

SNOW F. GRIGSBY,  
Editor.

## EEOC REVEALS STATISTICS ON MINORITY MEMBERSHIP IN UNIONS

Preliminary results of a nationwide survey of minority membership in local unions with hiring halls or other referral arrangements have been released by Chairman William H. Brown III, of the U.S. Equal Employment Opportunity Commission.

"This is a unique survey," Brown declared. "It presents, for the first time, hard statistics on minority membership in labor unions. The unions in question are the so-called 'Referral Unions' which, in one way or another serve as a gateway to employment in the trades and crafts within their jurisdictions. The extent to which minority group people have gained membership in such unions is a practical measure of the degree of equal employment opportunity within those jurisdictions."

Commenting on the survey results, Brown said: "We find generally the membership statistics for those international unions with the highest pay levels show the lowest levels of minority group participation. That is certainly true of the building trades. However, it is also true of unions in other industries as well. In fact, as our employer surveys have shown, the one pervasive pattern in all of American industry is the inverse relationship between pay and skill levels and minority group employment."

The survey, based on 1967 reports received from some 3,700 local unions with over two million members in referral bargaining units, revealed an aggregate black membership of just under ten percent of the total. Spanish surnamed Americans accounted for an additional six per cent. Also, one per cent were Orientals, and one-half of one per cent were American Indians.

Unions in the construction industry with close to 1.3 million members had about five-eighths of total reported referral-union membership. There were 106,000 Negroes in those unions, or 8.4 per cent of the total, and 56,000 Spanish surnamed Americans with 4.5 per cent of all members. Both rates were lower than the nationwide levels for all referral unions.

Black membership in the building trades ranged from 30.5 per cent in the case of Laborers to 0.2 per cent for Plumbers and Sheetmetal Workers, respectively. The Laborers, with 81,000 had 3 out of 4 of all black members in the building trades. Other unions with relatively high black membership were the Bricklayers (9.8 per cent), Plasterers (14.0 per cent), and Roofers (13.5 per cent). In addition to the Plumbers and Sheetmetal Workers, unions with very low Negro membership included the Electrical Workers (0.6 per cent), Elevator Constructors (0.4 per cent) and Asbestos Workers (0.9 per cent). These 5 unions together reported only 1,421 Negroes out of close to 330,000 members.

Spanish surnamed American members in the building trades ranged from 16.0 per cent for Marble Polishers to 1.2 per cent for Asbestos Workers. Other unions with substantial Spanish surnamed American membership were Laborers (9.8 per cent), Plaster-

\*A Referral Union is a local union which itself, or through an agent, (a) operates a hiring hall or hiring office, or (b) has an arrangement under which one or more employers are required to hire or consider for employment persons referred by the union or any agent of the union, or (c) has 10 per cent or more of its members employed by employers which customarily and regularly look to the union, or any agent of the union, for employees to be hired on a casual or temporary basis, for a specified period of time or for the duration of a specified job.

ers (12.6 per cent), and Painters (6.7 per cent). Unions, other than the Asbestos Workers, with relatively low Spanish surnamed American membership included Electrical Workers (1.8 per cent), Elevator Constructors (1.3 per cent), Operating Engineers (1.4 per cent), and Plumbers (1.4 per cent).

Chairman Brown noted that membership figures in other than construction industries similarly show wide differences in the numbers and percentages of minority representation. The highest figures were found in two low-earning service industry trades, Building Service Employees (28.4 per cent), and Hotel and Restaurant employees (12.9 per cent). Together with the Teamsters (9.6 per cent), these unions accounted for half the black membership in the non-construction industries. Some of the unions with small black representation were Lithographers and Photoengravers (1.3 per cent), Stage and Motion Picture Operators (2.9 per cent), Barbers (0.9 per cent) and Patternmakers (0.1 per cent). A similar pattern is indicated for Spanish surnamed Americans among the unions other than the building trades.

In further comment on the sharp differences shown by the survey between different types of unions, Chairman Brown commented: "I do not wish to take any credit away from the Laborers Union. Their members get good pay, even if it is less than the pay of the skilled crafts. However, some of the unions representing those crafts which are most highly paid have reported only a handful of minority members throughout the nation. This is an unfortunate fact, clearly revealed for the first time by the Commission's statistics. I hope this information will serve to reinforce the efforts of all persons within the union movement who have been striving to better the performance of unions in order to make equal employment opportunity a reality."

Brown concluded that "it is most likely that these minority membership figures of two years ago are generally representative of the situation existing today. Even the most optimistic expectations for the Apprenticeship Outreach programs and other attempts to enroll minorities in apprenticeship programs only affect a small proportion of referral union membership. And it has been commonly accepted that the majority of craft union journeymen are not products of the apprenticeship system. Therefore, I was heartened to read that the Executive Council of the AFL-CIO's Building and Construction Trades Department has made the 'flat and unqualified recommendation to local unions throughout the United States' that they invite applications from and accept into membership all qualified minority journeymen and that local unions and local councils 'vigorously pursue' training programs to upgrade minority workers who are beyond apprenticeable age. I would further recommend to local unions and councils that they invite applications for membership and training in a clear and unequivocal manner which will not be misunderstood, and that they develop aggressive programs to carry their message to minority communities everywhere. I should hope that a survey conducted a year from today would tell a better story than the one we have described."

The 1967 survey was the first annual report to the Commission by local unions on a report form, entitled Local Union Equal Employment Opportunity Report EEO-3. Statistics from the 1968 survey are expected by the end of this year.

The EEOC is an independent Federal Agency employing about 589 persons. It administers Title VII of the Civil Rights Act of 1964 which prohibits employment discrimination based on race, color, religion, sex or national origin.

MINORITY GROUP MEMBERSHIP IN REFERRAL LOCAL UNIONS, AS REPORTED IN 1967

International union/trade	Membership in referral units				International union/trade	Membership in referral units					
	Total	Negro	Percent Negro	SSA <sup>1</sup> Percent SSA <sup>1</sup>		Total	Negro	Percent Negro	SSA <sup>1</sup> Percent SSA <sup>1</sup>		
All unions	2,028,052	198,358	9.7	127,797	6.3	Bakery and Confectionery Workers	14,881	1,699	11.2	2,030	13.6
All building trades unions	1,257,929	106,263	8.4	56,062	4.5	Bookbinders	20,289	1,350	6.6	1,693	8.3
Asbestos workers	6,104	61	0.9	75	1.2	Building Service Employees	29,089	8,290	28.4	2,306	7.9
Boilermakers	23,946	934	3.9	917	3.8	Distillery Workers	13,098	1,646	12.5	368	2.8
Bricklayers	34,069	3,300	9.6	733	2.1	Hotel & Restaurant Employees	139,616	18,093	12.9	18,362	13.1
Carpenters	315,538	5,284	1.6	8,692	2.7	Lithographers & Photoengravers	20,153	281	1.3	264	1.3
Electrical workers	133,904	915	0.6	2,490	1.8	Masters, Mates, and Pilots	6,765	21	0.3	177	2.6
Elevator constructors	6,728	33	0.4	89	1.3	Meat Cutters	42,892	3,644	8.4	4,013	9.3
Operating engineers	103,677	4,200	4.0	1,456	1.4	Musicians	12,487	805	6.4	184	1.4
Iron workers	70,273	1,197	1.7	2,406	3.4	Office Employees	7,393	1,061	14.3	582	7.8
Laborers	266,243	81,457	30.5	26,350	9.8	Patternmakers	21,710	962	4.4	55	0.7
Lathers	4,660	177	3.7	147	3.1	Printing Pressmen	17,487	1,127	6.4	1,383	6.3
Marble, slate, and stone polishers	4,355	387	8.8	699	16.0	Retail Clerks	17,487	1,127	6.4	641	3.6
Painters	66,714	2,498	3.7	4,502	6.7	Seafarers	9,274	141	1.5	580	6.2
Plasterers	28,182	3,947	14.0	3,568	12.6	Shoe Workers	6,580	480	7.2	2,247	34.1
Plumbers	147,862	320	0.2	2,038	1.4	Stage & Motion Picture Operators	22,756	672	2.9	1,202	5.3
Roofers	10,807	1,461	13.5	357	3.3	Teamsters	213,632	20,573	9.6	11,984	5.6
Sheet metal workers	34,867	92	0.2	1,543	4.4	Other nonbuilding trade unions	164,260	31,245	19.0	23,664	14.4
All unions not in building trades	770,123	92,095	12.0	71,735	9.3						

<sup>1</sup> Spanish surnamed American.

Source: Equal Employment Opportunity Commission, local union report EEO-3.

POSTAL FIELD SERVICE SCHEDULE—EFFECTIVE 1ST PAY PERIOD, JULY 1969

PFS	1	2	3	4	5	6	7	8	9	10	11	12
1	\$4,522	\$4,673	\$4,824	\$4,975	\$5,126	\$5,277	\$5,428	\$5,579	\$5,730	\$5,881	\$6,032	\$6,183
2	4,889	5,052	5,215	5,378	5,541	5,704	5,867	6,030	6,193	6,356	6,519	6,682
3	5,286	5,462	5,638	5,814	5,990	6,166	6,342	6,518	6,694	6,870	7,046	7,222
4	5,715	5,905	6,095	6,285	6,475	6,665	6,855	7,045	7,235	7,425	7,615	7,805
5	6,176	6,382	6,588	6,794	7,000	7,206	7,412	7,618	7,824	8,030	8,236	8,442
6	6,675	6,898	7,121	7,344	7,567	7,790	8,013	8,236	8,459	8,682	8,905	9,128
7	7,216	7,457	7,698	7,939	8,180	8,421	8,662	8,903	9,144	9,385	9,626	9,867
8	7,802	8,062	8,322	8,582	8,842	9,102	9,362	9,622	9,882	10,142	10,402	
9	8,434	8,715	8,996	9,277	9,558	9,839	10,120	10,401	10,682	10,963		
10	9,101	9,404	9,707	10,010	10,313	10,616	10,919	11,222	11,525	11,828		
11	10,110	10,447	10,784	11,121	11,458	11,795	12,132	12,469	12,806	13,143		
12	11,253	11,607	11,961	12,315	12,670	13,024	13,378	13,732	14,086	14,440		
13	12,478	12,894	13,310	13,726	14,142	14,558	14,974	15,390	15,806	16,222		
14	13,864	14,326	14,788	15,250	15,712	16,174	16,636	17,098	17,560	18,022		
15	15,404	15,917	16,430	16,943	17,456	17,969	18,482	18,995	19,508	20,021		
16	17,114	17,684	18,254	18,824	19,394	19,964	20,534	21,104	21,674	22,244		
17	19,011	19,645	20,279	20,913	21,547	22,181	22,815	23,449	24,083	24,717		
18	21,122	21,826	22,530	23,234	23,938	24,642	25,346	26,050	26,754	27,458		
19	23,467	24,249	25,031	25,813	26,595	27,377	28,159	28,941	29,723	30,505		
20	26,071	26,940	27,809	28,678	29,547	30,416	31,285					
21	28,976	29,942	30,908	31,874	32,840							

GENERAL SCHEDULE—ANNUAL RATES AND STEPS

Grades	1	2	3	4	5	6	7	8	9	10
GS-1	\$3,889	\$4,019	\$4,149	\$4,279	\$4,408	\$4,538	\$4,668	\$4,798	\$4,928	\$5,057
GS-2	4,360	4,505	4,650	4,795	4,940	5,085	5,230	5,375	5,520	5,665
GS-3	4,917	5,081	5,245	5,409	5,573	5,737	5,901	6,065	6,229	6,393
GS-4	5,522	5,706	5,890	6,074	6,258	6,442	6,626	6,810	6,994	7,178
GS-5	6,176	6,382	6,588	6,794	7,000	7,206	7,412	7,618	7,824	8,030
GS-6	6,882	7,111	7,340	7,569	7,798	8,027	8,256	8,485	8,714	8,943
GS-7	7,639	7,894	8,149	8,404	8,659	8,914	9,169	9,424	9,679	9,934
GS-8	8,449	8,731	9,013	9,295	9,577	9,859	10,141	10,423	10,705	10,987
GS-9	9,320	9,631	9,942	10,253	10,564	10,875	11,186	11,497	11,808	12,119
GS-10	10,252	10,594	10,936	11,278	11,620	11,962	12,304	12,646	12,988	13,330
GS-11	11,233	11,607	11,981	12,355	12,729	13,103	13,477	13,851	14,225	14,599
GS-12	13,389	13,835	14,281	14,727	15,173	15,619	16,065	16,511	16,957	17,403
GS-13	15,812	16,339	16,866	17,393	17,920	18,447	18,974	19,501	20,028	20,555
GS-14	18,531	19,149	19,767	20,385	21,003	21,621	22,239	22,857	23,475	24,093
GS-15	21,589	22,309	23,029	23,749	24,469	25,189	25,909	26,629	27,349	28,069
GS-16	25,044	25,879	26,714	27,549	28,384	29,219	30,054	30,889	31,724	
GS-17	28,976									
GS-18	33,495									

NEGRO EMPLOYMENT BY CIVIL SERVICE REGION, 1969

Pay category	Atlanta Region—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virgin Islands			Boston Region—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont			Chicago Region—Illinois, Indiana, Kentucky, Michigan, Ohio and Wisconsin		
	Employment	Number	Percent	Employment	Number	Percent	Employment	Number	Percent
Total all pay plans	317,187	41,620	13.1	119,367	4,485	3.8	351,177	74,410	21.2
Total general schedule or similar	147,079	7,703	5.2	42,861	1,382	3.2	150,925	23,845	15.8
GS-1 through 4	47,155	5,327	11.3	13,364	811	6.1	48,984	14,142	28.9
GS-5 through 8	39,692	1,587	4.0	10,433	331	3.2	37,983	6,429	16.9
GS-9 through 11	34,558	659	1.9	11,400	169	1.5	35,297	2,409	6.8
GS-12 through 18	25,674	130	.5	7,664	71	.9	28,661	865	3.0
Total Wage Board	91,276	23,681	25.9	26,444	1,214	4.6	54,044	10,639	19.7
Up through \$4,499	13,148	9,040	68.8	1,221	155	12.7	2,502	1,212	48.4
\$4,500 through \$6,499	38,205	12,483	32.7	10,674	725	6.8	22,778	6,651	29.2
\$6,500 through \$7,999	29,687	2,069	7.0	12,042	318	2.6	18,974	2,343	12.3
\$8,000 and over	10,236	89	.9	2,507	16	.6	9,790	433	4.4

Footnotes at end of table.

Pay category	Atlanta Region—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virgin Islands			Boston Region—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont			Chicago Region—Illinois, Indiana, Kentucky, Michigan, Ohio and Wisconsin		
	Employment	Negro		Employment	Negro		Employment	Negro	
		Number	Percent		Number	Percent		Number	Percent
Total Postal Field Service.....	68,948	9,391	13.6	49,074	1,868	3.8	142,819	39,569	27.7
PFS-1 through 4 <sup>1</sup> .....	57,489	8,836	15.4	42,394	1,735	4.1	123,375	36,961	30.0
PFS-5 through 8.....	9,067	526	5.8	5,377	127	2.4	15,797	2,414	15.3
PFS-9 through 11.....	1,854	26	1.4	1,011	5	.5	2,902	153	5.3
PFS-12 through 20.....	538	3	.6	292	1	.3	745	41	5.5
Total other pay plans.....	9,884	845	8.5	988	21	2.1	3,389	357	10.5
Up through \$4,499.....	1,151	275	23.9	244	8	3.3	1,146	238	20.6
\$4,500 through \$6,499.....	2,744	431	15.7	334	7	2.1	927	98	10.8
\$6,500 through \$7,999.....	1,213	62	5.1	53	1	1.9	284	6	2.1
\$8,000 and over.....	4,766	77	1.6	357	5	1.4	1,032	15	1.5

<sup>1</sup> Includes 4th class postmasters and rural carriers.

Pay category	Dallas region—Arkansas, Louisiana, Oklahoma, and Texas			Denver region—Arizona, Colorado, New Mexico, Utah, and Wyoming			New York region—New Jersey and New York		
	Employment	Negro		Employment	Negro		Employment	Negro	
		Number	Percent		Number	Percent		Number	Percent
Total, all pay plans.....	241,722	22,823	9.4	135,408	4,322	3.2	239,986	43,235	18.0
Total general schedule or similar.....	117,533	5,396	4.6	76,289	1,893	2.5	86,756	11,194	12.9
GS-1 through 4.....	37,225	3,490	9.4	22,479	911	4.1	25,111	6,594	26.3
GS-5 through 8.....	33,205	1,273	3.8	21,376	555	2.6	21,392	2,974	13.9
GS-9 through 11.....	29,921	539	1.8	19,777	344	1.7	22,148	1,156	5.2
GS-12 through 18.....	17,182	94	.5	12,657	83	.7	18,105	470	2.6
Total wage board.....	69,662	9,639	13.8	39,899	1,651	4.1	31,796	6,177	19.4
Up through \$4,499.....	7,628	2,933	38.5	1,761	234	13.3	2,118	891	42.1
\$4,500 through \$6,499.....	37,020	5,798	15.7	18,113	1,048	5.8	14,626	4,021	27.5
\$6,500 through \$7,999.....	20,858	870	4.2	16,757	354	2.1	11,889	1,164	9.8
\$8,000 and over.....	4,156	38	.9	3,268	15	.5	3,163	101	3.2
Total Postal Field Service.....	52,670	7,609	14.4	18,225	763	4.2	119,445	25,619	21.4
PFS-1 through 4 <sup>1</sup> .....	43,631	7,032	16.1	15,341	733	4.8	107,688	24,525	22.8
PFS-5 through 8.....	7,263	563	7.8	2,276	26	1.1	9,051	994	11.0
PFS-9 through 11.....	1,393	14	1.0	447	2	.4	2,124	83	3.9
PFS-12 through 20.....	383			161	2	1.2	582	17	2.9
Total other pay plans.....	1,857	179	9.6	995	15	1.5	1,989	245	12.3
Up through \$4,499.....	595	150	25.2	220	10	4.5	658	128	19.5
\$4,500 through \$6,499.....	547	20	3.7	184	2	1.1	466	79	17.0
\$6,500 through \$7,999.....	154	2	1.3	49			149	11	7.4
\$8,000 and over.....	561	7	1.2	542	3	.6	716	27	3.8

<sup>1</sup> Includes 4th class postmasters and rural carriers.

NEGRO EMPLOYMENT BY CIVIL SERVICE REGION, 1967

Pay category	Philadelphia region—Delaware, Maryland, Pennsylvania, Virginia, and West Virginia			St. Louis region—Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota			San Francisco region—California and Nevada		
	Employment	Negro		Employment	Negro		Employment	Negro	
		Number	Percent		Number	Percent		Number	Percent
Total all pay plans.....	288,739	59,129	20.5	157,330	14,513	9.2	319,260	46,256	14.5
Total general schedule or similar.....	138,278	20,482	14.8	75,326	6,191	8.2	133,285	11,773	8.8
GS-1 through 4.....	47,708	12,428	26.1	23,617	3,677	15.6	39,650	7,086	17.9
GS-5 through 8.....	36,986	5,533	15.0	21,454	1,691	7.9	36,170	3,384	9.4
GS-9 through 11.....	33,010	2,017	6.1	19,526	698	3.6	33,865	994	2.9
GS-12 through 18.....	20,574	504	2.4	10,729	125	1.2	23,600	309	1.3
Total Wage Board.....	81,434	25,105	30.8	16,527	2,379	14.4	106,700	17,654	16.5
Up through \$4,499.....	6,137	4,222	68.8	2,571	855	33.3	1,004	356	35.5
\$4,500 through \$6,499.....	34,872	14,435	41.4	7,192	1,192	16.6	27,174	6,542	24.1
\$6,500 through \$7,999.....	33,703	6,112	18.1	4,850	299	6.2	57,973	9,806	16.9
\$8,000 and over.....	6,722	336	5.0	1,914	33	1.7	20,549	950	4.6
Total postal field service.....	66,886	13,357	20.0	64,208	5,886	9.2	77,270	16,644	21.5
PFS-1 through 4 <sup>1</sup> .....	57,267	12,385	21.6	53,511	5,483	10.2	67,883	15,629	23.0
PFS-5 through 8.....	7,790	915	11.7	8,630	361	4.2	7,386	921	12.5
PFS-9 through 11.....	1,459	46	3.2	1,509	33	2.2	1,546	82	5.3
PFS-12 through 20.....	370	11	3.0	558	9	1.6	455	12	2.6
Total other pay plans.....	2,141	185	8.6	1,269	57	4.5	2,005	185	9.2
Up through \$4,499.....	571	127	22.2	419	45	10.7	565	119	21.1
\$4,500 through \$6,499.....	608	40	6.6	393	6	1.5	459	56	12.2
\$6,500 through \$7,999.....	151	9	6.0	71	1	1.4	139	5	3.6
\$8,000 and over.....	811	9	1.1	386	5	1.3	842	5	.6

<sup>1</sup> Includes 4th class postmasters and rural carriers.

MINORITY GROUP EMPLOYMENT IN THE FEDERAL GOVERNMENT, FULL-TIME EMPLOYEES AS OF NOV. 30, 1968<sup>1</sup>

Pay category	Total employment	Negro		Spanish-American		Oriental		American Indian		All other employees	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, all pay plans.....	2,621,939	390,842	14.9	68,945	2.6	20,416	0.8	16,469	0.6	2,125,267	81.1
Total, general schedule or similar.....	1,270,051	133,626	10.5	21,450	1.7	9,269	.7	9,606	.8	1,096,100	86.3
GS-1 through GS-4.....	369,968	75,846	20.5	9,687	2.6	2,078	.6	5,500	1.5	276,857	74.8
GS-5 through GS-8.....	349,020	40,494	11.6	6,638	1.9	2,790	.8	2,476	.7	296,572	85.0
GS-9 through GS-11.....	296,560	12,631	4.3	3,631	1.2	2,630	.9	1,147	.4	276,521	93.2
GS-12 through GS-18.....	254,503	4,655	1.8	1,444	.6	1,771	.7	483	.2	246,150	96.7
Total, Wage Board.....	596,647	121,829	20.4	32,024	5.4	6,928	1.2	5,725	1.0	430,141	72.1
Up through \$4,499.....	45,023	24,464	54.3	3,009	6.7	416	.9	530	1.2	16,604	36.9
\$4,500 through \$6,499.....	235,082	65,227	27.7	15,716	6.7	2,320	1.0	3,311	1.4	148,508	63.2
\$6,500 through \$7,999.....	233,218	28,879	12.4	11,599	5.0	3,088	1.3	1,578	.7	88,074	38.0
\$8,000 and over.....	83,324	3,259	3.9	1,700	2.0	1,104	1.3	306	.4	76,955	92.4
Total, Postal Field Service.....	698,346	132,011	18.9	14,776	2.1	3,758	.5	1,057	.2	546,744	78.3
PFS-1 through PFS-4 <sup>2</sup> .....	601,160	123,632	20.6	13,626	2.3	3,337	.6	917	.2	459,648	76.7
PFS-5 through PFS-8.....	77,746	7,805	10.0	1,034	1.3	374	.5	124	.2	68,409	88.5
PFS-9 through PFS-11.....	14,985	467	3.1	87	.6	39	.3	13	.1	14,379	96.0
PFS-12 through PFS-20.....	4,455	107	2.4	29	.7	8	.2	3	.1	4,308	96.0
Total, other pay plans.....	56,895	3,376	5.9	695	1.2	461	.8	81	.1	52,282	91.9
Up through \$4,499.....	6,523	1,252	19.2	173	2.7	28	.4	29	.4	5,041	77.3
\$4,500 through \$6,499.....	10,970	1,073	9.8	165	1.5	145	1.3	22	.2	9,565	87.2
\$6,500 through \$7,999.....	7,107	359	5.1	85	1.2	101	1.4	7	.1	6,555	92.2
\$8,000 and over.....	32,295	692	2.1	272	.8	187	.6	23	.1	31,121	96.4

<sup>1</sup> Excludes employment in Hawaii, the Commonwealth of Puerto Rico, and foreign nationals overseas.

<sup>2</sup> Includes 233 Aleuts and 820 Eskimos in Alaska.  
<sup>3</sup> Includes 8,261 4th-class postmasters and 31,071 rural carriers.

## NEGRO EMPLOYMENT BY CIVIL SERVICE REGION—ALASKA, IDAHO, MONTANA, OREGON, AND WASHINGTON

Pay category	1967		
	Employment	Number	Percent
Total all pay plans.....	108,542	3,705	3.4
Total general schedule or similar.....	53,321	1,044	2.0
GS-1 through 4.....	15,046	654	4.3
GS-5 through 8.....	14,983	244	1.6
GS-9 through 11.....	14,855	115	.8
GS-12 through 18.....	8,437	31	.4
Total Wage Board.....	31,435	1,523	4.8
Up through \$4,499.....	816	197	24.1
\$4,500 through \$6,499.....	8,826	652	7.4
\$6,500 through \$7,999.....	13,204	477	3.6
\$8,000 and over.....	8,589	197	2.3
Total Postal Field Service.....	21,591	1,098	5.1
PFS-1 through 4 <sup>1</sup> .....	17,764	961	5.4
PFS-5 through 8.....	3,121	134	4.3
PFS-9 through 11.....	503	3	.5
PFS-12 through 20.....	203	3	1.5
Total other pay plans.....	2,195	40	1.8
Up through \$4,499.....	263	10	3.8
\$4,500 through \$6,499.....	401	10	2.5
\$6,500 through \$7,999.....	475	11	2.3
\$8,000 and over.....	1,056	9	.9

<sup>1</sup> Includes 4th class postmasters and rural carriers.

## AN IDIOT INVADES HOUSE CAFETERIA

## HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. CLAY. Mr. Speaker, the House of Representatives' cafeteria seems to be enduring one crisis after another. Last month our cafeteria workers and patrons were exposed to the terrifying germ of tuberculosis. Today, the cancer of racial bigotry unleashed itself in our House dining room in the person of Lester Mad-

dox, Governor of the State of Georgia. This idiot invaded our cafeteria and proceeded to pass out "ax handles."

The germs and diseases of racial hatreds spread by this madman are much more terrifying and more deadening than tuberculosis. Mr. Maddox's "ax handles" are not just political souvenirs, they represent an appeal to those who believe in white supremacy and who would deny blacks their constitutional rights. Mr. Maddox was really extending to the patrons of our cafeteria the opportunity to do as he did when he took an ax handle and drove black people from his restaurant in Atlanta.

Mr. Speaker, it strikes me as contradictory if the rules of this House subjects Quakers to arrest for peaceful assembly on the Capitol steps and do not prohibit a lunatic from invading our cafeteria to promote the barbaric doctrine of human slavery.

## APPLAUDS EFFORTS OF AMERICAN FIGHTER PILOTS ASSOCIATION TO HELP POW FAMILIES

## HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. CHAPPELL. Mr. Speaker, recently I had the opportunity of meeting with some of the members of the American Fighter Pilots Association. One of the organization's biggest concerns is the prisoners of war being held by the North Vietnamese.

Many members of the American Fighter Pilots Association are very familiar with the agonies that families go through when a loved one is missing or held prisoner—for many of these men were prisoners of war during the Second World War and Korea. Now they are offering whatever assistance they can to the fam-

ilies of men who are held prisoners now—legal aid, money, outings for the children.

Mr. Speaker, there are times when we feel so helpless in our efforts to help these families through such hard times that I find it especially heartwarming that this organization is offering some of the help which they so desperately need. Let me urge again, Mr. Speaker, that we Members of Congress continue to beseech the administration to consider the fate of these men and their families in all our negotiations with Hanoi.

## TRIBUTE TO JUDGE BEN GALANTI

## HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. HELSTOSKI. Mr. Speaker, I would like to pay honor today to one of the outstanding members of New Jersey's judicial system.

He is Judge Ben Galanti of the Bergen County court. For 28 years Judge Galanti has been a member of the bench through a series of appointments made by Democratic and Republican Governors and by confirmation of State senators. His first appointment came from Democratic Gov. Charles Edison in the 1940's and his most recent from our former colleague, Republican Gov. William T. Cahill.

Through his years of service Judge Galanti has brought honor to the courts, to himself, and his family, and to those who appointed him and to the people of New Jersey. He has given dignity and fairness to our courts and gained the respect of those who came before him.

It has been my good fortune to know Judge Galanti for many years and to me he personifies everything that is good and decent in life. May he have many more years of happiness.

ELLIS ARMSTRONG—THE IDEAL  
COMMISSIONER

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mrs. MAY. Mr. Speaker, President Nixon and the Secretary of the Interior, Walter Hickel, are to be congratulated for selecting Dr. Ellis L. Armstrong as the Commissioner of the Bureau of Reclamation.

Although Commissioner Armstrong's appointment was effective last November 1, it was not until February 10 that I had an opportunity to become acquainted with the new Commissioner. We both had been invited to a meeting of reclamation interests on the Columbia Basin project in the State of Washington, and it happened that Commissioner Armstrong and I found ourselves on the same airplane and became acquainted en route to the meeting.

Ellis Armstrong is an engineer. The Engineering News-Record, noting his many accomplishments, has called him an engineer's engineer. But he is much more than that. He is a philosopher and I like his philosophy. He has the kind of outlook that is required of us, in the 1970's, to recognize and solve our problems and to build the kind of world we want.

As an indication of Commissioner Armstrong's philosophy, I include in the Record a speech he made on May 3, 1968, which was presented at a banquet following Dr. Armstrong's elevation to the 29th national honor member of Chi Epsilon Fraternity at the Newark College of Engineering, Newark, N.J.:

CIVIL ENGINEERING—THE IDEAL PROFESSION  
(By Dr. Ellis L. Armstrong)

To receive an honor as I have tonight is a most sobering experience. In a way it is somewhat bewildering to me as a farm boy from the wilds of Southern Utah—but reflecting a bit quickly brings an awareness that this really is a recognition of the many wonderful people with whom I have been associated over the years—in my family, in my schooling, and in my career—a recognition of the wisdom of my mother and dad and others in guiding me into the exciting, adventurous Civil Engineering profession as my life's work—and to the extremely good fortune I've had in being a part of many of the top engineering projects of this age.

To have been involved in the Reclamation projects of the great American west; to have 30 dams that my youngsters and I claim as "ours;" to have been part of the high Aswan Dam on the Nile River, the St. Lawrence Power and Seaway Project, the highway network of my beloved Utah, the National Federal Aid Highway system including the Interstate; and to have had a part in the Civil Engineering Achievement Award Projects of the St. Lawrence, the Glen Canyon Dam, the Minuteman Missile Program, the Chesapeake Bay crossing; all make me the most fortunate of men.

There are sound and basic reasons why I'm so enthusiastic about Civil Engineering as a wonderful, magnificent, ideal profession. It is well to review some of these, I think, as too much of our outlook these days is colored by the cynical pessimism of our times. We sometimes tend to forget the purpose of life and overlook, perhaps, progress that has been made and the good life that we have today which Civil Engineering has made possible.

When the Good Lord created the earth, he never finished it. Nothing is all done, nothing is ended. He wisely provided for continuing vibrant and throbbing growth, for creation, throughout all time. He left mountains that were impassable, forests that were impenetrable; wild rivers that were uncrossable and uncontrollable; rainfall that was erratic producing deserts and rainforests; storms that brought forth hurricanes and rampaging floods and lack of storms that produced searing droughts; He left the heat of summer and the cold of winter.

He provided ample natural resources for the life of man, but they were resources which require work and knowledge and cooperation and will to develop and use; resources that must be developed on wise and sound principles or the development boomerang. He provided Nature governed by laws which have no sympathy for ignorance, no matter how well intended. And He gave Adam and Eve the job of subduing the earth and have dominion over it.

So Adam and Eve received the first Civil Engineering assignment, that of subduing the earth; taking the hostile environment outside of the Garden of Eden and by the sweat of their brows, making it compatible for the life of man. And that has been the primary job of Civil Engineering ever since; finishing the creation, applying scientific principles to the practical needs of man, assuming the constantly increasing responsibility of providing for the physical well being of all people—and in the process providing for man's spiritual and social growth and development.

For in working at the job of subduing the earth, and finishing the creation, there have been good side effects. Remember the Lord told Adam, "Cursed is the ground for thy sake;" and this has turned out to be a great blessing. Early man found that he had to work together with other men to control the floods and to conquer the mountains. He found that he needed other men, and they needed him; that every man is a part of the whole; and civilization was on its way. He found that the cooperation that was necessary to control the floods in the Nile Delta, and use the water for growing of food, was good also in other activities.

He discovered the necessity for and the power of human dignity and individual responsibility—and the overriding requirements of love, of justice and peace, and of brotherhood of all men. This march of civilization has brought us to the point where for the first time in history, physically within our grasp and within our capabilities, is a good life for every man, the elimination of hunger and poverty, the realization of dreams of all men. All we need to do is apply what we've learned about cooperation and brotherhood and mutual dependence and thus work together a little better; and then get with it.

Further, we believe all men have the inalienable right to search for and to the pursuit of happiness. The man who makes this search for happiness his chief business, never finds it. If instead, he makes his chief business service to others, happiness seeks him. Down through the ages, and in your lives and mine, the happiest people in the world are those who have useful work to do. Happiness comes from efforts directed toward the welfare and happiness of others and in accomplishment, and this is the fundamental objective of Civil Engineering.

So in Civil Engineering we have a profession that is stimulating, interesting and tremendously challenging and has been since the advent of time. Without equal is the fascination that comes from developing a dream, through application of basic principles, to a design on paper; and then through fashioning earth and rock and concrete and steel to the realization of a project that operates to make life better for man. Being engaged in such a profession is greatly rewarding to man in his search for happiness. It gives purpose to one's life. As our little old

world becomes smaller and our population larger and our social relationships more closely entwined, the work to be done becomes increasingly complex, greater in magnitude, more necessary for man's survival, and most important it becomes more effective in service.

The problems to be solved are not easy, but they are not supposed to be. This world wasn't designed as a soft place for soft people, this produces soft heads; but was intended as a testing ground to provide challenge and work and sweat and toil and achievement and reward. And in the process man develops and grows.

We sometimes act as if leisure, comfort and luxury were the end requirements of life—and they are nice—but alone they can be empty and degenerating. Actually true happiness comes from activity and work that you can be enthusiastic about. You can't just find life worth living; you have to make it worthwhile.

So in Civil Engineering we have a basic, sound opportunity for an abundant, worthwhile, happy life. What are the needs then, for us to take advantage of these opportunities so that Civil Engineering becomes the ideal profession for each of us?

Technical ability, of course, is most important and during these times of "information explosion" is something that is a lifetime job. We often are told that our half-life, after our degrees, is only about 10 years these days, so we must accept technical learning as a lifetime undertaking.

In these changing times of challenge, moral integrity is most important. Technology without intellectual honesty doesn't produce the good life. Designs based on unsound principles can be evil. Construction without integrity and responsibility soon crumbles.

We are fortunate to have the great moral principles which are the foundation of our progress and culture to guide us. These principles, summarized in the Sermon on the Mount, have withstood the batterings of change and time and are as applicable today as ever. Thus the Golden Rule must be as indispensable to our profession as the slide rule.

It is most important to keep in mind the inherent great good that is in all men, and to direct our efforts toward bringing this out in ourselves, as well as in our associates. We must never lose faith in human nature, no matter how often we are deceived. We must keep solid confidence in the real, honest goodness, generosity, humanity and friendship that actually exists in this strife-torn world. These are overwhelming in majority. I've had this proven to me time and again; even when badly shaken a time or two.

The big contribution of the Civil Engineer is his common-sense practicality approach to problems that results in action being taken. We accept the world as it is—and start from there with our projects—remembering that the "creation" is not yet finished and we have a long way to go to perfection. And I'm sure we'd have a most difficult time, in view of the great variety of thought we have in the human family, to determine just what this perfection is. Perhaps there is no such thing. So it is a problem of determining what can be accomplished in view of the circumstances and doing the best we can—with a sensible, mature approach.

It is in many ways, a hard-boiled world; but I like the motto of the great state of Kansas: "To the stars—through difficulties." For visions and the dreaming of dreams is a part of the process. We must keep the end result in sight, but always remember that the project gets built brick by brick, stone by stone, timber by timber. And these individual parts must be strong and solid and right.

Three workmen were cutting stone for a structure and gave different answers to an inquiry as to what they were doing. One stated he was working for \$4 an hour; one said he was shaping a rock, the other stated he was building a Cathedral to his God.

Which do you think was doing the best job and which was the happy man?

A requirement that is increasingly important today more than ever before, and which is the big need of Civil Engineering, is to be socially effective. Our projects must, of course, be soundly for the best overall good of man. And we can do this. But our real problems are not technical, they are not physical—we know how to do and we could do much, much more than we are doing. But our projects are large, and they involve many people and they have to be accepted by many people before they can be built. The plans for our projects and the results expected must be understood and accepted by our society.

No matter how great our knowledge and our skill—no matter how great our dreams—no matter how sound our plans and designs—we can do little without the help and agreement of other people. The St. Lawrence Project is a good case in point.

From the beginning of our nations, Engineers dreamed great dreams of harnessing the power of the Long Sault and Galop Rapids; of opening up the Great Lakes and the middle of the continent to oceangoing ships; of creating the Eighth Sea. But it took 75 years after the first plans were made before the local, national, and international agreements were reached so the project could be built. It takes a long time and great continuing effort for nations and states and groups of men, with some differences in objectives and sometimes conflict of interests to cooperatively pool their dreams and combine their efforts for the common good.

The project itself is certainly a top achievement in man's struggle to improve his environment and harness the forces of nature. But most important for the future of mankind, it seems to me, is the demonstration that international, national, local, and individual interests can cooperate and can be coordinated for positive accomplishment. It is a successful, practical demonstration of what is needed to solve many of the problems of this troubled world. And the Civil Engineer has the key role to play.

Being involved in the design and construction, was an uplifting experience. The great orchestration of men and machines, 17,000 workmen and \$90 million of equipment working around the clock fashioning and shaping the earth; these carried the melody of bringing the dreams to fruition. But also most important and an essential part of the orchestration and necessary for the melody to have substance, were the supporting backgrounds of many men and organizations and governments.

Involved in this background of support were the investors who with their savings bought the bonds that made the financing possible; the International Joint Commission and the State Departments of the United States and Canada; the Joint Board of Control of the St. Lawrence River; the Governments of the State of New York and the Province of Ontario; the nations of the Iroquois Indians; the county and the municipal entities of Government within the project area; the buyers of the power and the prospective shippers and ship owners; the many different disciplines of finance, economics, and manufacturing involved; the labor unions involved in supplying the workmen; the contractors and engineering supporting organizations not on the project; and the most important individual John Q. Citizen who influences and supports legislators and administrators of Government.

All had to be kept in harmony and all kept headed in the same direction for the project to be completed; for the melody to shine through. When this was done, the 75-year dream became reality in less than four years. And all this takes Civil Engineering in its broadest and fullest sense to conduct this great orchestration.

I visited the St. Lawrence last summer—and contemplated the soft lapping of the water against the riprap and concrete of the dams—and listened to the singing hum of the generators as they converted the power of the falling water into the energy of 21 million slaves and sent it wheeling over the great transmission lines to cities and homes and factories to perform back-breaking work for men and make life better for people. And I watched the big oceangoing ships being gently lifted up into the placid waters of the lake to continue their journey delivering cargo to the middle of the continent. And I viewed the visitors to the parks and beaches of the project and observed the beauty of the area, which was carefully planned and built into the project. And I was humbled—and proud to be a member of the human race—and a Civil Engineer.

Of course, gone was the activity and the excitement of construction—gone was the struggle and the headaches and the sweat and the roar of equipment and shouts of workmen. Gone were the continuing crisis upon crisis that are part of a large, complex, involved, accelerated, construction project. But the end results were there to see—and to feel—and to enjoy—and to marvel about—and for man to use. Is it any wonder that to me Civil Engineering is the ultimate?

The St. Lawrence Project, as with all great Civil Engineering undertakings, advances the civilizing process as the Good Lord intended. It shows what men can do in a cooperative endeavor in a positive way. It gives a glimpse of the great potential of man and of what this world could be—and can be—and will be when we finally realize what our enlightened self interests are—and get rid of our discord and conflicts—and unite all men in a brotherhood for the common good.

The real measure of a social system is not the inter-continental missiles, the moon rockets, the proximity fuses, or the hydrogen bombs which it produces. Rather it is the food and the shelter that it provides for all its citizens; and above this, the uplifting things of the spirit, the recreation, that culture that it creates, the purpose it gives to life. The real measure is the ample and abundant living it provides each and every individual of the society. Basic to doing this is the contribution of the Civil Engineer.

We have tremendous problems to be solved. In some ways it appears we have oversubdued the earth—and produced pollution and congestion and ugliness. While we now have a higher standard of living for all our people in this Miracle of America of ours, than ever before in all history, we also have problems without precedent. Our affluence has raised our expectations of life—and our unrest. Our capacity to alter our environment, along with preferences for convenience and speed and sometimes for quick returns, has headed us in some instances in the wrong direction. Sometimes it seems that we have become the victims of our technological and economic forces.

Much has to be done to correct air and water pollution, the traffic congestion our individual freedom of movement has created, and the desecration of many of our areas. We have a tremendous job ahead of rebuilding and making our cities the great places to live that they can be; and must be for our survival. All these are largely Civil Engineering problems and we have the know-how and the methods to resolve them.

But we need, as a people, much more than that. We need collective recognition of the problem and the solution—we have made some progress here. We need individual and collective determination and self discipline—we have quite a ways to go here. We are testing whether comfortable people in our society have the will to sustain the effort that is needed to build the world we

want. And it may well be that we are approaching the point in time where we either do these things or maybe we won't be around very long.

We've been rudely jarred from our complacency, I think, with the Viet experience and our Civil Rights problems. But I have great faith in individual man's sound common sense and resolve and will to solve his problems when he finally gets around to facing up to them. It seems to me that we are beginning to collectively see what must be done. And we can do it. And Civil Engineering has the key role.

Our great Cities need clean air and pure water and sewers and wider streets and more schools and more and better housing and better transportation. We know how to provide these and we can provide them. We are not short of technical know-how—or cement—or steel—or money. We can provide these things if we would but get with it. The time and effort we waste and misuse in putting up our problems and the money it costs us not to resolve our problems—this alone would provide the better facilities.

It seems silly sometimes to say we can't afford to do these things—we contemplate a 4-day week—we argue about how big a TV set is needed, as a necessity, on our relief roll lists—we dissipate two hours a day in traffic jams—we shorten our lives and reduce the effectiveness by the polluted air we tolerate. We can't afford to resolve these problems.

What we need to make our dreams come true are character and drive and organization and leadership. We need clear thinking in our political, social, and business activities. We need appropriate Government institutions to carry out our plans. We need sound cooperation between our Governments and our businesses. We need social know-how, coupled with courage and determinations. We need the inspiration coupled with practicality that Civil Engineering provides.

The self discipline provided by Civil Engineering training, the thorough analysis necessary to define a problem, the careful weighing of various solutions to determine the optimum, the clear thinking that is required for a successful Civil Engineer; all these uniquely qualify the Civil Engineer for a much greater role of leadership in these times.

As members of our society, you and I must become more involved, more committed in the total activities. As builders for a better world, we are in a position of influence with our society. Our profession provides us with the vision and the practical know-how of continuing on with the creation; thus to accomplish the dreams for a better world we must help, much more than we're doing now, to meet the needs of leadership that will make a better world possible. Our profession places us in this unique situation and we must do more in overall society involvement in a positive way.

We've done well in the past—we must do better. We can do better. And this is the real challenge of our profession in our time.

Challenging, fascinating, demanding, stimulating, adventurous, exciting, rewarding—this is Civil Engineering. This is the profession that provides the opportunity for an interesting and abundant life.

As an example, a short time ago, a little over a week's activity included my being in Argentina wrestling with problems on the John F. Kennedy Highway from Corrientes to Posadas; in Brazil on nine highway projects near Recife; in Colombia on the International Airport at Barranquilla; in Newark wrestling with problems of the Newark Meadowlands and planning a 50,000 population development starting with 3,000 acres of New Jersey farmland; in Maine on a section of Interstate Highway across a marine clay

swamp near Portland; in Vermont reviewing the location of a section of Interstate through the mountains near Montpelier; in Sacramento, California considering the problems of 125-foot high bridge piers on a Forest highway in the Sierra Nevada Mountains and an earthfill dam for a community development, and in Anchorage, Alaska tussling with plans for a 4-mile bridge across the Turnagain Arm with its 40-foot tides. Civil Engineering does indeed provide an interesting life.

When I take a careful look at the exciting Civil Engineering work to be done, and at today's young Civil Engineers as exemplified by the members of Newark College of Engineering Chapter of Chi Epsilon, I have an exuberant, dynamic enthusiasm for our profession and for the days ahead. Our problems will yield—solutions will be found—projects will be built—dreams will come true. The future looks good! *Civil Engineering is the ideal profession!*

ENVIRONMENTAL EFFECTS OF ATOMIC ENERGY

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. REID of New York. Mr. Speaker, as my colleagues may remember, the distinguished gentleman from New York (Mr. WOLFF) and I cosponsored on February 6 an ad hoc hearing on the environmental effects of atomic energy, particularly in the Long Island Sound region. I would like to include in today's RECORD the statements of two of the witnesses at our hearing—Dr. Andrew P. Hull, supervisor, environmental monitoring, Health Physics Division, Brookhaven National Laboratory, and Dr. E. J. Sternglas of the University of Pittsburgh. As my colleagues will note, the two scientists disagree about the degree of risk associated with the environmental radiation releases associated with nuclear plants. The material follows:

SOME COMPARISONS OF THE ENVIRONMENTAL RISKS FROM NUCLEAR AND FOSSIL FUELED POWER PLANTS

(Research carried out at Brookhaven National Laboratory under contract with U.S. Atomic Energy Commission.)

(By Andrew P. Hull)

Brookhaven National Laboratory was established on Long Island twenty years ago, prior to the adoption of uniform national radiation protection standards by the AEC and at a time when less was known about environmental radioactivity than is the case today. Conservative practices were adopted with regard to its release of reactor air and liquid effluents to the environment, and they therefore have corresponded to the routine low level releases which may be anticipated from large nuclear power plants such as those proposed on Long Island.

The Laboratory has, as part of its mission to obtain scientific information, maintained a more extensive environmental monitoring program than that which would be needed in the vicinity of a nuclear power reactor to establish compliance with radiation protection standards. The data developed by our program, which is in essential agreement with that from other major nuclear installations over a period of years, enables me to say with considerable confidence that the environmental radiation risk associated with the operation of one or even several nuclear power reactors on Long Island is negligible.

Almost two decades ago, Dr. Otto Frisch, a word renowned nuclear physicist, wrote a tongue-in-cheek article entitled, "On the Feasibility of Coal-Driven Power Stations."<sup>1</sup> In it, he imagined a situation in which nuclear reactors had been in common use for many centuries prior to the discovery of coal, and that proposals for the use of the latter as a potential power source were currently being subjected to the same prior-to-use hazards assessment that is actually now the case for reactors. Although his paragraphs having to do with plant design are a sort of "in" joke for technically educated persons, those on "health hazards" seem a most appropriate introduction to my remarks.

Frisch imagined the situation thusly:

"The main health hazard is attached to the gaseous waste products. They contain not only carbon monoxide and sulfur dioxide (both highly toxic) but also a number of carcinogenic compounds, such as phenanthrene

and others. To discharge those into the air is impossible. It would cause the tolerance level to be exceeded for several miles around the reactor.

"It is therefore necessary to collect the gaseous waste in suitable containers, pending chemical detoxification. Alternatively, the waste might be mixed with hydrogen and filled into large balloons which would subsequently be released.

"The solid waste products will have to be removed at frequent intervals (perhaps as often as daily), but the health hazards involved in that operation can be easily minimized by the use of conventional remote-handling equipment. The waste could then be taken out to sea and dumped.

"There is a possibility—although it may seem remote—that the oxygen supply might get out of control. This would lead to the melting of the entire reactor and the liberation of vast amounts of toxic gases. Here is a grave argument against the use of coal and in favor of fission reactors, which have proved their complete safety over a period of several thousand years. It will probably take decades before a control system of sufficient reliability can be evolved to allay the fears of those to whom the safety of our people is entrusted."

As Frisch implies, I believe we can rationally consider the risks of nuclear power plants only in the context of the alternative choices. In attempting such a consideration, I start with three underlying assumptions:

*Assumption I:* Electricity is a basic necessity to a technological civilization. A review of recent electrical power statistics and a projection of future requirements by the end of this century is presented in Table I, which is adapted from information on the environmental effects of producing electrical power recently published for the use of the Joint Committee on Atomic Energy.<sup>2</sup> From this, it appears that our national generating capacity will need to be doubled about every decade to meet the anticipated demand, and that even with the anticipated introduction of nuclear power, a substantial increase in conventional fossil fueled generating capacity will also be required to meet the total projected needs for electrical power.

*Assumption II:* All human interventions related to the extraction and consumption of energy have the potential for both cost and benefit to the environment.

Some concrete instances are suggested in the following brief catalog, with regard to the present alternates for electrical power.

COSTS AND BENEFITS FROM THE GENERATION AND DISTRIBUTION OF ELECTRICITY

Cost	Benefit	Cost	Benefit
Hydroelectric....	Alteration of stream flow. Destruction of habitats and scenery, that is, by reservoirs and long transmission lines from hydro sites to populated areas.	Coal.....	Destruction of scenery, that is, by strip mining transport and storage facilities, plants and stacks and ash disposal areas. Stream pollution (from mining refuse). Air pollution with many deleterious substances. Thermal waste.
Gas.....	Destruction of scenery, that is, by pipe lines and plant stacks. Air pollution with many deleterious substances. Thermal waste.	Nuclear.....	Destruction of scenery, that is, by mining and processing facilities, plants, and stacks. Minimal air and water pollution with radioactive ash. Thermal waste.
Oil.....	Destruction of scenery, that is, by pipe lines, storage tanks, plant stacks and ash disposal areas. Water pollution. Air pollution with many deleterious substances. Thermal waste.		Energy, employment, byproducts (that is, isotopes useful in medicine, industry, research, etc.).
			Energy, employment, flood control, recreation.
			Energy, employment, byproducts.
			Energy, employment, byproducts.

*Assumption III:* For most areas of the U.S., including Long Island, fossil or nuclear power plants offer the only practicable methods of meeting the near future electrical energy demand.

Although various schemes are being researched, there is no alternate scheme for producing electricity that is sufficiently developed so that it can be applied "off the shelf" to meeting immediate needs for power.

It follows from these assumptions that the real issue before us is which technology, fossil or nuclear will yield the greatest overall benefit to cost ratio. In contrast to most

technological innovations (including that of the use of fossil fuels), this sort of consideration has been uppermost from the outset in the development and employment of nuclear power reactors. In an article "Radiation in Perspective", Chauncy Starr<sup>3</sup> (a past-president of the American Nuclear Society) stated:

"The technological approach taken by the atomic power industry has been the most cautious in engineering history. It has been customary heretofore, in other new technologies, to proceed with applications first, safety being secondary, and then to await an empirical balance between safety constraints and social value. Examples of this are present in the history of the automobile,

air transport, and of most recent public concern, the use of insecticides. The novel approach of the atomic industry in attempting to establish public safety prior to the construction and operation of atomic power plants is a direct consequence of the fact that the public interest has been the principal objective, rather than the immediate economic gain of a few. It has been assumed by the atomic industry that long-term economic gains will follow demonstrated social value."

It appears to me that in addition to economic cost, the public acceptance of large-scale technology of the sort under consideration has two principal aspects. These are the probability of catastrophic accidents and

Footnotes at end of speech.

the apparent adverse effects on the environment from routine operations (which are mostly related to plant effluents). Even with conventional technologies, the dramatic nature of catastrophes is such that they are often given far more attention than routine mishaps, even though it may be shown that the latter are in the aggregate far more costly per capita. This is, for example, quite evident in the relative amounts of attention given and resources devoted respectively to air and highway safety.

With regard to catastrophes, the public safety first approach of the atomic industry has meant the careful assessment of the potential consequences of catastrophic events in what is known as a "safeguards analysis." This analysis is subjected to multiple technical reviews and approvals within the AEC, and is made available by the AEC to the Public Health Service and to state agencies for comment. It must also be submitted to a body of disinterested experts, the Advisory Committee on Reactor Safeguards, for their independent review and approval. The analysis and these reviews are also subject to question in public hearings, held prior to the construction of each reactor. In a safeguards analysis it must be convincingly established that, for the most pessimistically imaginable possible simultaneous combination of malfunctions and failures, the release of radioactivity would be sufficiently limited so that no person in the environs would be seriously affected. It seems deplorable to me that some unwarranted public fears about the inherent safety of reactors have recently been created by a favorite device of many antireactor propagandists. This is to quote from the consequences portions of these analyses out of context, with no accompanying indication of the exceeding improbability of the postulated events.

To inject a consideration of probability into this discussion, let me indicate that over 300 civilian and military nuclear reactors are now or have been operated in the United States.<sup>4</sup> A few have been functioning for as long as two decades, and a total of well over 2,000 reactor-years of experience have been accumulated. A malfunction leading to the release of a significant, let alone a catastrophic, amount of radioactivity to the environment has yet to occur in connection with their operation.

A theoretical "worst imaginable accident" analysis known as WASH-740 was made at Brookhaven over a decade ago. Subsequent experience suggests that the assumptions its authors made at that time were unduly pessimistic in many respects. Disregarding this, it has been calculated by Starr that the probability of the incident they envisioned is about comparable to that of a jet transport crashing into an occupied sports stadium that is about 1:300,000,000. Starr commented that no one has suggested that, on the basis of this probability, we should abandon either spectator sports or airline service.

Perhaps, because we are accustomed to them, we are sometimes forgetful of the near catastrophes and catastrophes that are at least in part attributable to the uses of fossil fuels, such as mine explosions, floods related to strip-mining, oil leakage from tanker wrecks, and urban air pollution incidents in which excess mortality over normal rates has been documented.

The remarkable safety record of atomic reactors is a result of the conscious provision of several layers of protection in their design and operation. This includes:

(1) Careful training and practices. Operators are trained for licensing as though the entire safety of the reactor depended on their actions.

(2) Electronic safety monitors. These "backup" devices act much faster than a human operator could to shut a reactor down, in the event any significant indication exceeds pre-set operating limits.

(3) Self-limiting behavior. The arrangement of the fuel and the inherent characteristics of a nuclear reactor are such that an accident tends to be self-limiting, should ever the many other control devices fail to operate.

(4) Fuel cladding. The fissionable material is "canned" to prevent the escape of fission products.

(5) Primary system enclosure. Since it does not depend on a supply of oxygen, the fuel of a nuclear reactor is inside the pressure vessel, rather than outside as is the case with a fossil plant.

(6) Building containment and engineered safeguards. These are provided to minimize their release to the environment, should any fission products escape from the primary system.

In concluding this consideration of catastrophes, I would suggest that the public welfare would be much enhanced if some of the scrupulous attention and many safety "backup" devices provided for nuclear reactors were applied to other large-scale technologies, with a view to promoting the same kind of conservative design and review prior to their application and/or extension.

When the situation with regard to the effluents produced by the routine operation of power facilities is examined, it appears that in principle the obnoxious agents from both fossil and nuclear plants are controllable at whatever level those responsible deem advisable, or that the public insists upon. However, the closer to zero this level is set, the greater the economic cost which is ultimately passed on to the consumer. In practice, effluent control seems largely governed by the state of the available technology and the economic cost of its application.

What this means is suggested by the comparison of the respective fuel requirements and of the principal types and amounts of atmospheric pollutants released from various 1,000 megawatt (electrical) plants using coal, oil, gas or nuclear fuel as shown in Table II, which is calculated from the information published for the Joint Committee on Atomic Energy.<sup>5</sup> As was originally suggested by Eisenbud<sup>6</sup> and Petrow, considering the much greater health significance of radium nuclides, the amounts of radioactivity released from conventional plants are biologically comparable to those released from nuclear plants.

The clean air advantages of atomic plants are more apparent from an examination of Table III, which is in part from data prepared by Terrill, Harward and Leggett.<sup>7</sup> It shows the volume of air required to dilute the yearly amount of released air effluents to suggested conventional pollutant concentration standards or established radiation protection standards. One way of interpreting the generally smaller dilution volume of atomic plants is to say that on the average they produce lower average concentrations of deleterious agents relative to accepted protection standards, than do fossil plants.

The air pollutants from fossil plants are perhaps reason for greater concern when seen in the context of the total emissions from all conventional air pollution sources. These are tabulated in Table IV. A Committee on Pollution<sup>8</sup> of the National Research Council has calculated that the total cost attributable to these air pollutants is \$13,000,000,000 or \$65 per capita. It has been calculated by Starr to result in about 20,000 deaths per year.

As indicated in Tables II and III, the principal air effluents from nuclear reactors, in

particular the boiling water type (BWR), are the noble gases, xenon and krypton. These do not interact biologically. However, the short and intermediate lived nuclides of these gases are of concern, insofar as they may contribute to a non-cumulative increase in the external radiation background in the local vicinity while the reactor is in operation. These increases have been in general too small to be measurable. Measurements of the increase in background in the vicinity of Brookhaven National Laboratory during the years in which the air-cooled Brookhaven Graphite Research Reactor (BGRR) was in operation are suggestive of the maximum levels which might be anticipated. The BGRR was started up in the Fall of 1950. It was put on standby on July 1, 1968 and has operated only occasionally since then. It has been the only significant source of gaseous releases at BNL. As the air used to cool it was briefly subject to the neutron flux in the reactor, some of its constituent elements were activated, the principal product being Argon-41 (which has a half-life of 110 minutes). During most of the 1950's, the emission of Argon-41 from the 300 ft BGRR stack amounted to 7,000 curies per day. (A curie is equivalent to 2.2 million-million disintegrations per minute.) With the change from a natural to an enriched uranium fuel loading in the later 1950's, the emission was increased to 20,000 curies per day.

This corresponded to the release of about 40,000 curies of fission product noble gases, since the latter have a somewhat lower radioactive energy. The largest reported<sup>9</sup> average release of these gases from a BWR in 1968 was 2450 curies per day, from the Humbolt Bay (68.5 MW electrical) plant. Assuming a linear increase in emission with power, the emission at a 1,000 MW (electrical) power level would have been 37,000 curies per day, that is it would have been quite comparable to past emission rate of Argon-41 from the BGRR. An increase in external radiation levels at the BNL perimeter was apparent while the BGRR was operating. During the years immediately preceding 1968 at a distance of one mile, it averaged close to 0.050 rem per year. This was an increase of about 25% over the measured natural background, and was 1/10th of the applicable AEC radiation protection standard for individuals in the general population. At a distance of two miles it averaged 0.015 rem per year, and at three miles 0.005 rem per year. Due to the short-lived nature of this inert gas, it had no residual effect on background when the reactor was shut down.

About 2.5 curies of iodine-131 per year was also released from the stack while the BGRR was in operation. The largest reported release of iodine-131 from a power reactor in 1968 was 0.45 curies, also from the Humbolt Bay plant. Scaled up to 1,000 MW (electrical) this would have been 6.7 curies. The average ground-level concentration of iodine-131 one mile from the BGRR stack was about 0.005 picocuries per cubic meter (a picocurie is one trillionth of a curie) or 1/20,000 of the applicable radiation protection standard. At no time has iodine-131, or any other radionuclide released in somewhat smaller concentrations in the stack effluent air, been present in detectable concentrations in vegetation or milk collected from nearby dairy farms (between 3-5 miles from the stack). There has also been no measureable long-term increase in external background radiation levels over those measured prior to the startup at the BGRR, which documents that the accumulated deposition of long-lived stack effluent nuclides has been negligible.

Concern has been expressed about the world-wide buildup of krypton-85 (which has a half-life of 10.4 years) and of tritium

Footnotes at end of speech.

(which has a half-life of 12.3 years). A projection made by Cowser<sup>10</sup> and coworkers at Oak Ridge, of the accumulations of these nuclides through the year 2000, and of the accompanying increases in dose-rate are indicated in Table V. The calculated radiation protection standard for krypton-85 is based on the external dose to the skin from being submerged in an infinite cloud of this gas. Dunster<sup>11</sup> has recently pointed out that its accompanying genetic dose would be only about 1% of the external skin dose. It can be calculated from data published by the International Commission on Radiological Protection,<sup>12</sup> which are based on the conservative assumption that effects observed at higher dose levels are linear, that an increase in background of 1 millirem/yr (a millirem is one-thousandth of a rem) would lead to an eventual mortality of less than 50 per year in the current U.S. population of 200,000,000 persons. I should repeat that this figure is based on conservative assumptions and would also like to put it into perspective by indicating that the natural incidence in the U.S. population of the same effects (as are assumed to be produced by radiation) appears to be over 1,000,000 per year.

Conventional power plants do not appear to have contributed significantly to the general acknowledged pollution of many of the rivers and lakes in the U.S. However, there is no reason to suppose that nuclear plants will pose any significant problem in this regard. The amounts of activity reported<sup>8</sup> to have been released from a typical pressurized water reactor (PWR) and a boiling water reactor (BWR) during 1968 are indicated in Table VI. In general the amounts of liquid wastes released from PWR's exceed that from BWR's. The amounts of water required to dilute this released radioactivity (most of which consists of relatively shortlived nuclides) to radiation protection standards appear to be small compared to the flow of a major river such as the Hudson, or to the volume of Long Island Sound. The released amounts are also small compared to the amounts of natural long-lived activity already present in the latter.

The low-level radioactive waste experience at Brookhaven is not directly relevant to that of a power reactor situated on a large body of water such as Long Island Sound, since we are situated at the headwaters of the Peconic River which is small by comparison. However, the release concentrations of our liquid effluents have been comparable to those from power reactors and since our discharge is more confined, there has been if anything, a greater opportunity for re-concentration in our more limited aquatic environment. In our routine downstream surveillance, we have found small amounts of some of the previously identified longer-lived radionuclides in the Laboratory effluent to be present in plants, fish, turtles and other biota obtained within a few miles below our site boundary. Making the most generous assumptions about dietary habits, our calculations suggest that even the most avid angler or watercress fancier would not have ingested more than 25% of the radiation protection standard derived daily intake of these nuclides.

The operating experience of six power reactors with regard to both gaseous and liquid waste discharges was reviewed in January 1968 by Blomeke and Harrington.<sup>13</sup> Their study documents that power reactor liquid effluents are generally being controlled at a small percentage of release limits, which are based on the radiation protection standard in the receiving body of water. I am therefore confident from our experience that the accumulation of radioactivity in the aquatic environments of power reactors on Long Island Sound will be insignificant.

Although it has come to public attention in connection with the heat releases from atomic electrical power plants, so called "thermal pollution" is neither new nor unique to atomic reactors. It has to do more with the growth in numbers and size of steam turbine generating plants, as suitable hydroelectric sources have been used up. Unfortunately due to the inherent nature of the steam cycle neither fossil nor nuclear power steam plants use anywhere near all the heat energy released by their fuel to produce electricity, and the unutilized waste must somehow be disposed of. The present average thermal efficiency of fossil-fueled plants is indicated<sup>14</sup> to be about 33%, and the ceiling for a modern fossil plant to be about 40%. The current generation of Light Water Moderated Atomic Plants are reported<sup>15</sup> to operate at about 32% thermal efficiency. Since none of its waste heat goes up a stack, this means that such a plant may reject up to 60% more heat to its steam condenser cooling water than does a modern fossil plant. However, the next generation of nuclear power reactors promises to reach an efficiency of 40% or better.

A detailed hydrologic survey of Long Island Sound is being planned by the Marine Science Department of the State University of Stony Brook. The study would be concerned with the potential consequences of not just one, but many power plants releasing heat to the Sound. It appears that most of this heat would in turn be lost to the atmosphere by evaporation within a small zone near each plant. If data developed for a similar study of the Ohio River which appears on a Federal Power Commission Study<sup>16</sup>, is relevant, the thermally affected area of one 1,000 MW electrical nuclear plant, rejecting 2,000 MW to the Sound, would be between 1 and 3 miles<sup>2</sup>, depending on prevailing wind and water and air temperatures. The total surface area of the Sound is 939 mi<sup>2</sup>, so that there appears to be room for a number of power plants along the Sound before such alternates for the waste heat as holding reservoirs or evaporation cooling towers have to be considered.

In summary, it appears that the catastrophe, potential of nuclear plants has been vastly over-exaggerated by their adversaries. Such risks as do exist have been provided for, far beyond the disaster potential of any other large scale technology. With regard to routine effluents, nuclear plants produce far less air pollution than their fossil cousins. The concentrations of radioactivity in their liquid effluents are controllable at levels well below radiation protection standards, and pose no threat to the environment. Contemporary nuclear plants are somewhat less thermally efficient than modern fossil plants, but the immediate waste heat problem appears manageable without causing serious environmental problems in a body of water as large as Long Island Sound. Nuclear plants now being designed and tested promise to be as efficient as fossil plants. The AEC and others responsible for the application of nuclear plants have been proceeding in a manner which has the public safety and welfare as a prime consideration. Despite many recent allegations recently, there is little hard evidence on which to question their judgment to date.

FOOTNOTES

- <sup>1</sup> O. R. Frisch, "On the Feasibility of Coal-Driven Power Stations", *Nuclear Safety*, 5:3 (Spring, 1964) p. 228-30.
- <sup>2</sup> ———, *Selected Materials on Environmental Effects of Producing Electric Power*, Joint Committee on Atomic Energy, (August 1969), p. 26.
- <sup>3</sup> C. Starr, "Radiation in Perspective", *Nuclear Safety*, 5:4 (Summer 1964), p. 326-32.

<sup>4</sup> ———, *Nuclear Reactors Built, Being Built or Planned in the United States as of June 30, 1968*, TID 8200 (18th Rev.).

<sup>5</sup> ———, *Background Information on Releases of Radioactivity in Nuclear Power Plant Effluents*, Ref. 2, p. 116-17, 123-26.

<sup>6</sup> M. Eisenbud and H. Petrow, "Radioactivity in the Atmospheric Effluents of Power Plants that Use Fossil Fuels", *Science*, 144, April 17, 1964.

<sup>7</sup> J. G. Terrill, E. D. Harward, and I. P. Leggett, "Environmental Aspects of Nuclear and Conventional Power Plants" *Ind. Med. Surg.*, 36:6, p. 412-19 (June 1967).

<sup>8</sup> ———, "Waste Management and Control" National Academy of Sciences, National Research Council, Publication 1400 (1966).

<sup>9</sup> ———, *Selected Materials on Environmental Effects of Producing Electric Power*, Joint Committee on Atomic Energy, (August 1969), p. 31.

<sup>10</sup> K. E. Cowser, et al. "Kr and Tritium in an Expanding World Nuclear Power Industry", ORNL-4007, Oct. 1966, p. 35-7.

<sup>11</sup> H. J. Dunster "Skin Deep Genetics", *Health Physics*, 17:6, p. 836 (Dec. 1969).

<sup>12</sup> ———, "The Evaluation of Risks From Radiation", a report prepared for Committee I of the International Commission on Radiological Protection, *Health Physics*, 12:2, Feb. 1966, p. 239-302.

<sup>13</sup> J. O. Blomeke and F. E. Harrington, "Management of Radioactive Wastes at Nuclear Power Stations", ORNL-4070, (1968).

<sup>14</sup> ———, *Industrial Waste Guides on Thermal Pollution*, Federal Water Pollution Control Administration, Sept. 1968.

<sup>15</sup> ———, *Selected Materials on Environmental Effects of Producing Electric Power*, Joint Committee on Atomic Energy, (August 1969), p. 31.

<sup>16</sup> ———, *Selected Materials on Environmental Effects of Producing Electric Power*, Joint Committee on Atomic Energy, (August 1969), p. 327.

ELECTRIC POWER STATION EFFLUENTS				
I. USE AND PROJECTED DEMAND (UNITED STATES)				
	1950	1968	1980	2000
Population (millions).....	152	202	235	320
Capacity (10 <sup>3</sup> megawatts).....	85	290	600	1,352
Conventional (hydro, fossil).....	85	287	350	411
Nuclear.....	0	3	150	941

  

II. FUEL CONSUMPTION AND STACK EFFLUENT—1,000 MEGAWATTS (ELECTRICAL) COAL—2.3 MILLION TONS; OIL—460 MILLION GALLONS; GAS—68 MILLION CUBIC FEET				
Pollutant	Annual Release (Million Pounds)			
	Coal	Oil	Gas	Nuclear
Oxides of sulfur.....	306	116	0.03	0
Oxides of nitrogen.....	46	48	27	0
Carbon monoxide.....	1.15	0.02	-----	0
Hydrocarbon.....	0.46	1.47	-----	0
Aldehyde.....	0.12	0.26	0.07	0
Fly ash (97.5 percent removal).....	9.9	1.6	1.0	0

  

Nuclide	Half-life	Annual release (curies)			
Radium-226.....	1620	0.0172	0.00015	-----	0
Radium-228.....	5.7	0.0108	0.00035	-----	0
Krypton-85.....	10.8	-----	-----	-----	1208
Plus Xenon-133.....	5.3	0	0	0	1,200,000
Iodine-131.....	-----	0	0	0	10
					± 75

<sup>1</sup> Year.  
<sup>2</sup> Days.  
<sup>3</sup> Based on Indian Point I pressurized water reactor (PWR) 1968 data.  
<sup>4</sup> Based on Dresden I boiling water reactor (BWR) 1968 data.

## III. VOLUME OF AIR REQUIRED TO MEET CONCENTRATION STANDARDS FOR YEARLY EMISSION FROM A 1,000 MEGAWATT (ELECTRICAL) PLANT

Type of plant	Pollutant	Standard	Discharge quantity	Dilution volume (billion cubic meters)
Coal	Sulphur dioxide	0.1 p.p.m.	306 million pound	531,000
		0.025 p.p.m.	do	2,120,000
Fly ash	Radium-226	0.1 pCi/m <sup>3</sup>	0.0172 Curie	172
		0.3 pCi/m <sup>3</sup>	0.0108 Curie	36
97.5 percent removal	Radium-228	0.1 p.p.m.	116 million pound	202,000
		0.025 p.p.m.	do	810,000
Oil	Nitrogen dioxide	2 p.p.m.	48 million pound	5,770
		0.1 pCi/m <sup>3</sup>	0.0015 Curie	1.5
Fly ash	Radium-226	0.3 pCi/m <sup>3</sup>	0.00035 Curie	1.2
		0.1 p.p.m.	0.03 million pound	45
97.5 percent removal	Radium-228	0.025 p.p.m.	do	180
		2 p.p.m.	27 million pound	3,220
Gas	Krypton-85+	30,000 pCi/m <sup>3</sup>	208 Curies	16.95
		100 pCi/m <sup>3</sup> (inhalation)	1,200,000 Curies	40,000
Nuclear	Xenon-133	0.2 pCi/m <sup>3</sup> (air-grass-milk)	0	0
		0.75	0	0
			0.75	7.5
			0	0
			0.75	7,750

<sup>1</sup> Based on Indian Point I Pressurized Water Reactor (PWR) 1968 data.

<sup>2</sup> Based on Dresden I Boiling Water Reactor (BWR) 1968 data.

Explanation:

$$1 \text{ p.p.m.} = \frac{1}{1,000,000}$$

1 pCi = 2.2 radioactive events per minute.

1 Curie = 2,200,000,000,000 radioactive events per minute

## IV. EMISSION OF ATMOSPHERIC POLLUTANTS IN UNITED STATES FROM ALL CONVENTIONAL SOURCES

	Million tons
Total	125
Carbon monoxide	65
Sulphur oxides	23
Hydrocarbons	15
Nitrogen oxides	8
Particulates	1.2
Electrical power (percent of total, most of sulphur oxides)	12.5

Cost of damages from effects on plants, animals, and man: \$65 per capita or \$13,000,000,000.

Estimated mortality from conventional air pollution: 20,000 per year.

## V. CALCULATED KRYPTON-85 AND TRITIUM PRODUCTION AND DOSE RATE

Year	Accumulated krypton-85 (curies) (million)	Sea level dose rate (millirem/year)	Accumulated tritium (curies) (million)	Dose rate (millirem/year)
1970	4.8	0.008	0.32	0.000008
1980	62	0.13	6.3	0.00015
1990	210	0.65	32	0.0071
2000	520	1.8	96	0.0020

Note: Calculated mortality for 1 mrem/year (200,000,000 population): 50 per year, if effects observed at higher levels (100,000 mrem) are linear. Natural background is about 125 mrem/years.

## VI. RADIOACTIVITY IN LIQUID EFFLUENTS FROM POWER REACTORS

Pressurized Water Reactor (Indian Point I—1968)			
Type of activity	Fission products	Tritium	
	34.6 Curies	787 Curies	
Volume of water required to dilute to radiation standard (million gals.) <sup>1</sup>	2-600	69	
Flow of Hudson River (million gals. per year)	2,920,000	2,920,000	
Boiling Water Reactor (Dresden I—1968)			
Type of activity	Fission products	Tritium	
	6.0 Curies	2.9 Curies	
Volume of water required to dilute to standard (million gals.) <sup>1</sup>	16-000	0.26	

## L.I. Sound Natural Background Radioactivity

	Inventory	Yearly river inflow
Volume	16,000,000 million gallons.	5,500,000 million gallons.
Gross Beta <sup>2</sup>	600 Curies	105 Curies.
Tritium <sup>3</sup>	1,800 Curies	315 Curies.

<sup>1</sup> The numbers cannot be directly compared, since a 1/35th lower standard, that did not require analysis for specific nuclides, was utilized by Dresden.

<sup>2</sup> Calculated from measured concentrations, mostly Potassium-40.

<sup>3</sup> Minimum estimate. Worldwide natural tritium estimated. Cosmic-ray produced tritium is 4,000,000 to 8,000,000 Curies/year.

## TESTIMONY OF DR. E. J. STERNGLASS

Mr. Chairman, members of the Committee. My remarks will address themselves to the evidence that low-level radiation from nuclear fission products in the environment such as are released by nuclear reactors may already have produced serious effects on the health of our population far beyond those ever believed possible when our present radiation standards were originally formulated and adopted.

Before discussing the latest evidence in some detail, I should like to review for you very briefly the nature of the early discovery that low-level radiation may have detectable effects, and also to summarize the difficulties that have existed until now in unequivocally relating the observed effects to the action of nuclear fallout.

The earliest indication that low-level radiation could produce serious effects in man came from the studies of Dr. Alice Stewart at Oxford University in 1958 showing that mothers who had received a series of 3 to 5 pelvic x-rays during pregnancy had children who were almost twice as likely to develop leukemia and other cancers before age ten than mothers who had had no pelvic x-ray examination.<sup>1</sup>

This work was independently confirmed in 1962 in a major study involving close to 800,000 children born in New York and New England Hospital by Dr. Brian MacMahon of the Harvard School of Public Health.<sup>2</sup> Using these two sets of data, I presented evidence in a paper published in "Science" in June 1963<sup>3</sup> that there appears to exist a direct, straight-line relationship between the num-

ber of x-ray films given to a pregnant woman and the probability that the child will subsequently develop leukemia, and that there is therefore no evidence for the existence of below which no additional cancers are produced, down to the relatively small dose from a single x-ray. Furthermore, the magnitude of the x-ray dose to the developing infant from one such x-ray was comparable with the dose we normally receive in the course of 2 to 3 years of natural background radiation, or from the fallout produced in the course of the 1961-1963 test series, namely 0.2-0.3 rad.

It was therefore possible that studies of large populations of children exposed to known incidents where localized fallout occurred in a given area might show detectable increases in leukemia some years later. Such a localized "rain-out" was pointed out by Ralph Lapp<sup>4</sup> as having taken place in Albany-Troy, N.Y., in April of 1953 following the detonation of a 40 kiloton bomb in Nevada. Examining the data on leukemia incidence published by the New York State Department of Health, I found that when plotted by year of death rather than by year of birth of the children, there was a clear increase in the number of cases per year from about 2 to 3 to as many as 8-9 per year some 6-8 years after the arrival of the fallout, exactly the same delay in peak incidence as observed in Hiroshima and Nagasaki. Furthermore, the peak contained many children who were not even conceived until a year or more after the arrival of the fallout, suggesting for the first time the existence of an effect on children yet unborn.<sup>5,6</sup>

Due to the small number of cases in Albany-Troy, it was of course difficult to draw absolutely firm conclusions, and so I examined the situation for N.Y. State as a whole. Again, peaks of leukemia incidence were clearly present some 4 to 6 years after known atmospheric tests in Nevada, greatly strengthening the initial observations for Albany-Troy alone. This material has just been published in the Proceedings of the 9th Annual Hanford Radiobiology Symposium, May 1969, by the Division of Technical Information of the A.E.C.<sup>6</sup>

While examining the population statistics for the Albany-Troy area in September of 1967, I discovered that following the arrival of the fallout in 1953, there was a drastic slow-down in the steady decline of fetal mortality or still-births in that area. Following up this very disturbing and unexpected find-

Footnotes at end of speech.

ing, I examined the fetal and infant mortality statistics for New York State as a whole, then California and other states of the U.S., and everywhere the same sort of slow-down in the declining mortality rates existed, beginning in the end '40's and early '50's, the declines resuming only 2-4 years after the end of atmospheric testing in 1962.<sup>67</sup> Not until then did I learn that Dr. I. M. Moriyama of the U.S. National Center for Health Statistics had drawn attention to the leveling trend as early as 1960.<sup>68</sup>

Since then, we have extended our studies to other countries in the world, and especially in northern Europe, which received the fallout from the Nevada tests in its northeasterly drift across the Atlantic, the same patterns of slowdown and renewed rapid decline of infant mortality were found.

Using our computer to calculate detailed correlation coefficients, we have since established high degrees of correlation between the increases in infant mortality above the declining base-lines, and the measured Strontium-90 levels in the milk, and in the bone of children and young adults. These correlations suggest that as many as 400,000 infants 0-1 year old in the U.S. alone may have died as the results of nuclear testing.

These results are so startling and so unexpected, that they have naturally encountered considerable disbelief and opposition, primarily because the technique of analysis was based on the assumption of a steadily declining mortality in the absence of nuclear testing. Such an assumption is actually justified by the fact that in New Mexico, after the initial test in 1945, there was indeed a return to the same line of steady decline determined by the computer fit to the 1935-50 period, due to low rainfall and therefore low global fallout in the milk and diet after 1945. Nevertheless, there is some degree of arbitrariness inherent in using any given period of declining mortality rates as a base-line, and it is therefore important to find data that is not subject to the same criticism.

Such data exist in the case of childhood deaths associated with congenital malformations such as mongolism, severe mental retardation, and congenital heart-defects. For this particular category of infant and childhood deaths, there has been no marked downward trend over the last 30 years, and neither the introduction of new anti-biotics, medical-care methods or socio-economic factors had significant effects on these mortality rates. As a result, there is here no need to extrapolate a continuing downward trend, and one has for every state and many foreign countries, a well-established horizontal base-line prior to the onset of nuclear testing in 1945. Furthermore, congenital malformations are well-known to be capable of being caused by radiation, and recent studies on such conditions as mental retardation recently published by the United Nations Scientific Commission on Radiation<sup>9</sup> have established that relatively small amounts of radiation during certain critical periods of embryonic development and organ formation can produce detectable effects in children.

We have therefore examined the incidence of deaths among congenitally defective children in areas close to the Nevada test site, where relatively high local fallout was known to have occurred in a number of instances, documented both by the A.E.C.<sup>10</sup> and independent studies by scientists at the University of Utah<sup>11</sup> and the St. Louis Center for Nuclear Information.<sup>12</sup>

As an example, Fig. 1 shows the annual number of deaths of congenitally defective children 0-4 years old in Utah directly east of Nevada and therefore generally downwind from the test-site as taken from the published figures in the U.S. Vital Statistics. Also shown for comparison are the deaths due to accidents other than those involving

automobiles. It is seen that the average number of deaths of congenitally defective children per year in the pre-testing period 1937-45 stayed relatively constant at about 75 cases per year, but that it rose to a peak of 123 cases per year in 1958, some 5 years after a particularly large fallout incident in 1953, returning close to the pre-testing rate of 80 per year 5 years after the end of atmospheric tests in Nevada. Altogether, there seem to be some 480 children that are likely to have died of congenital malformations in Utah above expectations since the onset of nuclear testing in 1945.

An even more striking peak in deaths of congenitally defective children took place in the 5-14 year age group shown in Fig. 2 for the case of Utah which includes children who received radiation from the milk and food some time after birth. Again, a 4 to 6 year delay is seen to occur between exposure and death, quite similar to the case of Hiroshima and Albany-Troy, N.Y.

Other examples of similar rises in deaths among children born defective is seen in the plots for the states of Missouri, Georgia, and Texas (Fig. 3-5). In the case of Texas, leukemia deaths have also been included, showing a parallel rise with deaths of congenitally defective children.

As to the reason why such unexpectedly large effects of fallout should be observed when radiation levels were believed to be so low as to be regarded as completely safe, these are still not fully understood. However, recent experimental studies on laboratory animals by Dr. Walter Muller published in "Nature" (London in 1967<sup>13</sup> suggests that strontium-90 and other alkaline-earth elements that are known to seek out bone may produce biological and possibly genetic effect through their rare-earth daughter elements such as Yttrium into which they decay, and which are known to concentrate in such vital glands as the pituitary, the liver, the pancreas and the male and female reproductive glands.

In any case, we are apparently confronted with still another unanticipated biological concentration effect similar to the surprises we received when we discovered the special hazard of Iodine-131 going to thyroid, and Strontium-90 and 89 to the bone, via the originally unsuspected pathway of milk produced by cows grazing on contaminated pastures.

Once again, therefore, our knowledge of the physics and technology of nuclear fission was far more advanced than our knowledge of the complex biological mechanisms of man and his environment. Clearly, this must act as still another warning signal that despite our great desire to see the power of the atom used for the benefit of man as rapidly as possible, we are in mortal danger of biological damage to our newborn children and those of future generations to come if we proceed too hastily and recklessly with the installation of huge new reactors in heavily populated areas without a full reexamination of all the mounting evidence that the developing human embryo is far more sensitive than anyone had ever suspected.

But the potential damage is not merely confined to the newborn. We have recently obtained evidence that suggests to a degree none of us could ever have suspected that the invisible radioactive gases presently released from nuclear reactors such as Krypton-85 may have a serious effect on the incidence of lung cancer and other non-infectious diseases of the respiratory system that equal or even exceed the effects of our conventional chemical air-pollutants.

This is most strikingly shown in Fig. 6, which shows the number of deaths due to respiratory diseases other than influenza and pneumonia per 100,000 population in New Mexico and New York State between 1937 and 1965.

It is clear that between 1945 and 1948, there was a dramatic rise of deaths due to non-infectious respiratory diseases by almost 100 times, such that the incidence of these diseases previously almost non-existent in the pollution free air of New Mexico, exceeded the death-rate for the same diseases in heavily polluted New York.

Furthermore, the death rate remained higher than for New York until two years after the last atmospheric tests in 1962, when it fell below the rates for New York State.

That this is not an isolated case follows from Figure 7, where similar data on deaths due to respiratory diseases have been plotted for Wyoming and Illinois. Again, there is the dramatic rise in a state of almost no ordinary air-pollution such as Wyoming in 1945 to levels well above the death-rates in heavily industrialized and polluted Illinois.

More disturbing is the fact that here the gap has actually steadily widened with time, the less polluted state of Wyoming showing an ever increasing rate of respiratory deaths relative to Illinois. Such an apparently strong effect of nuclear isotopes in the north-central area of the U.S., fits to the existence of the well known "hot-spot" for Strontium-90 in the milk observed in Mandan, North Dakota since the 1950's.<sup>6</sup> And more disturbingly still, it fits the observation of large percent excess infant mortality for the North-central states relative to the 1940-45 trend as printed out year-by-year by our computer for the early years of the atomic age.<sup>6</sup> (See Figure 8.)

There is indeed a source of large quantities of radioactive gases constantly being released upwind from these states other than from the Nevada test-site, namely the large Idaho Falls National Reactor Testing Facility, and the huge Plutonium producing reactors of Hanford Washington.

Not only have the air-cooled Hanford reactors been operating at very high power-levels since 1944, releasing into the environment the rare gases and radioactive heavy hydrogen (H-3) that cannot be trapped readily, but on a number of occasions, there have been serious accidents in the course of extracting the Plutonium from the Uranium fuel elements by chemical techniques, when fuel elements burst into flames and discharged large quantities of fission products into the environment.<sup>14</sup>

The warning signs are therefore clear: man has underestimated the biological sensitivity of the human organism to subtle radiation effects again and again and again, and we shall have to reexamine the permissible levels of many isotopes, especially Strontium-90 in the light of our latest knowledge on the low doses required to double the normal incidence of cancers in the developing infant.<sup>15</sup> Nuclear reactors may indeed be cleaner than other power sources now available, but they may also be far more deadly than we could ever have imagined. To proceed in the face of these warnings with a crash-program of large reactors near our heavily populated urban areas without much further extensive epidemiological studies such as recently called for by the Editors of the American Journal of Public Health,<sup>16</sup> or without extensive low-level radiation experiments, as well as technical feasibility studies of underground siting and complete containment of all radio-isotopes would, in my view, amount to an act of criminal negligence by our government committed against the people of the United States.

## FOOTNOTES

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<sup>3</sup> E. J. Sternglass, Science, 140, 1102 (1963).

<sup>4</sup> R. Lapp, Science 137, 756 (1962).

<sup>5</sup> E. J. Sternglass, 13th Ann. Meeting, Health Phys. Soc. (Denver, Col.) June 1968.

<sup>8</sup> E. J. Sternglass, Proc. 9th Ann. Hanford Radiobiology Symposium, May 1969 (edited by M. Sikov); T.I.D.-A.E.C. Dec. 1969.

<sup>9</sup> E. J. Sternglass, Bull. Atomic Scientists, April 1969.

<sup>10</sup> I. M. Moriyama, Publ. Health Rep. (U.S.) 75, 391 (1960).

<sup>11</sup> U.N. Scient. Comm. Eff. of Radiation, United Nations (1969).

<sup>12</sup> The Semi-Annual Report, U.S. Atomic Energy Commission (Jan.-June 1953) p. 48ff gives external gamma doses alone as ranging from 0.1 to 5.2 rads over a period of 13 weeks. A dose of 0.3 rad per week was then regarded as being capable of delivery to the whole body for an indefinite period without hazard.

<sup>13</sup> C. W. Mays, Hearings on Fallout, Radiation Standards and Countermeasures, Joint Comm. Atom. Eng., August 20-27, 1968 Part 2, p. 536ff.

<sup>14</sup> Eric Reiss, Hearings on Fallout, Radiation Standards and Countermeasures, Joint Comm. Atom. Eng., Aug. 20-27, 1968 Part 2, p. 601ff.

<sup>15</sup> W. A. Müller, Nature 214, 931 (1967).  
<sup>16</sup> "Meteorology and Atomic Energy 1968", (D.H. Slade, Editor) U.S. Atomic En. Comm.-Div. Tech. Inf., p. 6.

<sup>17</sup> J. Gofman and A. R. Tamplin, Testimony before Senate Sub-Committee on Water Pollution, Nov. 1969.

<sup>18</sup> Editorial, Am. J. Public Health, Dec. 1969, p. 2129. The editorial concludes as follows: "These three sets of facts taken together call for an unbiased evaluation by independent, responsible, and competent investigators."

#### BIOGRAPHICAL SKETCH

Dr. Ernest J. Sternglass is Professor of Radiation Physics and Director of Radiological Physics in the Department of Radiology, School of Medicine, and Professor of Radiation Health Physics in the Graduate School of Public Health, University of Pittsburgh. Until 1967, Dr. Sternglass was Advisory Physicist reporting to the Vice-President and Director of the Westinghouse Research Laboratories, where he did research in the area of nuclear physics, nuclear instrumentation and electronic imaging devices applied to nuclear power generation, medicine and space sciences. He joined Westinghouse in 1952, directly after receiving his Ph.D. from Cornell University in Engineering Physics.

#### ESTONIAN INDEPENDENCE DAY

### HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. FEIGHAN. Mr. Speaker, today marks the 52d anniversary of the Declaration of Independence of the Republic of Estonia. This anniversary of the birth of freedom in Estonia is not, however, a day of celebration. Instead, February 24 serves as a reminder to all of us that the Estonian people are still deprived of their national independence and human rights.

The independence won by Estonia 52 years ago followed decades of struggle against foreign rule. Yet, this independence was soon to be terminated with the advent of World War II. A secret protocol to the Soviet-German nonaggression treaty of August 1939, placed Estonia in the Soviet sphere of influence. The Soviet Union implemented its influence by imposing on Estonia a treaty of "mutual assistance," a justification on paper for establishing Soviet military

bases on Estonian soil. With a military foothold, the Soviet Union occupied Estonia on June 17, 1940. Incorporation of Estonia into the Soviet Union ensued.

That incorporation brought tragedy to the Estonian people. After 1 year of occupation, it is estimated that 60,000 Estonians were killed or deported by the Soviet Union. Nevertheless, the Estonian hope for self-determination has not been suppressed.

Mr. Speaker, the 89th Congress adopted House Concurrent Resolution 416 urging the President to bring the Baltic question before the United Nations. We must rededicate ourselves to the use of every legitimate means to bring pressure upon the Soviet Union to withdraw from Estonia, Latvia, and Lithuania.

Mr. Speaker, I am proud to join with my colleagues in paying tribute to Estonia and I extend to the Estonian people my ardent hope that they may soon attain freedom and live in peace in their homeland.

#### YESTERDAY'S BLUEPRINTS—TODAY'S FOREIGN POLICY

### HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. UTT. Mr. Speaker, the La Jolla unit of the southern California chapter of Pro America has made a study of our foreign policy and has done a fine job of recapping the blunders which we, as a nation, have committed since World War II. As pointed out, at that time we were vastly superior to any nation on earth, and it is distressing to realize that we are fast becoming a second- or third-rate power, through a long planned policy of unilateral disarmament.

It has been somewhat heartening, however, to see some beneficent change in this policy under President Nixon, although too many of the same advisors maintain top spots in the State Department to this day.

Mr. Speaker, I urge everyone to read "Yesterday's Blueprints—Today's Foreign Policy," which follows:

#### YESTERDAY'S BLUEPRINTS—TODAY'S FOREIGN POLICY

(By Janet Hall Parsons)

The most powerful nation the world has ever known has been making one blunder after another since the end of the second World War. Our mistakes cover the globe; letting Communism get established ninety miles from our shore is a glaring example of how to do everything wrong. How could a nation that kept war from its shores for a century and a half wake up one morning to find rockets pointed at its heart at such close range? How could a nation that stood for "millions for defense but not one cent for tribute" pay blackmail to a petty tyrant and then engage in domestic blackmail to raise the levy? After the "eyeball to eyeball" showdown who came out the undisputed winner?

How did we happen to get ourselves bogged down in a land war over Asia where we do everything to keep from winning and can't seem to extricate ourselves with honor?

What were we thinking about when we

aided the Red Chinese to take over China from our pro-Western, Christian ally, Chiang Kai-shek?

How did we happen to agree to Russia's gobbling up Eastern Europe?

Why did we aid the Communist regime in the Congo and turn against our Christian pro-Western ally, Tshombe, defending his stable prosperous province of Katanga? Why did we not allow him to come to this country but welcomed Roberto Holden and even gave him financial support to commit his raids with the most brutal atrocities against anti-Communist Portuguese Angola?

Why did we donate money to Cheddi Jagan of British Guiana, and give him the red carpet at the White House when it was well known that he was a Communist?

Why did we lionize Sukarno of Indonesia and turn against our long time allies, the Dutch? Why did we give a 21-gun salute at the White House to Ben Bella of Algeria at the time we were giving Madam Nhu the cold shoulder for whose widowhood we must take more than a little responsibility?

Why did we supply Nasser of Egypt with millions of dollars which he used to buy arms from Russia in order to wage war on Yemen?

Why did we send over \$400 million to Nkrumah in Ghana even though he had seized our embassy and was an avowed Communist dictator?

Why after our consulate was attacked in Zanzibar and Americans ousted with a communist federation formed with Tanganyika, did we give the new federation 925 thousand dollars?

Why, when the anti-communists were putting down the communist rebels in the Dominican Republic in 1965 did we turn on the anti-communists and force a coalition greatly overbalanced by leftists?

Why did we force the anti-communist government in Laos to accept a coalition with the communists thereby giving the North Vietnamese easy access down the Ho Chi Minh Trail?

Why do we trade with Communist countries but do not permit commerce with our pro-Western, Christian friends in Rhodesia and South Africa?

Why did we not allow a military victory in Korea which would have been decisive and possibly have prevented the current trouble in Southeast Asia?

Who was asleep at the switch just recently when a recent revolution in Libya has placed that Mediterranean base in the Communist orbit jeopardizing our Wheelus Air Base and our foothold in that area?

Government or political authority exists to serve the people, maintaining the arena of order within which they may go peacefully about their business. The first purpose of a nation's foreign policy is to protect the lives and vital interests of its citizens from the initiatives of alien powers. The nation which forgets its self-interest soon has no interest to protect.

The early history of our country shows how the infant states with great odds against them, bordered by the Atlantic Ocean and a hostile wilderness became a respected, independent nation mindful of our own best interest in dealing with other governments. Benjamin Franklin skillfully pitted England and France against each other in securing advantages for his country. The Monroe Doctrine, which was just a proclamation by a president to the Congress in 1823, was not international law, not multilateral with any others participating or having anything to say about it. It was a policy announced and enforced. Until 1960 there was no major challenge although it had been invoked many times until foreign powers got the message.

At the end of the Second World War the U.S. found itself the unquestioned leader of the West and the most powerful nation in the

world. With her military might still in operation, her monopoly in nuclear arms, and a colossal industrial capability undamaged and even stimulated by the war, the U.S. was greater than any combination of nations.

It is quite evident that there has been a change in our principles of foreign policy. The U.S. abandoned its self-interest for international interest. It used its military might as a shield for the protection of Western Europe, took the initiative in forming an Atlantic alliance, contributed money to promote the economic recovery of war-torn Europe, and helped sponsor the United Nations Organization.

We lost our sole nuclear capability through foreign and domestic treachery. This loss caused a significant imbalance that has been detrimental ever since.

Our working strategy became weighted with ideologically derived policies such as anti-colonialism, racial equality, assistance to disadvantaged and underdeveloped countries, co-existence, peace, disarmament, world law, and great concern for world opinion.

We seem to be abandoning the precepts of national self-interest at a time when the entire world is threatened by Communist domination. The policy makers seem to be unmindful of the hostile forces working against us; as if the world were a sort of placid laboratory in which we could undertake all kinds of social and political tinkering.

They fail to grasp the fact that the Communists are committed to our destruction regardless of their pledges, their cultural exchanges, their trade agreements, their embassies, and test-ban and consular treaties. "Peaceful co-existence" to a Communist is a weapon as well as an emblem of triumph. We are to believe that the Communists are mellowing and we should allay their suspicions of us. We must not offend them with military phrases that may seem provocative.

We have given up precepts of self-interest diplomacy precisely at a time when we stand most in need of them. Instead of defining our policy in terms of the enemy we have taken to defining the enemy in terms of the policy.

Essentially the same group of people have been in charge of policy under four presidents since the inception of the Cold War.

Let us examine the blueprints and look over the architects responsible for the conditions existing in our foreign policy.

To understand the changes that have occurred in our country we have to go back less than a hundred years and take a look at the Fabian Society organized in England in the 1880's for the purpose of bringing socialism to Britain and, gradually, to the entire world. Their name comes from the Roman general Quintus Fabius Maximus whose strategy was to delay fighting in big engagements but to strike hard when the time was ripe. Like their emblem, the tortoise, they moved slowly and persistently. A greyhound would be more appropriate for today's activity though the coat-of-arms showing the wolf in sheep's clothing still applies. "Make haste slowly," an early Fabian slogan shows how to succeed by trying. How successful they have been can be judged by their influence in the fields of economics, education, religion, anthropology, and government. In England its present day leaders control the Parliament and the ministries in the name of the Labour Party.

In the United States it has nearly succeeded in reversing our national independence, begun in 1776.

The Fabians published a weekly called *New Statesman* in England and one founded in New York in 1913 called the *New Republic*, staffed by talented and ambitious young socialists from Harvard, among them Walter Lippmann who joined the party in 1909.

While Woodrow Wilson was president of Princeton University and later Governor of New Jersey the Fabians perceived his po-

tentialities of becoming President of the U.S. and one who might serve their cause. Col. Edward M. House, a Fabian for many years, attached himself to Wilson and was his behind-the-scenes mentor for 7 years.

A book that Col. House wrote in 1912 revealed his ideas toward changing the U.S. Constitution by degrees of revising the judiciary, passing new laws affecting capital and labor, revamping the military forces, introducing a graduated income tax, revising the banking laws (the Federal Reserve system) and establishing an international federation of nations. This book, Philip Dru, became a handbook for future presidents who disregarded the constitutional rules of government. Young Franklin D. Roosevelt, assistant Secretary of the Navy at that time, was a friend of Col. House and possibly picked up a few ideas for his New Deal years later.

Young Walter Lippmann and Col. House were very close. Lippmann was executive secretary of a confidential group formed to formulate war aims and post World War I policy for President Wilson. They prepared the fourteen points as they had been conceived by the Webbs and London Fabians years before, calling for universal democracy, an end to imperialism, arms limitation, economic controls, collective security, supranational authority, an international court of justice, and an international labor legislation.

When the American people rejected Wilson's internationalist views, Col. House realized that steps must be taken to change the climate in the U.S. and educate the public to accept the new socialist policies.

#### THE COUNCIL ON FOREIGN RELATIONS

This group met again with Col. House (who had fallen out with President Wilson) in Paris in 1919 with like-minded Englishmen to form an organization for the study of international affairs. Norman Thomas, John Foster and Allen Dulles, and Christian Herter were among them. The Council on Foreign Relations was incorporated in 1921. Other organizations of the same philosophy are in Belgium, Denmark, India, Australia, France, Italy, Yugoslavia, Greece, and Turkey. The Bilderbergers are another group in the international web. Prince Bernhard of The Netherlands usually presides at their meetings.

The Council on Foreign Relations<sup>\*</sup> is financed by a number of the largest tax-exempt foundations and various large corporations like Standard Oil and the Chase Manhattan Bank. It grew and prospered, spreading out into many interlocking organizations with overlapping membership. Some of these are: The Foreign Policy Association; Institute of Pacific Relations; American Civil Liberties Union (founded by Felix Frankfurter); Americans for Democratic Action; National Congress of Christians and Jews; SANE Policy, Inc.; The National Association for the Advancement of Colored People, and many others comprised of people from all walks of life with far reaching influence in government, education, finance, religion, business, the communication media, entertainment, the cultural arts, and even the military.

Forty of their members were delegates to the organizational meeting of the United Nations in 1945. In 1961 Council on Foreign Relations members held top positions in the Government from the President and Secretary of State to Ambassadors and appointees. They are also represented in President Nixon's cabinet and staff. Their principal quarterly publication, *Foreign Affairs*, is important in that it often launches trial balloons before they become standard operating procedure.

There was a parallel in the relationship between FDR and Louis Howe and the one between Col. House and Woodrow Wilson. Louis Howe, a Socialist and friend of Col. House, attached himself to Franklin Roosevelt early in his political career becoming

his behind-the-scenes mentor, even living at the White House until his death. Louis Howe was succeeded by Harry Hopkins—the man who delivered the material for making nuclear bombs and the money-making plates to Russia in 1943 and 1944. He was a protégé of Frances Perkins, Felix Frankfurter, and Col. House who was still living. Harry Hopkins was with FDR, Averell Harriman and Alger Hiss at the time the Yalta Treaty was signed in 1945 giving three votes in the United Nations to Russia to one for the U.S.A., and betraying the countries in Eastern Europe. Then and there the stage was set for the loss of China to the Reds.

The influence of members of this group on our recent foreign policy weighs so heavily there can be no discussion without mentioning them.

Two characteristics of their philosophy are a high tolerance for Communism and disarmament.

#### DISARMAMENT

In Geneva our negotiating teams on Disarmament in 1958 were demanding a global network of 600 inspection stations. When the Soviets would say "Nyet" the number would go lower and lower. We finally got down to 7 and then we proposed that the Russians could monitor their own stations. Dr. Hans Bethe was quite apologetic of this insult implying that the Russians were capable of cheating.

These were the steps that led to the State Dept. Document No. 7277 entitled "Freedom from War—The United States Program for General and Complete Disarmament in a Peaceful World." The steps are spelled out whereby we dismantle our arsenal and turn it over to the United Nations Police Force. This was to be done in three stages over a period of ten years. It would mean complete surrender to a World government.

There are many prominent characters in this disarmament proposal going back over many years. In 1959 Nikita Khrushchev made the suggestion at the United Nations.

The next year when the Pugwash Conference met in Moscow, agreement was reached that later became U.S. policy, to give military decisions to civilian planners and by disarming we would show our friendship and trust in the Communists.

Names prominent in this type of thinking are Paul Nitze who in 1960 addressing a National Strategy Seminar in California, said that the second best poker hand was in the greatest danger and for this reason we should scrap our nuclear arms entirely. It is safer to be weak than strong. This is the "better Red than Dead" thinking. Two years later he was appointed Secretary of the Navy. McGeorge Bundy, Special Assistant to President Kennedy and later to President Johnson, advocated that we disarm in order not to be provocative to the Soviets. Adam Yaromolinsky and many others expressed the same views. Robert McNamara, Secretary of Defense, went into high gear to implement this policy.

In 1962 about 40 "intellectuals" wrote essays edited in a book by James Roosevelt called the *Liberal Papers*. These papers were shocking at the time because of their attitude toward unilateral disarmament. In 1963 Vincent Rock wrote a paper called *Phoenix Study for the U.S. Arms Control and Disarmament Agency* calling for the U.S. to go even farther than containment and co-existence, considering a detente, even unification with the Soviets. This paper recommends bringing this about without public knowledge by pushing for a tax cut in defense spending for the sake of economy. It proposed a hot line to Moscow from the White House. This went into effect immediately.

The Institute for Defense Analyses for the U.S. Arms Control and Disarmament Agency within the State Department came up with one called *Study Fair* proposing that we use a firebreak-pause strategy in Vietnam. We

must stop bombing and fight with a very limited amount of force in order to assure the enemy that he runs no risk of immediate massive retaliation for his aggression. This is to discourage aggression. U.S. Ambassador Maxwell Taylor revealed that this no-win, firebreak-pause war strategy with unilateral restraint was put into effect to be a psychological deterrent on the Reds.

You may say that this kind of reasoning went out with the Kennedy-Johnson era but according to Barron's Weekly of Oct. 19th, 1969 the third largest spending lobby in Washington is a think-tank enjoying tax-exempt status as an educational institution, directed by leaders of the New Left, supported by foundations, universities, and individuals. J. Edgar Hoover calls them "subversive . . . an ever increasing danger to our national welfare and security."

Organized 6 years ago as a private agency to undertake and stimulate research in all fields relevant to peace, security, disarmament, and international order it is called the Institute for Policy Studies. The senior fellow is Arthur Waskow, one of the writers for the Liberal Papers, former legislative assistant to Rep. Robert Kastenmeier (D-Wis.). He just happens to have demonstrated at the Pentagon with a "Peace" group and also at the National Democrat Convention in Chicago.

Prominent in this Institute for Policy Studies is the economist who advises Sen. William Proxmire (D-Wis.) who is spearheading an assault on the Pentagon's proposed budget. The economist is one Richard Kaufman who has an interesting record with Leftist groups. The IPS works with and contributes money to Senator George McGovern (D-S.D.) who is one of the loudest of the cooling doves.

#### WALT WHITMAN ROSTOW

A study of U.S. foreign policy must direct a special spotlight on a certain individual who was a very important architect drawing up blueprints that are affecting our present struggle in Vietnam.

The Ordeal of Otto Otepka by William J. Gill throws some light on this man that is not found in Who's Who or the usual biographical sketches.

Walt W. Rostow was born in 1916, the son of a Menshevik Socialist who came from Russia in 1905. After graduating from Yale he was a Rhodes Scholar to Oxford, mingling with the advanced thinkers in England and on the continent. After Pearl Harbor he was commissioned in the OSS and spent the next three years in England where he distinguished himself selecting targets for Allied bombing in Germany.

In 1945 the OSS merged with the State Department and he became Assistant Chief in the German-Austrian Economics Division which was in charge of extracting reparations from defeated Germany. Through the influence of U.S. Ambassador Averell Harriman he went back to Oxford to teach American History.

From 1947 to 1949 he was assistant to the executive secretary of the United Nations' Economic Commission in Geneva, Switzerland, who happened to be the Swedish Gunnar Myrdal. Myrdal has been an ardent writer about internal domestic issues in this country such as our negro problem and suggests that we get out of Vietnam, disarm and spend trillions of dollars on the negroes. His son Jan is an active pro-Chinese Leftist.

Walter, replaced by his younger brother, Eugene, went to Cambridge to teach American History where he was impressed by Fabian Essays. In his later writings he expressed the same ideas that were published in Fabian Essays at this time.

For instance the no-win policy—"if freedom is to survive it is essential that neither the USA nor the Soviet Union should win . . ." and an anti-communist ideology would intensify the Cold War, etc."

Then he came back to Massachusetts In-

stitute of Technology where with a \$6 million grant from the CIA he set up a Center for Internal Studies—a think-tank for influencing U.S. policies. In 1950 he quietly established himself with the White House. (Jerome Wiesner from M.I.T. became JFK's scientific adviser getting his foot in the White House door at this time. They both attended the Pugwash Conference in Moscow mentioned above.)

Walter became an expert on China, Africa, Latin America, Indo-China—and disarmament. His books rolled off the presses. He was a strong advocate for the "end of nationhood" and internationalism. This is the man who started with the Truman Administration in 1950 pressuring U.S. foreign policy, although he could not get a State Department security clearance until Robert Kennedy and Dean Rusk overruled Otto Otepka. This shows the laxity in government—the fact that the CIA would finance a security risk and even though the Air Force once terminated a contract on security grounds because he was involved in it. He went right along dropping bits of advice here and there. He was a China expert with a hand in our Korean War no-win policy. He was the originator of Eisenhower's Open Skies proposal providing mutual U.S.-Soviet aerial surveillance of military bases.

#### VIETNAM

The division of French Indo-China was not decided at the Geneva Conference on July 21, 1954. Three months earlier in April 1954 WWR unveiled the plan in a private diningroom of the third floor of the Metropolitan Hotel in Washington. A dozen U.S. government officials were there. Three were from the State Department, Allen Dulles from CIA, but no military men. M.I.T.'s Center for International Studies had been assigned the task of preparing the guidelines. Rostow proposed the 17th Parallel division a week after Red China had proposed the same line. One dissenter pointed out that that was giving too much real estate to the North in case they did not keep the truce and that 80 miles farther north would be more equitable.

In 1961 when he moved in as JFK's adviser he played the key role at every stage of the Vietnam policy.

It was a shock to many that after years of advocating reconciliation with the Communist bloc that he should emerge as a hawk in Vietnam. It was Rostow who drafted the plan to neutralize Laos. He made a speech in 1961 advising our forces to go to South Vietnam and also to carry the war to North Vietnam. After returning from a trip to South Vietnam with Gen. Maxwell Taylor he recommended that American ground troops be dispatched at once. The U.S. was doing what MacArthur had warned us against—and we were irrevocably hooked. In spite of all the evidence to the contrary he blamed China and seemed blind to the fact that the Russians were supplying fuel to the flames. He was for building up American troops but restricting their chances of victory. That should explain some of the obvious bungling that has resulted in our huge losses of men and wealth and now is causing such turmoil in our nation today. It is obvious which of the two great powers is deriving benefit from the Vietnam War.

Among the architects that have shaped U.S. foreign policy a large share of the credit must go to the fourth estate, the nation's press.

The New York Times, a leader in the field, strongly influences and often serves many newspapers and periodicals in the U.S., Latin America, Europe, Asia, and Australia.

In All the News That Fits, Herman Dinsmore, former international editor of The New York Times exposes that paper's subtle but massive change in policy since the Second World War. In reporting and analyzing news relating to the Communist world The Times lost its objectivity. By distortion and

omission the anti-communists always comes out second.

This new direction was apparent in their treatment of news at the time of the Soviet take-over in Eastern Europe, when our atomic secrets were being stolen, when Russia was preparing, launching, and sustaining the Korean War, when Russia was giving support to the Communist forces of Indo-China under Ho Chi Minh, when a Communist assassinated President Kennedy, and even when evidence was mounting that a Communist regime was being established in Cuba. The fact that the State Department relied on the views of Herbert Matthews, editorial writer for The Times in his endorsement of Castro is well known.

The Times' reporting and editorials on the Vietnam War have been an important factor in our stalemate there and the clamor of the people who would surrender South Vietnam to the Communists.

In their zeal for a balance of power it might appear that some on the staff of The Times are tipping the scales.

#### KAOLIN INDUSTRY'S CONSERVATION PROGRAM AT GORDON, GA.

#### HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. BRINKLEY. Mr. Speaker, conservation is now recognized as a national goal by government and private industry. Freeport Kaolin Co., a division of Freeport Sulphur Co., is a company which practices conservation, has a threefold conservation program underway and is making a significant contribution to the kaolin industry's land reclamation, reforestation, and water pollution abatement activities in the State of Georgia, the Nation's leader in kaolin. This program is concentrated at open-pit kaolin mines and a plant near Gordon, Ga. Gordon is located in the Third Congressional District which I have the privilege to represent. A recent article appeared in the Southern Pulp & Paper Manufacturer which describes this conservation program, and I wish to commend it to the attention of my colleagues.

The article follows:

#### REFORESTATION PROGRAM OF FREEPORT KAOLIN

Freeport Kaolin Co., a division of Freeport Sulphur Co., New York, is making a significant contribution to the kaolin industry's land reclamation, reforestation, and water pollution abatement activities in the State of Georgia.

The company's threefold conservation program is being undertaken with the cooperation of state and federal officials, the University of Georgia's School of Forestry, and other leading companies in the industry. The program is concentrated at open pit kaolin mines and a plant near Gordon, Ga., about 18 miles due East of Macon.

Here, Freeport has for several years employed the "roll-over" mining method, in which land reclamation actually becomes part of the ore-removal process and reforestation with pine seedlings restores the land to its approximate original state. Water pollution abatement projects at the mine and plant have been in operation for some time, and were recently augmented by a million-dollar system for impounding plant waste materials.

#### WIDELY USED BY PAPER INDUSTRY

The primary market for wet-processed kaolin products is the paper industry, for

both filling and coating use. As a filler in paper, kaolin imparts whiteness, opacity, smoothness and strength. As a coating, it lends similar characteristics but also provides a surface which can be printed. As a result, most printed paper is coated with kaolin.

Kaolin products used by the paper industry are mainly produced by wet processing, or water-washing. Clays of this type cover a wider range and command higher prices than the less sophisticated dry-processed, or "air-floated" products. It is estimated that U.S. production of wet-processed kaolin, restricted almost entirely to the State of Georgia, runs about 2,500,000 tons per year. Plants using wet processing techniques are most numerous in an area within about 50 miles East of Macon in a band approximately 15 miles wide. Freeport Kaolin's mine at Gordon, Georgia, is in this area, and its clays from the mine are slurried and piped some 6 miles to the plant site.

#### LAND RECLAMATION

For several years state and federal officials throughout the United States, as well as various conservation groups, have raised objections to the unsightly and hazardous conditions often associated with areas where strip mining has been undertaken. The "roll-over" method, a complex strip mining technique developed by Freeport, and the key to the company's land reclamation program at Gordon, is clearly a step forward in this respect.

Instead of leaving mined-out areas in a disrupted state, where vegetation will not grow immediately, the roll-over method leaves a relatively flat surface where a minimal effort is required for land reclamation and reforestation, and where little or no stream pollution occurs. Such a landscape contrasts sharply with the traditional strip-mined surface where unconsolidated soil conditions, poor water percolation and steep slopes are conducive to extensive erosion and resulting stream pollution.

#### REFORESTATION

In 1965, Freeport inaugurated a reforestation program in mined-out areas where the roll-over method had been employed. The first step in the program was experimentation with various types of ground cover to establish the simplest and most economical seeding method. The results of these experiments indicated that native Georgia "slash pine" would be best suited to the soil and climate.

Initial trial seeding of approximately 15 acres produced a favorable crop of seedlings, about 80% of which had taken root by the spring of 1966. The application of fertilizer to these seedlings in 1967 established the value of the fertilization of subsequent plantings. During the same year a trial planting of grass was undertaken which, though successful, proved to be prohibitive in cost.

Later in 1967, 50 more acres were planted with improved one-year-old "slash-pine" seedlings, which had been produced and recommended by the Georgia State Forestry Commission. Other experiments currently in progress include the planting of small areas with oak, cottonwood, hickory, sycamore and similar hard woods. While it is still too early to predict the outcome of these experiments, Freeport officials consider initial results from sycamore seedlings promising.

A recent development in the reforestation program at Gordon is the introduction of hydro-seeding or the simultaneous planting of fertilizer and grass seed in water under pressure by mechanical means. While the cost advantage achieved with this method in the short run is significant, an added advantage is its usability in inaccessible terrain. For example, hydro-seeding has been employed successfully on raw "over-burden" piles to stabilize the surface and prevent

erosion in old mined-out areas which predate Freeport's operation of the mine.

Company officials continue to regard the smoother surface resulting from the use of the roll-over method as best suited to reclamation. Not only is mechanical planting of seedlings the most economical method in the long run, but its use also makes it possible to achieve a high density of plantings per acre without extending planting time. The rate of planting maintained at the company's mining sites at Gordon is 800 seedlings per acre, well above the 500 established trees-per-acre minimum set in recently enacted state legislation affecting strip mining operations in Georgia. The high planting rate was designed to exceed state requirements despite normal seedling loss.

The latest development in the ever-expanding reforestation program at Gordon is the planting of an additional 125 acres, again using the improved seedlings provided by the Georgia State Forestry Commission. These have now become the standard for all future plantings, while the inauguration of large-scale seeding marks the beginning of a new stage in the program.

#### PROCESS WATER POLLUTION ABATEMENT

In 1968 the company put into operation a third phase of its conservation program with the completion of a million-dollar treatment system for effluents from the plant at Gordon. The system consists of a series of pumping stations and pipes through which plant process water is channelled to a 600-million-gallon waste pond, created by a dam approximately half-a-mile in length. The function of the system is to prevent solid material from returning to stream, and to insure that released water is chemically neutral.

These goals are achieved by means of the addition of acid to the collected process water, flocculation of solids, and decanting of clear water with caustic neutralization prior to release. The remaining process solids are retained in the waste pond.

#### CONSERVATION A NATIONAL GOAL

The growing interest in conservation was highlighted in early 1969 as a new federal administration took office in Washington. Clearly conservation is now regarded as a national goal, and among the areas where attention is often focused is the mining industry, and in particular, those mining companies engaged in strip mining.

Commenting on Freeport's role as an innovator and experimenter in the areas of land reclamation, reforestation and water pollution abatement, Fred A. Gunn, vice president and general manager, notes that 85% of U.S. mineral output now comes from surface mines. "Our effort may seem modest," he adds, "but for a company our size, we feel it is significant. We are pleased with the success of the program so far, and hope our initiative in this area will also contribute to the nationwide effort to conserve our national resources."

Freeport Kaolin Co., headquartered in New York, is one of the largest producers of water-washed clays in the United States, as well as the originator and world's largest producer of calcined and delaminated clays. The company maintains a six-month supply of kaolin in above-ground stockpiles at its mines and is engaged in a vigorous and extensive research program.

#### AX HANDLES

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. BINGHAM, Mr. Speaker, following is the text of a letter which I have de-

livered today to the Speaker of the House:

HON. JOHN W. McCORMACK,  
House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: I wish to join with those of my colleagues who have expressed disgust and dismay at the deplorable action of the Governor of Georgia, Mr. Maddox, in handing out wooden ax handles at the entrance to the House Members Dining Room today. This action was an affront to our black colleagues in the House of Representatives, as well as millions of black Americans. It was as if Governor Maddox had seen fit to distribute to the Members and their guests small flags bearing the Nazi swastika emblem.

I hope that you will take steps to see that this type of deplorable incident is not repeated in the Capitol or on the Capitol grounds.

Sincerely,

JONATHAN B. BINGHAM,  
Member of Congress.

#### PRESIDENT NIXON'S FOREIGN POLICY MESSAGE

**HON. JOE L. EVINS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. EVINS of Tennessee, Mr. Speaker, the Knoxville News-Sentinel in a recent editorial provided an incisive, perceptive insight into President Nixon's recent voluminous message on foreign policy.

Because of the interest of my colleagues and the American people in this most important matter, I herewith place the editorial in the RECORD.

The editorial follows:

#### THE FOREIGN POLICY MESSAGE

President Nixon should be congratulated for starting the practice of sending an annual report to Congress on U.S. foreign policy.

The largest item in our budget—defense—and the sharpest tragedy of recent years—young men dying in Vietnam—are directly linked to foreign affairs. Thus a report on the subject, along the lines of the President's traditional budget and economic messages, is more than justified.

An important point that emerges from the wide-ranging, 40,000-word report is that Nixon is probably a better administrator than his immediate predecessors. With the help of his brainy adviser for national security, Henry A. Kissinger, he has put together an improved system of getting facts, intelligence, analysis and options before making a foreign-policy decision.

All this, of course, is no guarantee the President will be right, and he recognizes it. Administration policies "will be judged on their results," he says, "not on how methodically they were made." But insofar as better procedure leads to better policy, he is on the right track.

The message contained one new element: A public warning to Russia not to exploit the Arab-Israeli conflict to seek "predominance" or "a special position" in the Middle East. Presumably, this warning had been given to the Kremlin earlier through diplomatic channels. It is good that the United States is now on record that it will resist losing its interests in the area. Hopefully, Russia will reconsider its dangerous practice of fishing for oil and power with high explosives.

Some people will be disturbed by Nixon's report that the Russians have caught up with us in nuclear weapons and are ahead in some categories. The fact remains, though,

that both countries possess vast overkill, and this may make it possible to reach arms control agreements.

In a hopeful phrase, the President reported "certain successes . . . in negotiations" with Russia and "cause for cautious optimism that others will follow." However, he quite rightly cautioned the public against euphoria or expecting a quick and easy understanding with the Kremlin.

On Vietnam, the message claimed continued progress. For instance, Viet Cong control over the rural population "has dropped sharply to less than 10 per cent." At the same time Nixon candidly wondered "whether the Vietnamization program will succeed."

Underpinning the report was what the President has decided to call the "Nixon Doctrine"—that the United States will keep its commitments and stand by its Allies. But they will have to do more for themselves and carry the brunt of ground fighting that may occur.

More clearly than before, the President defined his formula for a peace that is "more than the absence of war." It requires a partnership with friendly nations, strength to discourage would-be aggressors, and the willingness to negotiate, patiently and persistently.

Nixon did not say so, but his formula for peace also requires a willingness on the part of the Soviet Union to reach an accommodation with us. We should know more about that after another annual report or two.

IN REACTION TO THE PRESIDENT'S  
STATEMENT ON THE REPORT OF  
THE CABINET TASK FORCE ON  
OIL IMPORT CONTROL

**HON. FERNAND J. ST GERMAIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ST GERMAIN. Mr. Speaker, a decision for a foreign-trade subzone at Machiasport should have been made over a year ago. Instead, in March, the President appointed a Cabinet Task Force on Oil Import Control to do a 6-month study on the Government's oil import policy. There were suspicions even then that the study was a stalling tactic. Now, 11 months later, with the study finally completed, the President's decisions are a bitter disappointment.

Not a word about Machiasport. Not a word about abolishing the quota system. Not even a decision to implement the all-too-modest task force recommendation on a tariff system that would bring the domestic wellhead price down from \$3.30 per barrel to \$3. Instead, we are promised more studies. Delay is to follow delay.

The subject has been studied into the ground. We need action. New England needs relief from high prices and recurring fuel shortages. How ridiculous it is for the Northeast to have to rely on the unused Department of Defense import quota to meet winter shortages of home heating oil. And how inconsistent it is for the administration to voice deep concern about inflation at one moment and then ask the American people to pay out an unnecessary \$5 billion a year to support the present oil import system.

It is sad to see the New England consumers being sacrificed in what looks like a political move designed to keep the favors of the big oil companies.

THE COMPLEX NEW INCOME  
TAX FORMS

**HON. JOHN V. TUNNEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. TUNNEY. Mr. Speaker, why is it that taxpayers this year are confronted by a confusing array of new Federal income tax forms? Why cannot the IRS simplify, not complicate, the layman's responsibility to honestly compute and report his fair share of the skyrocketing tax load? Why has the IRS this year abolished the simple short form for taxpayers with incomes under \$10,000 and claiming only standard deductions?

Why are instructions for the intricate new long forms so hard to understand? American taxpayers need a break; they do not need to be broken. If clear evidence of this disturbing problem is required, I direct IRS attention to the sudden sharp increase in the number of retail stores and other businesses which this year are offering—for a fee—expert technical help in preparing not corporate but just individual wage-earner tax returns. I protest the administration forcing citizens to turn in desperation to costly professional help when in previous years they could figure their taxes out themselves.

The adoption of the Tax Reform Act of 1969 was the final and perhaps the most significant accomplishment of the first session of the 91st Congress. It was a mammoth job made possible by the year-long efforts of many able and dedicated Members of this Congress.

We must recognize, however, that tax reform, as desirable as it is, has introduced new complexities into the tax laws. Large numbers of taxpayers will be affected in the next few years particularly, by the phasing-in of such provisions as the increases in personal exemptions, the raising of the level of standard deductions and the new low-income allowance. Fewer, but still many, taxpayers will be affected by the other 100 or so new provisions. These complexities are a new challenge to the tax administrator and the challenge will grow as the new provisions reach their maturity. The basic tools, available to the Commissioner of Internal Revenue, for meeting this new challenge are the income tax return forms. Every effort must be exerted to make these tax return forms as simple and as helpful as possible for the taxpayers.

Recent trends seem to be moving us away, however, from the simplification of tax return forms and toward greater complexity in their design.

Early in 1969, even before the Tax Reform Act acquired its momentum, the Internal Revenue Service announced a new approach to the income tax return form, consisting of two major features.

The first was the adoption of a new one page basic form—1040—to which up to seven or eight schedules could be added. This was thought by the Service to be an improvement since taxpayers would not "have to contend with inapplicable items, which will now appear on separate schedules." Second, the old punchcard form 1040A, formerly used by some 18 million taxpayers, in 1968, with under \$10,000 of wage and salary income, would be discontinued. The abandonment of the simple form was put forward as an improvement because some of its users were unknowingly giving up advantages they could have by using the regular form. Whether this is a real improvement offsetting the loss by 18 million taxpayers of a simple way to meet their tax obligations is open to question.

When these decisions were first announced, there was some criticism in the press. The Service answered these by assurances that 31 million taxpayers would still be able to file only a single page and 22 million two pages, leaving only 24 million filers of more than two pages.

Now that the tax return filing season is in full swing, it is becoming evident that these decisions are producing major problems. Here is some of the evidence.

On December 17, 1969, the Wall Street Journal carried a report to the effect that commercial tax services expect to benefit from the new Federal income tax forms.

On January 21, 1970, the Wall Street Journal reported the mushrooming of tax services, with department stores, banks, and computer companies entering the field, and with increasing costs to the taxpayer.

On February 9, 1970, the Internal Revenue Service issued a news release pointing out that many taxpayers were making errors in claiming adjustments which may delay their refunds. The release pointed out that "adjustments" as used on the return—line 15B—had a narrower meaning than the public seemed to give the term. The service intended it to refer only to "sick pay, moving expenses, employee business expenses and payments to self-employed retirement plans." The instructions on the Form 1040 which point this out seem to be unclear, however.

On February 16, 1970, the New York Times published a long article by Robert Metz headlined "Tax Savings Still Possible Despite Baffling New Forms."

On February 16, 1970 in the Washington Star, Sylvia Porter issued the following warning:

Read the general instructions before tearing out any of the duplicate schedules to use as pencil copies, for the four pages of general instructions are not consecutive and, even worse, are printed on the backs of duplicate schedules. If you do not obey this warning, you may not even find the instructions when you start to look for them.

Copies of these articles and releases are furnished for the attention of my colleagues.

Mr. Speaker, we seem to be heading into a crisis of tax administration. Precisely when the need for simplification is greater than ever, we seem to be

stepping backward toward complexity of forms and instructions and toward increased taxpayer uncertainty and confusion. We urgently need a new approach to this matter of forms design and I hope the Revenue Service will undertake a new study of forms simplification without delay. When they do, I would suggest they give serious consideration to an idea they seem to have abandoned in 1969. This idea is that "simplification" does not necessarily lie in the direction of fitting all taxpayers into the "Procrustean bed" of a single tax return form. On the contrary, a special simple form for taxpayers in relatively simple tax situations will make tax return filing simpler for them. Even if Government were to have problems of printing and of stocking more than one tax return form, the taxpayers who could use the simple form would benefit. And the taxpayer's convenience is what should count more than that of the Government and more than any other consideration. If a single form for all taxpayers is decided upon, then let us be sure that this form is at least as simple as the old punch card 1040A so that the burden on low-income taxpayers can be made as simple as we know how to make it. This is not the case, of course, with the 1969 form 1040.

For taxpayers with complex situations, the new "building block" approach to tax return filing may be desirable. The present version does not seem to be going as well as we would like, but perhaps it is still too early to tell. Much should be learned from this year's experience. But the feeling still persists that an active search for new approaches is imperative. Let this search be limited by only one constraint; that the convenience of the taxpayer is paramount.

Fortunately, over the next few years, the Tax Reform Act will remove several million low-income people from the tax rolls, through the new low-income allowance. That is a real step toward simplified tax compliance. But for the taxpayer who will still remain on the tax rolls the complexities will have increased and the need for forms simplification will grow.

In summary, my purpose in speaking today, is not to criticize the complexities of the Tax Reform Act of 1969. In solving the equity problems, while retaining fiscal balance, we had to be content with some complexity. We will now look to future amendments to simplify the provisions.

What I am concerned about today, however, is the trend away from forms simplification which began even before the Tax Reform Act was started on its way. I refer to the decision made early in 1969 by the Internal Revenue Service to abandon the simple tax form, the so-called form 1040A, and to redesign the form 1040 for use by all, the high and low-income taxpayer alike.

It is becoming plain, that Government is giving inadequate weight to the taxpayer's compliance problem. I submit that if we want voluntary tax compliance we must make it as easy as possible for the taxpayer to comply. This applies to all taxpayers: rich and poor, young and

old, workers and investors, employers and employees.

I am not opposed to private tax preparers giving taxpayers all the help they need. I think, however, that Government should see that the need of taxpayers for help and their consequent susceptibility to exploitation are reduced to the very minimum.

Let us remember that as a result of the Tax Reform Act, next year's tax return may be even more complex than the 1969 form. And the complexity in 1971 may be even greater. Let the tax administrators aggressively reexamine the matter. Let them put a premium on new ideas. Let Government merit the concurrence of our citizenry that paying taxes, though painful, is as painless as possible.

#### NIXON SMASHES ALL PRECEDENTS TO LAUD RUSSELL

### HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. O'NEAL of Georgia. Mr. Speaker, public servants of Senator RICHARD BREVARD RUSSELL's quality do not come along often. Therefore, it is a source of great pride that this giant of American Government is a fellow Georgian.

Several hundred friends of DICK RUSSELL recently gathered in Washington to honor him. Among those who attended the reception was President Nixon, the most recent in a long list of Presidents who learned to respect and depend on Senator RUSSELL's advice and wise counsel. It was obvious from the President's words and actions as he made the ceremonial introduction that Senator RUSSELL is one of the truly great men of our age.

Syndicated columnist Holmes Alexander also attended as a friend of Senator RUSSELL and was moved to tell his readers why Georgia's senior Senator has earned the respect and admiration of so many fellow Americans. Mr. Alexander's column follows:

#### NIXON SMASHES ALL PRECEDENTS TO LAUD RUSSELL

(By Holmes Alexander)

WASHINGTON.—There were some 800 of us in the Washington Hilton International Ball Room—"friends of Senator Richard Brevard Russell"—and I think if not restrained by an invitation list, the "friends" could have filled Memorial Stadium.

The 25-hour taped television interview, which ran in three one-hour installments at Atlanta and at the Senate Office Building auditorium, had a title "Georgia Giant," and that was fitting. But I recalled an apocryphal anecdote about George Bernard Shaw who reputedly was offered a knighthood, and replied, "When they find a better title than GBS, I'll take it." Somebody could have said that about the seven-term Senator. There just isn't a better title for him than "Russell of Georgia."

President Nixon, who made the ceremonial introduction, smashed precedent and protocol all over the place. It can't be often that a Republican chief executive is master of ceremonies for a Democratic chief executive whose State only once in history (1964) gave its electoral votes to the GOP.

Mr. Nixon told us that when the band played Ruffles and Flourishes and announced the President of the United States, "I nudged the agent and said, 'They were supposed to have said the President of the United States and Senator Russell.'" It's fairly certain that nothing of that sort has happened before. But Mr. Nixon, in high spirits, over-topped even that, and his words off my tape-recorder were:

"You also note that the Senator was walking on my right. He didn't want to do that. He said 'I should be on the left.' I said, 'Look, prime ministers, kings and emperors would be on my right, and the Senator from Georgia should be.'"

The Senator, let's face it, has always walked in the aura of majesty. He was 6 when his politically prominent father ran for Governor and was defeated as being too liberal. He was 32 when elected governor himself, and he was sworn into office by the State's chief justice, his father. Before that, at 30, Dick Russell was chosen Speaker of the Georgia House.

On the high plateau of his renown as leader of the Senate's Southern bloc, he had the satisfaction of finding his beloved mother named Mother of the Year by *Colliers Magazine*. On May 11, 1950, the home town of Winder declared a holiday in her honor.

Nobody ever intruded upon Senator Russell's private life as a sought-after bachelor who received many invitations and accepted few. A reason might be that he feels altogether sufficient within the royal circle of a huge family of brothers, sisters, nephews, nieces, and other assorted relatives. One of the nieces at the testimonial said, "We never invite outsiders to the family parties, because we want to talk among ourselves. In fact, we talk so much that we all interrupt—it's the only way of being heard."

To be so self-sufficient as the senator is, so regal, so special-privileged, and so politically unbehind makes it wholly amazing that he has been popular, too. New reporters in town would not find him approachable, but among us old survivors there is no more productive session than an interview in his hall-sized private office.

Russell has talked with this reporter in the most revealing detail about persons he liked (Lyndon Johnson), those he disliked (the late Defense Secretary Charlie Wilson), matters of delicacy (the Kennedy assassination) and affairs of state (the Vietnam war).

No man has engineered more filibusters to protect States' rights (i.e., to throttle civil rights legislation), or has more openly supported the much-maligned military industrial complex. It is not his joviality (he keeps that for his friends) which has made Russell the popular figure and the uncrowned monarch of the Confederacy-in-exile. It is because one can say of him, without embarrassment or hyperbole, that he simply gives truth to the words of Pope, "An honest man's the noblest work of God."

Integrity of character is as plain as the nose on his face—and that explains everything about Russell of Georgia.

#### NORTHERN ILLINOIS ESTONIANS DEDICATED TO LIBERATION OF THEIR HOMELAND

### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. McCLORY. Mr. Speaker, I wish to call the attention of my colleagues to an inspiring address by Olaf Tammark,

president of the Estonian Association of Northern Illinois, on the occasion last Saturday night in Woodstock, Ill., of an observance of the 52d anniversary of the Declaration of Independence of the Republic of Estonia.

Other officers of the Estonian Association of Northern Illinois are Alemar Inn, vice president; Voldemar Oper, secretary; Alemar Nikopensius, treasurer; and Osvald Pervi, director.

Mr. Speaker, we pause today in remembrance of the courage and continued struggle for freedom of the people of Estonia. This small nation has witnessed a succession of invaders from as early as the ninth century. The country was so ravaged during the Northern War between Russia and Sweden from 1703 to 1729 that only the city of Tallinn escaped complete destruction.

Perseverance and courage finally won for the Estonian people some measure of freedom and property rights in the 19th century.

Following the Russian revolution in the second decade of the 20th century, Estonia broke away from its mammoth neighbor and in February of 1918, after German troops occupied the country, declared its independence.

When the Germans withdrew in November that year, the Soviets once again attacked Estonia, precipitating the War of Independence of 1919-20. Some of the men at the gathering in Woodstock Saturday night had fought in that war.

Today Estonia is one of 28 captive nations under the tyranny of communism. We salute the people of Estonia on the anniversary of their national independence and reaffirm our hope for their eventual freedom.

Mr. Tammark's address follows:

ADDRESS BY OLAF TAMMARK, PRESIDENT, ESTONIAN ASSOCIATION OF NORTHERN ILLINOIS

Our Distinguished Guest, The Honorable Congressman Robert McClory and Mrs. McClory, The Honorable Mayor of Woodstock, Mr. Melvin Stuessy and Mrs. Stuessy, Ladies and Gentlemen:

We are happy to see you with us tonight. Allow me to introduce to you the ladies and gentlemen you meet here.

Most of our guests are Estonians, and a number of our American friends are gathered with us to celebrate the 52nd anniversary of the Declaration of Independence of the Republic of Estonia.

The majority of us left Estonia over 25 years ago, a time when Estonia became occupied for the second time by the Soviet Army.

After some years in displaced persons camps in Germany and Sweden, these Estonian refugees were lucky to arrive in the United States and to work for a year or two on the farms and in houses as servants, from Florida to North Dakota, from California to New York—wherever the sponsor of the family resided.

From the first day here they relied only on their ability to work. They had no money, no relatives or friends in the United States. They spoke only sparsely English and were not accustomed to the ways and means in this country.

Afterwards, looking for each other, they moved into the area of Woodstock and Crystal Lake. They started to work in factories and construction.

Whatever they did, they did well. They

built their own homes; advanced at their jobs. Their children went through high schools and universities.

They all are well off now because they have earned it by honest and hard work. They always asked for work—never for handouts.

They all are Federal, State, and property taxpayers—not tax eaters.

They believe that the United States of America is still the country of opportunity and freedom for all—and they like to keep it that way.

In their success they are like most Americans. But there is something that only very few Americans can say they know as well as the men and women you meet here tonight.

We all have lived under Communism. We all have seen the extermination of all freedoms and human rights, experienced the loss of our independence, our country, and our property. We have seen our friends and family members arrested without cause, and deported. We have learned of their deaths in slave-labor camps in Siberia, and some of us have seen them buried in mass graves after being killed by neckshot.

For us freedom is not only a word—it is everything, and we feel it to be our duty to keep it and to fight for it.

Before we endured all these experiences, we lived and worked as happy people in a happy and free country which we loved very much—Estonia.

There are tonight men among us who fought in the War of Independence, 1918 to 1920, and made the dream of a free democratic Republic of Estonia come true.

In 1940, the Soviet Union, breaking all treaties made with our Republic, using threats and force, occupied and incorporated Estonia into the Soviet Union.

Today after almost 30 years of occupation and Communist terror over one-third of the population in Estonia is Russian. Some towns are almost 100% Russian. This is accomplished by removing the Estonians from their homes by a variety of methods and their numbers are reduced in their own country.

Genocide is the result of the actions directed from Moscow.

The forced labor camps have been and are today used as a terror tool to exterminate the Estonian nation.

The United States Government has continuously refused to recognize the forcible incorporation of Estonia, Latvia, and Lithuania into the Soviet Union.

This statement and plea can help only if our efforts are continued and a stable policy is adopted toward Communism, in general, and the Soviet Union, in particular.

We want the United States to stay on the side of the oppressed and not on the side of the oppressor.

We want the Government and the people of the United States to be well informed and alert to Communism.

We want the Government of the United States to have an ear to listen and to understand about the danger and menace of Communism and to learn of the experiences which so many nations have had with Communism.

We want appropriate attention to be given to the pollution of our air, water, and earth. Also, we want equal attention to be given to the deterioration of our most valuable asset—our children and youth, and we want to put a stop to the pollution of their minds in many of our schools, colleges and universities. They should have the chance to learn the truth about Communism in an easier way than we did.

There is ample evidence that the image of the Kremlin, as built up by effective Communist propaganda, is vulnerable.

If on a large scale we could expose the crime made by the dictatorship of the Communist Party of the Soviet Union, we could check, and perhaps stop, the genocide going on in Estonia and in the other occupied countries.

If that could take place, public opinion here and the resistance movement in the Soviet Union would do the rest.

On July 17, 1959, the Congress passed a law authorizing the President to proclaim the third week of July as "Captive Nations Week" and "such proclamation will be issued every year until freedom and independence shall have been achieved for all the Captive Nations of the world."

The late President Eisenhower was the first to issue such a proclamation, in 1959. Then there were 28 Captive Nations. In over ten years this number has not diminished.

We urge you, our Congressman, to keep the goal alive to uncover the crimes and subversive actions of Communism here and around the world, to keep the issue of freedom and self determination for all nations a hot and lively issue, so we could be sure to bring the Estonian flag back to a free Estonia and in doing so count you as well as many other Americans our dear and truthful friends.

Please accept as a gift from the Estonian Association of Northern Illinois this set of Medals of the Captive Nations with the face of the late President Eisenhower surrounded by 28 stars representing the 28 Captive Nations.

One of these nations is the land of our fathers—Estonia.

#### ESTONIAN INDEPENDENCE DAY

#### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. HELSTOSKI. Mr. Speaker, we pause today to commemorate an anniversary which represents an important monument in the history of self-determination for all people.

Today the Americans of Estonian descent are celebrating the 52d anniversary of the Declaration of Independence of the Republic of Estonia.

For two decades the flame of freedom burned brightly in Estonia. Under a democratic form of government the country flourished, economically, culturally, and socially. Unfortunately, the Estonian people had their land overrun by the Soviet Union's Red Army during World War II and the Soviet Union still occupies the land to this day.

The United States has never recognized the forcible incorporation of Estonia into the territory of the Soviet Union, and continues to recognize Estonian diplomatic and consular representatives in this country.

Through the Communist aggression and violence Estonia lost her independence and her people were deprived of their liberty. Through Soviet military occupation and unlawful Communist expropriation they have lost their personal property and the wealth created by industrious Estonians during many generations. Thousands of American-Estonians who have been lucky enough to find

refuge in this country, have personally suffered from Communist cruelty and terror. Most of them have lost members of their families and close relatives through arrests, deportations to Siberian slave labor camps or by outright murder, committed by the Communist oppressors.

For 30 years now the expropriation, pauperization, slave labor, suppression of basic human rights and freedom, Russification, terror, mass deportations and murders have been the mark of the Soviet occupation in Estonia and the other Baltic States of Latvia and Lithuania.

The Estonian people have never lost hope to regain their freedom and independence and we Americans salute them for their hope.

In the years past we have often heard the United States and other Western countries criticized by Communists for practicing colonialism. But the Soviet Union overlooks its occupation of Estonia, which is certainly colonialism of the most obvious sort.

Both the United States and the Soviet Union have talked about the principle of self-determination, and we are giving and have given evidence of our belief in this principle. Russia has had an opportunity to do so, but has not acted.

This 52d anniversary gives us all in the United States one more opportunity to offer friendship and encouragement to those who seek to be free and to govern themselves in their own way. This anniversary also directs our attention to the Estonian Declaration of Independence which urged Estonians "to be ruled by right and order, so as to be a worthy member of the family of civilized nations."

Mr. Speaker, the 89th Congress of the United States, after extensive hearings, unanimously adopted House Concurrent Resolution 416 which I submit for the RECORD and again call upon the President to use his high office to carry out this congressional mandate.

The resolution follows:

H. CON. RES. 416

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

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

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

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

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

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

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

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

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

Mr. Speaker, we should seek the liberation of the Estonian nation and the other Baltic States from Soviet colonialism and oppression. It is our hope that their freedom and independence is not too far away and that they will once again join the community of nations who have full national sovereignty.

#### NATIONAL PEANUT WEEK

### HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. O'NEAL of Georgia. Mr. Speaker, man cannot live by bread alone. As a dietitian once said, "he must have a little peanut butter to spread on it."

Dr. J. G. Woodroof is the author of a new book about peanuts. A series of articles in Peanut Journal and Nut World makes use of interesting and valuable information from the book.

The coming of National Peanut Week, when the House and Senate restaurants will feature delicious peanut soup, makes it appropriate that the first article of the series be shared with our colleagues and those who read the RECORD.

The article follows:

COMPOSITION AND USE OF PEANUTS IN THE DIET  
(By J. G. Woodroof)

#### I. INTRODUCTION

Possibly no crop in the world has advanced as fast as the peanut as a source of food for man and feed for animals. It is grown and eaten on six continents, in more than 400 ways, and its production and use are expanding. The chemical, physical and dietetic uses of the peanut make it a favorite food item over the greater part of the world.

It may be said that peanuts are the most unexplored and neglected food crop in the United States. The potentialities for developing additional food products, utilizing proteins, lipids, vitamins and flavor of peanuts are as great as for any crop in the world. The years ahead may witness new peanut food products not even dreamed of at the present time.

Peanuts are aptly described as nature's masterpiece of food values. Practically everybody likes them and it is a rare person who can eat one peanut and quit. The pleasant aroma, irresistible nutty flavor and smooth crisp texture of roasted peanuts are enjoyed by people of six continents.

In the United States, the per capita consumption of peanuts increased from practically none in 1865 to 2.4 lbs. in 1909, 4.3 lbs. in 1940, 6.5 lbs. in 1960, and 7.2 lbs. in 1965. An upsurge in consumption is now underway. This is in the light of increased number and quality of peanut products, a better appreciation of the flavor and high nutritional

qualities, and an increased world-wide need for protein.

Peanuts offer an abundant source of proteins, protein concentrates, and their isolates in developing countries. They should be used in combination with industrially produced amino acids (lysine and methionine) or with some animal protein such as skim milk, powder or fish protein concentrate.

The story is told of a missionary, Archdeacon Thompson of the American Missionary Society, who in 1889 took quarts of peanuts in his luggage to China. He then divided these with Dr. Charles R. Mills of American Presbyterian Mission. Mills in turn gave a quart to each of two Chinese converts. Production of peanuts spread to every province of China and China is now the world's number two producer with approximately two million tons annually, while the United States ranks fifth with one million tons.

George Washington Carver is said to have made many food and industrial products from peanuts before World War I. He prepared a meal for Macon County, Ala., businessmen, consisting of nine dishes containing peanuts. These were soup, mock chicken, a creamed vegetable, bread, salad, ice cream, candy, cookies, and coffee. He is said to have made more than 300 products from peanuts. Among these were mayonnaise, cheese, chili sauce, shampoo, bleach, axle grease, linoleum, metal polish, wood stains, adhesives, and plastics. From the fats, proteins, sugars, starches, gums, and resins, he isolated pentoses, pentosans, legumins, lysin, amido amino acids, as well as fatty acids. From these he made milk, ink dyes, shoe polish, creosote, salve, shaving cream, soap, and several kinds of peanut butter.

The origin of peanuts is unknown, though they were known as early as 950 B.C. [Higgins, 1951]. They are supposed to have been found first in Brazil or Peru, and to have been carried to Africa by early explorers and missionaries. They were brought from Africa to North America by slave traders in the early colonial days, and used as food for slaves while on shipboard. Peanuts were cheap, of high food value, and did not spoil readily. In America, peanuts were not extensively used until after the Civil War in 1865 and then for many years the crop was confined to Virginia and North Carolina.

While there are several types of wild and cultivated kinds, the peanut (ground nut, earth-nut, monkey nut, gober, pinda, pinder, Manila nut) that we know is the fruit or pod of *Arachis hypogaea* of the Leguminosae family. The flower is borne above ground and after it withers the stalk elongates, bends down, and forces the ovary underground. The seed matures below the surface, and the plant favors light sandy soil. When the seed is mature the inner lining of the pods, or seed coat, changes from white to brownish. The entire plant, including most of the roots, is removed from the soil during harvesting.

Producers, processors, and end-users are working, as a team, to utilize peanuts more completely. Food technologists and nutritionists on six continents are discovering that an agricultural commodity which has been relished by practically all forms of fowl and domestic animals, and which abundantly supplied protein, vitamins, minerals and rare nutrients to pigs, cattle, poultry, turkeys, horses, and dogs, is a valuable source of food for humans. More than 637 million pounds of peanuts, or about half of the crop, are used annually for human consumption in the United States.

Hardly a month passes without the announcement of a new discovery for the use of peanuts as a food item. These range from new confections, new bakery products, new snacks items, peanut flour, peanut milk, peanut ice cream, peanut flavored milkshakes,

defatted peanuts, and peanuts in breakfast cereals, to peanut protein, peanut lipoprotein, peanut protein isolates, polyunsaturated peanut fats, dietetic foods, and special foods for curing pellagra and haemophilia. Possibly no crop in the world has potentialities of being processed in as many ways used in as many products as does peanuts.

An example of the diversity of uses of peanuts is the fact the school lunch supervisors use peanut butter in 35 varieties of sandwiches and 23 ways other than sandwiches; and that housewives use peanut butter in more than 100 ways. There are more than 300 ways of using peanuts in restaurants, bakeries, candy shops, and snack bars.

In contrast, only 7.9% of the 155,249 tons of peanuts produced in South Africa are used for domestic purposes; 62.3% are exported, 23.8% are crushed for oil, and 5.5% go for seed, feed, or shrinkage.

Much of the credit for progress in production, processing, and utilization of peanuts is due to engineers who developed facilities for mechanical planting, cultivating, fertilizing, controlling pests, harvesting, drying, grading, shelling, sorting, storing, heating, blanching, cooling, grinding, packaging, conveying, and transporting peanuts and peanut products.

A world-wide expansion in growing and consumption of peanuts is under way. It is hoped this treatise will furnish some information and inspiration to guide those who are in, or may wish to enter, the area of peanut growing, exporting, importing, or processing.

#### II. USE OF PLANT PROTEIN TO REPLACE ANIMAL PROTEIN

The most serious dietary problem in a large area of the world is lack of protein in adequate quantity, particularly that suitable for infants and young children. This deficiency is more significant than over-all caloric availability.

It has now been clearly established that deficiency disease related to protein inadequacy in diets of young children, occurring during the period of maximum human physical growth is a major cause of lower vitality, susceptibility to diseases, and the very high death rate in tropical and subtropical areas [MILNER, 1964]. Cumulatively, the effects of these conditions on the intellectual and physical vigor of population may be seriously hampering the economic and social development in these areas.

Protein-rich residues of peanuts and other crops have been traditionally used as fertilizers or as animal feed. The proposal that they be used as foods for infants and children, notwithstanding the extensive literature on their feeding value for animals, prompted searching questions from human nutritionists and pediatric clinicians.

Food-grade peanut flour, defatted either by means of screw pressing or solvents, offers considerable potential. UNICEF is presently assisting the Government of India to bring into production the first commercial plants to provide edible peanut flour with protein content of 45% or more. The major application will be as a supplement to wheat flour used principally for chapathis and for infant food formulations. In Nigeria, peanut flour supplemented with skim milk (4:1) is being introduced and has been shown to have nutritive and therapeutic value essentially equivalent to that of skim milk in treatment of kwashiorkor. In Senegal, FAO and UNICEF are cooperating in the promotion of millet foods supplemented with locally produced peanut flour. Brazil also has achieved considerable production of peanuts, and a solvent-defatted locally-made product has been utilized in school lunch feeding.

On the basis of techniques which have been developed largely in British laboratories to select clean peanuts, FAO and UNICEF are reacting to this problem by providing

training grants to scientists involved in national efforts to process and introduce peanut flour as food in order that they may initiate such screening methods in their home countries. It is expected that such quality supervisory programs will permit full resumption of these introductory and food promotion efforts.

#### FOREST MANAGEMENT

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. STEPHENS. Mr. Speaker, last August an article by W. F. Mann, Jr., appeared in the Forest Products Journal, titled "Techniques and Progress in Regenerating Southern Pines." Mr. Mann is a research forester with the Southern Forest Experiment Station of the Forest Service. The article describes the resurgence of timber in the South after a period of overcutting. The resurgence was the result of the kind of high-yield practices which would be promoted on national forests under H.R. 12025.

In the South most of the forest land is in private ownership. It is certainly time for the Federal Government to take similar steps in forest management on its own lands.

The article follows:

#### A REVIEW: TECHNIQUES AND PROGRESS IN REGENERATING SOUTHERN PINES

(W. F. Mann, Jr.)

(The past few decades can be considered an era of regeneration in the southern pine region. During this time significant progress has been made in developing techniques for natural and artificial regeneration and applying them on a large scale. This paper briefly traces the rapid transition from almost complete indifference towards perpetuation of the forest resource to the most intensive regeneration program in the country. It also predicts some further changes.)

The southern pine region embraces about 100 million acres, most of which are highly productive for pines. Coniferous species include loblolly (*Pinus taeda* L.), slash (*Pinus elliottii* var. *elliottii* and *Pinus elliottii* var. *densa* Little & Dorman), short-leaf (*Pinus echinata* Mill.), longleaf (*Pinus palustris* Mill.), Virginia (*Pinus virginiana* Mill.), pitch (*Pinus rigida* Mill.), pond (*Pinus serotina* Michx.), spruce (*Pinus glabra* Walt.), tablemountain (*Pinus pungens* Lamb.), and sand pine (*Pinus clausa* (Chapm.) Vasey). The first five are the most important; singly or in mixtures they are probably dominant on 95 percent or more of the South's pinelands. The others are found in relatively small areas where they are favored by unique site conditions such as rocky mountain ridges, deep sands, extreme wetness, or fertile hummocks along streams.

The discussion will refer primarily to the major species, which have received greatest emphasis in research and practice. Comparatively little is known about regeneration of tablemountain, spruce, pond, and pitch pines. Sand pine received scant attention until a few years ago, when landowners began to plant it on a large scale in the sandhills of northwest Florida. Although detailed information may be lacking for some of the species, it is known that all southern pines have a history of depletion and restocking that is quite similar.

#### AFTERMATH OF ORIGINAL CUTTING

Cutting of the virgin pine timber in the South was largely completed by 1930. More-

over, many second-growth stands had been high-graded for sawtimber or harvested for pulpwood. Left behind were vast expanses of denuded lands, especially in the Coastal Plains where longleaf once occupied 45 to 60 million acres. W. R. Mattoon, a knowledgeable and respected forester, reported that, "About 6,000,000 acres of long-leaf timber land, it is estimated, are cut in this country yearly, and about 4,000,000 acres are left fire-swept and practically idle."

A great opportunity to regenerate millions of acres was lost by failure to protect the small residuals left in the harvest of the original forests. Since cutting of virgin stands was to a diameter limit, many undersized trees were passed by. Unfortunately, most of them were destroyed in skidding operations or killed by fire or storm. Surviving residuals responded to release and developed into seed bearers that restocked uncounted acres, but foresight and the means to preserve more of these trees might have changed southern forestry drastically in the years that followed.

The best source of seed was usually on wet areas such as the stream bottoms that are prevalent throughout the uplands. Probably loggers left more residuals on boggy soils. And, of course, these sites were naturally protected from the devastating wildfires that swept over drier areas. Once fire protection was improved, the trees often restocked surrounding land as much as 10 chains away.

Wildfires probably caused greater losses than all other factors combined. They burned over tremendous acreages each year, destroying seed trees and young stands that had reproduced naturally. In addition to direct effects, the incidence of fires discouraged most landowners from investing in a future crop.

Two other major factors retarded the rebuilding of the South's pine forests. First, intensive turpentine reduced vigor of trees in the longleaf-slash pine belt and caused heavy mortality. Moreover, the pitch-soaked faces left trees highly vulnerable to destruction by fire. Second, longleaf seedling stands on thousands of acres were killed by free-roaming hogs that uprooted trees to feed on the succulent roots.

Though they caused great destruction, the wildfires were sometimes beneficial. Well-stocked pine stands became established occasionally when burning exposed mineral soil coincidentally with a bumper seed crop. Such examples of natural restocking helped influence the few observant foresters who early advocated the use of fire in management. Probably wildfires were most beneficial by retarding the invasion of worthless hardwoods, which complicate pine regeneration.

Outstanding examples of natural reproduction were also found on abandoned farmland. Sales of cutover land for agriculture boomed around the turn of the century. From the Atlantic coast and the Piedmont across the Gulf Coastal Plain to Texas, as much as 10 percent of the land was put into cultivation after the virgin stands were harvested. Many of these operations failed, and the abandoned fields were quickly invaded by pines or low-grade hardwoods. Old-field stands—some of which had the best stocking to be seen in the early days of forestry—are noteworthy because they demonstrated that pines could be regenerated and would grow rapidly. They furnished, and still do furnish, a sizable proportion of pulpwood and sawtimber in many sections.

By 1930, after 40 years of heavy cutting that removed almost 500 billion board feet of pine, the South was faced with a tremendous job of rebuilding its forests. The lands were not completely barren by any means, for it was estimated that 200 billion board feet of saw-timber was still standing in the late 1930's, but the situation was grim. About 10 percent of the acreage still had old-growth stands, the bulk of which had been high-

graded. Twenty-five percent, lacking adequate reproduction and seed trees, was so depleted that the only hope of restoration was by artificial regeneration. From 5 to 10 percent of the region was well stocked with second-growth that had originated accidentally on old fields and on cutovers. The remainder was partially stocked, but the stands were mostly open and tree quality was accordingly poor.

#### STARTING TO REBUILD

The early 1920's saw the beginning of large-scale regeneration programs. This was about the time that the Forest Service and some schools and private companies started research programs, and it was not long before many southern states had taken the first steps to establish fire-protection organizations. Research coupled with commercial trials led to the accumulation of knowledge in all phases of regeneration from seed handling and nursery culture to site preparation and protection of the young stands. Prior to this time, successful plantations were estimated to total less than 500 acres; planned natural stands probably were equally uncommon.

The Great Southern Lumber Company of Bogalusa, Louisiana, was the first to plant on a commercial basis. It began in 1920 and planted almost 13,000 acres in the next 6 years. By 1931 it had established longleaf, loblolly, and slash pine on about 26,000 acres. Southwide, only 20,000 acres were planted prior to 1927, and 73,000 acres by 1931. The pioneering of this Louisiana company was carefully followed by other landowners.

The Clarke-McNary Act of 1924, which provided for increased Federal cooperation with States in the production of planting stock, was a stimulant to nursery programs. The earliest planters had utilized wildlings, and a few companies had developed their own nurseries. State nurseries, however, were needed to supply stock for small as well as larger landowners.

The depression of the 1930's stifled many of the programs of private owners, but it led to a new and different stage in regeneration of the southern pines. The Civilian Conservation Corps was established and in a 7-year period planted in excess of 1/2 million acres. On thousands of additional acres CCC workers deadened hardwoods that were overtopping and suppressing pines.

While the planting movement was gaining momentum, a few landowners throughout the region began leaving seed trees purposely for regeneration. The trees thus reserved were not suppressed runts but well-spaced stems with sufficient crowns to produce seed immediately. When coupled with fire protection, many of these operations were successful, especially along the Atlantic coast where seed crops are consistently good. Further west, where seed crops tend to be intermittent, many failures occurred. Inadequate preparation of seedbed and site often resulted in low stocking even when ample seed was cast.

The selection system of management also gained in popularity during this time, especially in the loblolly-shortleaf pine type. The basic purpose of the system was to provide a steady flow of larger trees to the sawmill, and at the same time to preserve small, potentially valuable stems and to establish reproduction in small openings. It was used extensively, even after the war, as it aided landowners and industry to make the transition from repeated high-grading to reliance on managed stands. Now, most landowners have switched to even-aged systems of management.

The prewar period was significant for demonstrating that pines could be regenerated and that the new crop would grow fast, rather than for any great progress in restoring depleted lands. It was a time of trail blazing.

The successes achieved then encouraged and guided land managers after the war.

#### THE REGENERATION BOOM

Conditions at the end of World War II were favorable for the largest reforestation program ever attempted. There was a broad awareness that southern forests could be restored to their former productivity, forest industry seemed ready to expand plant facilities, and large landowners had accumulated capital to invest in development of lands. In addition, planting machines had been invented to cut costs and speed up the work fivefold over hand planting.

From 1947 to 1967, about 15 million acres were planted. More than 99 percent of this acreage was reforested to slash, shortleaf, loblolly, and longleaf pines. Sand pine plantations totaled about 50,000 acres, and Virginia pine about 10,000 acres. The remaining four species accounted for less than 2,000 acres.

During this time planting techniques remained essentially unchanged, but there were several other shifts that merit mention. First, a gradual trend towards wider spacings developed. Early plantings were primarily at spacings of 6 by 6 feet, whereas spacings now are 8 by 8 feet or wider. The purpose is to reduce planting costs, to hasten the time of the first thinning, and to speed the growth of large products. Another consideration is to provide access between rows, which some managers believe will be important for efficient operation of future harvesting equipment.

Reduction in plantation stocking will decrease cubic yields per acre even though diameter growth is accelerated. Many economic factors will ultimately influence how plantations are spaced. With shrinking acreage for timber production, higher land costs, and increasing expenses for owning and managing land, there may be a shift to maximum fiber production per acre, particularly for pulpwood growth. Wide spacings may be most profitable only when large trees for saw logs or veneer bolts are the major goals of management.

Another important trend has been towards intensive site preparation before regeneration. Invasion of brush following improved fire protection has precipitated much of the work. Heavy machines are used to destroy the small hardwoods; they prepare a good seedbed at the same time. But many landowners are disking, bedding, or chopping sites for the specific purpose of increasing growth.

Most of the easier planting chances are completed. The job now is to reestablish pines on the more difficult areas, which are usually dominated by dense stands of small brush. Many of these areas are on steep terrain and have thin soils that are apt to be droughty. Foresters have tackled them with ingenuity, using large machines for site preparation where topography will permit safe operation and herbicides on very rough ground. Other difficult sites now being regenerated are those where waterlogged soils retard pine growth. Here elaborate drainage systems have been dug to remove excess water, and elevated beds have been disked to further promote rapid growth.

In the mid-1950's direct seeding was perfected, and in the past 10 years more than 1 million acres have been sown. The key to the development was the finding of a chemical coating to protect seed from birds, rodents, and insects.

This method has proven to be fast, economical, and reliable. One helicopter can sow 2,000 to 3,000 acres daily—the equivalent of two planting machines working all winter. One company in Louisiana sowed 60,000 acres in 2 years, and thus put its land into production 4 to 5 years earlier than would have been practical by planting. Savings of seeding over planting in the South are estimated to exceed 10 million dollars. They are greatest

on sites that are most difficult and expensive to plant, often averaging \$15 to \$20 per acre. Direct seeding has been successful on many tracts that would have been nearly impossible to plant.

Regeneration by natural means also progressed at an accelerated pace after the war. On areas with a seed source, improved fire protection alone resulted in successful restocking of many thousands of acres. Foresters reproduced large acreages naturally by applying selection management in understocked loblolly-shortleaf pine stands and by harvesting mature second-growth stands on the seed-tree system. More advanced techniques have been incorporated into natural systems of reproducing stands. Prescribed burning, for example, has become an accepted method for seedbed preparation and the control of small hardwoods, except in mountain regions. Heavy machines are also employed for site preparation.

The success of natural methods of regeneration varies greatly with the frequency of good seed crops and summer droughts. Probably the most favorable location is along the Atlantic coast, where seed is ample almost every year and rainfall is well distributed. At the other extreme is the West Gulf region, where seed crops occur at 3- to 10-year intervals and something like every other seedling catch is lost in dry weather during the critical first year. In areas where good seed years are infrequent, landowners are switching to artificial regeneration because they cannot tolerate the loss of production from the delay in restocking. Not only is valuable growth lost, but seedbeds deteriorate and dense brush often takes over the site when seed is not available.

But even where natural seedfall is consistently reliable, natural methods are not so inexpensive as they may appear. Lightning, wind, and insects take a steady toll of reserved trees, and the loss of only a few choice stems is costly. The presence of seed trees limits the intensity of fire that can be used for hardwood control and hampers mechanical site preparation. Moreover, stumpage returns when harvesting seed trees are usually less than those received for the main cut.

A number of landowners have begun to divert their resources to improvement of unstocked stands. Typically, these stands have 25 to 60 percent of full stocking in low-quality, open-grown trees. They are either cut back to seed trees or clearcut and then planted or direct-seeded. Often the site is prepared mechanically to destroy competing vegetation. Because 50 percent or more of the stands in the South are substantially understocked, such conversion will be a major activity for some time.

Seed orchards, which are numerous in the South, are beginning to influence regeneration practices. Production of superior seed will favor further expansion of artificial regeneration and deemphasis of natural methods. To obtain maximum benefits from limited supplies, foresters will use most of the initial production to grow nursery stock. Within 10 to 15 years, however, there should be ample quantities of improved seed for all methods of artificial regeneration.

#### THE FUTURE

Further advances in techniques of regenerating the southern pines can be expected as land management intensifies. Their exact nature will be determined only after research, much of it already under way, is completed. But it is certain that sites will be prepared thoroughly to obtain fast growth and high productivity. Many of them may be cultivated, bedded, drained, fertilized, weeded, and perhaps irrigated.

Planting of tube-grown seedlings is currently under study by a number of landowners. In this method, seed is sown in plastic or cardboard tubes containing soil, and the seedlings—still in their individual con-

talners—are planted when they are several months old. Potential advantages include greater production from limited supplies of genetically improved seed than by nursery sowing, extension of the planting season, and better success on adverse sites than by planting bare-rooted stock from nurseries.

Many factors suggest that close control of spacing, from seedling stands through the rotation, will become increasingly important. For this reason, studies are being made to determine how row seeding can be accomplished from aircraft. Also under development are ground-traveling row seeders that will be adaptable to a wider variety of site and cover conditions than are any present models.

In the second-growth stands of the South, the degree of success achieved in regeneration has always been the major determinant of forest productivity. Regenerative techniques will assume still greater importance as foresters seek to keep lands in continuous, full productivity and to reduce rotations by intensive cultural practices.

#### THE NATIONAL CONSERVATION AND MANAGEMENT ACT

**HON. JOHN B. ANDERSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ANDERSON of Illinois. Mr. Speaker, testimony was offered before the House Banking Committee 2 weeks ago by the former Democratic Secretary of Housing and Urban Development, the Honorable Robert C. Wood, which failed to attract the widespread publicity it deserved.

His testimony, as head of the Massachusetts Institute of Technology's Joint Center for Urban Studies, cautioned the United States against its tendency to replace priorities instead of fulfilling them. Mr. Wood said specifically that he is seeking realization by advocates of quality living that no decent environment is possible without adequate housing. He pointed out that Americans continually mobilize their resources to meet changing objectives and thus may never have to allocate them at all and thus "evading discipline, work, and costs, we embrace environmental escapism."

It is with respect to the quality of life, adequate housing, mobilization of resources, discipline, and environmental escapism that I will speak briefly today.

President Nixon has committed his administration and the Nation to improving the quality of American life. His breadth of scope in his environmental message embraced decent housing as one element of our environment. That this is true none of us, regardless of party, can deny. People who live in squalor or congestion or decaying structures, anywhere in America, whether it be in teeming cities or in rural isolation, can scarcely be said to be enjoying either a wholesome environment or the quality of life to which we all aspire.

The President has forthrightly declared that housing is and must continue to be a top national priority. There is increasing evidence in the utterance of Dr. Arthur Burns, of Paul McCracken, of

Secretary Romney, and other fiscal and housing leaders that the administration is preparing to take positive actions to ease fiscal policies in such a way as to enable a resumption of housing activity which has been strangled for a year by limited financing. Deliberate financing of new housing programs, both public and private, together with the first fruits of Operation Breakthrough and the promise of its application of modern techniques to housing, both represent a mobilization of our national resources to meet public need.

The administration has demonstrated discipline in its rigorous, and sometimes unpopular, efforts to control inflation. It has held the line on fiscal policy even though it recognized and publicly stated that housing was bearing an unwarranted proportion of the pressure. We can be assured that when fiscal restraints do begin to ease, housing will be one of the first areas of the total economy to respond. The pent-up demand for housing is unprecedented since the end of World War II. The projections for new housing and rehabilitated housing through the seventies, the decade of the environment, as it is frequently referred to, exceed any housing requirements in our history.

There must be, as the President has said, and there will be, as he has also said, priority consideration of housing in achieving the quality of American life and environment to which we all aspire. This means more mobilization of resources—this means lumber and plywood, steel and concrete, hardware and plumbing, and skilled workmen.

In January of last year when housing starts rose to an annual rate of 1.9 million we experienced severe shortages of lumber and plywood for construction. Prices for these commodities doubled. Congressional investigations over a period of several months revealed that the U.S. Government was not managing its publicly owned commercial forest lands adequately with the result that the national forests were consistently falling to yield their appropriate share of the timber needed for housing. Legislative steps have been undertaken to overcome that deficiency in our mobilization of resources for housing. We shall soon have the opportunity to vote on H.R. 12025, the National Forest Timber Conservation and Management Act, which will be considered in the House this week. A similar bill has been the subject of Senate hearings.

As a member of the Rules Committee, I had the privilege of hearing a careful explanation of this measure, its origins, and its evolution. It has been the subject of thorough hearings and careful amendment in the House Agriculture Committee to meet objections from conservation groups and perfecting suggestions from the Forest Service. I am convinced that this timber-growing legislation must be passed by the Congress and signed into law at the earliest possible time if we are to meet the material demands imposed upon the Nation by our critical housing shortage. I shall vote for this bill and urge my colleagues to do so as well.

This brings me to my conclusion and a brief comment upon "environmental es-

capism" as it was called by former Secretary Wood. There has been widespread opposition to timber supply measures by those who consider the environment to be largely a matter of ecology, woods and fields, birds and wildlife and, if you will, the "escape back to nature." I can appreciate their feelings but I quarrel with their logic and, regrettably, some of what they have alleged to be the facts.

This forestry legislation is carefully designed to safeguard the National Forests and specifically requires their management under the stringent provisions of the Multiple Use-Sustained Yield Act of 1960. I have reassured myself of that fact. It will not interfere with individual or collective enjoyment of the outdoor environment. The "escape hatch" to the wonders of the forests for enjoyment yawns as widely as it ever has and, some argue, will actually be widened by this act.

But more importantly, the environmental impact upon those of our citizens who cannot escape to the forests, who are compelled to remain within the cities by reason of economics, lack of transportation, infirmity, age or plain weariness, will be even greater. Passage of this measure will afford them a chance to have that most valuable of all possessions for any man and his family—a decent home in which to live.

This, in that context, is an environmental bill of singular importance and demands unanimous backing of a Congress which is committed to housing all our people.

#### CIVIL AIR PATROL FLIES 27,625 AIR HOURS

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. WOLFF. Mr. Speaker, as commander of the Congressional Squadron of the Civil Air Patrol, the official U.S. Air Force auxiliary, I have seen countless instances in which help from a patrol unit has meant the difference between life or death for a pilot reported missing.

It therefore gave me great pleasure to recently read of two most notable records set by this excellent organization. I would like to include this noteworthy information in the RECORD:

**FLIERS RECORD 27,625 AIR HOURS ON AIR  
FORCE-DIRECTED MISSIONS**

MAXWELL AFB, ALA.—Civil Air Patrol fliers did their thing in 1969 by logging a record-shattering 27,625 flying hours supporting Air Force-authorized search and rescue operations. The total number of hours tops a previous high of 24,857 flying hours in 1968.

During the year, CAP flew 14,548 sorties or 2,000 more than the previous year and saved 38 persons' lives.

It was also a record-breaking year for the number of persons assisted by Civil Air Patrol during national and local disaster such as Hurricane Camille. Emergency Services officials at CAP's National Headquarters reported that 1,529 were assisted and another 149 were evacuated to safety from the stricken areas.

IN SUPPORT OF THE NATIONAL  
FOREST CONSERVATION AND  
MANAGEMENT ACT OF 1969

**HON. AL ULLMAN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ULLMAN. Mr. Speaker, this week the House will debate one of the most important pieces of proposed legislation in recent years regarding resource management—the National Forest Conservation and Management Act of 1969.

As a cosponsor of this bill, I regard passage as crucial to the future of the Nation's timberlands, the lumber economy and the housing industry. At the same time, I am convinced that the multiple-use concept—the preservation of the scenic, recreation, wildlife and watershed values—of forest management is strictly safeguarded by this legislation.

A leading voice in my State, the Oregon Journal, recently declared its strong support for this bill in an editorial. I commend the Journal's excellent arguments to the attention of my colleagues:

TIMBER BILL NOT A "GRAB"

A growing polarization between the forest products industry and some conservation interests makes it difficult to sell the idea that improved timber management and conservation can live side by side.

A much revised timber bill designed to increase the productivity of National Forest lands is in trouble in the House of Representatives, partly as the result of this conflict.

The timber industry has to accept some of the blame because the original version went too far toward jeopardizing well-established multiple-use and sustained-yield concepts. It gave good reason for conservationists to suspect the motives of the industry and to tack a "timber grab" label on the legislation.

Now the measure has been drastically revised, through the influence of the U.S. Forest Service and those forces in Congress and out who see the need for more timber and who believe in conservation too. It now bears the title, "National Forest Conservation and Management Act of 1969."

It contains safeguards which will permit the U.S. Forest Service to manage its timberlands with the same concern for other values—recreation, wildlife, watershed protection, etc.—that it has always exercised. Contrary to opposition arguments, it will not constitute a "raid" on lands set aside for other uses.

Its essential aim is to permit the Forest Service, through more adequate financing, to grow timber faster on given acreages of land by the use of already tested practices, such as stepped-up reforestation after harvest or destruction by fire, thinning, pruning, fertilization and development—through genetics—of improved stock.

This legislation may not be justified solely on the basis of what it will do for the timber economies in Western states. This by itself is a matter in which Oregon has a stake. But the nation needs a continuing, even increasing, flow of wood products if it is to make a serious dent in the housing crisis.

Opponents say that housing can be built of other products, but this requires the use of materials which are not renewable and thus consumes fixed resources too rapidly. Wood is renewable. The same land can be harvested over and over again through the centuries. The availability of wood products also has an

important bearing on housing costs, a critical item in trying to develop shelter for persons with limited income.

The principles embodied in this bill are supported by many conservation-minded people. Improved timber management in itself offers a conservation plus, since better forests, even though planned for future timber harvest, provide many other benefits, including de facto wilderness enjoyment opportunities.

The legislation is supported almost unanimously by members of congressional delegations in Northwest states. Its aims have been applauded even by Oregon's Sen. Bob Packwood, who has staked his career on an all-out crusade in behalf of the environment.

Edward P. Cliff, chief of the U.S. Forest Service, has predicted that the Forest Service can, by accelerated management of the kind called for in this legislation, increase timber production from its current level of 13.5 billion board feet a year to 19.5 billion by 1978. This can be done, he believes, without "raiding" lands set aside for other purposes or interfering with recreational enjoyment of timberlands generally.

Such legislation will not end the controversy that has always existed between timber interests and extreme conservationists, which has put the Forest Service in the middle, sometimes damned by both sides. The federal agency will still have to exercise its judgment, based on the management of the forests for the best interests of all the people.

The Journal believes this legislation will benefit Oregon and the nation as a whole. Efficient timber harvest aimed at attacking the housing crisis can live side by side with the protection of the other multiple values of the forests.

ISRAEL'S ONLY CRIME: SUCCESS

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MICHEL. Mr. Speaker, the world is watching the worsening situation in the Middle East with growing concern and I for one support the President and Secretary Rogers as they strive to keep the "cork" in the bottle.

An editorial appearing in the February 18, 1970, edition of the Peoria Journal Star brings out some very significant aspects of the situation and I insert it in the RECORD at this point:

ISRAEL'S ONLY CRIME: SUCCESS

The only thing unprecedented in the Israeli air attack which smashed the Egyptian factory and killed many workers was Moshe Dayan's notification of the enemy that time bombs were probably in the wreckage.

He did this when he discovered the planes had apparently hit the wrong target.

No such step has ever been known as consideration for civilians in any war by anybody at any time before this, including us.

And this was done in spite of the fact that by contrast, the Egyptian dictator finances, equips, trains, encourages, cheers, and decorates guerrilla forces whose chief role has been the clandestine murder of Israeli civilians.

An auto packed with dynamite, parked in the main market of Jerusalem, and timed to explode when that market is in full swing is not a blow to a military target that went astray. It is a direct plot to murder civilians.

Trying to machine gun a civilian airliner in international service on a Greek airfield, on

take-off, is not a military objective. It is naked terrorism directed at innocent civilians, Israeli and international.

Bombing a waiting room at an airport in West Germany is not a military objective. It is a deliberate, murderous assault on Israeli and non-Israeli civilians.

WANTON MURDER

Shooting Israeli honeymooners off the beach by border guards within range is not an attack on a military objective, but wanton murderous assault.

Mining the soccer field at night of a farm community is not a military attack.

So it goes, and so it has gone for many years.

The sudden great flap over the deaths of a number of Egyptians in an Israeli raid advertises the truth that in spite of a campaign designed to bring the most modern weapons to bear for terrorist killing of Israeli civilians, the Israeli response throughout these years has been a series of "operations directed at military objectives."

The factory incident was plainly treated as a unique exception to the normal experience.

The Israeli design of defense is one based on good sense as well as good moral grounds, and will undoubtedly continue to be restricted.

But it is patently absurd, and anything but "even-handed" (as the Secretary of State likes to keep saying) to shrug one's shoulders at the continued calculated murder program directed against the civil population of Israel—and go off into a screeching condemnation of an Israeli response that exceeds anything any western nation has ever done in its efforts to restrict the consequences to strictly military targets and objectives.

ISRAEL'S DESPERATE FLIGHT

Israel is in a desperate situation. For every American there are four Chinese, and that fact disturbs many. Yet for every Israeli, there are not four but forty Arabs. No people wants endless conflict under those odds.

If that isn't enough, she has the calculated enmity of the entire Communist world for the horrid crime of demonstrating that a vigorous democracy can develop an "undeveloped nation" far beyond anything "Communist discipline" can accomplish anywhere, including at home.

If that isn't enough she has to worry about oil-rich Arab nations employing the shrewdest opinion-benders available in the U.S.

She has to worry about the influence of oil interests in the U.S. (that are deeply involved in Arab oil.)

She has to worry about the policies of a Europe that feels itself in desperate need of Arab oil.

No nation, so isolated, so threatened, so small and so desperate, has defended herself as best she can with such restraint.

Her only crime seems to be that she has also done so with remarkable success—to date.

We had best hope she continues to be successful.

We would do well to think of the full consequences of the other possibility—to Israel, to the United States, and to the world.

Meanwhile, Gamal Nasser can free himself from Israel's military response in the air, easily, and immediately—by calling off his fedayeen attacks and El Fatah support for terrorist attacks against the civilian population of Israel . . . and honestly observing the "cease fire" that saved his life.

And he can do much better than that if he would go to the table and negotiate a genuine peace.

He will do neither, thanks to Russian encouragement—and, heaven help us, sometimes ours!

VFW MAGAZINE SAYS ADMINISTRATION'S RECORD IS ANTI-VETERAN

**HON. DAVID R. OBEY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. OBEY. Mr. Speaker, in veterans' affairs the administration's deeds fall far short of its words.

I have never understood how an administration, or for that matter any citizen, can expect veterans to not only fight our wars, but to do so on substandard pay with the knowledge that upon their return to civilian life they will face veterans' benefits and veterans' programs insufficient for today's needs.

In a ringing pronouncement, President Nixon declared last June that veterans' benefit programs "have become an investment in the future of the veteran and his country." Since then, the administration has shown itself a very wary investor, indeed.

The VFW magazine in December commented that the President's words "sounded just grand, didn't they?" Then it remarked:

But the sorry and dismal record of his Administration up to now has proved them to be nothing more than words, well-intentioned perhaps, but empty and meaningless when compared to his performance.

I am inserting the entire VFW magazine article, subheaded "Administration's Record is Anti-Veteran," so that it may receive the attention it deserves. The article follows:

ADMINISTRATION'S RECORD IS ANTI-VETERAN

"Veterans' benefits programs have become more than a recognition for services performed in the past. They have become an investment in the future of the veteran and his country."

Those are the words uttered by President Richard M. Nixon on June 5, 1969, setting what was hoped would be the policy of his Administration toward veterans.

His expression gave encouragement to the thousands of veterans who wanted to believe that President Nixon was a man who understood their problems and would address himself to their solution for the welfare of the nation they had fought to defend and as the acknowledgement of their service by a grateful government and people.

Those words of President Nixon last June, less than six months after taking office, sounded just grand, didn't they?

But the sorry and dismal record of his Administration up to now has proved them to be nothing more than words, well-intentioned perhaps, but empty and meaningless when compared to his performance.

In the 11 months of its life, the Nixon Administration has opposed or asked that action be delayed on virtually every piece of major, meaningful, vital veterans legislation introduced into Congress.

One of the most glaring examples of the failure of President Nixon's utterances to match what he ultimately advocated is that of increasing GI Bill training and education allowances.

The origin of that goes back to last June when President Nixon appointed a commission to study the needs of the returning Vietnam Veteran, with special emphasis on his training and education.

An interim report of that commission recommended a 13% boost in subsistence

payments and President Nixon implied he would veto anything higher.

The Senate, however, approved a 46% increase. The House voted a 27% hike in the allowance.

President Nixon's attitude toward raising the GI Bill allowance for student veterans is inconceivable in light of his oft repeated concern over the failure of veterans returning from Vietnam to take advantage of the GI Bill to increase their earning power.

Reams of documentation have been provided him demonstrating that one of the principal reasons the young men are not going back to school is that they simply cannot afford it on the basis of the inadequate allowances they would receive. As a result they are losing a million dollars a day in benefits.

When President Nixon appointed the members of that commission, there was real concern that the Veterans Administration would be controlled not by Donald E. Johnson, a former national commander of the American Legion, named Veterans Administrator by President Nixon, but by Robert Finch, secretary of Health, Education, and Welfare; or Patrick Moynihan, an urbanologist with pronounced leanings toward social planning, or Robert P. Mayo, director of the Bureau of the Budget.

Nothing has happened yet to dispel that fear and, except for a few pious pronouncements, Administrator Johnson has given little indication that he is anything more than a puppet dangling from the Bureau of the Budget's strings. The presence of men on that commission whose antipathy toward the VA and veterans benefits in general is well known gives further reason for concern that the VA will be strangled by the HEW octopus.

Further evidence of the Administration's anti-veteran stance is its refusal to permit correction of the deplorable state of many VA hospitals.

As early as last April—two months before the President uttered his noble phrases about veterans benefits—the Administration's bias began to emerge.

That was when the VA budget for the 1970 fiscal year was slashed by nearly \$90 million, \$78.5 million of it for hospital construction and medical operating expenses.

The House, however, restored nearly all the budget cuts in a move vital to the VA because of its increased workload resulting from the discharge of 75,000 young men each month, or a million a year, from the service, many of them in need of hospital care.

Since then, Administration antics would seem inspired by "Alice in Wonderland."

To appreciate just how ridiculous they have proved to be, it is necessary to review the events in sequence.

Former President Johnson's 1970 budget called for 4,000 new jobs in the VA's medical program, but President Nixon's revised budget in April lopped them off.

Then at his request, mind you, Congress restored these jobs. But President Nixon turned right around and cut them out again after signing the second supplemental appropriations bill for 1969.

Net result was not just the loss of 4,000 jobs, but 634 more.

Of these lost jobs, 378 were to have been assigned to VA staffs that handle education and other claims. At the same time that the Nixon Administration was cutting VA jobs to the bone there was a backlog of 600,000 cases in VA regional offices.

Recently Rep. Henry Helstoski (N.J.), a member of the House Veterans Affairs Committee, contrasted the expenditure of \$630,000 in federal funds to "refurbish" Air Force One, the Presidential plane, and "additional millions of federal money on the San Clemente summer retreat and Key Biscayne winter retreat" with the slashing of \$17

million from the VA for air conditioning of four veterans hospitals.

Because of the Administration negativism, VA facilities built and equipped in the past two years to meet the needs of returning veterans stand idle.

As Rep. Olin E. Teague (Texas), Chairman of the House Veterans Affairs Committee, told Congress last October:

"Here stands over \$20 million of modern medicine's most advanced technological equipment—installed and waiting—to perform life-saving and life-prolonging miracles for thousands of sick veterans who are suffering with kidney disease, heart disease, blindness and numerous other ailments which require intensive treatment."

These facilities total 828 in all parts of the country ranging from a \$592,605 intensive care unit in the Bronx to a \$1,675 speech pathology program in Oteen, N.C.

Despite the Administration's consistent negativism in the field of veterans legislation, Congress has passed much needed laws broadening the scope of legislation to include hundreds of thousands who are in dire straits.

How is it possible for anyone to oppose a measure to let service-disabled veterans stay in nursing homes for nine months instead of six, if there is a need? This Administration is against such a bill now in the Senate.

Can you imagine anyone being against more money in these inflationary times for widows and children of men killed in the service? This Administration was.

Why would anyone object to providing VA medical service for the non-service-connected disabilities of a totally service-disabled veteran. The Administration did.

In spite of Administration obstructionism, Congress passed both of these bills.

Realizing that the representatives of the people were unwilling to submit to Administration dictation when the public interest was involved, President Nixon signed the two into law.

There you have it, the record of the Nixon Administration to date.

It is one that reveals shocking indifference on the part of Administrator Johnson and the Administration to the plight of the millions of men who answered their nation's call willingly, even eagerly, only to face on their return home a callousness from the Administration rarely equalled in this nation's history.

The veterans deserve and have every reason to expect better than this from an Administration pledged to their welfare.

ESTONIAN INDEPENDENCE DAY

**HON. WILLIAM B. WIDNALL**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. WIDNALL. Mr. Speaker, today many of my constituents mark an anniversary with both pride and sadness. Some remember while others hear about the good life that was in a growing nation in another land.

It began on February 24, 1919. The Russian occupation force left the country that day as Estonia declared its independence and began to prosper as an individual nation with its own sense of commitment. In two decades Estonians built a remarkably solid nation while enjoying the life of prosperity and liberty. Today Estonian Americans note that achievement with pride.

But Estonians also view today with sadness. The anniversary is a reminder of confiscated property, destroyed homes, burned lands, deportation, slave labor camps, and death of family and friends. That litany of horror began in 1940 with the invasion of the Red army. Thirty years later, the Soviet Union and its army still occupy Estonia.

It was the resolve of the 89th Congress that Estonia exist with self-determination. On the anniversary of their nation's independence, I join Estonian Americans in renewed support of this resolve for liberation.

#### LITHUANIAN INDEPENDENCE

### HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. HALPERN. Mr. Speaker, February 16 is a day dear to the people of Lithuanian birth and descent throughout the world, including the more than 1 million patriotic American Lithuanians. This year will mark the 52d anniversary of the Declaration of Independence of Lithuania, proclaimed in the capital city of Vilnius in 1918.

On that date, the Lithuanian nation declared its independence. This was a goal for which the Lithuanian people had been striving throughout a long period of Russian domination—1795–1915—followed by German occupation during the First World War. After two decades of independence, Lithuania again fell under Russian domination when it was occupied by the Red army in the Second World War. It was declared a constituent republic of the U.S.S.R. on August 3, 1940. Following the German attack on the Soviet Union 10 months later, Lithuania was in Nazi hands until reoccupied by the Soviet army in 1944. Since then it has been considered by the Soviet Union as a component republic.

The United States has never recognized the Soviet incorporation of Lithuania or the other two Baltic States, Estonia and Latvia.

News from the Baltic States has been very sparse since their incorporation into the Soviet Union, for the borders of Lithuania, as well as of Latvia and Estonia, have been kept sealed against the outside world and each other. Until 1959, when Vilnius was opened, no Western observers were allowed in Lithuania. The rest of the country is still closed. This is often attributed to military reasons, observers noting that the Baltic coast is ideally situated for missile bases.

As would be expected, Communist literature claims great accomplishments for Lithuania in industry, agriculture, education, and culture. The Communists appear to have concentrated their efforts on industrialization and on collectivizing agriculture. However, the few who have been able to escape report a lack of freedom and the imposition of Communist methods which exists throughout the Communist world.

With this recent history in mind, on this occasion I want to pledge my support to the sentiments of the Lithuanian-American community which believes the free world can never rest in peace, knowing that in Lithuania under Soviet Russian rule, genocide, and Russification are commonplace, religious persecution is prevalent, and basic human freedoms and rights are denied to the Lithuanian people.

#### COLUMNIST QUESTIONS FORCED INTEGRATION AND BUSING

### Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MONTGOMERY. Mr. Speaker, in last Friday's Washington Post, Columnist William Raspberry wrote an article on a subject that was debated extensively in this body as well as the other body last week—the subject being forced integration and busing as opposed to quality education. I do not agree with every statement he made in the column in question, but I do agree with his main thesis that forced integration and busing is only serving to destroy the quality of education. As he pointed out in his column, too many people have made real education the secondary concern in public education while concentrating on so-called social concerns. As a result of this redesignation of priorities, education has suffered and parents and children have lost their right to choose the school which they prefer and to attend the school closest their home. I would like to share the following excerpts from the column with my colleagues:

#### CONCENTRATION ON INTEGRATION IS DOING LITTLE FOR EDUCATION

Racial segregation in public schools is both foolish and wrong, which has led a lot of us to suppose that school integration must, therefore, be wise and just.

It ain't necessarily so. It may be that one reason why the schools, particularly in Washington, are doing such a poor job of educating black children is that we have spent too much effort on integrating the schools and too little on improving them.

The preoccupation with racial integration follows in part from a misreading of what the suit that led to the 1954 desegregation decision was all about.

The suit was based (tacitly, at least) on what might be called the hostage theory. It was clear that black students were suffering under the dual school systems that were the rule in the South. It was also clear that only the "separate" part of the separate-but-equal doctrine was being enforced.

Civil rights leaders finally became convinced that the only way to ensure that their children would have equal education with white children was to make sure that they received the same education, in the same classrooms.

Nor would the education be merely equal, the theory went: It would be good. White people, who after all run things, are going to see to it that their children get a proper education. If ours are in the same classrooms, they'll get a proper education by osmosis.

That, at bottom, was the reasoning behind the suit, no matter that the legal arguments

were largely sociological, among them, that segregated education is inherently unequal. (Why it should be inherently more unequal for blacks than for whites wasn't made clear.)

In any case, the aim of the suit was not so much integrated education but better education. Integration was simply a means to an end.

Much of the confusion today stems from the fact that the means has now become an end in itself. Suits are being brought for integration, boundaries are being redrawn, busing is being instituted—not to improve education but to integrate classrooms.

The results can sometimes be pathetic.

In Washington, blacks send their children (or have them sent) across Rock Creek Park in pursuit of the dream of good education. But as the blacks come, the whites leave, and increasingly we find ourselves busing children from all-black neighborhoods all the way across town to schools that are rapidly becoming all-black.

The Tri-School setup in Southwest Washington is a case in point. Of the three elementary schools in the area, only one was considered a good school: Amidon, where the children of the black and white well-to-do attended. Bowen and Syphax, populated almost exclusively by poor kids from the projects, were rated lousy schools.

Then the hostage theory was applied. A plan was worked out whereby all first- and second-graders in the area would attend one school, all third- and fourth-graders a second, and all fifth- and sixth-graders the third.

The well-to-do parents would see to it that their children got a good education. All the poor parents had to do was see to it that their children were in the same classrooms.

That was the theory. What happened, of course, is that instead of sprinkling their children around three schools, the luxury high-rise dwellers, black and white, packed their youngsters off to private school. Now instead of one good and two bad schools, Southwest Washington has three bad ones.

After 16 years, we should have learned that the hostage theory doesn't work. This is not to suggest that integration is bad but that it must become a secondary consideration.

Busing makes some sense (as a temporary measure) when its purpose is to transport children from neighborhoods with overcrowded classrooms to schools where there is space to spare.

It works to a limited degree when it involves children whose parents want them bused across town for specific reasons.

But it has accomplished nothing useful when it has meant transporting large numbers of reluctant youngsters to schools they'd rather not attend.

#### CIVIL SERVICE RETIREMENT FUND PLACED ON SOUNDER BASIS

### HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. EVINS of Tennessee. Mr. Speaker, as a result of recommendations by the Subcommittee on Independent Offices Appropriations, Congress last year enacted Public Law 91-93 to place the civil service retirement fund on a sound basis of solvency and liquidity.

In this connection I want to commend my colleague, Representative DOMINICK V. DANIELS, chairman of the Subcommittee on Retirement, Insurance, and

Health Benefits of the Post Office and Civil Service Committee, for legislation which his committee prepared and reported with the necessary provisions to assure the ultimate solvency of the civil service retirement fund.

Testimony before the Subcommittee on Independent Offices Appropriations during recent hearings reflects the results of this legislation which requires the Treasury Department to credit substantial amounts to the retirement fund each year. The total contribution this year will approximate \$236,500,000 at the end of fiscal 1971.

Eventually this annual contribution by the Treasury will be equivalent to the interest on the unfunded liability and current annuity disbursements for the year attributable to credit allowed for military service.

The deficiency in the fund as of June 30, 1970, is estimated to be \$64,571,054,000. However, with the annual payments into the fund by the Treasury Department over the next 10 years—as the law provides for 10 annual installment payments plus other provisions to insure liquidity—the civil service retirement system is now established on a sound financial basis. Approximately 2.7 million Federal employees are members of the civil service retirement system at this time and currently an estimated 925,000 retired employees and survivors receive monthly benefits totaling \$2.5 billion annually from the retirement and disability fund administered by the Civil Service Commission.

The recent legislation requiring employment agencies and employees both to contribute an increased and equal percentage to the fund of the employee's basic salary will serve also to improve the retirement system which is now on the road to solvency with a new basis of actuarial soundness enacted by the Congress.

#### A STATE OF COLD PEACE

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ANDERSON of Illinois. Mr. Speaker, President Nixon's recent foreign policy message, "A New Strategy for Peace," has now been widely reviewed and analyzed by columnists, commentators and editors across the country and around the world. Most seem to agree that the general tone of the message reflects a new low profile for the United States as our role in world affairs shifts from paternalism to partnership.

I think one of the best commentaries I have heard on the foreign policy message was delivered last Wednesday on the CBS evening news by Eric Sevareid. In Mr. Sevareid's words:

The document symbolized the end of America's 30-year love affair with foreign policy, the end of the idea that a society's quality, great or otherwise, depends on its foreign policy, the end of automatic big power dominance in a world of fiercely nationalistic smaller powers, the end of the

idea that we have the capacity to renovate the economies and politics of alien societies and can give more than marginal help.

Mr. Sevareid is careful to point out, as did President Nixon, that this new low profile should not be confused with isolationism, and that we still have an important role to play in world affairs. In his words:

All this will be criticized as neo-isolationism. It is, rather than a retreat from the world, a withdrawal from overextension, an effort to adjust our reach to our grasp.

Mr. Speaker, I include the full text of Mr. Sevareid's excellent commentary at this point in the RECORD:

CBS EVENING NEWS WITH WALTER CRONKITE

SEVAREID. Some years ago "Cold War" was defined as a condition in which the superpowers talk as if they were at war but stop short of making war; "Cold Peace" as a condition in which they talk as if they were at peace but stop short of making peace.

President Nixon's 40,000-word statement today is the official American recognition that we exist in the state of Cold Peace. It cannot be adequately discussed in these few minutes, but it's fair to say that the document recognizes what scores of books, articles and speeches have recognized for several years and what previous American Administrations would not formally acknowledge.

The document symbolized the end of America's 30-year love affair with foreign policy, the end of the idea that a society's quality, great or otherwise, depends on its foreign policy, the end of automatic big power dominance in a world of fiercely nationalistic smaller powers, the end of the idea that we have the capacity to renovate the economies and politics of alien societies and can give more than marginal help.

It is formal notice that the containment policy toward Russia is long since over, notice to our own people and the world that we will not again allow our easy, mobile power to lead us into interventions in other people's quarrels save in the unlikely event that our own vital interests are unmistakably involved.

One may fairly deduce from this document that Mr. Nixon accepts what his predecessors would not accept—that the period of Hitler and the immediate postwar period of Stalin amounted to a very exceptional episode in history, but that today neither peace nor freedom is indivisible, and will coexist with war and tyranny as they usually have.

The document explicitly recognizes that world communism is no longer a monolithic, centrally manageable force, but now lies badly fragmented and at war with itself. It treats this change pretty much as the result of a natural growth of nationalisms, giving sparse credit to the strong actions of previous Administrations, such as the Greece-Turkey Program, Marshall Plan, Korea and so on.

The President affirms that we shall not endanger the vital interests of the Soviet Union, and we shall expect similar restraint from them. But his document is more of a call for a definition of those interests than a definition.

It adds up to what is already called the Nixon low posture foreign policy for America, notice to others in the world to expect no action from us beyond our existing treaty commitments of a strenuous or dramatic kind. All this will be criticized as neo-isolationism. It is, rather than a retreat from the world, a withdrawal from overextension, an effort to adjust our reach to our grasp.

#### MILITARY-INDUSTRIAL COMPLEX

### HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. GOLDWATER. Mr. Speaker, in a recent talk to the Society of Logistics Engineers in Cocoa Beach, Fla., Assistant Secretary of Defense for Logistics and Installations, Barry J. Shillito spoke candidly about the so-called "military-industrial complex." As I believe that these remarks should be given the widest possible circulation, I insert into the RECORD that portion of Mr. Shillito's speech which touched on this subject:

#### MILITARY-INDUSTRIAL COMPLEX

Few subjects in recent months have been given more attention than the "military-industrial complex." Some might be led to believe that a giant conspiracy of many elements of our society has been at work; that the members of this conspiracy are being unjustly enriched at the expense of the taxpayer, and are perpetuating conflicts abroad and a large military establishment here at home in order to maintain themselves in power and wealth for the indefinite future, all at the expense of many other more worthwhile social goals which cannot, thereby, be achieved. I do not agree with these charges and it is difficult for me to understand how anyone with all the facts and an appreciation for the problems involved can be so easily convinced that they are true.

First, let us look at the military-industrial complex—where did it come from, what is it, and what is its influence?

As most of us know, the term is generally attributed to statements made by President Eisenhower in his Farewell Address to the American people on 17 January 1961. What too many people do not know, or have forgotten, is that the warning against the military-industrial complex was not the single main theme of his talk. The talk actually contained six warnings. The first and main one, from which the rest came, was the concern that America's progress toward "world peace and human betterment" was being "persistently threatened by the conflict now engulfing the world." The conflict was with a "hostile ideology [Communism]—global in nature, atheistic in character, ruthless in purpose, and insidious in method." President Eisenhower went on to say:

"Unhappily the danger it [the conflict with Communism] poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily . . . the burdens of a prolonged and complex struggle."

"A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

"Until the latest of our world conflicts, the United States had no armaments industry. American makers of plowshares could with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense: we have been compelled to create a permanent armaments industry of vast proportions."

It was against this background that President Eisenhower issued his next warning which was directed against the military-industrial complex. This warning concluded:

"Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of Defense with our peaceful methods and goals, so that

security and liberty may prosper together," eral domination of research; living only for today and plundering the precious resources of tomorrow; the avoidance of hate and fear in the world; and hope for disarmament. Taken in context, the talk emphasizes the need to have a healthy military-industrial complex along with an "alert and knowledgeable citizenry" to check the dangers posed by the complex, not its dismantling.

Turning now to the next part of the problem—that is, what is the military-industrial complex? The answer to this question is a little more difficult. Let's ask first of all, is there a conspiracy? All thinking critics even those most violently opposed to the complex, are unanimous that there is no conspiracy involved. The diversity of the complex makes a conspiracy unlikely. In fact, to get the majority of those related in any way, the cliché should be broadened to call it the "Military-Industrial-Labor-Scientific - Academic-Public" complex—even then, someone surely would be left out. After all, some 22,000 prime contractors and 100,000 subcontractors work on Defense programs; 76 industries are classed as Defense industries even though the average Defense sales of our larger suppliers are less than half their total sales; and some 5,300 cities and towns have at least one plant or company doing business with the Armed Services. These few statistics indicate the difficulty in viewing the complex as a "conspiracy," and demonstrate the widespread participation in the complex by every facet and skill of American life.

It has been estimated that 5% of the nation's labor force have jobs which result from Defense spending. Now, that sounds like a pretty potent military-industrial lobby, doesn't it? Frankly, I doubt whether many of these people would make very good lobbyists or would want to assume such responsibilities. The so-called Defense Industry is accused of being a profiteering industry. Nothing supports this allegation. A few companies make high profits, generally sporadically. On balance, average Defense contractor profits are significantly less than non-Defense profits. Every soundly constructed available statistical compilation supports this statement.

By the way, what many people do not know or tend to forget is that very few people in any large commercial organization have their income affected by the company's profits. These few people and the stockholders naturally have a vital interest in the profitability of the company. While interested in the company's well-being and their jobs, the rest of the employees of such companies are generally not compensated in any manner that ties to the company's profits. I might say at this point that almost all of the retired military personnel in industry are in this "employee" category with compensation not tied to profits or stock options. To illustrate the point further, the bulk of salaried employees' rates of pay are not significantly affected whether they work for a company that derives a large percentage of its business from Defense or is predominantly commercially oriented.

The facts which demonstrate the pervasiveness of Defense spending in the country's life bring up the last part of the problem—what is the influence of the complex, or to put it another way, who can keep an eye on the complex and blow the whistle on it if need be. I believe this job has been, and is being, well done by an alert Congress, a watchful press, and a strong and responsible civilian Secretary of Defense. In fact, I am often more concerned that efficient management may be stifled by the number and variety of those who look over the operators' shoulders. Currently, there are several Congressional Committees profoundly interested in Defense logistics matters; the General Accounting Office is pursuing a variety of reviews of logistics; and the Inspector General and auditors are everywhere in

evidence. At the same time, the Congress has been considering proposals for the DoD to furnish progress reports on large weapon systems, and a bill passed by Congress and recently signed by the President establishes a Commission on Government Procurement.

I also think it ought to be clearly understood that military policy under our system of Government is made by top civilian political leaders, which means the President and key members of Congress. The budget which feeds the complex is subject to extensive administrative and Congressional scrutiny. The course of the budget through legislative committees in the tortuous route leading to appropriation of funds, is typical of the constitutional checks and balances at work in the total scheme of things.

Can it really be seriously proposed that the Government—Executive and Congress together—is beyond control of the people? The term of the Chief Executive still expires after four years; and he may seek to renew his mandate only once. Congressmen must seek re-election every two years, and Senators, every six. Thus, if there are dynasties in our Government, ladies and gentlemen, it is because they are bestowed by the people, not forced on them.

#### COMMENDING THE CHIROPRACTIC PROFESSION ON ITS 75TH ANNIVERSARY

**HON. FRANK J. BRASCO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. BRASCO. Mr. Speaker, recently, it was my pleasure to attend a luncheon here which was conducted by the Iowa Chiropractic Society and the Iowa Chiropractic Education Bureau, which is the education arm of the profession in Iowa. This was a highlight of the 75th anniversary celebration of chiropractic. Like their colleagues throughout the Nation, these doctors impressed me as men who are dedicated to guarding and improving the health of our people.

The Iowa Chiropractic Education Bureau seeks to impart to the community it serves valuable information regarding health care. Its programs are directed to all age groups. The bureau endeavors to educate young people—and their parents—to the importance of correct posture and its relationship to spinal problems and general health.

Among the elderly, the bureau stresses the need for regular, professional health care and calls attention to the tremendous value chiropractic can be in terms of alleviating the spinal problems that invariably accompany the aging process.

At our luncheon, these doctors offered some enlightening statistics as to the substantial numbers of aged in Iowa who are utilizing chiropractic services.

These statistics served to underscore the Bureau's contention that increased numbers of aged persons would be able to benefit from chiropractic if the health discipline was included in the medicare program.

The Bureau further pointed out that inclusion of chiropractic in medicare would grant millions of aged the right to a free choice of doctor—a choice they are presently denied.

Mr. Speaker, it is my belief that the

Iowa Chiropractic Education Bureau has offered some sound arguments for the expansion of medicare coverage and I feel that measures to achieve this goal merit careful analysis and consideration.

The chiropractic profession—and the chiropractors of Iowa in particular—are to be commended for their diligent efforts in meeting the health care needs of the community, and I am happy to offer this word of tribute on the occasion of the 75th anniversary of the profession.

#### ADMINISTRATION FIGHTS INFLATION WITH A HOUSING SHORT-AGE

**HON. ABNER J. MIKVA**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MIKVA. Mr. Speaker, the administration continues to tell us that the results of its economic policies will not be a disaster for all Americans. As the weeks and months go by, it becomes harder and harder to believe. Unemployment goes up, prices go up, and only one thing seems to be going consistently down—housing starts.

The extent to which the administration's war on our prosperity has affected the housing industry was recently brought home to me by an article in Chicago Today. The article shows that permits for the construction of new housing in Chicago plummeted from 3,496 in January of 1969 to a scant 812 for January of this year. For apartments, January 1970 saw the lowest number of permits issued of any year since 1958. For single family private homes, the story is even worse. Not since 1945—the year the Second World War ended—has there been a month in which so few permits were issued. Even President Eisenhower, the last practitioner of Republican economics, who gave us three recessions in 8 years, did not equal this administration's dismal record on housing.

I insert the Chicago Today article from February 20, 1970, at this point in the RECORD so that my colleagues may read firsthand of the results of the administration's war on our prosperity.

The article referred to follows:

#### BELL SURVEY SHOWS: HOUSING PERMITS HERE PLUNGE

Housing permits in the Chicago area last month plunged 77 per cent to 812 units from 3,496 in the same month a year ago, according to Bell Federal Savings & Loan Association.

In its monthly report on new building released today, the company said single family home permits were the lowest for the month since 1945 and apartments were at the lowest point since 1958.

Bell said altho the number of permits in each of the housing categories were lower than respective totals last year, the largest decrease occurred in the construction of apartment units.

Apartments alone dropped to 422 units from 2,745 in January, an 85 per cent decline.

Single family home permits totaled 390 in the month compared with 751 last year.

The total building permit values for all types of construction last month dropped 6 per cent to \$88,762,317 from \$83,578,896 in the corresponding month in 1969.

ATOMIC ENERGY AND THE ENVIRONMENT—CONTINUED

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. WOLFF. Mr. Speaker, I am continuing to include in the RECORD statements submitted earlier this month at a hearing on atomic energy and the environment which my colleague (Mr. REID) and I held in New York.

Today I am including the statements of a group of scientists at the State University of New York and William J. Burns, of the Long Island Lighting Co. in the RECORD:

THERMAL POLLUTION, LONG ISLAND SOUND REGION—OPENING STATEMENT

(By Peter K. Weyl)

My name is Peter K. Weyl and I am a senior research oceanographer in the Marine Sciences Research Center of State University of New York at Stony Brook. The Marine Sciences Research Center under the direction of Dr. Donald Squires has been established by the Board of Trustees of the State University of New York to provide facilities and develop a research program in the marine sciences for the 70 odd units of the State University. Our research program has primarily been directed to the problems created by the impact of the New York Metropolitan Region on the marine environment. Specific projects deal with the problem of solid waste disposal at sea and the problem created by thermal discharges from electric generating plants.

I am project leader for thermal pollution studies, and our initial efforts have been jointly financed by the University and by the Long Island Lighting Company, and are coordinated with the New York State Department of Conservation Division of Marine and Coastal Resources. The project was initiated in Spring, 1969 and my colleagues will give some of the results we have obtained.

At present, the average rate of generation of electric power in the United States amounts to 170 million kw and this requirement will double by the year 1980. In a steam electric generating plant, heat is generated either by burning fossil fuels or by a nuclear chain reaction. Every 100 units of heat energy generated result in the following:

In a modern fossil fuel plant 40 units of electrical energy are generated, 15 units of heat are discharged to the atmosphere from the stack and from the plant and 45 units of heat are transferred to the cooling water. In a nuclear power plant, 33 units of electrical energy are generated, 5 units of heat are discharged from the plant to the atmosphere and 60 units of heat are transferred to the cooling water. Thus a nuclear plant will discharge 60 per cent more heat to the water than a fossil fuel plant of the same generating capacity. This difference is due to the lack of stack losses in a nuclear plant and due to the slightly lower efficiency, 33% rather than 40% caused by the lower operating temperature. The limited supply of fossil fuels, and the problems of air pollution will force a gradual transition from fossil to nuclear plants.

In 1967, the installed capacity of power plants, all fossil fuel, that discharged their thermal waters into Long Island Sound were as follows: Long Island Lighting Company, 1.25; H. E. Utilities, 1.18 and United Illuminating Company 0.58  $\times 10^6$  watts. In addition Consolidated Edison had an installed capacity of 6.8  $\times 10^6$  watts on the East River, which contribute heat to the western end of the Sound.

Heat added to the water of Long Island Sound is ultimately returned to the atmosphere,

largely by the evaporation of water. Part of the heat is lost to the atmosphere in the immediate vicinity of the plant where the surface water is heated significantly and the rest is returned to the atmosphere due to a regional slight warming of the Sound. Under calm conditions, the heat loss for the thermal anomaly near the plant is about one quarter of the total and this fraction decreases if mixing is increased by wind action.

The ecological effect of the added heat consists of the direct effect near the plant due to the thermal plume and the effect of the regional warming. Our studies so far have been primarily directed towards local effects. However, in the long run, the regional effects are likely to become more important, particularly in the western parts of the Sound. On an average summer day, a 1 km<sup>2</sup> area (247 acres) that is warmed 1°C (1.8°F) above ambient will dissipate about 5  $\times 10^6$  calories per second, corresponding to the heat rejected to the water by a 19.5 megawatt fossil fuel plant or an 11.3 megawatt nuclear plant. Long Island Sound west of Bridgeport has an area of about 1000 km<sup>2</sup> so that an average temperature rise of 1°C would result from an installed capacity between 20,000 and 12,000 megawatt, depending on the mixture of nuclear and fossil fuel plants. The present loading amounts to about 3,000 megawatt. If we add the proposed 4,000 megawatt Davids Island nuclear plant, this would give 7,000 megawatt resulting in an average temperature rise of about ½°C or about 1°F. What are the effects of such temperature rises? First Mr. Charles Hardy from the Suffolk Community College, who is spending his sabbatical at the Marine Sciences Research Center, will tell you about our findings on the general aspects of the waters of Long Island Sound. Then Dr. George Williams will report on our biological investigations of the effect of the Northport plant of the Long Island Lighting Company.

BIOLOGICAL EFFECTS OF THERMAL POLLUTION (By George C. Williams)

The most universal biological effect of increased temperature is the acceleration of vital processes, such as metabolism and development. A ten degree rise in temperature will usually give at least a doubling and often a manifold increase in these rates. Another common effect of sudden heating is the physiological damage that may be trivial or may be fatal. At the Northport power plant of Long Island Lighting Company, almost all of the plankton going through the plant, both animal and plant, is killed by the heating of 15°C or more during the summer. The same heating during the cooler seasons allows some survival. Unlike killing by natural forces, the destruction in cooling waters is unrelated to either demographic parameters or trophic niche. Long-lived predators and rapidly replaced primary producers are equally vulnerable. The seriousness of this destruction will vary with the replacement rates.

Because heated water floats when it is discharged into a cooler marine environment, it will directly affect benthic communities only to a shallow depth. At the 800 megawatt plant in Northport, many species are reduced in numbers or in distribution within about 300 meters of the discharge into Long Island Sound. A few show a greater abundance, perhaps because the heat adversely affects their competitors or predators. Although the area of bottom affected may be small, a heated discharge may affect a considerable linear extent of intertidal and shallow-water life, when wind and tide act to confine the hot waters along shore. This intertidal and near-shore benthos is in many ways the most important, because of its productivity and use as breeding and nursery grounds for important species. The winter flounder, for instance, lays eggs in winter in shallow water where they normally develop at or near the freezing point. A large source of hot water

near shore may drastically alter their conditions of development. Juvenile winter flounder concentrate and feed in large numbers in intertidal marshlands and ponds along shore.

Ultimately, the indirect effects of heating may prove more important than the direct. Hot water discharged into the marine environment forms a semi-stable surface layer that mechanically reduces vertical mixing. It may thereby contribute to the exhaustion of oxygen and influence plankton distribution. In turbulent water, non-motile plant cells will be thoroughly mixed through the water column. In stable stratified water they may settle out into regions of insufficient light or oxygen. On the other hand, the motile phytoplankton will be able to concentrate in well lighted surface waters if stratification is strong. Planktonic fish eggs in Long Island Sound are near their point of neutral buoyancy. In turbulent water they will be kept in suspension off the bottom and with a variable thickness of water as a shield against ultraviolet radiation from the sun. In stratified water they may rise and float to the surface without shielding, or sink to the bottom, where oxygen may be deficient and bacterial attack more likely. These are largely unevaluated possibilities.

Lastly, a hot-water discharge may have a variety of effects on animal behavior. At elevated temperatures, some species will breed out of season, so that their young will encounter abnormal conditions, for instance, the absence of a seasonally limited food source. Motile animals may react in various ways to a thermal boundary. As the water cools in the fall, many fishes may be attracted to a thermal plume and be trapped in it by their aversion to lower temperatures outside. This effect provides productive recreational fishing near the discharge at Northport. On the other hand, if fishes that normally avoid winter cold by emigrating are induced to stay until the temperatures in Long Island Sound are too low for their survival, their chances of surviving are small.

HYDROGRAPHIC FEATURES OF LONG ISLAND SOUND

(By Charles D. Hardy)

My name is Charles D. Hardy, Research Associate, Marine Sciences Research Center, State University of New York at Stony Brook. This past year the Marine Sciences Research Center began a program of hydrographic surveys of Long Island Sound under the direction of Dr. Peter K. Weyl. Three cruises were conducted in 1969 and one cruise has been completed in 1970. These surveys are designed to identify hydrographic events of regional significance and to establish baselines for comparative studies of local water characteristics.

The only previous study of Long Island Sound occurred fifteen years ago (1952-55) by a group at Yale University headed by Dr. Gordon A. Riley. During the intervening period, only isolated or localized measurements have been attempted on major physical, chemical, and biological parameters.

The seasonal temperature fluctuation of Long Island Sound is extreme with a range from -1.5°C (29°F) to 25°C (78°F). During winter months, the temperature distribution is characterized by warmer waters at the eastern portion due to mixing with waters from Block Island Sound. A second, smaller temperature maximum begins at the entrance to the East River. The origin and environmental effect of this heat input is not adequately understood but may indicate the presence of water originating from the New York Bight or thermal discharges into the channel of the East River by power and industrial plants. Minimum winter temperature occur in the shallow waters off Sands Point. From April to September, a temperature stratification develops in the Sound's central basin where a temperature difference exists between surface and bottom of 6°C

(11°F). Such stratification reduces vertical mixing of the water column which results in a summer nutrient depletion of the surface waters due to biological activity. Strong tidal mixing in the eastern part of the Sound prevents the formation of a thermocline and the tidal oscillations at the west end dampen vertical temperature differences.

A horizontal salinity gradient of 5 parts per thousand (Range 25-31‰) exists between the east and west end of the Sound with water of least salinity always occurring at the west end.

Dissolved oxygen is generally considered a sensitive indicator of the existing quality of the marine environment. Changes in oxygen concentration reflect changes in the metabolic activity of organisms, the presence or absence of substances in a reduced chemical state and various physical events at the air-sea interface. The metabolism of plants and animals are responsive, in turn, to the changes in temperature, salinity, the presence of nutrients and toxic materials. The sudden heating of water reduces the concentration of oxygen which the water may dissolve and release the excess oxygen to the atmosphere.

Oxygen measurements, begun in October, reveal two areas of the Sound which were significantly depressed and warrant more extensive observation. These areas were found at the western end of the Sound between Executive Rock to Throgs Neck and within a plume issuing from the mouth of the Connecticut River. Both areas were less than 70% saturated in October and would be lower during August when minimum oxygen concentrations appear.

Such nutrients as orthophosphate, nitrate and nitrite displayed a dramatic increase from east to west. Nutrient concentrations in the urbanized western portion of the Sound were frequently 5 times or more that of the east end. Phytoplankton abundance, as indicated by chlorophyll values, followed the general pattern of nutrient concentration.

Large oxygen demands may exist in the western area of the Sound, due to the decomposition and regeneration of large quantities of carbonaceous and nitrogenous matter discharged from sewage treatment plants, storm drainage as well as plant and animal debris.

This biological and chemical competition for available oxygen may suffer serious interference by additional burdens imposed by the activities of man. The decreased solubility for oxygen by thermal effluents coupled by the presence of surface interfering pollutants, such as oils, detergents and proteinaceous substances which decrease the rate of air-sea oxygen transfer, may reinforce the severity of existing oxygen demands.

We are left with the conclusion that the effects of thermal discharges cannot be considered independently from other interrelated features which may be unique to the local or regional environment.

#### SUMMARY STATEMENT

(By Peter K. Weyl)

Our studies to date have shown the effect of the thermal effluents of the Northport plant on its immediate environment and they have documented the large west to east gradients in nutrients in Long Island Sound. In future studies, we hope to explore the west to east gradients of biological parameters in the Sound. This is necessary in order to monitor changes in the Sound. Further we hope that these studies will permit us to predict the effects of additional generating plants on the ecology of the Sound. In cooperation with Dr. Stewart from the State University at Albany, who is also testifying here, we hope to examine the effects of thermal pollution on the atmosphere. It is important to survey the radioactive background of the Sound before any nuclear power plants start operating, so that their

impact on the natural radiation background can be evaluated. No one monitors the natural radioactivity released by the burning of fossil fuels. Such data are needed to evaluate the relative environmental effects of fossil fuel and nuclear plants.

The results of the present and proposed studies will assist the state and federal regulating agencies in making decisions that affect the ecology of Long Island Sound. In order that the people of New York and Connecticut may derive maximum benefit from this magnificent body of water, however, we must initiate long range planning.

Instead of deciding on each power plant and sewer outfall separately, we must look at the overall development of the Sound. How many megawatts can we generate around the Sound without significant deterioration of the environment and where should plants be located? What about the interaction of heat and sewage? By combining them, we speed up the bacterial oxidation of organic matter. This has both beneficial and detrimental aspects. What should be an optimum environmental design? One of my colleagues has suggested that we dam up Long Island Sound and turn it into a freshwater lake. The result of this action would be the largest and perhaps foulest sewage lagoon in the nation. The reason Long Island Sound is still a pleasant body of salt water is that it is tuned to the frequency of the tide generating forces. The large tidal prism, about 10% of the water of the Sound, renews the water and dilutes the pollutants.

The State University must play two roles in facilitating long range multiple use planning. Through continued and intensified research, we must develop the capability to predict the impact of proposed changes on the marine environment. To help government and industry in environmental planning, we must train a new breed of professionals. Our universities know how to train specialists in various aspects of the marine sciences. Long Island Sound, however, did not go to the University and it is not organized on a departmental basis. Physical, chemical, biological, geological and atmospheric processes all interact in complex ways and man's use of the Sound is subject to legal, political, economic, social, and psychological forces. In order to train professionals to cope with these multidisciplinary aspects, the State University of New York at Stony Brook will be initiating a graduate program in Marine Environmental Sciences this fall. This will be a difficult task from which the faculty will learn as much as the students. It is, however, an essential task if we are to replace limited objective exploitation by multiple use planning of our marine resources.

STATEMENT BY WILLIAM J. BURNS, MANAGER OF ENVIRONMENTAL ENGINEERING, LONG ISLAND LIGHTING CO.

I am William J. Burns, residing at 100 Lincoln Avenue, Mineola, Nassau County, Long Island, New York, and I appear at this hearing in behalf of Long Island Lighting Company. The Long Island Lighting Company is a public utility company serving electricity to the residents of Nassau and Suffolk Counties, as well as to the Rockaway Peninsula in Queens County.

I am a licensed Professional Engineer in the State of New York and in the State of Ohio. I received a Bachelor of Science degree in Mechanical Engineering from Carnegie Institute of Technology in 1933 and since that date have done graduate engineering work at Carnegie Institute of Technology, the University of Cincinnati, New York University, and C. W. Post College. I have been employed by Long Island Lighting Company since 1947 and was Manager of the Mechanical and Civil Engineering Department until April 1969. At that time, I was appointed the Manager of the Environmental Engineering Department of Long Island Lighting Company. The creation of this latter Department

was the culmination of many years of activity and interest by Long Island Lighting Company in the impact of its facilities upon the environment.

Under the Public Service Law of the State of New York, the Long Island Lighting Company is required to furnish electricity to consumers within its franchise territory in an economical and safe manner. Its territory, which consists of an area of approximately 1,230 square miles, has experienced an unparalleled growth rate in population since 1950. Since that time, the population of Nassau and Suffolk Counties has grown to 2.6 million people and planning studies show that by 1958, the population will have increased to 3.8 million people.

Accompanying this phenomenal growth has been a similar increase in the demand for consumer services, especially electricity. The Company's studies establish that the increased demand for electricity is attributable not only to population growth but also to a large extent it is due to the increase in use of electric appliances by each consumer. For example, in 1950, the peak hour demand by electric consumers made upon Company generating facilities was 341 megawatts. In 1960, this demand had grown to 1,034 megawatts, and in 1969 it had reached 2,005 megawatts. There is attached hereto a schedule for the period 1950-1985 showing the Long Island population, the peak hour electric demand, and the generating capability of Long Island Lighting Company which has been installed over the years to satisfy that demand. It also shows the Company's plans for future generating installations through 1976. As shown by the exhibit, the demand in 1972 will be met by the Northport No. 3 unit (fossil) now under construction; and the demand in 1975 will be met by the proposed Shoreham Nuclear Plant to be located at Wading River.

In addition to the Northport and Shoreham sites, the Company has also acquired a site at Lloyd Harbor in the Town of Huntington. This site was acquired for a possible generating station use in the mid-1980's. At the present time, the Company has no additional generating station sites.

Long Island Lighting Company recognizes that the large generating facilities needed to supply the needs of Long Island cannot be built without some disturbance of the environment where such facilities are located. It, therefore, created the Environmental Engineering Department to assist the Company in formulating plans for minimizing the impact of its facilities upon the quality of Long Island air and water. As Manager of this Department, my major concern is to determine how best Long Island Lighting Company can continue to serve the Long Island community with electric power and at the same time cause the least disturbance to the human environment and Long Island's natural ecology.

In accordance with this philosophy, Long Island Lighting Company is at present engaged in studies with universities, government and engineering research firms on ecological matters. Examples of this are the ecological studies now being conducted at the Northport Power Station by Dr. Donald Squires and the Marine Sciences Research Center of the State University at Stony Brook, and a similar study being conducted by Oceanographic Analysts, Inc. under Dr. Alfred Perlmutter of New York University at Shoreham. I will say a few additional words about these studies later in this statement.

Recently, claims have been made that New York State public utilities are not subject to any regulation in the construction of their facilities, implying that utilities can construct their generating stations without any concern for the environment or for the public interest.

However, there is no merit to such claims. The State of New York has been in the forefront of the State's activities in the concern

for the protection of environment. In his recent message to the State Legislature, Governor Rockefeller expressed New York State's special concern for the environment and proposed the creation of an Environmental Council which will provide additional protection for the total environment of the State. Legislation to implement the Governor's proposal is expected to be introduced in the Legislature in the very near future.

Further evidence of New York State's concern was evidenced last year when the Water Resources Commission of the State of New York adopted extremely stringent water quality criteria and regulations designed to protect the quality of the waters of the State. It is significant that this action was taken only after the Water Resources Commission conducted extensive public hearings throughout New York.

The regulations referred to above incorporate, among other things, a requirement that any substantial user of waters obtain a permit from the Department of Health. This permit can be obtained, if the State so directs, only after the proposed user has carried out an ecological study of the area involved. This procedure presently in effect in the State of New York therefore enables the State to make an appropriate judgment about the ecology of the area of use, ascertain the impact of the use upon environment, and permits the imposition of appropriate permit conditions to insure that the water quality of the State will be preserved.

In accordance with these State procedures, the Long Island Lighting Company is presently conducting a study of the waters off its Northport, Huntington site and also off the Shoreham site in Wading River, Brookhaven, York State Conservation Department, by Dr. under the supervision of recognized experts in the field of ecology. The Northport program is being conducted under Dr. Donald Squires of the State University at Stony Brook, and the study at Shoreham is being conducted under Dr. Alfred Perlmutter of New York University.

In addition, both these programs are being directed by a Technical Committee consisting of a member of the United States Department of Interior, a member of the New York State Conservation Department, by Dr. Squires, or his representatives, and Dr. Perlmutter, and by me as representative of Long Island Lighting Company. This Technical Committee reviews the progress of the studies at frequent intervals, makes modifications of the studies, if necessary, and directs the manner in which the studies are to be carried out.

As a result of the ecological programs described above, the Long Island Lighting Company and the State of New York are able to take appropriate steps to preserve the water quality of Long Island Sound by minimizing the impact of thermal discharge. These studies will be continued in the future so that changes may be made in the design or in the operation of the plant, if needed. In view of these environmental activities being carried on by Long Island Lighting Company and by the State of New York, it seems clear that the environmental amenities are now being given appropriate consideration in Long Island Sound by Long Island Lighting Company.

In respect to the effect of the Shoreham Nuclear Plant upon Long Island Sound, since this appears to be one of the concerns of this hearing, I would like to advise you that the Lighting Company's plan call for the installation of a costly and sophisticated discharge system designed to minimize the effect of the discharge of cooling water at the plant site. The details provide that water is to be discharged through a buried discharge line terminating in a multi-port diffuser. These diffusers, which will promote diffusion of the discharge before it reaches the surface, will be located at least 1600 feet from shore in approximately 12 to 15 feet

of water at low tide. The diffuser system is designed to promote local mixing and achieve rapid temperature drop within approximately 100 feet. The studies made by the Company indicate that the magnitude of the heat from the Shoreham Station on Long Island Sound can be best illustrated by comparing it to the natural event of a cloudless day following an average day. This natural occurrence would impose a differential heat loading on Long Island Sound about about 125 times larger than that of the Shoreham Power Station. Clearly, therefore, the Shoreham Plant will have a negligible effect upon Long Island Sound and the area of discharge.

Although I have devoted most of this statement to a discussion of the thermal discharge, I realize from your letter of invitation that you are also interested in the effect of radiological discharges of nuclear plants upon the environment. Before discussing that subject, however, I believe it would be helpful to say a few words about some of the considerations which affect a utility's decision to use nuclear power rather than fossil fuel. In the first instance, it must be recognized that the burning of fossil fuel to produce steam causes the release of pollutants to the atmosphere, with the amounts and types released depending on the nature of the fuel burned. Normally, these plants emit such pollutants as sulfur dioxide, nitrogen oxides, hydrocarbons, and various particulates. These pollutants and their control have long been a source of concern to utility companies and much has been done by the utility companies to limit the extent to which they are discharged to the atmosphere. However, their complete elimination is extremely difficult, if not impossible, under existing technology.

A nuclear power plant does not produce these air pollutants which are a product of combustion of fossil fuel. It does, however, emit controlled amounts of radioactive materials to the environment. Under the regulations of the Atomic Energy Commission, all such discharges are rigidly policed so that they present no hazard to the health and safety of the public. In addition to the careful supervision of plant construction and operation, a prescribed surveillance program is required to be maintained by the utility to insure that these discharges comply with AEC standards.

The Long Island Lighting Company in its Shoreham design will install an advanced hold-up and decay system to reduce the

amount of the radioactivity in the gaseous releases. The system, which is extremely costly, will allow for a hold-up of ten hours in order that a substantial amount of the short-lived radioactivity will be deactivated. It is anticipated that with the use of this system the release rate at the Shoreham Plant will be maintained below the Atomic Energy Commission's limits contained in 10 CFR 20.

The radioactive liquid wastes at the Shoreham Station will also be processed through a system of advanced design so that the discharge into Long Island Sound will be below the limits of the Atomic Energy Commission's regulations.

Experience in existing licensed power reactors shows that concentrations of radioactivity in effluents have generally been only a few percent of the release limits set forth in the Atomic Energy Commission's regulations referred to above. In fact, the environmental monitoring programs to measure radioactivity levels carried out by the licensees, some of the states, the Bureau of Radiological Health, and the Atomic Energy Commission have demonstrated that the quantities of radioactivity released in liquid wastes are small. Even in areas near power reactor sites it has been difficult to measure any increase in radioactivity levels above the existing background in the receiving waterways that can be attributed to the nearby power reactor.

In summary, I would like to reemphasize that the constantly increasing electric demands of the people of Long Island must be met. In my opinion, this demand can be met only by constructing additional power plants on Long Island. If we accept this premise, we must look for ways to minimize any detrimental effect on the environment. The use of nuclear power at Shoreham represents a balancing of the competing interests involved in the decision of the type of plant to be constructed. Shoreham Power Station has been designed to minimize the effect of thermal discharge. It presents no radiological hazard and will supply the needed electricity for the consumers on Long Island with a minimum effect upon the environment of the area.

Finally, I would like to conclude my remarks by reemphasizing that the Long Island Lighting Company shares your concern for the environment and natural beauty of Long Island Sound and wishes to assure you that it will continue its efforts to preserve these prized assets to the best of its ability.

LILCO—POPULATION, ELECTRIC DEMAND AND CAPABILITY

Year	Population (thousand)	Peak hour demand (megawatts)	Season	Generating capability <sup>1</sup> (megawatts)	Major additions in year
1950	1,000	341	Winter	356	
1951		398	do	362	
1952		439	do	471	Glenwood No. 4.
1953		519	do	577	Far Rockaway No. 4.
1954		632	do	702	Glenwood No. 5.
1955		702	do	702	
1956		745	do	887	Barrett No. 1.
1957	1,772	814	do	887	
1958		912	do	1,064	Port Jefferson No. 3.
1959		950	do	1,072	
1960	2,036	1,034	do	1,257	Port Jefferson No. 4.
1961	2,162	1,078	do	1,269	
1962	2,220	1,206	do	1,277	
1963	2,322	1,272	do	1,481	Barrett No. 2.
1964	2,368	1,338	do	1,496	
1965	2,433	1,466	do	1,500	
1966	2,491	1,568	do	1,606	Various gas turbines.
1967	2,536	1,676	do	2,045	Northport No. 1.
1968	2,597	1,876	Summer	2,382	Northport No. 2.
1969		2,005	do	2,362	
1970		2,235	do	2,486	Barrett gas turbines.
1971		2,450	do	2,738	Various gas turbines.
1972		2,665	do	3,124	Northport No. 3.
1973		2,880	do	3,307	Various gas turbines.
1974		3,100	do	3,307	
1975		3,325	do	4,127	Shoreham No. 1.
1976		3,560	do	4,127	

<sup>1</sup> Generating capability is peak one hour capability during the season of peak demand in that year.

<sup>2</sup> Census.

<sup>3</sup> LIL.

## URBAN RENEWAL LOOK

## HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. SCOTT. Mr. Speaker, the town of Leesburg is located a few miles from the Capital within my congressional district and is an old and historic town. Recent efforts have been made by local citizens to improve the business area. An editorial appeared in last week's Loudoun Times-Mirror entitled "Urban Renewal Look" which indicates what can be done by local citizens and private business without Federal assistance. I commend it to you:

## URBAN RENEWAL LOOK

West Loudoun St. in Leesburg is beginning to look like an urban renewal area, rural style, and it is all the more impressive because a great portion of it has been done by private interests rather than the government dollar. In fact, private enterprise might be said to have hurried the Leesburg government into doing something about its own house.

Growing into sort of a little complex of their own along West Loudoun St. are The Loudoun Museum, the Soroptimist Club's thrift shop and Leesburg's new council chambers—none of which have a significant connection with the other except that they combine to completely change the face of what was once one of Leesburg's less attractive areas.

The Loudoun Museum, now moved into its restored quarters, has developed into an unusual success brought about by a mixture of business interest, civic pride and government backing. The Town of Leesburg made the whole thing possible by providing the already historic buildings involved, but it has been private effort that has developed the museum into a reality.

Across the street from the museum is the new Soroptimist Club thrift shop, which was set up to raise funds for the Loudoun County Association for Retarded Children, but which as a by-product also resulted in substantial renovations to a building whose proximity to the museum demanded that something be done with it.

The Town of Leesburg did its part by demolishing the old town office building (just in time, for the structure was showing signs of a terminal illness) and moving the local government into a remodeled commercial garage. The council chambers had, during this period, been shifted to a neighboring building replete with a curved podium a la board of supervisors, carpets on the floor and other amenities designed to make the business of government deliberation more bearable.

Leesburg's plans for a new municipal building have gotten stuck in financial mud, but the improvements made during the past year have made the larger project seem a bit less urgent.

The entire downtown Leesburg business district has been substantially facelifted in the past several years by both commerce and professional interests, again at the initiative of private citizens. It is an encouraging sign for the downtown area, which until very recently was being consigned to tortuous deterioration in the face of modern shopping centers which are beginning to ring the town.

The trend should continue, with whatever help is necessary from government, but with the citizen leading the way as he has so far.

CKVI—294—Part 4

## TOTAL DISARMAMENT?

## HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. JOHNSON of Pennsylvania. Mr. Speaker, while every rational person deplores war and yearns for a day when disarmament talks may be conducted in an atmosphere of mutual trust and understanding, the realities of the world situation today simply do not allow for naive idealism to dictate our national defense policy.

A perceptive editorial from the Christian Science Monitor discusses how the lessons of history, as well as the current world tensions, make "total disarmament" proposals unrealistic, irrelevant, and plainly dangerous to the United States and the entire free world. I include this editorial in the RECORD:

[From the Christian Science Monitor, Feb. 11, 1970]

## TOTAL DISARMAMENT?

(By William H. Stringer)

Can we somehow sort out why it is that intelligent individuals march against defense preparations? That is, why do they march in protest in the United States and not in Moscow's Red Square?

Protests against war make sense. War is inhuman, grotesque, should be outmoded by now, should not be an instrument of national policy. Protests against the Vietnam war are understandable—though less so now, unless one doubts that President Nixon means to end the conflict as quickly as arrangeable. But protest against arming for defense, protest against preparedness in this unpredictable world?

For Britons or Frenchmen to march against their countries' investment in costly nuclear arsenals could be relevant. It is just conceivable that the British or French nuclear arsenal would, by its very existence, serve to attract missiles from Moscow onto Europe's small space in event of a superpower war. But does similar reasoning apply to the United States?

Let us look into history, remembering the observation that those who refuse to learn the lessons of history are often obliged to repeat the experience. At the time of the Suez crisis, Soviet Premier Khrushchev rattled Russia's nuclear weapons. In effect he threatened Britain and France with long-range missiles as they were calling off their Suez adventure. He could do this because their nuclear retaliatory power was not impressive.

Now then, supposing the government heeded its protesters against armament—against the involvement of Massachusetts Institute of Technology in defense research—against investment in weaponmaking corporations—against any development of new weapons systems? Would not the moment arrive when the United States, stripped of its defenses, could make no reply to a threat from abroad, save to capitulate?

Is that the future any Americans want for their country? Because, of course, one cannot rule out threats, cannot rule out international gangsterism at this period. A country can work to reduce tensions, begin arms-cutback talks with Moscow, restore relations with China. But it cannot be totally ruled out that relations might go sour. It is also axiomatic that, to negotiate a reduction of armaments with Moscow, or a deal with tough-minded Peking, one has to have "cred-

ibility." That is, the United States must be powerful, worth talking to, not a pushover.

Now it is true that the Pentagon can become overweening in its demand for new weapons and more weapons, for "overkill." If that's what marchers are marching against, they should specify. And it's even arguable that MIT should avoid defense-oriented research—except that this university-backed expertise probably saved America in World War II. (And do protesters prefer to have the research transferred to big corporations, where the secrecy would be greater and the leavening academic spirit would be absent?)

A lot of people can remember when Hitler and Tojo began to rampage, how General Marshall sought to get antiaircraft guns to the Philippines, B-17 bombers to other outposts, and the supply was cruelly, desperately short. Because the United States had regarded disarmament as a virtue.

Disarmament is a virtue, if the other guy disarms too. And Americans can work to that end, and to halt this dangerous arms escalation between the superpowers. But some leaderships in some countries are still ruthless enough, or unidealistic enough, so that they do not understand example-setting, exhortations to virtue, and unilateral disarmament. This being the case, those who demand an end to American arms and defense preparations, without standards, distinctions or agreements, must be considered suspect. Maybe they believe "better Red than dead." Maybe they have absorbed mesmeric propaganda. Maybe they disbelieve human nature. Maybe they just want to light their small candle of protest. But thank goodness they aren't dictating national policy.

## DOUBLETHINK IN THE FORESTS

## HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. UDALL. Mr. Speaker, during the time the timber bill, H.R. 12025, has been under consideration, there has been a marked trend not of growing support, but of growing opposition. Serious doubt is being raised even by organizations that at first endorsed the bill, but later realized its harmful implications.

An example of this is American Forests magazine, which previously expressed cautious support for the bill, as a means of improving management of the national forests. However, in the February 1970 issue American Forests writer Van Trumbull takes a new look at the bill and concludes:

It would subvert the management of the national forests for multiple uses—watershed protection, wildlife, recreation, and timber yield—to favor only the latter.

Mr. Trumbull's Washington Lookout column quotes the former Assistant Chief of the Forest Service, Dr. Edward C. Crafts, who said the bill "would be just like overdrawn the Nation's bank account." The column scores the lumber industry's "doublethink" in calling the measure a tree-growing bill, when it would actually cause overcutting of the forests.

I hope my colleagues will join me to defeat the bill.

The article follows:

The "high-yield" timber bill sponsored by Rep. John L. McMillan (D-S.C.) and 50 other congressmen did not come to the House floor for action in the first session of Congress. It is not likely to be acted on soon in the 1970 session because of an odd combination of factors: (1) failure of the housing interests, both in business and in government, to get really excited over the lumber supply issue (soaring interest rates are giving them trouble enough); (2) a sharp drop in lumber prices; and (3) determined opposition from conservationists.

There is heavy irony in the very name of the McMillan bill: The National Forest Timber Conservation and Management Act. It would not conserve timber. It would subvert the management of the national forests for multiple uses—watershed protection, wildlife, recreation, and timber yield—to favor only the latter. In a classic example of doublethink, one lumber industry official told a reporter: "This is a tree-growing bill." AFA's Edward C. Crafts told the House Forestry Subcommittee the measure "would be just like overdrawing the nation's bank account."

## THE LUNAR ADVENTURE—PROGRESS FOR MANKIND

### HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MILLER of California. Mr. Speaker, on February 4 of this year the American Business Press held its annual Silver Quill Dinner here in Washington. Each year, impressive awards are made to individual Americans who have distinguished themselves by outstanding achievements in government and in private life that have been major contributions to the welfare and progress of our country and our society.

This year, the American Business Press decided to make an award not to an individual but to an organization, the National Aeronautics and Space Administration, in recognition of epochal achievement in 1969—man's first step upon the moon.

During the dinner a remarkable statement was made to the guests, one that makes clear the benefits the world has garnered as a result of this Nation's decision to undertake the exploration of space for the good of all men everywhere. I think that every Member who reads that statement, which I offer for the RECORD, should carry back to his constituents the proof that the United States has kept its promises to explore space for peaceful purposes and for the benefit of all mankind.

The statement follows:

#### THE LUNAR ADVENTURE: PROGRESS FOR MANKIND

We have shared the adventure. We have reached the goal.

But—after the Moonglow—What have we left?

What does it mean to you and to me?

It is a brave, but essentially empty, exercise in making science fiction come true? Or is it a dynamic stride in the extension of human horizons?

We do know that the Moon program is the largest and most important scientific and engineering project in history—surpassing even the harnessing of atomic energy or the

construction of the pyramids. Moreover, the earthbound application of space science can be channeled into solving the serious industrial and social problems that eat away at our civilization even as it climbs toward the heavens.

In 1958, the far-sighted shapers of the National Aeronautics and Space Act decreed: "The Administration shall provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof."

Accordingly, NASA established the technology utilization program to bring scientific knowledge, technical skills and aerospace-related inventions to potential users in the civilian economy.

The bonuses paid thus far on the taxpayer's investment have not been accidental. In the words of the technology utilization program: "It is our objective to insure that developments resulting from NASA's scientific and technological programs be retrieved and made available to the maximum extent for the nation's industrial benefit in the shortest possible time, thus strengthening the bridge between technical research and marketable end use."

It has lived up to its words. Scores of new technological developments designed to meet the needs of the space program already have been transferred or adapted for other use.

First of all, there are the direct benefits of the space program, those planned and paid for.

In communications, we have satellites that link us to people throughout the world. Events that happen halfway across the globe, we can see and enjoy and learn from—not tomorrow or next week, but on our TV screen the instant they happen.

In meteorology, new weather satellites not only tell us whether to bundle up tomorrow, but give advance warning of killer hurricanes in time to save homes and lives.

In navigation, air-sea traffic control and navigation satellite systems will add to the economic contribution of space activity through increased traffic efficiency and safety. A one percent saving in fuel and manpower costs due to navigation improvement could save the shipping industry \$150 million dollars a year.

The knowledge of earth resources has been another direct beneficiary. The long-dormant fuel cell was activated to supply electrical power for spacecraft in orbit, and is now being researched by natural gas companies for possible home power units. And, in Gemini photographs, geologists have discovered some promising possibilities of detecting oil and mineral deposits in remote areas of our globe.

However dramatic and newsworthy these direct benefits are, the larger bonus may well lie in the unplanned, indirect benefits—those that know-how and serendipity have combined to give us—in the transfer or application of space science to a variety of fields.

NASA has developed a communications network to actively disseminate the data to proper sources. A series of publications includes tech briefs, short descriptions of innovations, devices, methods, and concepts; and technological surveys, covering entire areas of specific disciplines.

In addition, regional dissemination centers across the country, equipped with databanks of unclassified aerospace research and development material, provide problem-solving and current awareness to clients who will apply the new technology to problems here on earth.

Developments that have been embraced and used range from the mundane to the exotic—from a silicone sealant, a super glue developed for use on spacecraft, which you can now buy at the hardware store—to an

electronic switch activated by the blink of an eye.

That giant corporation you may own part of, or work for, or buy from, or report on, is a beneficiary of the space program, as is that newborn infant in your neighborhood.

For example, an electromagnetic hammer, developed for fabricating large rockets, is being tested for construction of ships and automobiles. Smoothing and shaping metals without weakening them, it will contribute to the efficiency, economy and safety of the car in your future.

Newborn infants will benefit from another space development. Research for a heated glass canopy to prevent icing on aircraft led to the development of a so-called "glass sandwich." A cradle cover using this principle is now being marketed specifically for the close control of temperature in the newborn, especially those born prematurely.

Similarly, an adult version has been installed in a hospital that specializes in burn treatment. Early results indicate a new dimension in treatment of severe burns.

Where warmth is desirable, you can now use a super insulation blanket of aluminized mylar—similar to material developed for the Echo balloon satellite. You can also use it to keep cool when it's warm, and dry when it rains. Thanks to reflective insulation, it can be a lean-to or a wrapper for the fish you just caught or a radar-reflective air-sea rescue signal. It's a multi-purpose item and, more importantly, a potential life-saver.

Space clothing will make your life a lot more comfortable. Developed for astronauts and able to withstand lunar temperatures as hot as 250 degrees and as cold as 240 degrees, it will lead to suits that are lightweight, strong and wear-resistant. Instead of bulky overcoats, we may be wearing thermo-electrical weave, with built-in automatic temperature control systems, to say nothing of lightweight and more comfortable undergarments already on the market.

Nearly 50,000 Americans die every year in motor vehicle accidents. Now, the space program is helping to cut down on one major cause of highway carnage: wet-weather skidding.

NASA-sponsored research with the problem of aircraft tire hydroplaning showed that at certain speeds, tires actually lost contact with wet, paved surfaces and that automobiles are subject to the same dangerous conditions. Resulting improvements in tire tread design, and grooving of pavements with a constant depth of cut have virtually eliminated the problem in test areas. In a California experiment, for example, 93% of wet highway accidents have been eliminated on test roads: the number of accidents was cut from 124 to 8. Similar tests are underway in 16 other States, a highway-grooving machine is now a commercial product on the market, and the outlook is that we'll eventually be spared automobile accidents caused by wet highways.

A different kind of danger: heart attack, we all know someone who's had one, and we can all appreciate the need for split-second diagnosis and instant attention.

An ambulance races through the streets with a cardiac patient. The attendant uses dry, spron-on electrodes—which cause the patient no discomfort—to flash electrocardiogram data—via radio waves and telephone lines—back to the waiting physician in the hospital. Thus, because of NASA research for test pilots, the doctor can now see a patient's electrocardiogram before he sees the patient, and the moment the patient arrives at the hospital, the doctor and staff are ready to swing into action.

Just as every second counts with the patient being sped to the hospital, so, too, does every second count if there should be clogging of the tracheotomy tube that certain patients—especially small ones—must use to breathe, ordinarily a nurse has to stand

watch full-time to check that the tube is clear. Now, a NASA developed breathing sensor will give an audible or visible alarm within ten seconds of any change in breathing. Thus, a nurse can be in another room, attending to other functions, and be alerted by the alarm in time to take immediate corrective action.

Sometimes just a flick of an eye is all a person needs to call for help—or get around—once again, because of our space program.

A sight switch developed to give astronauts the equivalent of an extra pair of arms, has been adapted for use by paralytics. If you know someone who's paralyzed, then you understand how frustrating and pride-shattering it is for him to depend on others for his every need. The sight switch give him a new freedom. With it, a patient can activate a call board, or even manipulate a motor-driven wheelchair, with only the movement of eye.

The control of machinery and electronic devices are other possible applications of the sight switch, which lead to greater independence and more meaningful occupation of our Nation's handicapped.

All sorts of equipment to make commercial transmission more efficient and economical—and, in the long run, more pleasurable listening for you—have emerged from the space program. One example is this solid state oscillator for FM stereo broadcasting, which takes up but a tenth of the space and requires less maintenance and power than previous equipment that does the same job.

Solar cells first produced for the Vanguard satellite led to development of cells that today power some of our portable radios and provide emergency call systems for motorists stranded on highways.

Space research has also led to more sophisticated electronic and mechanical components, including a development that one day may give sight to the blind.

A small TV camera worn on the forehead would scan the blind person's surroundings and reading matter. Then, bypassing the damaged eyes, it would transmit the image through the skin and skull to a teflon-insulated receiver in the visual cortex of the brain, enabling the blind to "see."

It's probably at least a decade off, but the hope is that the camera can be miniaturized to fit into an eye socket.

Space research has altered the shape of things to come—literally as well as figuratively.

NASA engineers engaged in solving the difficult problems of operating bearings in the vacuum of space came upon a basic discovery with widespread implications: They found that bearings should have hexagonal, not cubic structures, and learned that strength is not the most important factor where lubrication problems exist. With a cubic structured metal, surfaces weld together and bearings fail. A hexagonal metal structure is far less likely to weld or explode in the absence of lubrication.

One alloy of cobalt and molybdenum—with a hexagonal structure—shows potential for use in artificial human hip joints and is being tested for compatibility with living tissue. This new alloy will offer more freedom of movement and longer life.

Metal producers, bearing manufacturers, designers of prosthetic devices, and users of bearings are being kept up to date on this work through the NASA technology utilization program.

Space science developments have contributed to a variety of new or improved quality control tests for industry. For example, a technique developed by a NASA contractor involves the application of a thin coating of commercially available liquid crystal solution to the surface of the test article. When the article is heated, the exact locations of

defects are shown by differences in temperature and by differences in color.

Temperature plays a big part in testing. A heat sensor was developed for continuous monitoring of the temperature of spacecraft heat shields, from minus 250 to plus 5000. Now a firm is integrating these thermocouples into its product line for use in metal treating and high-temperature reactive environments.

Temperature also plays an important role in determining the quality of health in human beings. NASA researchers needed a means of carefully controlling skin blood temperature without interfering with movement. Water-cooled space underwear—in which, by the way, you'd be the hit of the country-club locker room—helps them complete the study of effects of stress on the normal heart, a step to understanding the nature of strokes and cardiovascular disease.

Astronaut underwear helps us in medical exploration, and so, too, does the astronaut's space helmet. An adaptation—the respiratory ailment helmet—helps physiologists conduct studies on the proper exercise levels for children with respiratory ailments. For most youngsters, the helmet adds an element of fun to an otherwise unpleasant diagnostic function.

Mobility has been a prime concern of the space agency, ever since landing men on the moon first seemed feasible. The lunar walker was designed for NASA as an automated instrument carrier for unmanned lunar exploration.

Now a lunar walker has been adapted to give mobility to people who cannot walk. The eight-legged mechanism is activated by electronic power delivered to electric drill motors by a motorcycle battery. The child using it steers the machine by a control stick, or a chin cup if he is unable to use his hands.

This rather ugly device offers beautiful possibilities for a fuller life for the handicapped—even paraplegics—allowing them to get places on their own, be it a soft beach, a curb, a small stairway or any obstacle-covered area that would block an ordinary wheelchair.

Better diagnosis has been made possible through space research. Digital computers have been used for years to enhance the clarity of pictures televised from spacecraft. This includes thousands of photographs taken near or on the surface of the moon, and a series made by mariner IV and transmitted from Mars across 140 million miles.

Like a hi-fi phonograph, which can emphasize treble or bass to the listener's preference, the computer processes the photos so as to bring out desired details that were obscured in the original.

The same ingenious techniques now make medical x-rays more revealing. The computer filter processes remove irrelevant details and enhance those that Doctors want to study, making the diagnosis and prognosis more explicit and accurate. Note the difference in these x-ray photographs of a human skull. First, the conventional . . . Then, those put through a digital computer.

NASA information, searched by one of its six regional dissemination centers, has led to a teaching tool that enables up to 800 students to participate in a lesson, although there are no interconnecting wires. The teacher can determine how each student answered, whether the whole class responded, and the proportion of right answers.

Many new companies have been formed to market products and systems that are outgrowths of the space program. One was organized to market the electrocardiogram system using dry spray-on electrodes: another, to produce and market diamond impregnated grinding wheels.

Hystyle resins described in a NASA tech brief drew sufficient response from elec-

tronics and grinding wheel manufacturers, among others, for a firm to be organized to develop and sell the new family of plastics. You'll see it on automobile fenders in the near future.

Not only new businesses, but whole new industries have arisen, such as the handling of storage of very low temperature gasses. Cryogenic fluids are now being supplied for truck refrigeration systems: cryogenic containers make it more economical to ship liquefied methane and other hydrocarbon fuels. Cryogenic bulk storage of liquid oxygen has contributed to improved steel production: liquid nitrogen is being used as a refrigerant to freeze perishable foods, and other liquefied gasses are being employed for medical use.

Several years of NASA research to develop a durable coating for spacecraft resulted in the development of a family of silicate-based inorganic paints, easily applied—they don't have to be baked on, just sprayed—these paints have withstood scratching at 50,000 pounds per square inch pressure; they have defied the corrosion of sulfuric acid, and have been subjected to 4,000° flame and can withstand it better than the rugged metals on which they have been painted. They have a variety of applications in non-aerospace fields—and products—oven liners, vacuum cleaners, furnaces, generators, truck exhaust systems and insulation, to name just a few. Two firms have already developed their own formulations for commercial sale.

The variety and scope of developments created for our benefit by the space program reach staggering proportions. In all fields of human experience, space developments have already made tremendous strides for mankind—giant steps on earth, which lead the way to better, fuller, happier lives for us all.

The future possibilities are as boundless as man's imagination . . . and are limited only by our ability to inter-communicate. The business press of America stands ready to serve both as catalyst and communicating agent.

Launched by a vision of new and better worlds. . . .

Propelled by traditional America willingness and ability to rise to mammoth challenges, America's space program will continue to add to the quality of your life and mine, and to the knowledge, health and comfort of the entire world.

#### 1970 SILVER QUILL SCRIPT

Nearly five hundred years ago, a man named Christopher Columbus set out to discover new worlds with three ships built with finances furnished by a queen's pawned jewels. As simple as that.

Things are not quite so simple now. The year of two manned moonflights, 1969, marks another milestone in man's continual struggle to conquer his environment. 1969 will always be remembered, along with 1492, as the opening of a new frontier in this endeavor. But we cannot pick out a single incident, or a single man, or a single vision to honor. We are honoring a cooperative undertaking of the two most powerful and forward-thinking components of our nation. We are honoring the National Aeronautics and Space Administration for its tremendous feat of organization of human and material resources from both government and industry.

There were no simple answers to NASA's problem of how to get to the moon. No one with enough jewels to pawn . . . no one builder for the ships . . . no one man to lead the expedition. In honoring NASA, we must honor all the men and women behind the deed . . . from the three Chief Executives of our nation who articulated the goals and led the nation forward, to each workman who helped build the space capsules. We honor the government which fostered the

program, and the many industries which helped bring it into being.

The 1970 Silver Quill Award also acknowledges the imagination and know-how of taking the discoveries and developments of manned space flights and translating them into down-to-earth benefits for the good of industry, America, and all mankind. The utilization of space technology in helping to solve the riddle of life itself, gave us our theme: The Lunar Adventure: Progress for Mankind.

For the first time in its 19 year history, the Silver Quill is being given to an organization rather than an individual. This marks perhaps a new era in which our problems, goals, and feats are so gigantic that they are beyond the scope of one man alone, or even a small group of men. The true hero of our time is the organization, not the man, which can bring together the hopes and dreams, the talents and resources, of an entire nation for the greater good.

But this award, going to an organization, does not lose sight of the fact that an organization is made up of individuals; that even with all the technology and know-how of thousands behind them. It took unique combinations of courage and skills for the six astronauts who actually manned the Apollo 11 and Apollo 12 moon-flights to accomplish the given objectives. They symbolized success for all who stood behind them. This award goes to NASA, not as an arm of the government, or as a separate entity, but as the representative of each of the individuals whose courage, knowledge, and leadership made this undertaking possible.

Captain Charles Conrad, Jr. is one of the brave men who stand at the forefront of man's quest for knowledge of, and dominance over, his environment. Captain Conrad commanded the Apollo 12 mission last November, becoming the third man to set foot on the moon.

With his permission, I would like to pass over the usual listing of his many achievements and give you the flavor of the man by repeating to you the words of his pilot in the Apollo 12 lunar module, Captain Alan Bean, who said, and I quote: I hope that when I'm crew commander that my LEM pilot has as much confidence in me as I had in Pete. I've always felt that he was the best seat-of-the-pants, stick-and-rudder astronaut in our entire office. Unquote.

We could think of no better representative of NASA's achievements and we are proud to have Captain Conrad accept the Silver Quill Award on behalf of NASA.

Captain . . . it is my privilege and honor to present the 1970 Silver Quill Award on behalf of the members of American Business Press—to the National Aeronautics and Space Administration "for distinguished service in opening new frontiers and translating these discoveries into benefits for all mankind."

#### WHY WE ARE IN VIETNAM

### HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. McKNEALLY. Mr. Speaker, under leave to extend my remarks in the Record, I am pleased to include the following interesting and very timely editorial which appeared in the Evening News of Newburg, N.Y., on Wednesday, January 7, 1970, and which clearly sets forth the reasons why the United States is presently engaged in Vietnam and sustains the legality of our position there.

The editorial follows:

#### WHY WE'RE IN VIETNAM

There is a tendency for some of us to forget why we do certain things as a nation. A good illustration is the war in Vietnam.

On Aug. 10, 1964, for instance, the Congress by almost unanimous vote in both houses, approved a resolution which stated, among other things:

"Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

"Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

"Whereas the United States is assisting the peoples of Southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way; now, therefore be it

"Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, that the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression . . ."

The resolution, which conveys virtually all the powers of a formal declaration of war, provides these may be terminated when the President "shall determine that the peace and security of the area is reasonably assured by international conditions created by the action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress."

There are those in America today who try to argue we are fighting an "illegal" war in Vietnam. They also try to argue that there is no Communist aggression in Vietnam, but only American aggression, as the Communist claim.

These critics, in addition to giving aid and credibility to an enemy which has warred openly on Americans and the United Nations ever since the June, 1950, invasion of South Korea, have been successful in so obscuring the issues that many Americans today suffer from a weakening of their resolve to aid the victim of aggression and to resist Communist aggression.

There is an easy way for the critics to support their arguments. That is to go to Congress, the ultimate power which legalized and financed the defense of South Vietnam. There these critics can seek the concurrent resolution which would terminate the powers conferred under the Gulf of Tonkin action.

There would be no doubt of the result. Everything would be clarified. If the Tonkin resolution is terminated, America would have no alternative but to withdraw as the critics (including Senator Goodell of New York) demand.

If the concurrent resolution fails, these dissidents would have to decide whether they will support their own country in an issue obviously authorized and supported by due process.

Meanwhile, there is no reason to question the legality of our national effort in Vietnam, nor the official, formal recognition of Communist aggression in that unhappy land. The record is clear.

#### A VOTE FOR YOUTH

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. DERWINSKI. Mr. Speaker, it was recently my privilege to appear before the delegates of the Illinois constitutional convention to urge that they adopt an 18-year-old vote clause in the new Illinois State constitution.

This subject in the form of a proposed constitutional amendment is also before our House and Senate committees.

The Southwest Graphic of Lemont, Ill., in its Wednesday, February 18 edition carried a spirited editorial commentary directed to delegates of the Illinois constitutional convention urging the 18-year-old vote clause and in view of the public interest, I feel this editorial deserves special attention and therefore insert it into the Record:

#### A VOTE FOR YOUTH

One of the many proposals presented to the Illinois Constitutional Convention is the lowering of the voting age in Illinois. In many respects it would seem this position should be high on the priority list for consideration by the delegates.

The increasing dissatisfaction of our youth with the politics of their elders must be recognized as more than just a few malcontents flexing their muscles. A growing disenchantment with the "establishment" has, and is, attracting many of our youngsters who we would have referred to in the past as "normal students." What has occurred is a realization by our youth that they are not being dealt with rationally.

To say those under 21 years of age must pay taxes, die for their country and in many instances submit to adult law in civil and criminal cases, and then deny them the right to vote is unfair.

Today's young people enjoy more freedom, better education and more luxury than at any time in our history. This apparent enrichment of their being has not kept pace with their responsibility in forming their destinies. Despite their greater knowledge, or because of it, some have shown irresponsibility in their actions while many others have displayed remarkable insight and understanding of today's problems.

That our country should not accept, and benefit by, the new thinking of our youth is a social and political problem we can no longer afford to ignore.

A lowering of the voting age should be written into the proposed new Illinois constitution. Those 18 years of age, or perhaps 19 years old, should have a voice in determining the laws by which they are bound. The youth of our state, and the country, are sophisticated enough to understand the needs of our land. Perhaps they know or can find the answers to many of the problems with which the current voting populace have been unable to cope with on an acceptable level.

The many complex issues facing our state as a whole must be met with fresh and innovative solutions. Taxation, education, environmental control, pollution and local government has a great need for the new approach.

Our government was founded with the idea that man needed to govern himself with fairness and equality for all. It is time we reaffirmed this ideal and looked to new horizons in seeking out that which is the best

for all our citizens. Youth is the answer and with guidance, support and confidence they will rise to the occasion with a vigor long dormant in our government.

We urge the Constitutional Convention to follow in the footsteps of our founding fathers. Bold concepts are needed to realize bold ambitions. Our country is not old; our state is not old; our thinking must be realigned to fulfill the dream of ever greater things. Our thinking must accept our youth and their dream.

#### NATIONAL FOREST TIMBER CONSERVATION AND MANAGEMENT ACT

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. DINGELL. Mr. Speaker, once again the proposed National Forest Timber Conservation and Management Act (H.R. 12025) has been scheduled for consideration by the House.

As a conscientious supporter of the multiple-use concept of forest management, I feel that the proposed act is not in the public interest, since it would go a long way toward setting a policy that Federal forest lands shall be managed solely for commercial timber production.

I am pleased to say that I do not stand alone in my objections to the proposed act. Many concerned and thoughtful citizens from all sections of the country share my view, including persons from the timber-producing Pacific Northwest.

So that my colleagues may be aware of the views of several respected publications on this matter, I include at this point in the CONGRESSIONAL RECORD the text of editorials carried by the *Portland Oregonian*; the *Eugene, Oreg., Register-Guard*; the *Medford, Oreg., Mail-Tribune*; the *Lewiston, Idaho, Morning Tribune*; and the *St. Louis, Mo., Post-Dispatch*, as well as the text of an article on the same subject by Michael Frome, which appeared in the March 1970 issue of *Field & Stream*:

[From the *Portland Oregonian*, Feb. 6, 1970]

#### FOREST BUDGET SHORTCHANGES PUBLIC RECREATION PROGRAMS

(By Herbert Lundy)

One trouble with national priorities is that they keep stumbling over each other's feet. President Nixon proposes to double the housing for Americans in the next decade. He also proposes to preserve and restore the environment and provide opportunities of outdoor recreation for all comers.

So we get a fiscal 1971 budget for the U.S. Forest Service which places major emphasis on timber production but seems to give the short end of the stick to over-all resources development—campgrounds, wild rivers, pollution control, recreation, scenic and wilderness areas, ski slopes, wildlife habitat improvement; these and other resource uses aside from cutting trees for wood products.

The public pressures are in the recreation category and Forest Service management people are keenly aware, and responsive to, these popular requirements. The policy of "multiple use" of public lands is meaningless if timber production is to dominate forest management. Some figures are illustrative:

For Region 6 of the Forest Service—an

empire of federal timberlands spread over one-fourth of the State of Oregon and one-fifth of the State of Washington—Congress appropriated for the 1970 fiscal year \$28.3 million for management and \$44.6 million for roads.

The fiscal 1971 budget just submitted to Congress, as near as can be figured, proposes \$31.7 million for management and up to \$50 million for roads. The increases of \$3.4 million and almost \$7 million, however, are all in categories of timber production. In the words of Regional Forester Charles A. Connaughton, who is concerned about it, this leaves the management of resources for public use "in status quo" while providing a "pretty favorable" prospect for timber marketing.

Although this kind of unbalanced treatment of the national forests could only lead to more public protest by organized outdoor groups and the hiking, camping, fishing, hunting, skiing, rock-gathering public generally, it would be good business for the federal treasury.

The federal forests in Oregon and Washington earned \$172 million in the past fiscal year—\$122 million in Oregon and \$50 million in Washington. It was with the goal of plowing more of these earnings back into intensified forest production management that the National Timber Supply bill sponsored by lumber interests was introduced last session.

Conservationists and the Forest Service itself objected to the single-purpose nature of the original bill. It has now been modified to some extent and renamed. A provision requiring expenditure of forest earnings in the region in which they were earned was eliminated. A section earmarking the funds for timber production only was also removed. But the bill is still timber oriented. For example, forest funds could be used for thinning young forests, but not for campgrounds. Forest earnings would still be earmarked for forest management, although subject to congressional appropriation. The earmarked funds would be 65 per cent of forest earnings, leaving the present 25 per cent for counties and 10 per cent for roads.

A House vote on the bill was postponed Thursday as conservationists intensified their lobbying in Washington against it.

The proposed Forest Management act, it is estimated by Regional Forester Connaughton, would permit an immediate increase in timber harvesting in Region 6 of about one-third, without harming sustained yield. This would be accomplished by a 40 per cent increase in yield by commercial thinning and by additional salvage. Intensified management practices would include seeding thousands of acres of brushlands to start new forests and increasing future yield by pre-commercial thinning. Much greater production may also result from research projects which include irrigation and fertilization.

But Forest Service management already is being bombarded by conservationists, environmentalists, preservationists and assorted reasonable and unreasonable protesters. Their theme in most cases is that the Forest Service is anti-public and pro-timber cutting. We have not found this to be the whole truth. But the forest managers have to "go through channels" to reach the policy makers in Washington, D.C., and these channels are easy to dam.

Whether the Nixon Administration and Congress continue to operate under the present budget system or adopt the proposed new intensified management act, more consideration must be given to the regional foresters who are facing the guns of public demand for recreational opportunities. Western members of Congress need to become activists on the budgetary front to make certain that the foresters are given the tools to fulfill the national policy—proclaimed by law—of multiple use of public resources.

[From the *Eugene (Oreg.) Register-Guard*, Jan. 31, 1970]

#### TIMBER ACT TOO IMPORTANT TO RUSH

What this country needs is a good timber supply and conservation law.

An act so titled will be debated in the House of Representatives Tuesday. It probably will be voted on after just two hours of pro and con discussions and amending procedures.

That's a regrettable prospect, considering all that is at stake. True, the bill has been argued at length before the House Committee on Agriculture and its subcommittee on forests. True, it has been analyzed, both approvingly and disapprovingly, in numerous publications since those hearings were concluded last spring. However, proponents and opponents of H. R. 12025 remain poles apart.

Those who read the bill with thoughts of improving forestry practices and promoting better utilization of this nation's timber croplands can easily conclude that it would serve several important progressive purposes. It would provide the Forest Service with a better system of funding for reforestation, for the building of access roads into areas where overripe timber should be harvested and for development of modern "high yield" timber production techniques. It would also, in the eyes of these efficiency favorers, stress adequate safeguarding against irrational exploitation of federally owned forests by its reference to provisions of the Multiple Use-Sustained Yield Act of 1960.

On the other hand, many conservationists earnestly dispute the wisdom of H.R. 12025 in its present form. Rep. Charles M. Teague (R-Calif.), a member of the Agriculture Committee, filed a staunch dissent in November when the bill was given that committee's "do pass" recommendation. He argued that "the evidence spread upon the public record is woefully deficient." He said that the bill would not assure that the Forest Service would gain increased capability "to better fulfill its statutorily imposed missions," including those of protecting watersheds, wildlife habitat and public recreation opportunities. Rep. Teague contended the bill was born in a panic situation early last year when there was a national hue and cry about a timber shortage and resulting high lumber and plywood prices. He also endorsed complaints of organizations such as the Sierra Club, stating: "There is no assurance that extensive logging operations will not be conducted on de facto wilderness areas . . ."

Evidence is strong that our nation faces a critical housing shortage. Accordingly, it must move to make more intelligent utilization of its forest resources and not permit trees which should be harvested to rot in the woods or delay needed reforestation projects and promising experiments in silviculture. Timber supply and demand effects occurring in feast-or-famine sequences must be more sensibly controlled, for the economic benefit of such major producing regions as the Pacific Northwest and for rational steadying of national construction costs.

However, as these goals are implemented, Congress must also give farsighted consideration to conservationists' fears. Although some 14 million acres of public land had already been designated for wilderness use, future generations may need additional wilderness and/or semi-wilderness areas. Certainly care must be exercised to protect watersheds, wildlife and forage areas for range animals.

Simple logic argues that a good timber supply and conservation law can be best assured if it is developed with due regard for all important ramifications. Accordingly, the House would be wise to debate H.R. 12025 on Tuesday and then return it to committee for reappraisal in context with all suggested amendments.

[From the Medford (Oreg.) Mail-Tribune, Jan. 19, 1970]

#### THE HIGH-YIELD FOREST IS UNPROVEN

Citified Easterners, looking at some of the glossy advertising put out by Georgia Pacific, Crown Zellerbach, Weyerhaeuser, and some of the other corporate giants of the forest products industry, must have a strange idea of what a tree farm looks like.

These ads make a huge clear-cut look so pretty (all dressed up with various forms of wildlife and instant new trees springing to life), that one almost pants to visit one.

Those of us who live in logging country know better. We know that the forest products industry is essential to our economy. But we no longer believe the lie that a clear-cut is a thing of beauty.

We know that a clear-cut—depending on the amount of after-treatment given it—can be a jungle of slash, of jumbled limbs and punky logs, of Cat-trails and skid-marks, of streams clogged with debris and opened to the burning sun that destroys the fishery, of erosion and desolation.

It has long been our belief that, if and when the readers of those glossy green ads ever get a chance to see the real thing, there will be a kick-back of public reaction on the giant lumber firms that will make their heads swim.

Weyerhaeuser not only boasts about its pretty clear-cuts. It also brags about something it calls a "high-yield forest."

In promotional pieces mailed to news media (and presumably to its trusting stockholders), the big company is telling a story that may or may not be true—and one that has yet to be proven either way.

A high-yield forest, Weyerhaeuser says, is one in which proper silvicultural practices—including fire protection, reforestation, pruning, thinning, fertilizing, genetic improvement, reduced harvest rotation time, irrigation, and other management techniques including the use of computers—will increase long-term productivity by as much as one-third. No one knows for sure whether or not this can be done.

Weyerhaeuser is very, very persuasive. But not everyone is persuaded—and among them are some extremely savvy foresters.

If its gamble—and it is just that, a massive gamble—pays off, Weyerhaeuser's stockholders will be happy. If it doesn't, Weyerhaeuser could be in trouble.

As a private corporation, the firm is entitled to gamble. But public land managers, who are under increasing pressures to take the same kind of chances for "high-yield" forests, are dealing with public property.

That is one reason why a proposed law entitled the National Forest Timber Conservation and Management Act should be viewed with the deepest suspicion by one who cares about the integrity of the National Forest.—E.A.

[From the Lewiston (Idaho) Morning Tribune, May 22, 1969]

#### POTENTIALLY MISCHIEVOUS LEGISLATION

Identical bills have been introduced in the House and Senate which would direct the Forest Service and the Bureau of Land Management to substantially increase the timber yields on federal commercial forest lands.

The "National Timber Supply Act of 1969," as it is called, ostensibly is intended to increase the supply of lumber for housing, especially for low-cost housing and to make all the federal forest lands more productive of wood. At first glance the bill's intent seems good; it is the sort of measure that an area like this, which depends largely on timber for its economic health, could be expected to support. It has the enthusiastic backing of the lumber industry, whose spokesmen are saying they hope to drive the bill to passage by July 1, and it has encountered only scattered opposition.

That is the trouble. There is a very good

chance that the National Timber Supply Act of 1969 will be rushed through Congress without the consideration it deserves and pass into law before its defects have been publicized and discussed. This is a potentially mischievous piece of legislation which, if wrongly utilized, could expose the federal forests to the greatest rape since the days of the timber buccaneers.

The bill would set up a fund, to be used by the Forest Service and the Bureau of Land Management, to improve timber production on federal lands by reseeding, thinning, and fertilizing, and to facilitate the timber harvest by building logging roads. There is nothing much wrong with that. But the bill also directs the federal agencies to manage these lands for the production of timber exclusively, as though there were no other legitimate uses for them.

Some conservationists fear that if the bill becomes law there will be virtually no chance of ever adding more forests to the wilderness system or the national park system, or of putting presently unclassified forest lands to any use that might interfere with maximum exploitation of the timber. As the bill is written, it could force the Bureau of Land Management and the Forest Service to increase the allowable cut, in some cases without regard for such other considerations as watershed protecting, erosion prevention and the preservation of fish and wildlife habitat.

In its present form, the bill would take away from the federal agencies the power to manage forest lands for the benefit of all users and require that they be managed for timber production first and for other uses only when they do not interfere with that. It thus represents the very opposite of multiple use, a concept to which the lumber industry has expressed consistent devotion.

The impact of the bill on the management of the federal forest lands needs to be more thoroughly analyzed. So does the argument that the bill would increase the supply of lumber for home building. That claim is not entirely convincing, since the real obstacle to home building seems to be not so much a shortage of lumber as a shortage of credit. There is no certainty that a drastic increase in the allowable harvest of timber would bring lumber prices down, and no certainty that the additional lumber would go into low-cost housing.

The bill's chief defect, however, is its failure to recognize that the public lands, including the forests, belong to all of the people and not only to the loggers. In its present form it would reverse some 60 years of forest conservation policy by denying the legitimacy of any use incompatible with the harvesting of timber. The Lewiston region, which depends upon its forests for many things besides logs, should be particularly wary of the National Timber Supply Act of 1969 as it is written now.—L. H.

[From the St. Louis (Mo.) Post-Dispatch, Dec. 14, 1969]

#### RAIDING OUR FORESTS

A timber raid on the national forests is being promoted in Congress under the leadership of Senator Sparkman of Alabama. An unusual opportunity for it, which the lumber industry evidently considers golden, has come about because of the housing shortage. The rationale under which the raid is cloaked is that the housing shortage is caused by short supply and rising prices in lumber, both of which can be corrected by increasing the national-forest cut.

In fact the housing shortage is due to high credit rates rather than to high lumber prices; and anyhow, lumber prices are down again. The alleged shortage of lumber is so far from existing that the industry is increasing export of its surplus, to the tune of some 4,000,000,000 board feet this year, double the rate of a few years ago.

The Sparkman bill and a companion

measure in the House, both of which are pending in the Agriculture committees, are damaging to every relevant aspect of conservation.

Determination of the amount to cut would be removed from the professional judgment of the Forest Service and directed by arbitrary act of Congress. Cutting which the Forest Service has planned to space out over the next 60 to 100 years would be concentrated in the next 15. Areas disturbed would be doubled to quadrupled, with consequent adverse effects on control of erosion and floods, and on protection of habitat for wildlife and fish. As much as 90 per cent of the national forests would be vulnerable, or all that has not been specifically reserved for recreation and other non-commercial values.

If the lumber industry—and Congress—want to increase the timber supply, means which would not do violence to the national forests are ready to hand. To note just one example, the law restricting Alaskan shipping to the United States mainland to U.S. vessels should be repealed; it prices Alaskan lumber and plywood out of the American market and forfeits it to Japan, which is hauling it in Japanese ships. Raiding the national forests is not the answer.

[From Field & Stream Magazine, March 1970]

#### WANTED: A PROGRAM FOR OUR TREES

(By Michael Frome)

This country is in desperate need of a valid long-range national forest plan. I don't mean simply a plan for the national forests, although they must figure prominently, but for all our woodlands—public and private, in large and small holdings, in urban suburban, farm, plantation and wild settings. The prolonged failure to protect and enhance these forests on a comprehensive basis has contributed directly to the environmental crisis we face today. But if we dare to act boldly and on a broad front, the forests will make America more livable, and truly more prosperous, for generations to come.

Forests even now cover an estimated one-third of the land area of the United States. We cannot afford to sacrifice more of them. As sources of raw material, they play a part in raising the physical standards of American life. They are absolutely necessary to conserve soil and water; we have only to look at the denuded slopes of the Middle East, once tree covered but now reduced to poor mineral soils and sparse scrub vegetation, as a living reminder. Forests serve as barriers to hot polluted air and restore the atmosphere with volumes of oxygenated air. In urban areas, they reduce harsh sounds and the effects of solar radiation, and limit the movement of wind, dust, and snow. As the environment for the highest type of recreational and aesthetic enjoyment, they are essential to the well-being and happiness of millions.

Sportsmen are familiar with the values of forests for fish and game. The national forests are particularly significant in this respect. They were conceived and created in order to end the waste of America's woods and other resources; some were established largely because they could serve as game refuges. National forests today are said to account for 30 percent of the nation's annual big-game harvest, including over 80 percent of the elk, bighorn sheep, and mountain goats; nearly 60 percent of mule deer; and more than 35 percent of bear and blacktail deer. They embrace 80,000 miles of fishing streams, 40,000 lakes, the habitat of millions of small-game animals, upland game birds, waterfowl and song birds, as well as more than twenty-five rare and endangered species.

Therefore, I suppose, sportsmen, as well as other citizen conservationists, should be grateful to the old diehards of the timber industry for forcing the issue of forest management and protection before the public.

The diehards demand that providing logs must be the primary role of public and private forests alike. They fought the Multiple Use-Sustained Yield Act of 1960, which declares the purposes of the national forests to be enhancement of recreation, soil, range, timber, watershed, wildlife, fishing, and mining. They fought the Wilderness Law of 1964 and establishment of the Redwood National Park. They objected bitterly to such "noneconomic set-asides" in behalf of the people as the National Scenic and Wild Rivers Act and the National Scenic Trails Act.

The passage of these laws might have been the signal to the diehards to review their own archaic position in the light of changing times and to quit trying to exercise the whip hand over the national forests through timber country Congressmen. Instead, they chose last year to strike back with vengeance. They endeavored to perpetrate a hoax called the National Timber Supply Act, which subsequently blossomed and is still pending with the more presumptuous title of "National Forest Timber Conservation and Management Act of 1969."

My purpose is not to dwell on this bad joke, or on the gullibility of those Congressmen who allowed their names to be used as sponsors. The original bill was a flimsy, raw attempt to play upon the housing shortage and high lumber prices in order to destroy multiple use in the national forests. It would have opened the way for an immediate increase in timber cutting—although the "allowable cut" is already being exceeded in a number of national forests. The bill was toned down before being adopted by the House Agriculture Committee, but continues to emphasize the primacy of logging. It is still fundamentally wrong. The provision for a timber improvement fund, to be created by the deposit of receipts from timber sales, might contribute to needed tree planting and thinning, but without providing increased funds for other uses it would only worsen the existing imbalance.

Private forests today are being overcut to reach the high-priced markets and bigger profits. Some of those who weep over the unwholesome poor in the American ghettos have been enjoying the returns from the uncontrolled and very substantial export of logs to Japan. Simply stated, having cut most of their own holdings, they now seek to continue the wave of liquidation of old growth timber in the publicly owned forests.

I don't think they can get away with it. The plot is too raw and rapacious. "If a man tells you that a drastic increase in the allowable cut is cheap, easy and safe, distrust that man," as the Medford (Oregon) Mail Tribune editorialized. "He is more concerned with his meal ticket today than with his children's meal ticket tomorrow." Don't let the Loggers Raid National Forests," warned the Salt Lake Tribune. And from the spunky Elko (Nevada) Independent: "Money and personnel used for range improvement recreational development and other multiple uses would have to be diverted to the timbering operations. We here in the non-timber producing areas of the national forests would suffer severe cuts in money and personnel needed for development of our forest uses."

What concerns me most is that we lack national goals and leadership in dealing with the forested one-third of the country; yet we cannot ignore or long afford the continuation of wanton, wasteful land abuse, and the disregard of land values other than timber.

According to Bernard Orell, vice president of the Weyerhaeuser Company, nearly 10,000 professional foresters are involved in industrial forest management. He considers this to be "an unparalleled achievement in re-

source conservation." Possibly so. Weyerhaeuser and other large firms employ specialists in forest pathology, wildlife biology, entomology, silviculture, and forest soils, which is to the good. But how much do foresters really know and understand of the environmental world?

"Some at least have failed to give proper consideration to their environmental responsibilities," concedes one of their own number, William E. Towell, executive vice president of the American Forestry Association. "They have clearcut steep slopes opening the way to floods and erosion. They have wiped out fish and game populations in whole watersheds in attempts to control forest pests by spraying. They have destroyed roadside vistas and the beauty of the landscape through carelessness or thoughtless harvest methods." Mr. Towell explains quite simply why these deeds are done: "Foresters by nature tend to be timber-oriented—it's the way they are taught."

The timber diehards, although they would like to carve up national parks and wilderness areas of the national forests, aren't even using the resources available to them on private land.

In 1933, the National Plan for American Forestry, called the Copeland Report, a major and constructive effort developed by the Forest Service in response to a Congressional resolution, showed that private initiative had failed to preserve forest values in all respects. Again in 1945 a survey showed cutting practices "poor" to "destructive" on 64 percent of all private forest land. The Timber Resources Review, published by the Forest Service in 1958, showed 60 percent of commercial forest land divided among 4½ million farmers and other private owners, mostly in small holdings—on which productivity and management were at the lowest levels. Yet the industry consistently greeted Forest Service warnings of potential timber shortages with derision, assurances that "growth exceeds drain," and sought to block Government efforts at every turn of the road. It offered instead a voluntary tree farm program, which displays lots of metal signs in public view. But the signs mean little when weighed in the balance against the sights of millions upon millions of acres of nonstocked or poorly stocked forest land.

Professor Albert C. Worrell, of the Yale School of Forestry, recently undertook a cursory survey of small private properties, specifically for the purpose of determining timber supplies. He found that small properties contain more than their proportionate share of better growing sites, that they are physically capable of producing 4 billion cubic feet of softwood timber a year—equivalent to about 40 percent of our present consumption—but they are not producing anything near their capability. On nearly two-thirds of the small forests covered in the survey, timber is harvested occasionally, but without any provision for a future crop.

The conclusions of Professor Worrell are most disturbing because they contain more questions than answers. "The forestry profession still cannot estimate how much timber our various forest types can produce under management," he wrote. "We are still resorting to rule of thumb averages."

Instead of a National Timber Supply Act to supply logs from public forests to an industry that has overcut its own lands, we need a national inquiry to answer the questions raised by Professor Worrell, such as: How much land is in small properties today? How much timber is growing on them? How much is commercially available? How fast are additional lands being diverted to other uses? But this inquiry should serve only as the basis of solidifying the national forest plan, complete with a corps of farm foresters to aid small woodland owners and support

of long-term loans at low interest in order to insure both softwood and hardwood for the future.

But, of course, providing timber is only one use of the forests. Insofar as public lands are concerned, I submit that maintenance of fish and wildlife habitat, prevention of erosion and sedimentation of streams, and recreation are of greater importance than timber if we are truly to pursue President Nixon's "strategy of quality to supplement our strategy of quantity."

Foresters keep telling us that timber cutting opens the forest, increasing the growth of herbs and shrubs for game, forever giving the impression that "deer" and "game" are synonymous, failing to mention that when one species moves in there is apt to be a mass exodus of many other species.

The grizzly bear and wolf have been wiped out of the forests, the elk is confined almost entirely to the Western States. Even today sportsmen report that clearcutting of marginal timber on steep slopes of the Rockies cuts off elk calving grounds, reduces the summer range, forcing the elk beyond the hunters' reach in autumn, making areas vehicle-oriented rather than wildlife-oriented, destroying the scenic environment that lends zest to sport—and this on public land. Little wonder, I suppose, considering the timber sales budget of the Forest Service is *ten times greater* than that for fish and wildlife habitat. This too must be subjected to close public scrutiny and rearrangement made in the order of priorities.

Sportsmen need to focus close attention on the impact of clearcutting and rotation cycles on the life-community of the forest. The mixed hardwood or hardwood and pine forest is a complex, diverse, and stable association of plants, with a tendency to maintain its ecological norm. There is plenty of room for manipulation within the norm, along with growing timber on long rotations. Drastic changes outside the norm—such as clear-cutting and conversion to pine—may be efficient in terms of technology and short-range cellulose production, but are likely to prove disastrous in the long run.

Yet vast areas of the Southland that once supported rich mixed forests have been reduced to even-aged stands of pine only, like apple orchards or orange groves, with few plants desirable for game. True multiple use precludes using forests as farm lots for such monoculture, which inevitably attracts rodents and insects, thus creating the need for pesticides and insecticides damaging to fish and game (as well as humans) and for fertilizers that ultimately take more out of the soil than they put into it. Hardwoods take longer to grow and show a slower return. But they seem better to me than the mass production of low-quality wood at what must become a steadily reduced rate.

Two other elements of the national plan for forestry I must outline all too briefly:

First, forests need to be considered as an integral part of the city.

They lend charm and comfort to the crowded urban scene, provide daily reminders of man's relationship to nature, and enhance the supply of oxygen. However, growing conditions for city trees have steadily degenerated because of air pollution, drought, heat, erosion, disease, and concentrated use of the land; the loss of trees invariably speeds the destruction of other values. Even more serious, studies show urbanization can raise the temperature by as much as ten degrees over surrounding woods and fields and cause a concentration of sulphur dioxide.

Urban conservation is a new art—seldom practiced, little understood. The primary target should be to provide more greenbelts, buffer strips, community parks and forests. A program should be conducted through Federal cooperation and cost-shar-

ing with state and local governments, with a special goal of encouraging city and county forestry departments and private enterprise tree services.

Second, the relationship of forest trees to man and his survival is becoming evident.

The unlimited supply of pure air has forever been taken for granted; but the only reason the earth's atmosphere contains oxygen for us to breathe is that it is constantly given off by green plants. We cannot continue to allow forests to be replaced by jetports, freeways, shopping centers, barren suburbias, and factories. And efforts will have to be made to safeguard forest land from air pollution damage.

Forest practices by tradition have been directed to correct an entire sequence of abuses from grazing, logging, mining, and farming; forest cover has been known to maintain water quality and to help control floods. Now, the management and conservation of air holds equal value in environmental forestry.

All this means to me that we are entering a new era, though perhaps with some strain and pain. "Profit is the only tool by which we can progress soundly toward meeting the resource demands, desires, and requirements of our people," according to Mr. Orell of Weyerhaeuser. "If we fail to make a profit, we fail our responsibility." But I disagree—the transcendent demands, desires, and requirements of the people are for *usufruct*.

Mr. Towell of the American Forestry Association understands this ancient concept and expresses it forthrightly in these modern terms: "Land ownership may be right under our democratic society, but it should be treated as a privilege. No landowner, large or small, should be able to control land use entirely for his own benefit without regard for what his actions do to others. Ownership is a trust which must be exercised in the interests of other people and the quality of our total human environment."

I feel that my role at times is to alert industry to its opportunities and challenges in the new era. But if I were to sum up my feelings I could not do it better than W. H. Hunt, executive vice-president of the Georgia-Pacific Company, when he addressed the American Plywood Association in 1968:

"Business has a natural and understandable tendency to stress economics rather than ecology when thinking about resources," he declared. "But land is an integral part of all life; its resources remain part of the environment and in dealing with them we should carefully blend ecology and economics in our thinking.

"What we need now are rules to guide those who use the land. We need to agree on rules that will help determine how to control land use while simultaneously permitting a combination of maximum uses. At stake are the physical and human resources of this nation. The problem of wisely managing these resources for the greatest benefit of all is our greatest problem; greater than minority problems and greater than poor people's marches, for without this proper management we will impoverish all the land and all the people."

This is why the National Timber Supply Act is all wrong and must not become law. A system of conservation based solely on economic self-interest is hopelessly lopsided. It tends to ignore, and thus to eliminate, elements in the life-community of the land that lack commercial value, but which are essential to its well-being. Perhaps the first rule to guide those who use and administer the land should be that economic parts of the biotic clock will not function without the uneconomic parts. When they learn that, we can go on from there to sustain healthy forests for many years to come and to develop a long-range comprehensive program.

## HOW THE MILITARY USES SCIENTIFIC RESEARCH

### HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. KASTENMEIER. Mr. Speaker, I would like to call to the attention of my colleagues the following article which appeared in the February 3 Daily Cardinal, the campus newspaper at the University of Wisconsin at Madison.

This report, written by Jim Rowen, tells how the Pentagon converts even the most innocent of research projects, as in this case, one conducted by a 16-year-old schoolgirl, for its own repugnant purposes. This incident goes to the problem, which is not new, of the use of science and technology for the advancement of war and warmaking capabilities, and the concomitant challenge to the rest of us to insure that scientific research, wherever it may be done, is used solely for humanitarian purposes.

The article follows:

#### THE ARMY GOES TO HIGH SCHOOL

(By Jim Rowen)

Last year, a 16 year old Ohio girl finished what for nearly all red-blooded American high school students is a prescribed ritual—she completed her science fair project and entered it in the school competition. What happened to her project is the clearest indication to date of the limitless power held by the faceless officers in the grey Virginia monolith known as the Pentagon.

Marilyn Miles attended high school in the small town of Solon, Ohio. She became interested in the way branches grew out from their tree trunks, and found that on each tree, the angle between branch and trunk was identical. Furthermore, she discovered that each kind of tree had a specific angle for all its branches. Deriving a mathematical formula from her study, Marilyn Miles entered it in the science fair.

Impressed with her findings, the high school sent her project to the International Science Fair to compete with other top projects produced by the world's most precocious minds. Equally impressed with the tree branch study, the judges of the International competition awarded Marilyn Miles First Prize.

These judges felt it was such an exceptional project that they decided to immediately apply to an urgent problem—how to insure that bombs dropped over the jungles of Vietnam will penetrate the dense branch cover and explode on the jungle floor. The judges, you see, were from the Pentagon.

"The reason the bombing was so inefficient," the prize winning teenager explained, "is that the bombs were hitting the branches and exploding in the air. They've been trying to plot models of forests for about two years, but they hadn't come across this idea." Since forests are usually composed of only a few kinds of trees, she added, foliage density can be plotted from aerial photographs, and the best location for bombing can be precisely determined.

Now a freshman at West Liberty State College in West Virginia, Marilyn Miles is only 17. She brought her xylophone to school with her in a trailer. Her friends say she most enjoys working on the homecoming float, dating, and sitting in on all night bull sessions in her dormitory.

This girl is clearly no monster—no premeditated murderer remorselessly scheming to inflate the body counts which come tap-

ping over the AP wire on Thursday morning like the weather reports. She was a high school senior with an inquisitive brain who discovered a scientific principle and expressed it as a numerical equation—and the Pentagon, right on the scene as the judge of the science fair, ripped off her brilliance and talent like they do everything else.

We have repeatedly said that the opposition to the Army Mathematics Research Center is not directed against the specific people who staff it no matter how personally despicable they appear to be. Their names and faces are inconsequential.

What must be met head on is the system which generated the AMRC and other similar institutes—the same system which bustles itself looting high school science fairs for the innovative thinking of kids.

The next time one of those self-effacing AMRC staff members quietly says with an innocent shrug and a charitable smile; "I only do my own research—what the military does with it is of no concern to me," keep in mind how the Pentagon took a high school science fair project from Ohio and put into use dumping napalm on peasants 12,000 miles away.

#### ESTONIAN INDEPENDENCE DAY

### HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. BOW. Mr. Speaker, today is the 52d anniversary of the independence of the Republic of Estonia. Last week we observed with appropriate remarks the anniversary of the Republic of Lithuania. In the next few weeks we will be observing the days upon which the peoples of Bulgaria, Slovakia, Hungary, Poland, and Rumania established independent republics. Not to be overlooked are the independence days of the short-lived Ukrainian, Ruthenian, Armenian, Azerbaijan, and Georgian Republics. Later in this spring and next fall we will complete the rollcall of once independent states when we observe the independence days of the Czech, Latvian, Albanian, and Turkestan Republics.

This is a rollcall of hope and tragedy in the first half of this century. In 1917 and 1918 one could believe that all of the horror and bloodshed of World War I was not in vain if a result could be the establishment of new independent states where the ancient peoples I have mentioned would enjoy the blessings of independence, freedom and self-government. Some of them, as we know, were swallowed up almost immediately when the Communist revolution established the U.S.S.R. Others survived and prospered until World War II, only to lose their identities in the Communist empire that grew out of that war.

In the long centuries of European history, the past 30 years is not a long period of time. The history of the people in these areas is proof that the fires of freedom cannot be destroyed by one generation or two of tyranny. They have maintained their national identities through many centuries. For various periods of time and with varying degrees of success they have won freedom from

oppression and had brief but glorious periods of self-government. Their national identity and their desire for independence has not been destroyed by the most brutal of oppressors and they have not been destroyed by communism.

There is little we can do directly now to aid them in the quest for freedom, but we can give them our moral support, our prayers and our good wishes by joining together in observance of these precious days of independence. I urge all Americans to do so.

#### WCBS OPPOSES JUDGE CARSWELL IN EDITORIAL

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. DINGELL. Mr. Speaker, for some little time I have had the feeling that the nomination of Judge Harrold Carswell as an Associate Justice on the Supreme Court was lacking in distinction. I am now convinced that Judge Carswell as a nominee is most undistinguished.

Therefore, I was interested in the text of an editorial which had been broadcast on February 10, 1970, over WCBS News Radio 88 in New York City. So that my colleagues may be aware of the comments on Judge Carswell's nomination, I include the text of the editorial at this point in the RECORD:

#### WCBS EDITORIAL

The kindest assessment that can be made of the latest nomination for the Supreme Court is that Judge Harrold Carswell's qualifications for the appointment are imperceptible.

The legal opinions he has written lack either ethical or judicial distinction. He is not known to have contributed any other legal writings.

Much of the opposition to Judge Carswell's nomination rests on a "white supremacy" oration he made as a candidate for the Georgia legislature. He later printed the speech in the home town newspaper he published. It cannot, therefore, be dismissed as no more than unreflective campaign rhetoric. And it should be remembered he was 28 years old at the time—hardly a pink-cheeked, impetuous youth.

He was appointed a federal district judge 12 years ago. Since then, more than half of his decisions in civil rights cases were reversed by the Circuit Court. Leroy Clark, a law professor at New York University who argued Legal Defense Fund cases in Florida in Judge Carswell's court, describes the judge as "insulting to black lawyers."

We see no evidence that Judge Carswell's personal philosophy has matured significantly. He has now repudiated the racist speech. Beyond that, there's no indication that the 1948 Carswell has metamorphosed into a man of vision. A man of sensitivity. And above all, a man marked by a strong sense of social justice.

The South has given the Supreme Court some of its most eminent jurists. It's hard to believe that Harrold Carswell, any more than Clement Haynsworth, represents the best qualified of the available Southern candidates at this time.

Today, the relentless surge of great issues leaves the Supreme Court little time to offer

remedial training in social awareness to members of its bench.

We believe Senate confirmation of Judge Carswell's appointment to the highest court in the land would be an indefensible rewarding of mediocrity.

#### PRESIDENT SHOULD SET GOOD EXAMPLE

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. JACOBS. Mr. Speaker, I insert the following item which appeared in the Indianapolis Star, February 22, 1970:

#### PRESIDENT SHOULD SET GOOD EXAMPLE

(By Jameson G. Campaigne)

The best way to exert leadership and persuade others to your point of view is to set a good example yourself.

President Nixon, speaking of his programs for helping America's Negro minority said, "I am interested in closing the performance gap . . . I would rather be measured by my deeds than by all the fancy speeches I have made."

Speaking to congressional leaders in December about the budget he also said, "We stand at the crossroads of credibility (on fiscal responsibility) . . . If we miss this opportunity it will be a long time before the public will ever believe that government can manage its finances in any other way than to produce sustained and serious inflation."

To set an example, he vetoed the huge appropriation bill passed by the Democratic majorities—and made it stick.

That was a good deed. But the President has missed another opportunity to set a good example of fiscal housekeeping right in his own back yard.

In the first six months of this fiscal year the White House spent \$1.2 million more than President Johnson did in 1968. In operating the White House he spent \$1.87 million in the last half of 1969 compared to \$1.4 million in the first half. In his own "special projects" account he spent \$1.2 million in the second half of '69 compared to \$439,000 spent in the same period of '68. The President's emergency fund is budgeted at \$1 million a year. In six months he spent \$728,000—far more than half of that. At the same time he put the White House guards in Graustarkian new uniforms, accepted a 100 per cent increase in salary, and built up the biggest White House staff in history.

The President is quite right when he sees inflation and Federal overspending as the biggest threat to the national economy right now. He was right to veto the inflated HEW bill. He is right to call for congressional restraint in spending the taxpayer's money. He is right to present a balanced budget for congressional approval.

But he is also the first President in history to submit a \$200 billion budget to Congress. And he is also the spendiest occupant of the White House in history.

He as well as Congress stands, as he put it, "at the crossroads of credibility."

How can he persuade Congress or the American people that he intends to cut down on Federal spending and taxes, reduce the Federal budget to anti-inflationary proportions, unless he sets a good example of financial responsibility himself?

It is a good question, for it is quite true that the President, in his own words, will be "measured by my deeds, rather than all the fancy speeches I may have made."

#### UNEMPLOYMENT—A PATRIOTIC DUTY?

### HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. O'HARA. Mr. Speaker, once again that great historian and student of statecraft, Art Buchwald, has in his own way, pointed out to his country how it can preserve the public peace and order while at the same time pursuing the President's gallant quest for unity.

Mr. Buchwald's latest column, appearing this morning in the Washington Post, tells us how we can make the rising number of unemployed Americans not only willing, but proud to go along with those policies of this administration which have, in the name of fighting inflation, brought prices and unemployment up together to new heights.

The Buchwald plan for making a virtue out of what this administration's economic views turn into a necessity is simple, yet inspired. I shall not seek to explain it. I insert the Buchwald Doctrine in the RECORD, since it speaks so magnificently for itself:

#### JOBLESS PATRIOT CERTIFIED NOW

There has been a great deal of discussion by the government concerning unemployment. No one likes to be without a job, but it seems to me that if you explain it to someone in terms that he can understand, the unemployed person will be willing to go along with it.

"I beg your pardon. Is that a pink slip in your hand?"

"Yeh."

"Well, congratulations. You can consider yourself a front-line soldier in the President's fight against inflation."

"I can?"

"Yes, sir. And under government regulations you are entitled to a complete explanation as to why you find yourself in what we refer to as the 'unemployment-rate zone.' Incidentally, you will be happy to know that your being laid off came as no surprise to us."

"It didn't?"

"No, sir. Your government predicted that given high interest rates and a tight money situation, you would be out of work by February. Here it is, right on the graph."

"I'll be darned. You guys really know your stuff. But what do I tell my family?"

"You can tell them that although they will have to put up with a certain amount of inconvenience, the upward spiral in unemployment—to which I might say you've made such a valuable contribution—will have a very definite effect on the stabilization of prices."

"They'll be happy to hear that."

"If it weren't for people like you, I'm afraid the economy would have kept overheating and your dollars would have lost their purchasing power. But if we can raise the unemployment level to a reasonable figure, say 4.5 per cent, without putting the country into a recession, we can bring prices down by 1975."

"It makes sense to me, but I would like to ask you a question. Am I better off reversing inflation by being unemployed, or am I better off working and earning dollars that have less value?"

"That's the kind of question that we in the government resent. I would say in the short run you might be better off earning inflationary dollars. But if you're truly concerned

about the economy of the country, then you should be willing to be part of the 4.5 per cent of the population that we need on our unemployment rolls."

"But why me?"

"Everyone says, 'Why me?' It has to be somebody. If we are to take strong anti-inflation measures, we have to have a citizenry ready to make financial sacrifices. All we're asking of you is to stay unemployed until the economy cools off."

"How long will that be?"

"We're projecting 18 months, but I'd count on two years to be on the safe side."

"What am I supposed to do in the meantime?"

"This is a certificate of Unemployment, which you can hang on the wall. It attests to the fact that your government appreciates all you are going to do to keep the economy from spiraling sky high."

"Gosh, it's beautiful."

"I might mention that only the elite of the labor force in this country is entitled to this certificate. You can be very proud that you are among the chosen few."

"Wait until my family sees it. Is there anything else I can do to help fight inflation?"

"Just stay off the streets. And don't call us. We'll call you."

#### POLLUTION OF JUSTICE— DOUGLAS MUST GO

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. RARICK. Mr. Speaker, the continued stench from the Hall of Justice on the Capitol Hill, although conveniently ignored by many here in Washington, reeks throughout the land.

The reasons for the removal of William O. Douglas from the Supreme Court are numerous, the grounds for his impeachment are accumulating daily in other offices than mine, and the people are calling for action.

I insert a letter demanding his impeachment, as published by the Chicago Tribune:

#### IMPEACH DOUGLAS

BROOKLYN, February 17.—You are to be congratulated for your courageous and much needed editorial "A Justice Disgraces the Supreme Court" (Feb. 13), pointing out the incompetence of Supreme Court Justice William O. Douglas to serve in high public office.

It would seem safe to say that Mr. Douglas more than any other individual, has contributed to the breakdown of traditional values in this country. While few would doubt the need for protection of individual constitutional rights, Mr. Douglas over the years has shown virtually a complete disregard for the rights of society in cases where these interests are in conflict.

He, probably more than anyone else, is responsible for what may be the most underrated form of pollution plaguing us today—pollution of the mind. He has gone on record as being opposed to anti-pornography laws in general, and has cast his powerful votes accordingly.

He has constantly and summarily voted to upset the convictions of individuals in riot cases, draft resistance cases, and criminal cases in general. Concerning such cases, when even his liberal fellow jurists deem the appeal too far removed from constitutional

considerations to so much as to be heard, Mr. Douglas can be found dissenting and clamoring for the "rights" of the appellant. On the other hand, he of course has maintained an extremely hard line against religious expression in any sort of public situation.

In short, if Mr. Douglas ever was truly a jurist, he has long since abandoned that role and assumed the part of a quasi-revolutionary policy dictator. As you so rightly state, impeachment proceedings are in order if voluntary retirement is not forthcoming.

#### POLLUTION

#### HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. SCHADEBERG. Mr. Speaker, I have been receiving much mail lately asking what can be done about pollution. Many of these letters come from schoolchildren of all ages who realize their personal stake in a livable environment is a great one.

Today, I received a letter from the Cadette Girl Scout Troop 101 in Kenosha, Wis., which does not ask the question, but which sets forth what these fine citizens of tomorrow are doing today as their part in the preservation of a livable environment.

Anna Principe, Kathy Marks, Ann Gorman, Loretta Suggar, Kim Carlsen, Chris Angelo, Julie Bruneau, and Teresa Aulozzi are to be commended on their having taken the following pledge, which they were so gracious to share with me:

I will not buy and will persuade others not to buy: goods with excessive wrapping; goods sold in plastic, aluminum or pressurized containers; non-return bottles; unnecessary electric appliances; enzyme detergents.

I will not use the toilet for a wastebasket.

I will use less paper products in my home.

I will use garbage cans instead of a garbage grinder.

I will use snow shovels instead of air-polluting snowblowers.

I will bundle newspapers and magazines and save them for reprocessing.

They recognize that the struggle for the preservation of our environment must be an effort made by all parts of society: the individual, business, and Government. Therefore, they ask that we in Congress do our part. Because of their interest in fighting pollution, they firmly believe that Government and industry should:

First, remove contaminants from household products;

Second, find readily disposable packaging;

Third, promote the most advanced solid and liquid waste disposal obtainable; and

Fourth, initiate a crash research program on the recycling and refuse of waste.

Mrs. Einar Carlsen, Jr., and Rita Jones, the leaders of the troop are to be commended for their fine leadership, the young girl scouts for their recognition of the obligations of citizenship.

#### CHEMICAL AND BIOLOGICAL WARFARE

#### HON. RICHARD D. MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MCCARTHY. Mr. Speaker, as part of my examination of this Nation's chemical and biological warfare program, I have investigated the policies regarding the use of herbicides at home and abroad.

This Nation has used herbicides on a widespread basis for over a decade. For military purposes we have sprayed over 6,500 square miles of South Vietnam with chemical defoliants.

At home, over 3 percent of our land has been chemically treated with these compounds. One of the most commonly used sprays contains the chemical 2,4,5-trichlorophenoxyacetic acid, generally known as 2,4,5-t.

Last year it was revealed that a study conducted for the National Cancer Institute by the Bionetics Laboratories concluded that the compound had teratogenic, or birth deforming properties.

As a result of these findings, the White House announced on October 29, 1969, that the Departments of Health, Education, and Welfare; Agriculture; and Defense were to take certain actions to restrict the use of the compound by the first of the year.

I learned to my surprise on February 3 that the ban had not been put into effect. I made immediate inquiries to the responsible agencies, and what followed was a typical bureaucratic "don't hold me responsible" game.

While the original White House directive forbid the compound's use on food and food crops "unless the Food and Drug Administration established a basis for safe tolerance levels," the Agriculture Department informed me that it would continue its authorized use while the FDA tests continued.

I was then told by Dr. Lee A. DuBridge, the President's Science Adviser, on February 10, that the responsible agencies were to make final decisions regarding the chemical's use.

Following this retreat by the White House, I learned from the FDA that their tests continued to show a teratogenic property in the chemical, in spite of the manufacturers claim by Dow Chemical Company that the original tests were conducted on a contaminated sample. The FDA further informed me that traces of this chemical had been found in food samples in Boston and Kansas City.

This whole affair cannot be characterized as anything less than an outrage. The White House has failed to impose executive authority over agencies responsible to it, and the Departments have distorted the intent of the 1954 Pesticides Chemical Act to prevent a chemical's use until the FDA establishes safe tolerance levels.

Accordingly, I have now called on the President to take all necessary steps to

halt the use of this dangerous chemical, and impound all existing stocks on the market. Anything less would threaten the safety and well-being of the American people.

Mr. Speaker, I have had extended correspondence with government officials regarding this matter. In addition, I recently held 2 days of hearings in Globe, Ariz., where controversy exists over the effects of 2,4,5-t from a series of sprayings last summer.

I will be making a full report on my findings at a later date. However, in order to inform my colleagues of the nature of this controversy, I insert my correspondence and statements relating thereto in the RECORD at this point:

PRESS RELEASE FROM THE OFFICE OF SCIENCE AND TECHNOLOGY, OCTOBER 29, 1969

Dr. Lee A. DuBridge, Science Adviser to the President and Executive Secretary of the President's Environmental Quality Council, announced today a coordinated series of actions that are being taken by the agencies of Government to restrict the use of the weed-killing chemical, 2, 4, 5-T.

The actions to control the use of the chemical were taken as a result of findings from a laboratory study conducted by Bionetics Research Laboratories which indicated that off-spring of mice and rats given relatively large oral doses of the herbicide during early stages of pregnancy showed a higher than expected number of deformities.

Although it seems improbable that any person could receive harmful amounts of this chemical from any of the existing uses of 2, 4, 5-T, and while the relationships of these effects in laboratory animals to effects in man are not entirely clear at this time, the actions taken will assure safety of the public while further evidence is being sought.

The study involved relatively small numbers of laboratory rats and mice. More extensive studies are needed and will be undertaken. At best it is difficult to extrapolate results obtained with laboratory animals to man—sensitivity to a given compound may be different in man than in animal species; metabolic pathways may be different.

2, 4, 5-T is highly effective in control of many species of broad-leaf weeds and woody plants, and is used on ditch banks, along roadsides, on rangelands, and other places. Almost none is used by home gardeners or in residential areas. The chemical is effective in defoliating trees and shrubs and its use in South Vietnam has resulted in reducing greatly the number of ambushes, thus saving lives.

The following actions are being taken:

The Department of Agriculture will cancel registrations of 2, 4, 5-T for use on food crops effective January 1, 1970, unless by that time the Food and Drug Administration has found a basis for establishing a safe legal tolerance in and on foods.

The Department of Health, Education, and Welfare will complete action on the petition requesting a finite tolerance for 2, 4, 5-T residues on foods prior to January 1, 1970.

The Departments of Agriculture and Interior will stop use in their own programs of 2, 4, 5-T in populated areas or where residues from use could otherwise reach man.

The Department of Defense will restrict the use of 2, 4, 5-T to areas remote from the population.

Other Departments of the Government will take such actions in their own program as may be consistent with these announced plans.

The Department of State will advise other countries of the actions being taken by the United States to protect the health of its citizens and will make available to such

countries the technical data on which these decisions rest.

Appropriate Departments of Government will undertake immediately to verify and extend the available experimental evidence so as to provide the best technical basis possible for such future actions as the Government might wish to undertake with respect to 2, 4, 5-T and similar compounds.

[February 3, 1970]

CONGRESSMAN MCCARTHY FINDS THAT ADMINISTRATION FAILS TO APPLY BAN ON HARMFUL DEFOLIANT

Representative Richard D. McCarthy (D-NY) today said that the Nixon Administration had failed to put into effect a ban on the use of the defoliant 2,4,5-T announced last October by Dr. DuBridge, President Nixon's Science Advisor. Despite the evidence available last October showing that this defoliant may lead to the deforming of babies, the Department of Agriculture continues to allow its use on food grown in the United States.

"I welcomed Dr. DuBridge's announcement last October that the use of the defoliant 2,4,5-T would be banned in American agriculture after January 1, 1970 unless the Food and Drug Administration was able to show that it was not harmful to use," McCarthy said. "But I now find that the Department of Agriculture has not banned the use of this defoliant. The most elemental common sense calls for a halt to the use of this potentially dangerous chemical until we know much more about its use."

On October 29, 1969, Dr. DuBridge announced that the results of tests conducted by the Bionetics Research Laboratory for the National Institutes of Health had shown that exposure of female mice and rats to 2,4,5-T caused a high incidence of deformed births on their offspring. The tests also showed that the defoliant 2,4-D was potentially dangerous. Dr. DuBridge said that 2,4,5-T would be prohibited for use on American agricultural products after January 1, 1970 unless the Food and Drug Administration could develop information showing that it could be used with safety. That information has not been developed.

Dr. DuBridge also announced that the use of 2,4,5-T in Vietnam would be restricted to areas remote from population. McCarthy noted that on the following day the Department of Defense seemed to contradict Dr. DuBridge's announcement by saying that 2,4,5-T would be used in areas where there were enemy troop concentrations. "Dr. DuBridge's order was already being watered down the day after it had been issued," McCarthy said. At the same time there was some speculation that a team would be sent by the Office of Science and Technology to Vietnam to investigate the reports of the birth of deformed children as a result of the use of defoliants. "Even though the Vietnamese papers carried reports on the birth of children deformed as a result of the use of defoliants, apparently no investigation is being made of the charge," McCarthy said. In the meantime, we continue to dump defoliants over the Vietnamese and Laotian countryside.

McCarthy said that it would be irresponsible to continue to use the defoliant 2,4,5-T until we have evidence that it is safe. "On the contrary, we now have indications that it may be even more dangerous than we previously thought," he said. I have received information from the town of Globe, Arizona indicating that there is a possibility that 2,4,5-T used to spray vegetation by the United States Forest Service may have caused health effects on women and on animals in the area. McCarthy announced that he would go to Globe, Arizona this month to talk to

those who have information about the problem.

In letters to Dr. DuBridge, Secretaries Hardin and Finch, Congressman McCarthy called on the Administration to put the ban on 2,4,5-T into effect immediately and also to consider whether 2,4-D can be used on agricultural products with safety. The text of the letters follow:

DEAR DR. DUBRIDGE: On October 29, 1969, you announced that a number of restrictions would be placed on the further use of the defoliant 2,4,5-T because of the potentially dangerous health effects. As I understand it, the announcement that 2,4,5-T would no longer be used on agricultural products in the U.S. was made because information from an NIH report indicated that this defoliant might lead to the birth of malformed babies. At the same time, you announced that 2,4,5-T would not be used in populated areas in Vietnam.

The day after your announcement about the restrictions on the use of 2,4,5-T, a Defense Department spokesman seemed to contradict you by saying that 2,4,5-T would still be used against enemy training and regroupment centers. In addition, no attempt has evidently been made to verify reports in the Saigon press that there has been a marked increase in the birth of deformed children as a result of the use of defoliants.

I learned to my surprise yesterday, that the Department of Agriculture has not banned the use of 2,4,5-T in American agriculture. Mr. Donald Brock of the Office of the Secretary of Agriculture told me yesterday that the license for the use of 2,4,5-T had not been canceled. This information indicates that the Administration appears to be going in two different directions at the same time.

I urge you to take the necessary steps to insure that the Department of Agriculture enforces the ban on the use of 2,4,5-T until such time as it can be shown that it is safe to use. I also urge you to undertake an investigation of the reports of the birth of malformed children in Vietnam as a result of the use of defoliants so that the United States can determine whether it should continue to use this defoliant.

I also urge you to consider whether other defoliants such as 2,4-D can be used with safety either on agricultural products or our countryside. The Bionetics Laboratory report indicated that 2,4-D had the potential for danger and should be investigated further.

I look forward to your reply on this matter.

Sincerely,

RICHARD D. MCCARTHY,  
Member of Congress.

Secretary CLIFFORD M. HARDIN,  
Department of Agriculture,  
Washington, D.C.

DEAR MR. SECRETARY: On October 29, 1969, Dr. Lee DuBridge, Science Advisor to the President, announced that restrictions were being placed on the use of the defoliant 2,4,5-T as a result of information that it might be dangerous to human health. Dr. DuBridge said that 2,4,5-T would not be used on agricultural products in the U.S. after January 1, 1970 unless the Food and Drug Administration was able to show that it was not harmful to health.

I learned yesterday that the ban announced by Dr. DuBridge has not been put into effect. I find it difficult to understand why Dr. DuBridge's order has not been carried out. The continued use of 2,4,5-T in the fact of information that exposure to it may cause children to be born with deformities shows a callous disregard for human health.

I call on you to ban the further use of 2,4,5-T immediately so as to prevent any

possible danger to health. I also call on you to investigate other uses of 2,4,5-T and its derivatives by the Department of Agriculture to determine whether they may have any untoward health effects.

Sincerely,

RICHARD D. MCCARTHY,  
Member of Congress.

SECRETARY ROBERT H. FINCH,  
Department of Health, Education and Welfare,  
Washington, D.C.

DEAR MR. SECRETARY: On October 29, 1969, Dr. DuBridg, Science Advisor to the President announced that the use of the defoliant 2,4,5-T would be banned on agricultural products in the United States after January 1, 1970 unless the Food and Drug Administration was able to develop information showing that it was safe to use.

I learned yesterday that 2,4,5-T is still licensed for use on agricultural products. The Department of Agriculture I would like to know whether the Food and Drug Administration has information indicating that 2,4,5-T is now safe to use.

Sincerely,

RICHARD D. MCCARTHY,  
Member of Congress.

[February 6, 1970]

CONGRESSMAN MCCARTHY WILL INVESTIGATE  
REPORT OF DEFOLIANT HEALTH HAZARD;  
CHARGES AGRICULTURE DEPARTMENT WITH  
INSENSITIVITY TO NEED FOR SAFETY

Representative Richard D. McCarthy (D-NY) today released the text of a letter from the Department of Agriculture he had received in answer to his request earlier this week as to why the Department had not carried out a ban on the use of the defoliant 2,4,5-T. McCarthy had written to Secretary Hardin earlier this week to ask why the White House restriction on the use of the defoliant 2,4,5-T as of January 1, 1970 had not been put in effect. The White House prohibition, announced by Presidential Science Advisor Lee DuBridg on October 29, 1970, followed the release of information from a Bionetics Research Laboratory study showing that the defoliant 2,4,5-T, widely used in U.S. agriculture and in Vietnam, caused a high incidence of birth defects on rats and mice.

The reply from the Department of Agriculture states that the Department of Health, Education, and Welfare believes that "the public interest would best be served by waiting for additional research data which will be available shortly" before stopping the use of 2,4,5-T. McCarthy sharply criticized the failure of the Department of Agriculture to carry out the White House order saying that "the failure to act by the Department of Agriculture and the Department of Health, Education, and Welfare shows an insensitivity to the need to protect human health." "There is no clear evidence that this defoliant is safe for human health. On the contrary, there is some evidence to suggest just the opposite. The public's right to a safe environment is threatened by governmental inaction," McCarthy said.

In a related announcement, Congressman McCarthy said that he would travel to Globe, Arizona on February 12 and 13th along with Professor Arthur Galston, biologist of Yale University, to investigate reports of damage to animal and human health caused by a U.S. Forest Service defoliation program. The Congressman said that he had reports that accidental drift of Forest Service defoliants had led to birth defects in animals born in the area and to some severe health problems for local residents. McCarthy said that he would talk to local residents to determine what further action is required.

The text of the letter from the Department of Agriculture follows:

FEBRUARY 6, 1970.

DEAR MR. MCCARTHY: Here are the actions of this Department with respect to use of 2,4,5-T. These actions were based on review of an unpublished study made by Bionetics Research Laboratories for the Department of Health, Education, and Welfare. The study indicated that 2,4,5-T may be a teratogen.

We are informed that on December 22, 1969, an amendment to the original petition was filed with the Department of Health, Education, and Welfare for tolerances for 2,4,5-T on certain food crops. New data submitted to DHEW relevant to this petition indicates that the 2,4,5-T used in the Bionetics study contained about 27 ppm of tetrachlorodibenzo-para-dioxin, a highly toxic contaminant, whereas 2,4,5-T of current manufacture contains only about 1 ppm of this contaminant. Preliminary tests for teratogenicity of 2,4,5-T with 1 ppm tetrachlorodibenzo-para-dioxin give no indication of teratogenic effect.

We are awaiting advice from DHEW as to whether or not they intend to establish tolerances for 2,4,5-T before we decide whether to cancel or extend uses of 2,4,5-T on food crops. Our January 1, 1970, date was based on DHEW's expectation that they would have reached a decision by that time. That agency believes that the public interest would best be served by waiting for additional research data which will be available shortly. We concur in their judgment.

We are initiating an examination of the many polychlorophenolic pesticides now registered to determine whether or not any of those now on the market do contain hazardous amounts of polychlorodibenzo-para-dioxins. This examination will require several weeks. We shall be glad to inform you of its progress and outcome.

Sincerely,

NED D. BAYLEY,  
Director, Science and Education.

[February 12, 1970]

MCCARTHY STARTS PROBE INTO USE OF  
HERBICIDE 2,4,5-T

Representative Richard D. McCarthy (D-NY) today began an investigation into the effects of a herbicide, Silvex/Kuron, containing 2,4,5-T which was sprayed as part of the U.S. Forest Service Chaparral Management Program of the Salt River Watershed Project.

The compound continues to be authorized for commercial use by the Department of Agriculture despite an announced White House ban last October.

In his opening statement McCarthy pointed out that the ban was announced following disclosure by the Bionetics Research Laboratories that 2,4,5-T has possible teratogenic—or fetus deforming—properties. The study was conducted for the National Cancer Institute.

The Buffalo Democrat, a long-time opponent of policies which have encouraged the uncontrolled use of unsafe herbicides, sharply criticized Government agencies for not taking steps to carry out White House instructions. "Instead of following a safe and prudent course the Departments of Agriculture and Health, Education, and Welfare are ignoring known risks for the sake of convenience."

Promises by the Agriculture Department that further studies will be conducted are not reassuring, since the product's use is still authorized, McCarthy said.

McCarthy's schedule includes public hearings with Dr. Paul Martin, Department of Geochronology, University of Arizona and Dr. F. I. Skinner, veterinarian, Globe, Arizona.

The text of Mr. McCarthy's remarks follows:

For over a decade scientists and con-

servationists have had serious misgivings about the effects of certain chemical components of herbicides.

One of the early outspoken critics was the late Rachel Carson. In her eloquent book, *The Silent Spring*, she pointed to the risks of using herbicides whose ecological effects were either harmful or unknown. She condemned, in her words, "The agricultural engineers who speak blithely of chemical plowing in a world that is urged to beat its plowshares into sprayguns."

In the United States at the present time 120 million acres of land are chemically sprayed each year for railroad clearing, brush control in grassland areas, and watershed projects. Of the approximately 125 herbicide chemicals now on the market, the compound 2,4,5-Trichlorophenoxyacetic acid, commonly known as 2,4,5-T, is one of the many commercial products which was originally produced by the military—in this case the Army's Biological Warfare Research Center at Fort Detrick, Maryland. Over 83 million pounds of 2,4,5-T and a similar 2,4-D were produced in 1968.

The characteristics of 2,4,5-T have been carefully observed by scientific investigators. Professors C. I. Harris and T. J. Sheets noted its persistency in soil—up to three months—in 1965. Its toxicity is exemplified by the warnings on commercial doses which caution against its application in irrigation ditches or water supplies for domestic consumption.

I have long denounced its unregulated, widespread and irresponsible use in Vietnam. Last year my attention was called to certain rather alarming genetic qualities in the substance. A study conducted by the Bionetics Research Laboratories for the National Cancer Institute noted a teratogenic—or fetus deforming—property in tests conducted on mice and rats. Although the government was most reluctant to make these results available to the public I obtained a copy and was shocked to read the conclusions which read:

"These results imply a hazard of teratogenesis in the use of this compound. The problems of extrapolation preclude definition of the hazard on the basis of these studies, but its existence seems clear."

On the basis of this obvious risk the White House announced on October 29, 1969 that the use of 2,4,5-T was to be severely restricted by the military, and terminated outright in the United States by the end of 1969.

I welcome this announcement at the time for it indicated a willingness to prevent the use of chemicals whose safety has not been guaranteed. While the risks of 2,4,5-T compounds have been noted there has never been a safe-use level established by the Food and Drug Administration or any other agency.

I was therefore distressed to learn on February 1, 1970 that contrary to White House instructions, the Department of Agriculture continues to authorize the use of 2,4,5-T and that the FDA has agreed to postpone the ban indefinitely. So, instead of taking a safe and prudent course, the Departments of Agriculture and Health, Education, and Welfare are ignoring risks already known for the sake of convenience.

After complaining on February 3, 1970 about this irresponsible attitude I am now informed that the Agriculture Department is initiating a new investigation into the role 2,4,5-T and a dioxin contaminant might have played in tests showing malformed fetuses. Until that time products containing 2,4,5-T will be authorized.

I am not reassured by this course of events. The evidence already analyzed suggests that its use should be halted until the compound can be guaranteed as medically safe. Only then should the renewed application of this chemical be reconsidered.

These somewhat confusing and contradictory series of decisions are of great interest

to the citizens of Gila County Arizona and the residents who live near the Russell Gulch and Kellner Canyon area near Globe.

It is here that the U.S. Forest Service permitted the spraying of a 2,4,5-T Silvex compound, Kuron, as a defoliant in the Chaparral Management Program of the Salt River Project. As a part of the effort to increase the water supply for the Phoenix region, an area of 1,900 acres was sprayed initially in 1965 and again in 1968 and 1969 with Silvex 2 (2,4,5-T).

A study conducted in 1967 for the Army Corps of Engineers recommended that this compound "not be applied to a body of water that is being used as a source of water for human consumption." In spite of the warning of these experts and the previously noted warnings on commercial spray cans, the spray evidently found its way into water supplies of the area defoliated.

The observations of the chemical's effects by several government officials gives credence to the warnings voiced by scientists on the compound's dangerous characteristics.

I am disturbed by the Administration's attitude toward this matter. We have had enough experience with improperly tested chemicals, such as thalidomide, to know that assured safety checks must be made before a product is used commercially. Products of this kind should be barred until all evidence to the contrary is dispelled.

I have come to Globe to inform myself of the scope, nature and results of the Chaparral Management Program. In this way I hope to determine whether the ambiguous policy now in effect with regard to 2,4,5-T compounds should be reassessed by appropriate scientific and medical officials. I am hopeful that the information which I obtain during my visit to Globe will assist me in deciding what further steps to recommend to assure the safety and well-being of citizens to live in areas sprayed by this herbicide.

[February 18, 1970]

**FOOD AND DRUG ADMINISTRATION FINDS DEFOLIANT IN FOOD: CONGRESSMAN MCCARTHY DEMANDS HALT ON USE**

Representative Richard D. McCarthy (D-NY) today demanded that the Nixon Administration immediately ban the sale of the herbicide 2,4,5-T and seize all existing stocks of the compound.

The New York Congressman was informed by Food and Drug Administration officials yesterday that traces of the herbicide, which causes birth defects in animals, have been found in food and dairy products in Boston and Kansas City.

McCarthy charged that the FDA was not enforcing its own regulations which prohibit the marketing of any chemical found in food supplies for which safe tolerance levels have not been established.

"Since no safe tolerance level has been established, and because of the evidence that it exists in food products," McCarthy said in a telegram to President Nixon, "I call on you to ban its use, and seize all supplies now on the market." McCarthy also urged that its widespread use as a defoliant in Vietnam be halted.

The Congressman said he has been informed that the "FDA is today sending one of its own scientists to the Midland Michigan laboratories to cooperate with Dow Chemical Company in testing a contaminant, known as a dioxin, that has turned up in 2,4,5-T to see if it produces the birth defects."

"This is academic and a waste of time," McCarthy declared. "Dr. Dale Lindsay, Assistant FDA Commissioner, informed me that 2,4,5-T cannot be produced commercially without some dioxin in it."

McCarthy charged that Dow was "instrumental in overturning an October 29 White House directive banning 2,4,5-T. Dow came to the Government and claimed that it was

not pure 2,4,5-T which produced birth defects but the dioxin."

McCarthy said he was informed on February 6 by Ned D. Bayley, Agriculture Department Science and Education Director, that because of the discovery of the contaminant "we are awaiting advice from the Department of HEW and as to whether to cancel or extend uses of 2,4,5-T on food crops."

McCarthy recalled that on October 29 Dr. Lee A. DuBridge, President Nixon's Science Advisor, announced that "the Department of Agriculture will cancel registrations of 2,4,5-T for use on food crops effective January 1, 1970, unless by that time the Food and Drug Administration has found a basis for establishing a safe legal tolerance in and on foods."

The Congressman revealed that he discovered on February 3 that the tolerances had not been set and yet the ban was not put into effect. In reply to an inquiry from McCarthy as to why the ban had not been imposed, DuBridge said on February 10 that his October 29 announcement "was not a directive to agencies . . ."

THE WHITE HOUSE,  
Washington, February 10, 1970.

HON. RICHARD D. MCCARTHY,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. MCCARTHY: This will acknowledge your February 3 letter concerning 2,4,5-T.

The October 29, 1969, announcement that you refer to was a statement of the actions that were planned to be taken by the various units of the Federal government in relation to 2,4,5-T. It was not a directive to agencies for the simple reason that statutory responsibility for these decisions rests in the separate agencies. I am sure by now you will have heard from the Department of Agriculture.

I appreciate your views on the desirability of an investigation of reports of births of malformed children in Vietnam. By copy of this letter, I am calling your views to Secretary Laird's attention, since this area is primarily his responsibility.

As to 2,4-D, this compound is being reviewed along with other compounds singled out as requiring additional study in the Bionetics report to which you referred.

Sincerely yours,

LEE A. DUBRIDGE,  
Science Adviser.

**H.R. 860—JOINT INDUSTRY PROMOTION ACT**

**HON. DON EDWARDS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. EDWARDS of California. Mr. Speaker, on January 27, 1970, this House passed the Joint Industry Promotion Act, H.R. 860, and I wish to add my support for that action of the House. Had circumstances allowed me to be present, I would have voted aye on this highly important act and I am terribly dismayed that the Senate has delayed its passage by recommitting the bill to the Labor and Public Welfare Committee.

This bill has been studied by the House of Representatives since 1962. It would have allowed industry and labor by mutual agreement to join in promotion of construction industry products in their joint interest.

However, H.R. 860 provided carefully drawn safeguards to guarantee the integrity of the trust fund.

The exemptions provided by this bill would have been used when there was joint agreement between labor and management. No one would be forced to participate.

In conclusion, Mr. Speaker, passage of this bill by the House gave labor and management the hope and the opportunity for cooperation in their mutual interest. Certainly, both recognize the need for healthy promotion of the construction industry. Today the construction industry is in trouble. This bill could have helped it to once more become healthy and through its health could have improved the economic health of the Nation and it is a great loss to the Nation that the other body has not acted.

**NUTLEY SUN AWARDED JOURNALISTIC HONORS**

**HON. PETER W. RODINO, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. RODINO. Mr. Speaker, the weekly Nutley Sun of Nutley, N.J., has long served the community in the finest of journalistic traditions. I was delighted to learn that it has been recognized by the New Jersey Press Association's Best Newspaper Institute as No. 1 in its category. And, I am happy to bring the following article to the attention of my colleagues:

**NUTLEY SUN WINS TOP AWARDS AT 48TH JOURNALISTIC INSTITUTE**

(By Steve Brothers)

The Nutley Sun was awarded several prizes by the New Jersey Press Association's 48th Annual Best Newspaper Institute of Atlantic City. The most coveted honor was the Sun's first-prize plaque for weeklies in the above 5,000 circulation category.

For the first time, The Sun's affiliate in Belleville, The Times-News also won first prize for weeklies in the under 5,000 circulation division.

The first prize honors were based on judges reviews of two consecutive issues of the paper. General typography and layout were considered.

The Sun also won a third-prize for a spot-news photo entered in weekly competition. The picture was taken by Steve Brothers, a Nutley High graduate who is now attending Rutgers University. Brothers is still a part-time photographer at The Sun.

Of special interest to The Sun was an "honorable mention" or fourth place award given to Philip R. White managing editor for coverage of alleged improprieties in the Nutley Public Safety Department. The top awards in this category all went to daily papers with the Paterson Morning Call taking first prize.

The Sun and White were cited for the article, "Another Mystery—Another Patrolman Quits." Judges commended the initiative and enterprising work of The Sun in the story. Comments from the judges noted that "the enterprise of this reporter extended a regular news story until everyone concerned was placed in correct perspective. We hope officials now know the importance of telling all facts from the beginning for the protection of the innocent and punishment of the guilty."

The third-prize award in photography, won by Brothers, went to a picture titled, "Who, Me?" which was taken in the Nutley Jaycees' Essex County Junior Miss Pageant.

**AIR AND NOISE POLLUTION: THE MAJOR BYPRODUCTS OF THE JET AGE**

**HON. CHARLES H. WILSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. CHARLES H. WILSON. Mr. Speaker, as a longtime advocate of controlling air and noise pollution principally caused by jet aircraft, I have been seeking to call to my colleagues' attention the very real dangers to public health and welfare that jet noise can and does cause. I have introduced legislation in this area, and I will continue to fight for its adoption. I regret the necessity to use the term "fight for," but such is the reality and the urgency of the situation.

More and more communities across the Nation are feeling the adverse effects of a modern jet aircraft transportation system which is giving off massive doses of both air and noise pollution as its principle byproducts. I have, therefore, participated both as a legislator and as a concerned citizen within the Congress and elsewhere in many activities aimed at effectively reversing the rising tide of environmental chaos which so many areas, particularly those close to jet airports, are now experiencing.

From many different news sources come articles and essays which underline the worsening jet noise—jet air pollution situation in all of its aspects. Fewer and fewer of our citizens are exempt from the unpleasant realities of life in the jet age. Among the most tragic and defenseless victims are young school-children who, in many areas, cannot receive a proper day's education due to intolerable jet noise interruptions. A recent article from Parade magazine depicts the deteriorating situation in my own district where two schools have already been forced to close, causing expensive physical plant waste and overcrowding in other existing schools.

Homeowners comprise a large segment of those whose tranquility is shattered daily by jet aircraft. The frustrations experienced by one group of Los Angeles homeowners led them finally to file suit, the result of which appeared recently in the Los Angeles Times news article.

Various other aspects of jet age problems are examined in a most useful and informative newsletter titled "Tvasnac quotes", so named because it is the publication of the Town-Village Aircraft Safety and Noise Abatement Committee, located in Lawrence, N.Y. The items which they have culled from various sources point up the serious and all-encompassing nature of the jet aircraft-inspired pollution problems.

I would like to bring the Parade, Los Angeles Times, and Tvasnac Quotes articles to the attention of my colleagues by including them at this point in the RECORD:

[From Parade magazine, Feb. 8, 1970]

**SOUND BARRIER TO EDUCATION**

Last week Airport Junior High School in Los Angeles, Calif., closed for good. The school, erected in 1955 to serve 1600 students, is now, 15 years later, unusable.

The reason? Noise.

The constant roar of jets taking off and landing at nearby Los Angeles International Airport had made teaching and learning physically impossible. In 1968, Westchester Elementary School closed for the same reason.

Three months ago the Los Angeles City Unified School District filed a suit for approximately \$96 million against the International Airport. Jet noise, the suit claimed, had seriously interfered with the education of 46,000 youngsters enrolled in 31 Los Angeles schools.

This brought the total damages claimed against the airport by various interests in the area to \$2.3 billion.

Los Angeles is not the only city in the nation wracked by jet noise. As airports grow in size to handle the jumbo jets, as prop-driven aircraft become fewer and fewer, jet noise becomes a greater problem.

No one suggests the abandonment of jet transportation. After all, 22 million people use Los Angeles International Airport each year, making it the nation's second. It handles 975 million pounds of freight each year, provides jobs for 34,000 people.

Given jets and jetports as accepted ingredients of American life, the two apparent solutions to the noise problem are relocation of airports and redesigning of jet engines.

Unfortunately, the engines on the new 747 jumbo jets are noisier than their predecessors. Unfortunately, too, airports are not being constructed 40 or 50 miles away from schools.

[From the Los Angeles Times, Feb. 6, 1970]  
**HOMEOWNERS WIN SUIT ON JET NOISE—JUDGE TELLS CITY TO PAY \$740,000 TO LANDOWNERS NEAR L.A. AIRPORT**

(By Rudy Villaseñor)

More than \$740,000 was awarded in Superior Court Thursday to 539 owners of property near International Airport as compensation for losses caused by jet aircraft noise.

The precedent-making 75-page opinion was delivered by Judge Bernard S. Jefferson, who held that owners are entitled to payment for the loss of full enjoyment of their property.

The jurist also found that properties of 131 other owners have not been sufficiently affected to compensate them for compensation.

His decision was based on a suit involving the principle of "inverse condemnation." In effect, the suit alleged the city had taken away some of the free use of the properties of the petitioners—the air space above them—without remuneration.

**COMPENSATION FOR NOISE**

Although the suing owners contended that they were bothered by soot, oil and other debris falling from jet planes, the judge found that they are entitled only to compensation for noise.

The exact amounts, which must be fixed in later proceedings, will represent the loss of the value of the land and improvements.

Tentative awards made by Jefferson range from \$6,000 to \$400 for each piece of property. The decision involves almost entirely dwellings, some for single families and others for multiple use.

"There is a significant difference," the jurist wrote, "between the noise emanating from jet aircraft and that coming from automobiles and trucks on a street or freeway. The difference is so pronounced that the legal consequences of jet noise should not be the same as the legal consequences of street and freeway noises of cars and trucks."

Jefferson pointed out that the "hue and cry" over aircraft noise did not develop until the advent of jets. He remarked that propeller craft make sounds of much lower frequency, not much more annoying to the human ear than the noises of gasoline-powered ground vehicles.

**HIGH FREQUENCY OF NOISE**

But the high frequency of jet noises, the jurist added, does bother the human ear and under extreme conditions prevents conversation and interferes with television and radio reception.

Properties affected by the decision spill over from Los Angeles City territory to that of Inglewood, El Segundo and some unincorporated county territory.

In estimating damages, the judge made allusion to "noise exposure forecast" areas, that is, terrain which experts calculate will suffer from the noise.

The jurist, accordingly, dealt mostly with the noise caused by aircraft approaching the airport from the east in the usual landing pattern.

Jefferson declared that properties affected because of take-offs, mostly in a westerly direction, involve fewer homes.

In reaching his decision, the jurist began by fixing a territory of damage which began east of the airport and widened in direction proportional to the lower altitude of aircraft as they approach landing strips.

Fixed by the court as the narrowest and most distant point to be affected by the noise was the area of Avalon Blvd. and Golden Ave. The affected area then stretches in a south-westerly direction and widens gradually so that at Vermont Ave., its northerly boundary becomes 94th St. and its southerly limit 103rd St.

At Western Ave., the north boundary becomes 95th St. and the south 105th St. At Crenshaw Blvd., the limits stretch from 98th St. on the north to 108th St. on the south.

At Hawthorne Blvd. and La Brea Ave., it widens to limits between 99th St. and 110th St.

Finally, at the San Diego Freeway, the noise-affected area widens to 99th St. on the north and 111th St. on the south.

The judge commented in his decision that the problem became increasingly acute after 1960. That year, his decision said, there were 55 jet landings a day, increasing to 93 in 1961, 129 in 1962, 164 in 1963, 191 in 1964 and 238 in 1965, the last year for which evidence was produced.

Many other individual suits are still pending over jet noise at International. Last year, however, similar issues were raised in a suit dealing with Santa Monica Airport. But another judge in that case decided in favor of the airport, holding that its use by noisy aircraft was limited to a few landings and take-offs per day.

The judge also declared that other jurists have reached similar conclusions in cases tried in the state courts of Oregon and Washington.

Jefferson began hearing testimony last July 17 and took the matter under submission Nov. 14.

[From Tvasnac Quotes, January 1970]

**DID WE HEAR IT BEFORE?**

"The Port of New York Authority granted permission yesterday for regular operation of jet airliners from New York International Airport.

"But the agency imposed strict take-off rules to cope with the noise problem. It said the rules would insure that jets would prove no more disturbing to near-by communities than propeller-driven craft now using the Idlewild, Queens, field." (New York Times October 4, 1958, Reprinted in Nassau Herald, December 11, 1969.)

**SCIENTIST ASSERTS VIOLENT NOISE MAY HARM BABIES BEFORE BIRTH**

Boston, Dec. 28.—Violent noise such as sonic booms, may have permanently damaging effects on unborn babies, a scientist warned today.

The warning presented to a noise pollution panel at the annual meeting of the American

Association for the Advancement of Science, was issued by R. Lester W. Sontag, director of the Fels Research Institute in Yellow Springs, Ohio. The paper by Dr. Sontag, who could not be present today, was read by a colleague.

Too much noise in the everyday environment—noise pollution—has been shown to cause health problems in adults. Loss of hearing, increased mental stress and heart disease have been linked to the assault of excess noise in daily living.

The human fetus, according to Dr. Sontag, is equally vulnerable to the noxious effects of too much noise. Forty years ago many people believed that the human fetus was protected from unpleasant conditions in the outside world in the comfort of the mother's womb, but recent experiments have shown that the fetus is not so isolated after all, Dr. Sontag said. The fetus seems to react to harmful environmental conditions just as the mother does, he said.

Supersonic transport jets may therefore pose a threat to the health of unborn infants in that the planes will be one more noxious addition to the total assault of an increasingly noisy environment. It is estimated that one such jet, crossing the United States, would cut a swath of noise 25 miles wide on each side, within earshot of up to 50 million people. (Excerpt from article New York Times—December 29, 1969.)

DRAFT BILL TO BAR SST OVERLAND FLIGHTS,  
SENATE PANEL TELLS DOT

The Senate Appropriations Committee has given a mandate to the Department of Transportation to prepare legislation to bar commercial SST flights over U.S. land areas pending solution of sonic boom problems.

Although the committee supported the prototype program by approving \$80 million for fiscal 1970, a report released yesterday on the DOT appropriation stated the committee "is not willing to buy aviation leadership at further costs to our environments." DOT should have the suggested legislation ready before it returns to Congress for its fiscal 1971 budget request, the report stated.

The committee specifically recommended legislation similar to S. 942, introduced last January by Sen. Jacob K. Javits and six other senators. This measure bans commercial SST flights from land areas until the boom can be significantly reduced or even eliminated altogether.

Legislation could allay "public concern" over the boom, the report said, stating that the committee is "not completely satisfied by administration, statements that commercial SST will not be permitted to fly over the U.S. at sonic-boom producing speeds." The report added:

"Administration statements on the subject have been ambivalent. For example, FAA states that both American and foreign SSTs will not be permitted to fly at boom speed over inhabited areas. It makes no mention of wilderness or other open areas where the sonic boom could have intrusive or damaging effects."

The committee also sent up warnings about alleged FAA statements to the effect that marketplace pressures may spur SST flights over the transcontinental U.S. (Excerpt from article Aviation Daily—December 18, 1969.)

IMPLICATIONS AND JUSTIFICATIONS OF THE SST

In the event of unrestricted SST operation over land there will, every year, be hundreds of millions of occurrences of people being hit by severe superbooms over 4.5 to 5 psf and many more superbooms exceeding 3.5 psf. According to the Edwards tests practically all people will find booms exceeding 4 psf unbearable. Furthermore, there will be some 500,000,000,000 "people booms" exceeding about 1.75 psf. This level will be deemed more

disturbing—by roughly 50% of those exposed—than subsonic fly-over noise of 110-112 PNdB, the highest permissible level in the build-up areas close to London Airport and the Kennedy Airport of New York.

The tremendous discrepancy between the anticipated SST boom intensities and the acceptable level for over-land operation makes it unlikely that the SST boom will be acceptable for over-sea use. Passengers and crews on boats would probably run unacceptably high risks of being hit by superbooms exceeding 5 to 6 ps. and the boom intensities will often be doubled due to reflection by cabin wall. (Excerpts from article by Bo Lundburg in the April 1969 edition—Publikatie Nr. 15—Netherlands Acoustical Society.)

AIRCRAFT NOISE—MENTAL HEALTH AFFECTED

London.—The next time someone says he is going crazy from the racket don't dismiss this as just another temperamental outburst. He may be.

A two-year study in an area near London's Heathrow Airport has shown a significantly higher incidence of mental illness requiring treatment among people most exposed to aircraft noise. (Excerpt from article Long Island Press—December 14, 1969.)

JET PLANES' UNSEEN GASES THREATEN MORE  
POLLUTION

Jet engine manufacturers, who are confident that they can rid the nation's airliners of ugly black smoke trails, may soon be faced with pollution problems from the part of a jet's exhaust that cannot be seen.

Atmospheric scientists studying the impact of pollutants on the atmosphere voiced concern last week over this little-known problem.

One of them was Dr. Richard D. Cadle, head of the Department of Chemistry and Microphysics at the National Center for Atmospheric Research at Boulder, Colo.

"It is not definitely established," he said, "but a lot of evidence suggests that the gases given off by jet planes are as harmful in the long run as the visible particles." (Excerpt from article New York Times—December 21, 1969.)

ESTONIAN INDEPENDENCE DAY

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mrs. GRIFFITHS. Mr. Speaker, on February 24 Estonians all over the world are recalling the 52d anniversary of the declaration of independence of the Republic of Estonia.

In 1918, the people of Estonia established an independent republic under which they enjoyed freedom and prosperity. For the next 22 years the people of Estonia showed the world that they were worthy members of the community of peace-loving nations and that they were dedicated to building a just, social, and economic order.

The unforgivable tyranny of the Soviet Union cut short the development of this brave new Estonian nation when the Red army invaded Estonia in 1940, and in August of that year Estonia was politically annexed as a portion of the Soviet Union. Since the Soviet conquest and annexation of Estonia in 1940, faithful friends around the world have marked this day each year as a

moment of rededication to the cause of Estonian self-determination and independence.

It is fitting that we who are endowed with the blessings of freedom pause to reflect upon the struggle of a people less fortunate than ourselves. We in the United States share in the joyous recollection of Estonia's short-lived independence; we share a deep sense of grief over the tragedy of the Soviet Union's forced occupation of Estonia; and we share in Estonia's hopes that one day soon she will again be free.

AAU AND NCAA FEUD

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MICHEL. Mr. Speaker, as a result of the action taken by the NCAA in suspending Yale University for 2 years, the gentleman from Connecticut (Mr. GIALMO) and I, together with 25 cosponsors, introduced a resolution calling for creation of a special committee to investigate the NCAA.

We deferred any action pending the outcome of the meeting tomorrow between officials of the Eastern College Athletic Conference and the director of athletics at Yale University, Mr. DeLaney Kiphuth. We will determine our course of action upon receiving a report of the proceedings in New York.

An article appearing in the Wall Street Journal today, written by Mr. Frederick Klein summarizes the long-running controversy between the NCAA and the AAU. I insert it at this point in the Record:

[From the Wall Street Journal,  
Feb. 24, 1970]

IN THIS CORNER: AAU AND NCAA JOUST TO  
CONTROL AMATEUR SPORTS  
(By Frederick C. Klein)

Jack Langer really didn't mean to become a cause celebre. He just likes to play basketball.

Jack is a member of the varsity squad at Yale, where he is a junior. Although he is six feet eight inches tall, his enthusiasm seems to exceed his skill; he mostly warms the bench. Nevertheless, Jack wound up last summer as the only collegian on the U.S. basketball team at the Maccabiah Games, an international competition in Israel for Jewish amateur athletes.

The lanky Yale committed only one sin by going to Israel: The National Collegiate Athletic Association (NCAA) had directed that no athlete from any member college could take part. Jack therefore was declared ineligible to play for Yale. But Yale declined to remove him from the team. The NCAA thereupon barred Yale from its championship tournaments and its lucrative telecasts for two years.

Why is the NCAA so exercised over a seemingly innocent tournament in Israel? The answer lies in its long and bitter feud with the Amateur Athletic Union of the United States (AAU). Mr. Langer, in fact has been thrust into the center of the latest outbreak in the continuing struggle for control of amateur sports in the U.S.

## POWERFUL COMBATANTS

Both disputants in the NCAA-AAU battle are powerful and deeply entrenched. Their quarrel is almost 50 years old. Its implications for the athletes, the games they play and the U.S. role in international athletics continue to be immense.

Considering the ostensibly laudable purpose of both groups—furthering amateur athletics—the intensity and complexity of the warfare baffles outsiders. To hear spokesmen for either side tell it, each is working to preserve democracy, integrity and quality in American sports for the participants and the millions of spectators they entertain.

Other observers, however, often find the struggle most notable as a tangled contest in which the interests of the athletes and the public usually wind up being subordinated to the interests of the men who run the NCAA and the AAU. Several times in recent years the dispute has made it difficult for the U.S. to field top teams in international sports events.

"I'm fed up with both organizations," says Gerry Lindgren, 23, a top-level distance runner. "They are older people who don't seem to care much about athletes."

## CAN'T GET TOGETHER

Over the years the NCAA-AAU feud has defied mediation efforts by Gen. Douglas MacArthur, Robert F. Kennedy and a special Sports Arbitration Board set up in 1965 by the Senate Commerce Committee. The latter effort stretched over a three-year period, but foundered when the NCAA rejected a seven-point peace plan. The AAU had accepted the plan.

"I've rarely seen such intransigence," says Theodore Kheel, the noted New York lawyer and labor mediator who headed the special board. "Those people make the Teamsters look like undernourished doves."

Bill Toomey, the 31-year-old teacher of English from California who won the decathlon in the 1968 Olympic Games, agrees. "The whole thing has become so wrapped up in personalities and jealousies that it's tough to see any daylight," he says. "The tragedy of it all is that it has taken both groups' attention away from doing things to improve sports."

For instance, suggests Mr. Toomey, "The NCAA should be thinking of ways to improve competition for graduate students. . . . Right now there's nothing for them." And, he says, "The AAU ought to be finding ways to help support the noncollege sports clubs where fellows like me compete."

## SCRAPING BY

"I belong to the Southern California Striders, probably the best track club in the country. We have eight or 10 Olympic-level competitors, but we can't pay a coach and we have to supply just about all our own equipment. All the club can pay for is T-shirts and shorts."

One important reason that the NCAA-AAU fight has proved so difficult to resolve is that it has been going on for so long. The AAU was formed first, in 1888. Few colleges then had organized sports programs, and most amateur competition in the U.S. was between local clubs composed of athletes of various ages. By the time the Olympic Games were revived in 1896, the AAU had attained preeminence in U.S. amateur sport and assumed the task of certifying the amateur credentials of American candidates for the games.

In succeeding years, the AAU broadened its authority by taking in as voting members such groups as the Armed Forces, YMCA, National Association of Intercollegiate Athletics, which represents about 550 small colleges and universities, and—for a time—the NCAA.

Through membership in international governing bodies, the AAU has acquired the right to approve the amateur eligibility of

U.S. athletes in 11 Olympic sports, including track and field, basketball, swimming, gymnastics and wrestling. That right is the crux of its power.

The NCAA was started in 1906 at the behest of President Theodore Roosevelt after a rash of deaths and injuries in college football sparked a public outcry. It began as a football rulemaking and enforcing body, but quickly expanded its jurisdiction over big-college sports to rival that of the AAU.

As colleges supplied more and more athletes for U.S. international teams, the NCAA became more and more insistent on having a greater voice over their administration. By the 1920s, collisions between the NCAA and the AAU had become frequent. Quarrels over the selection of the 1928 U.S. Olympic team were so heated that Gen. MacArthur was called in to try to cool matters. The next year, he helped work out a reorganization of the U.S. Olympic Committee that gave the NCAA substantial—but not majority—representation. With few modifications, this arrangement kept the peace through the 1950s.

Meantime, pressures for a rupture continued to build. "Every time the AAU picked a coach to take a team abroad, it made enemies of a dozen other coaches who thought they should have been selected," says a long-time college track coach. "Every time a kid was picked for a team, some coach thought one of his kids should have been picked."

At the same time, this coach adds, "the AAU consistently managed to make things worse by refusing to answer complaints or take the trouble to explain their actions. New York (AAU headquarters) treated us like second-class citizens. The AAU's top men found ways to deny almost everything the coaches wanted."

NCAA frustration reached the breaking point in the early 1960s. By 1961, it had ceased to be an active member of the AAU, although several NCAA-school coaches remained on AAU governing boards as individuals. In 1962 and 1963, the NCAA made the split complete by joining with high school, junior college and club groups to form "federations" to contest the AAU's rule-setting authority in U.S. amateur track, basketball, gymnastics and wrestling. In all those sports, federation members claim to control the big majority of top athletes, coaches and facilities.

The NCAA doesn't have a voting majority in any of the federations, but it is clearly the dominant member in each of them. "Without NCAA financial and moral support, the federations couldn't exist," says Delaney Kiphuth, athletic director at Yale.

Open warfare erupted when the federations—especially the U.S. Track and Field Federation (USTFF)—began holding meets in competition with those of the AAU. Both groups refused to allow their athletes to appear in events sponsored by the other. In 1965, an AAU-organized track team that was boycotted by the NCAA lost to the Russians in a dual meet at Kiev, touching off a national uproar.

In 1966 and 1967, the AAU declared numerous athletes ineligible for international competition because they competed in various federation meets. The banned-by-the-AAU list ranged from Olympic-level gymnasts to the Iowa Girls High School Athletic Union track and field team.

The 1965 loss to the Russians in the track meet brought the Senate Commerce Committee into the act. When its peace proposal was vetoed in 1968 by the NCAA, partly on the ground that it didn't give the USTFF enough power, several Senators introduced a bill to set up a Federal corporation to run U.S. amateur track, supplanting both the AAU and USTFF. The bill, however, has languished in the Senate Judiciary Committee without hope of passage.

"Congress never should have got mixed up with that thing in the first place," says one

Commerce Committee aide. "It was really a can of worms."

Just how complex the NCAA-AAU dispute has become is evident in the Langer case. The affair had its roots in a seven-year-old dispute that eventually involved a whole handful of sports governing groups.

In 1962, the NCAA and several allies formed the Basketball Federation of the USA (BFUSA) to contest the AAU's place on the International Amateur Basketball Federation (FIBA) as the sole U.S. governing body in the sport. In 1963, FIBA gave BFUSA three years' permission to sponsor games between American and foreign basketball teams—a right previously limited to the AAU.

When that agreement expired, the AAU, claiming to be the dominant force in U.S. amateur basketball, asked that it not be renewed. FIBA went along with the AAU, whereupon BFUSA members moved to withhold their athletes from all international competition except the Olympics. "We decided to call their bluff," says Walter Byers, the NCAA's executive director.

The NCAA boycott sharply curtailed U.S.-foreign basketball competition, so in early 1969 FIBA made an effort to settle things. It set up still another group—the International Basketball Board (IBB)—to try to mediate the dispute. A meeting was called for June 25 in Kansas City but only half the AAU delegations showed up. (Bad weather hindered air travel that day, an AAU representative explains. For one reason or another, the IBB didn't meet until after the Maccabiah Games.)

Thus, U.S. organizers for the Israeli event went begging when they tried to recruit NCAA college basketball players. Seven Jewish collegians were approached but all refused under NCAA threat of losing their college eligibility. Only Mr. Langer, with Yale's permission, said he would go.

"The games were on the up and up, and the boy wanted to go, so we couldn't see refusing him," says Athletic Director Delaney Kiphuth. "We had athletes and coaches in other sports going to the games with NCAA approval, and it didn't make sense to say 'yes' to them and 'no' to Jack."

Yale says it will go on letting Mr. Langer play. "It's become a question of organizational obedience versus the good of the boy, and we choose to support the boy," says Mr. Kiphuth. He adds: "When we are forced to make that sort of choice, it's clear that the dispute has been allowed to go much too far."

Leaders of both the NCAA and AAU readily agree that their struggle has persisted too long. Indeed, each has the same formula for solution: Let the other bow out of the fray and accept a subordinate role.

Differences in the philosophy and composition of the two groups make such a solution highly unlikely, however. Most importantly, the NCAA and its federations are made up primarily of college coaches and athletic directors who are paid to oversee sports programs, while the AAU prides itself on being an organization of unpaid volunteers.

Among some long-time AAU men, the aversion to college coaches is extreme. Avery Brundage, president of the AAU from 1927 to 1952 and president of the International Olympic Committee for the past 18 years, declares that the coaches "have distorted and commercialized college sports" with scholarships for athletes and "professional training camp methods." He seriously doesn't think coaches should be allowed in the stadiums on game days.

Col. Donald Hull, the 51-year-old former paratrooper who as executive director heads the small AAU headquarters staff in New York, doesn't go that far. He says he has "no special quarrel" with either coaches or college scholarships for athletes. "That's the way things are done nowadays," he shrugs.

But he quickly adds that he has reservations about both. "Men who make their liv-

ing from the performance of amateur athletes can be tempted to misuse them," he says. "Colleges have been known to go beyond tuition, room and board in their recruiting, and this had led to a lot of cynicism about amateurism."

The NCAA's Mr. Byers, a trim, 47-year-old former sportswriter, replies that he doesn't see "any inconsistency at all" between "wholesome amateurism" and the big-money aspects of college sports (colleges will split \$12 million a year under a two-year football television contract the NCAA recently negotiated with American Broadcasting Cos.). He asserts: "The colleges put the money to good purpose by building and maintaining the best sports facilities in the world."

As for college coaches, Mr. Byers observes that "the AAU seem glad enough to use them every chance they get."

Mr. Byers goes on to charge the AAU with "gross mismanagement" of amateur sports. "They send incompetent officials to meets and unqualified freeloaders on international trips in the guise of being managers," he contends. "They take money out of sports and they don't put any back in."

Col. Hull responds that while the AAU does its best to train good meet officials—the vast majority of whom serve without pay—"we have some who are better than others." Tour managers, who handle financial and travel arrangements when U.S. athletes go abroad, also are picked for their "competency," he says, but he agrees that manager-athlete relations on trips aren't always ideal. "Some of those big-stud athletes resent getting their spending money from Casper Milque-toast-type managers," he says.

Col. Hull dismisses Mr. Byers' money charges. He says that the AAU administers many minor sports at a financial loss ("I don't see the NCAA rushing to set up federations in luge (a sledding sport), judo, bobsledding or sports like that") and that there is "very little money and no profit" in his group's handling of track and field.

"Local AAU's usually charge between \$20 and \$300 to staff major track meets," he says. He adds that one of the AAU's biggest recent fees—\$1,800—came from the 1969 Millrose Games, which drew more than 17,000 people to Madison Square Garden in New York. The AAU sent about 100 officials to that meet, he says.

Still other differences divide the two organizations. The NCAA says one big reason it withdrew from the AU was that concern's refusal to change its "one organization, one vote" rule that gives the smallest athletic club the same vote as the largest university in the election of most members of the AAU's ruling National Board of Governors.

Col. Hull replies that the voting rule "might not be the best imaginable." But he adds that "like most volunteer organizations, we are run by the people who do the most work. If the colleges became active with us on the local level, I have no doubt they could take us over inside of two years."

There is an East vs. West element in the dispute. The AAU's main strength is in the East among the Ivy League colleges and businessman-athletic clubs such as the big New York Athletic Club. The NCAA is the strongest among the Midwestern and Western universities that bloomed later athletically and still resent the AAU's Eastern bent.

There also is no love lost between the leaders of the two groups. At NCAA headquarters in Kansas City, Mr. Byers accuses top AAU men of various kinds of wrongdoing, but refuses to be specific "because I don't want to get involved in personalities." One senior official at AAU offices in New York confides that he has heard that "Walter Byers is promoting this feud because he wants to be czar of all sports."

No one professes to know how it will all turn out. "The AAU seems to be mainly rich

men who can afford to preach amateurism because they don't need the money," says Mr. Lindgren, the distance runner. "On the other hand, a lot of NCAA coaches seem to think that because they give a person a scholarship they own him."

#### A GUIDE TO RESEARCHING DEFENSE ISSUES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. BROWN of California. Mr. Speaker, last summer the Democratic Study Group conducted an extensive educational program for its members and their staff concerning our Nation's defense policy and programs. One of the products of this effort was a short pamphlet, entitled "A Guide to Researching Defense Issues," which was published in August. It seemed to me at the time a very useful introduction to the problem of learning more about these issues. Although it is now 5 months old, it still is of considerable value, and I would like to make it available to all Members by placing it in the RECORD. In doing so, I would like to compliment its authors, the summer interns who served on the staff of the study group during 1969.

The "Guide" follows:

#### A GUIDE TO RESEARCHING DEFENSE ISSUES

This annotated bibliography has been prepared by the DSG staff to assist Congressional staff members investigating defense issues. It contains the following sections:

Selected books, articles, statements, and pamphlets useful to developing general understanding of Defense Department management, how our forces are sized, and how the defense budget is determined.

Periodicals of a specialized nature dealing with strategic issues and the technicalities of weapons systems.

Annual compilations describing force levels and weapons systems for all countries.

Indexes relating to defense.

Congressional resources for studying defense.

Materials available on the request of a Member of Congress.

Individuals with their telephone numbers whose job it is to assist Congressional staff in this area.

Sample outline to follow in investigating a defense program or weapons system.

Most items are available through the Library of Congress. The Army Library at the Pentagon is also an easy-to-use resource and contains defense materials organized in a readily accessible manner.

#### GENERAL MATERIAL

##### Books

Hitch, Charles J. *Decision-making for Defense*. Berkeley: University of California Press, 1965. A comprehensive overview of the basic problems faced by Secretary McNamara in the early sixties. The book is a collection of the Gaither lecture series and contains chapters dealing with pre-1960 procedures, the advent of planning, programming, and budgeting systems (PPBS), the concept of cost-effectiveness, and a concluding appraisal of problems yet unsolved. It is informative and well presented.

Hitch, Charles J. & McKeen, Roland. *The Economics of Defense in the Nuclear Age*. Cambridge: Harvard University Press, 1969. A detailed and technical rendition of the

above lectures. It moves away from the simple concepts and presents detailed examples of the types of analyses actually undertaken in the DOD. By no means light reading.

Lyden, Fremont & Miller, Ernest. *Planning, Programming, Budgeting; A Systems Approach to Management*. Chicago: Markham Publishing Co., 1968. A collection of articles dealing with applications of the PPBS system.

McNamara, Robert S. *The Essence of Security: Reflections in Office*. New York: Harper & Row, 1969. In this summation of his views on the DOD and the role he played in it, McNamara analyzes successively the world situation, the assumptions this evaluation leads to in the formulation of defense policy, how the PPBS works, and the role he sees for the DOD and the nation in the future. Not objective, but a useful description of the "McNamara Era" at DOD.

#### Articles

Benson, Robert. "How the Pentagon Can Save \$9,000,000,000." *The Washington Monthly*, March 1969. Benson, formerly of the DOD controller's office, examines questions of manpower, training, supplier performance, parallel and obsolete weapons systems, responses to unrealistic threats, unreasonably large commitments, and projects such as SAGE, ABM, and MOL. The cuts he proposes are unrelated to Vietnam, do not impair national security, are immediately (within 24 months) implementable. They cut fat from ongoing core programs. The article is short but incisive, and closely reasoned.

"Defense Budget Cuts of \$10.8 Billion Seen Feasible." *Congressional Quarterly*, June 1968, p. 1605-10. A system-by-system analysis of where cuts can be made, with recommendations and their rationale versus Administration policy. The cuts cover Strategic Forces (ABM, bombers, SAM), general purpose forces (manpower for all services, plus NATO), anti-submarine forces, attack carriers, amphibious forces, and MOL. Not an in-depth study; it is an enumeration of where and how much.

"Pentagon Rebutts Assertions of \$10.8 Billion in 'Fat'." *Congressional Quarterly*, September 1968, p. 2482-86. Again a system-by-system examination, including the original CQ cuts, a Pentagon rebuttal and counter-rebuttal.

Niscanen, William. "Defense Management After McNamara." *Armed Forces Journal*, 8 February, 1969. A comprehensive and incisive appraisal of McNamara's goals, and where his programs seem to have fallen short of expectations. Niscanen concludes that the military should be given more say in the defense decision-making process.

*The Progressive*. "The Power of the Pentagon." Entire June 1969 issue. Senators, Representatives, scientists, scholars and former high officials discuss ABM and other weapons developments, strategies for ending the Vietnam war, Congressional authority over the Pentagon, the militarization of foreign and domestic policies, and the need for a redefinition of national priorities.

Schick, Alan. "PPBS." *The Public Administration Review*, December, 1966. This article provides an excellent background on the development of program budgeting in DOD, and its effect on the management process. It is not light reading, but does provide a wealth of information on decision-making beyond the planning, programming, budgeting system.

#### Statements before Congress

Schultz, Charles J. Statement before the Subcommittee on Economy in Government of the Joint Economic Committee on June 3, 1969. *Congressional Record*, p. S6036. Former Budget Director Schultz provides a clear presentation of the factors underlying the military budget. The statement includes an analysis of the budgetary framework, the factors determining rising military budgets,

and suggestions for improving budgetary decisions. The best single analysis of the field in so short and easily readable form.

Weidenbaum, Arthur. Statement before the Joint Economic Committee on November 11, 1968. *Military Procurement*, Vol. 1, Washington: Government Printing Office. Weidenbaum discusses profits made by defense contractors. His statement is in response to the findings of a Logistics Management Institute study financed by DOD which found no excessive profits.

#### Defense Department publications

Posture Statements have been issued by the Office of the Secretary of Defense every year since 1963. They contain an analysis of the world situation and the military stances of the major powers, the defense budget for the following fiscal year determined in light of the preceding, and a five-year projection of programs and systems into which the budget is incorporated. Of particular importance is McNamara's FY 1969 Posture Statement which was personally supervised by him at every level and expresses most explicitly his views on defense, and Clark Clifford's FY 1970 Posture Statement. They are available from the Department of Defense or from either Armed Services Committee.

The Industrial College of the Armed Forces at Ft. McNair, Washington, D.C., publishes a series of "Blue Books" for its courses, including a series of ten on defense management. The most useful is *Defense Organization and Management*, by Harry S. Yoshepe and Theodore W. Bauer, ICAF, Washington, D.C., 1967. It is a detailed and descriptive overview of the defense establishment. It covers the debate over the organization of the DOD, the role of the Joint Chiefs, a summary of weapons systems as of 1967, the structure of the departments and patterns of management. A useful bibliography is included.

#### Recent studies

Democratic Study Group, *The FY 1970 Defense Budget*. Washington: Democratic Study Group, U.S. House of Representatives. Short papers on assumptions and contingency planning underlying the FY 1970 Defense budget and fact sheets on controversial new weapons systems, including ABM, MIRV, SRAM, SCAD, AMSA, bomber defense, SHERIDAN and MBT-70 tanks, CBW, manpower, air-to-ground missiles, F-14, F-15, C-5A, S-3A and AX aircraft, anti-tank missiles, anti-submarine warfare, and FDL and LHA logistics ships.

Members of Congress for Peace Through Law, *Report on Military Spending*. Washington: Members of Congress for Peace Through Law, 201 Massachusetts Avenue, N.E. A collection of critical papers on ABM, procurement, F-14, attack carriers, bomber defense, CBW, manpower and MBT-70. The papers cover policy assumptions, military strategy, cost-effectiveness of the system, and performance and managerial problems. They are of varying length and scope, but all are useful.

#### PERIODICALS

##### Conceptual

Air University Review (USAF Aerospace Studies Institute, Maxwell AF Base, Ala. 36112), 75c a copy, \$4.50 a year; bi-monthly. Contains policy as well as technically-oriented articles, including serious analysis, projections and alternatives. The studies are in-depth and excellent.

*Army Quarterly and Defense Journal* (W. Cloves & Sons, Ltd., Dorland House, 14 & 16 Lower Regent St., London SW1), 12s6d a copy, £2.10s a year; monthly. Thoughtful, well-documented articles on defense issues. Includes appraisals of political and military international strength.

*Military Review* (US Army Command and General Staff College, Ft. Leavenworth, Kansas), 50c a copy, \$4 a year; monthly. Good articles by widely diverse authors on political

as well as military aspects of international relations and the U.S. defense posture. Discusses contingency plans and policy alternatives, as well as analyses of the present situation.

*Naval War College Review* (Naval War College publication, Newport, R.I. 02840). Available on request to authorized persons. Long articles by impressive contributors, analytic as well as narrative, presently a somewhat biased, but competent review of the world situation in defense policy terms, as well as articles on purely naval matters. It contains complex but non-technical papers presenting alternatives and projections.

*Royal United Service Journal* (Royal United Service Institution, Whitehall, London SW1), quarterly. Long, analytic articles followed by discussion of international relations and military strategy. The articles are closely argued and generally of high standard.

*US Naval Institute Proceedings* (US Naval Institute, Annapolis, Md. 21402). \$1 a copy, \$8.50 a year; monthly. Examines military and political questions in national security terms. Contains opinionated but competent narratives and analyses.

#### Technical

*Armed Forces Management* (American Aviation Publishing Association, 1156 15th Street, N.W., Washington, D.C., 20005). \$2 a copy, \$12 a year; monthly. Short articles covering new developments in management concepts. Defense and related matters cursorily covered. The April 1969 issue contains a military systems directory specifying project name, nomenclature, service/agency, description/use, contractor/status. 56 pages (reprints, looseleaf, available for \$5).

*Army Research and Development* (Office of the Chief of R & D, Department of the Army, Washington, D.C.). 20c a copy, \$2.25 a year; monthly. Progress notes on all aspects of R & D from lab work to war games to field use. Useful for leads more than coverage of an issue.

*Flight International* (Royal Aero Club, Transport Publishing Ltd., Dorset House, Stamford Street, London SE1), weekly. Covers civilian as well as military air matters. Not excessively technical.

*Flying Review International* (Haymarket Publishing Group, Gilling House, 5 Winsley Street, London W1, subscriptions 9 Harrow Road, London W2), monthly. Exhaustive treatment of civilian as well as military aircraft; lists all current developments, contracts, purchases and technical data. December 1968 issue provides a comprehensive overview of missile developments.

*Naval Research Review* (Department of the Navy, Office of Naval Research, Washington, D.C., published by GPO), 20c a copy, \$1.75 a year; monthly. Results of research by Navy laboratories and contractors, and some theoretical articles. Lists selected research reports available through the Clearinghouse for Federal Scientific and Technical Information, Department of Commerce, Springfield, Va. 21151.

#### General

*Air Force and Space Digest* (Air Force Association, 1720 Pennsylvania Avenue, N.W., Washington, D.C.) 60c a copy, \$7 a year; monthly. Public relations-oriented presentations, giving an overall picture but few technical details. The style is narrative rather than analytical.

*American Aviation* (Ziff Davis Publishing Company, 1156 15th Street, N.W., Washington, D.C.) Concerned with the state of the aeronautical industry. Out of business as of May, 1969, but back issues contain useful information.

*Armed Forces Journal* (Army and Navy Journal Inc., 1710 Connecticut Avenue, N.W., Washington, D.C.), 35c a copy, \$10 a year; weekly. General coverage of defense issues and new weapons.

*Army Digest* (Army Chief of Information, Cameron Station, Alexandria, Va. 22314, or US Army AG Publishing Center, 2800 E. Blvd, Baltimore, Md. 21220), \$8.50 a year; monthly. Short articles, not particularly informative.

*Navy* (The Navy League of the U.S., 818 18th Street, N.W., Washington, D.C.), 25c a copy, \$3.00 a year; monthly. Opinionated, short articles which are more colorful than authoritative.

#### COMPILATIONS

*Institute for Strategic Studies* (18 Adam Street, London WC2).

*The Military Balance* provides an annual overview of the balance of power in the world. It covers 40 countries and analyzes their forces in terms of types and weapons systems, numbers, and purpose. Their sources are often non-official, and they dislike being quoted in print; their information, however, is usually extremely reliable, and much of it precedes official de-classification.

*The Adelphi Papers* are published periodically but at no fixed interval on specific defense issues. They provide excellent in-depth analyses of the problems.

*The Strategic Survey* provides a narrative account of the balance between the military forces of the members of NATO and of the Warsaw Pact.

*Jane's* (local agent for the U.S., Charles E. Thorp, 175 Greenwich Avenue, Greenwich, Connecticut 06830).

*All the World's Ships* accounts for all the ships afloat in the world. It contains precise and reliable data as to numbers, speed, fire power, weapons systems, and other technical specifications.

*All the World's Aircraft* covers all the major and most of the minor aircraft in the world. It provides diagrams and a great deal of technical data on each model. It is extremely reliable. It also contains such information on strategic and tactical missiles.

#### INDEXES

*Air University Periodical Index* is organized by subject matter in three-year volumes. It lists exclusively defense-oriented and sponsored publications, which are primarily useful for the technical information and the official and/or military rationales behind the projects.

*Government Publications Office* (541-3000, code 139, North Capitol and H Streets, Washington, D.C. 20401) publishes a list of all government publications every month. The December issue is an index for the entire year, organized by issuing office and by month (serial listings refer to monthly indexes).

*General Accounting Office* maintains an index to its public reports, but there is a lag in the availability (reports are filed by date and number immediately, and there is an indefinite time lapse before it is incorporated into an index by subject). Inquire at the Reports Division, code 149 x 4485.

#### CONGRESSIONAL SOURCES

##### Library of Congress

*Legislative Status Checklist*. Weekly publication available to all congressional offices on request. It covers the status of major legislation pending or passed. It also contains a list of Congressional reports, hearings, and bills, received during the week, with date of publication, title, number of pages and a summary.

*Legislative Status Report*. A monthly publication which supplements the preceding. It is likewise available to all Congressional offices. Provides an expanded checklist and cumulative summary of bills, indexed by subject, with cross-reference to bill number, and all action to date on each bill.

*Legislative Reference Service Multithreaded Reports*. Available on the request of a Member. Reports deal with subjects of recurring interest. An increasing number deal with defense subjects; ABM, CBW, and nuclear-powered vessels are currently available. A

periodically updated compilation of reports available on request from LRS.

#### Committee prints

Hearings and reports of House and Senate authorizing and appropriating committees on military construction, procurement, and research and development. Available from the Armed Services and Appropriations Committees. The best committee resources are the authorization hearings before the Senate Armed Services Committee and the appropriations hearings before the House Appropriations Committee. Most of the important questions relating to new weapons development are asked in these two committees. Administration testimony often provides the answers to these questions.

Occasional hearings and reports on defense issues by the Armed Services, Government Operations, and Foreign Relations/Affairs Committees of both houses, and the Joint Economic Committee. Recent such reports include *Status of Naval Ships and Review of Army Tank Program* (House Armed Services), and *Economics of Military Procurement* (Joint Economics).

#### General Accounting Office reports

These reports fall into three categories as far as availability is concerned. First are those prepared on the initiative of the GAO. They are public information and available in the Library of Congress. Second are reports undertaken at the request of a Member of Congress or of a Committee; these are not public and can only be obtained with the permission of the person who commissioned them. Third are reports on certain aspects of the DOD: these are not public.

#### AVAILABLE TO MEMBERS—IN SOME CASES

*Department of Defense Press Releases* (OX 5-0128 for information, OX 7-3189 for copies, delivered to Congressional offices on request every two weeks)

Speeches by DOD personnel at the level of Assistant Secretary and above are issued as press releases by DOD when they contain major new information or herald shifts in policy.

Fact sheets on controversial new weapons systems are also issued as press releases and contain the DOD rationale for obtaining the system.

Contract announcements are issued as press releases.

*Current News* in an internal DOD compilation of major news stories on defense issues. It appears in two daily editions; the second edition is by far the most comprehensive. Available on a daily basis at the request of a Member.

*U.S. Technical Abstract Bulletin* abstracts technical articles dealing with defense, available at the Library of Congress. Classified.

*BOB Justification Sheets* explain how funds are to be spent within DOD for specific projects. They are prepared by the Budget Bureau with the budget office of DOD. Their circulation is severely limited because detailed cost breakdowns on systems components are classified. Available to agency representatives, the BOB, and members of the Appropriations Committees.

The Weapons Dictionary contains the projected 5-year force structure and projected 10-year force levels given the threats the U.S. is likely to face at that time. It includes total cost data for the projected life of a weapons system, adding personnel and operations and maintenance estimates to generally available procurement and research and development costs. Updated periodically. Top Secret.

#### NUMBERS TO CALL—PEOPLE TO SEE

##### Defense Department

The Office of the Secretary of Defense houses a Legislative Affairs Division (76211, Jack Stempler, Asst. Sec.) to handle Con-

gressional requests. The Directorate for Defense Information (59082, Col. Rodger Bankson, Dir.) can handle specialized requests. Other useful offices in OSD are the Defense Science Board (54157), the Armed Services Procurement Regulation Committee (72026), the Armed Services Policy Council (55261), and the Economics and Statistics Committee (48295).

Army information can be obtained either through the office of the Secretary of the Army (55135, William Coats, Dir. of Public Information) or the Office of the Chief of Staff (55136, Col. William Schabacher, Chief of Information).

Navy information can be obtained either through the Navy Office of Information (77391, RADM L. R. Gels, Dir.) or the Program Information Center (70517, RADM C. E. Bell, Dir.). Marine information is headed by BGen. Jay Hubbard, 42958.

Air Force information can be obtained either through the office of the Secretary of the Air Force (76061, MGen. William Garland, Dir.) or the Public Information Division (55554, Col. Louis Churchville, Dir.).

Project Managers for individual weapons systems and programs will respond to a call from a Congressional office or meet with staff members. Numbers are available in the yellow pages of the DOD telephone directory under the system or program in question.

The Industrial College of the Armed Forces (Information Office: 58581) will provide useful information, particularly on management question.

#### Congress

The General Accounting Office (GAO Building, 441 G Street, NW., Washington, D.C., telephone code 129 x 4485) will provide reports on request. For information about reports in particular fields, particularly recent reports not yet indexed, call either the Defense Division (129 x 5187, C. M. Bailey, Dir.) or the Division of Special Defense Activities (11 x 78608, Eugene Wohlhorn, Dir.)

Congressional committees will have copies of recent hearings and information on how to obtain past hearings. Most are available from the Document Clerk (x3456) or from the Committees: Senate Appropriations (x3471), Armed Services (x3871), Foreign Relations (x4651) or Government Operations (x4751); House Appropriations (x2771), Armed Services (x4151), Foreign Affairs (x5021) or Government Operations (x5051); and the Joint Economic Committee (x5171), the Joint Committee on Defense Production (x2337), or the Joint Committee on Atomic Energy (x6171).

Legislative Reference Service will prepare papers at the specific request of a Member or staff member on official business. Specialists on Defense issues are Col. Donald Bussey and Dr. Albert Stillson (173x8081).

*Bureau of the Budget* (code 103 x 3000) is highly bureaucratized and therefore difficult to penetrate, but the divisions of National Security Programs (Richard Nathan, Dir.), Management (William Pflieger, Dir.) and National Budget Review (Samuel Cohn, Asst. Dir.) may be of assistance.

#### SAMPLE OUTLINE

I. The Threat the System is Designed to Counter:

1. What is the threat?
2. How much does it cost the enemy to mount it?
3. What have been past responses to this threat?
  - (a) Similar systems.
  - (b) Other kinds of systems.
  - (c) Force levels and force mixes broken down by year.
  - (d) Cost of past responses to the threat: Unit cost, 10-year systems cost, and related costs, such as troops and basing.

4. What weapon is presently being used to counter the threat?

- (a) Useful life it has left.
- (b) Modifications that could bring it up to date: Cost of such modifications, and length of time they would last.

#### II. The System:

1. What are the estimated RDT & E costs?
2. What is the present stage of development or production?
3. Does development overlap production?
4. Are there difficulties with development?
5. Have the original performance characteristics changed?

6. What will the unit cost of the system be?
 

- (a) Past, present, and rumored estimates.
- (b) Cost of the comparable enemy weapon.

7. Who are the contractors?
 

- (a) Companies that originally bid.
- (b) Reasons why one company was chosen over another.

(c) Background of the winner: Service affiliation, previous military or civilian DOD personnel hired, past history of efficiency and cost-control, and committee assignments of Members representing the district.

(d) Progress payments made to date.

(e) Spares to be purchased: When they are to be purchased, total cost of all spares, and cost of spares per unit produced.

(f) Orders placed: Number of orders, units per order, and contractor profits per order and per unit.

(g) Details of contract: Repair of faulty units, maintenance, and options on additional buys.

#### III. The Total Program:

1. What is the total production run?
2. What are the annual operating costs?
  - (a) Fuel.
  - (b) Personnel.
  - (c) Maintenance.
3. What are the other investment costs?
  - (a) Training of system operators.
  - (b) Bases: Annual operating costs, investment costs, and military aid given in return for base rights overseas.

4. Is the system to be operated with other systems?

(a) Related ordinance, rockets, and warhead costs.

(b) Costs of escort troops and hardware.

(c) Costs of any related systems required.

#### IV. Deployment:

1. What were past force levels and mixes?

2. How does this system compare with other past or present systems?
 

- (a) Capabilities.
- (b) Unit costs.

3. What force levels and mixes have been programmed for the system?

4. What are the new factors that require the system?
 

- (a) Change in threat.
- (b) More efficiency.
- (c) Lower cost.
- (d) Change in political or military posture.

(e) Service lobbying.

(f) Congressional pressure.

(g) Industry initiative.

(h) Technological breakthrough.

5. Under what combat conditions will the system be used?

6. How vulnerable is the system?
 

- (a) To attack by existing enemy weapons.
- (b) Cost of enemy counter-system.
- (c) Effectiveness of possible counter-measures.

#### V. Assumptions Behind the System:

1. How likely is the contingency for which the system is being deployed?

2. What foreign policy assumptions underlie deployment?

3. Do the assumptions behind deployment correspond with stated policy?

4. Might the system, if deployed, in itself affect foreign or national security policy?

## THE CIVIL AERONAUTICS BOARD

## HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ASHLEY. Mr. Speaker, today 31 of my colleagues and I filed a reply brief in the Federal appellate court in the District of Columbia in a case which we have brought against the Civil Aeronautics Board.

We are asking the court to reverse a decision of the CAB that recently allowed all domestic interstate airlines to put fare increases into effect. We are contending that this decision was reached in violation of several provisions of the Federal Aviation Act of 1958.

The Members who have joined in this lawsuit are, in addition to Hon. JOHN E. MOSS and myself, HONS. GLENN M. ANDERSON, WALTER S. BARING, GEORGE E. BROWN, JR., PHILLIP BURTON, DANIEL E. BUTTON, JEFFERY COHELAN, JAMES C. CORMAN, JOHN D. DINGELL, DON EDWARDS, RICHARD T. HANNA, AUGUSTUS F. HAWKINS, CHET HOLIFIELD, HAROLD T. JOHNSON, ROBERT L. LEGGETT, JOSEPH M. McDADE, JOHN McFALL, SPARK M. MATSUNAGA, GEORGE P. MILLER, JOSEPH G. MINNISH, PATSY T. MINK, JERRY L. PETTIS, THOMAS M. REES, PETER W. RODINO, JR., EDWARD R. ROYBAL, BERNIE SISK, CHARLES M. TEAGUE, JOHN TUNNEY, LIONEL VAN DEERLIN, JEROME R. WALDIE, and CHARLES H. WILSON.

The reply brief which we filed follows: [U.S. Court of Appeals for the District of Columbia Circuit]

PETITION FOR REVIEW OF ORDERS OF THE CIVIL AERONAUTICS BOARD—REPLY BRIEF FOR PETITIONERS

(No. 23,627—John E. Moss, et al., Petitioners, v. Civil Aeronautics Board, Respondent).

Petitioners are replying to the briefs filed by the Civil Aeronautics Board and certain carriers because those briefs seek to convey the impressions that the agency has acted here in a reasonable manner consistent with the governing statute and that this is merely another in a long string of similar regulatory cases. Both of these contentions are, in Petitioners' view, incorrect.

The parties are in agreement that the principal question in this case is how far the CAB may involve itself in the ratemaking process without following the procedures of section 1002(d) of the Federal Aviation Act of 1958 and without adhering to the substantive criteria of section 1002(e). The Board apparently believes that even when it plays an instrumental part in determining rates, it alone may decide when, if ever, those sections are to be applied to its activities.

The CAB states that if it does not "pursue" to prescribe rates pursuant to section 1002(d) (Resp. Br., p. 14), it may effectively promulgate a rate formula and approve tariffs based on that formula without regard to the procedural and substantive rules of the statute. A complaint from interested members of the public may be deferred indefinitely or, indeed, dismissed entirely, with perhaps the possibility of being resurrected at a later date in the event the complainants seek judicial review.<sup>1</sup> When resurrected, that complaint may be scheduled for decision after a year or more of proceedings, with no

<sup>1</sup> Contrary to intimations in the Board's brief, Petitioners' complaints against the Board's formula and the tariffs now in effect (as opposed to Petitioners' accompany-

possibility of retroactive relief. And prior to the Board's decision, according to the Board, no court may step in to accord relief.

The CAB maintains that this position is sanctioned by the "plain language" of section 1002(g) of the Federal Aviation Act (Resp. Br., p. 13) or, if not by that section, then by a need for administrative flexibility which derives general support from other broad provisions of the statute.<sup>2</sup> We have earlier stated why we believe section 1002(g), which is interlocutory in nature, cannot justify the Board's orders here. (Pet. Br., pp. 32-33). We add at this juncture only that the cases cited by the Board, relating to the Interstate Commerce Commission's powers under a similar provision, indicate as we did that section 1002(g) orders serve "only as an interim action, to preserve the status quo . . ." *Ferguson-Steere Motor Co. v. United States*, 126 F. Supp. 588, 590 (N.D. Texas 1954).<sup>3</sup> The Board's argument assumes, in any event, that section 1002(g) is irrelevant, for the agency claims that it "could have made its views known by press release or other publication or discussion without being called to task for improperly issuing a procedurally defective rate order." (Resp. Br., p. 15) The Board thus ultimately relies for its position on considerations of administrative flexibility.

The Board's contention appears to be that the "variety of powers" granted by the statute (Resp. Br., p. 27) authorizes it to employ any number of *ex parte* procedures to make its decisions with respect to rates known to the carriers. Thus, the Board claims that if it did not employ what it terms "speaking" orders under section 1002(g), it

ing request for a general passenger fare investigation) were not deferred last September, but were denied. It is, moreover, absurd for the Board to suggest that it has not passed on the reasonableness of the present tariffs and to claim that the belated resurrection of Petitioners' complaints and their consolidation with a general investigation, part of which may be completed after a year's time, "afforded petitioners and the public full opportunity to participate in the ratemaking proceedings. . . ." (Resp. Br., p. 34)

<sup>2</sup> The intervening carriers rely exclusively on an expansive interpretation of the Board's powers under section 1002(g). It is worth noting that these carriers are not so tolerant of the Board's powers when the agency acts without notice and hearing to deny, rather than grant, a benefit to them. Thus, a number of the carriers protested when the Board indicated in late January that it would condition its continued approval of the present tariffs upon agreement with a joint-fare arrangement proposed by the local service carriers and found "satisfactory" by the Board. Following a denial by this Court of an interlocutory petition to strike down this decision, the trunk carriers all signed the agreement; but the carriers made it plain that they considered the Board's actions to be flatly illegal. American Airlines, for example, notified the Board that it was signing the agreement "under duress and without waiver of any right or remedy that may be available to it, before the Board or the courts . . .", and that "the procedures followed by the Board . . . are contrary to . . . [the Federal Aviation] Act and to the Administrative Procedure Act;" Trans World Airlines wrote that it was signing "under duress" and termed the Board's action "an attempt to prescribe the division of rates illegally and without notice and hearing required pursuant to section 1002(h) of the Federal Aviation Act."

<sup>3</sup> The Board at one point in its brief characterizes its actions here as merely intended to maintain the *status quo* pending investigation (Resp. Br., p. 24). This is contrary to

could make its rate decisions known in press releases or other statements, or could "review the tariff informally with the carrier" (Resp. Br., p. 29; *Id.*, pp. 15, 30). Essentially, the Board's position is that in order not to "hobble the administrative process" (*Id.*, p. 13), the Board should never be held to procedural and substantive ratemaking standards unless the Board itself "regard(s) its action" as ratemaking. (*Id.*, p. 22).

Such non-statutory arguments have inherent limitations. The Federal Aviation Act cannot be read as the Board suggests. Sections 1002(d) and 1002(e) of the Act are clearly intended to open up the Board's decision-making process to the presentation of certain views on the record, at a full and fair hearing, and to bind the agency to certain standards when it undertakes to determine rates. These sections would be read out of the statute if the Board were permitted consistently to determine rates for the entire industry, to thrust those rates upon the carriers, to ignore complaints from the public, and to go to court on the basis of administrative expediency and its own assurances that it has acted in the public interest—as it is seeking to do in this case.

None of the decisions cited by the Board supports such a result. The string of old Interstate Commerce Commission cases upon which the Board principally relies, such as *ICC v. Inland Waterways Corp.*, 319 U.S. 671 (1943), *Algoma Coal & Coke Co. v. United States*, 11 F. Supp. 487 (E.D. Va. 1935), and *Birmingham Slag Co. v. United States*, 11 F. Supp. 486 (N.D. Ala. 1935), did not deal with an issue of agency involvement in the ratemaking process without regard to the procedural and substantive rules of the governing statute. Those cases merely discussed the threshold question of when an agency's decisions with respect to rates—there made on the record and in accordance with the procedural and substantive standards of the statute—will become subject to review under the Interstate Commerce Acts.<sup>4</sup> Similarly, cases such as *United States v. Los Angeles & S.L.R. Co.*, 273 U.S. 299 (1927), and *Toilet Goods Ass'n v. Gardner*, 387 U.S. 158 (1967), dealt with the question of when a potential dispute between an agency and a regulated company is ripe for resolution. Other cases cited by the Board have already been discussed by Petitioners and the contending interpretations of those cases are fully disclosed by the briefs.

This case raises questions about the administrative process which were not remotely contemplated in the decisions cited by the Board. The case is unique because (a) it fully and clearly discloses important agency actions taken without regard to governing statutory provisions and (b) the agency has decided to defend the case by a claim of inherent discretionary power not controlled by the statutory provisions. Only a decision of this Court that compels the Board to exercise its responsibilities in accordance with the governing statute can protect the public interest.

Respectfully submitted,  
STANFORD G. ROSS,  
H. DAVID ROSENBLUM,  
Attorneys for petitioners.

Of Counsel  
Ronald B. Lewis.  
Dated: February 20, 1970.

fact, because the tariffs established on the basis of the Board's order, far from representing the *status quo*, constituted both a totally new fare formula and a significant increase in fares.

<sup>4</sup> In those cases the statute in question specifically contemplated the possibility of a reparations remedy on collateral attack, and the courts emphasized that such remedy was still available to the complainants if they could show that the tariffs in question were unlawful when applied to them.

## THE SCHOOLS NEED MONEY

## HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. EILBERG. Mr. Speaker, public education in America is in serious trouble. The public schools, taken for granted for decades and longer, are in jeopardy. Not only is their continued ability to perform at peril, but the very survival of the institution, public education, is in question.

The public school system of Philadelphia is a paradigm of the crisis. It cannot meet its ordinary, day-to-day operating expenses. The superintendent warns that schools may close in May, a month early, and may not reopen in September, unless more money is found. Real property owners properly have declared that they cannot pay any more taxes. The city's banks have been carrying the school district's \$50 million deficit, but have declared that to carry the debt indefinitely or to lend more money would simply be poor banking practice. The school's can neither borrow money nor sell bonds, because of tight money and imposed interest ceilings.

The Philadelphia school system is not the only school system in America in these desperate straits. Every school system in America is feeling the pinch. But the Philadelphia school system is the one the children of my friends and constituents attend and I know it best. And I know it is in trouble.

But while the schools crumble, this administration fiddles, equivocates, and dissembles. The veto of the appropriations bill was justified as an inflation-fighting measure. There are more rumblings along Pennsylvania Avenue that the administration thinks the compromise package is too high and may have to invoke the veto again. My people, too, are concerned about inflation and demand it be curbed. But my people also are demanding that their children's right to attend public school not be revoked because of this administration's misplaced sense of national priorities.

This is not an either-or situation. We can and must reduce Federal spending. We can and must help keep our public schools open. The Labor, Health, Education, and Welfare appropriation represents only 10 percent of the Federal budget. I suggest the President turn his paring knife elsewhere. Should the children of this Nation be the ones who really pay the price for military cost overruns?

John Corr, the education writer of the Philadelphia Inquirer, visited Washington recently and was briefed by the administration's domestic and education experts. Mr. Corr found that the administration was interested in a study to learn what was "effective" in education. Mr. Corr had an answer for that: "Money is effective." I commend to the attention of my colleagues, Mr. Corr's column of Sunday, February 22, 1970:

## ADMINISTRATION SIDESTEPS SCHOOL FUNDING RESPONSIBILITY

(By John P. Corr)

Daniel P. Moynihan, glib resident liberal in the Nixon Administration, was sent over to explain to the Education Writers Association the government's new and insultingly absurd position on funding education.

That position, briefly, goes something like this:

"We are not sure of the best ways to invest in education, so we are not going to invest."

Instead, Moynihan said, there will be a "national institute" to study the best ways to spend the money the Federal Government is not appropriating.

The U.S. Commissioner of Education, Dr. James E. Allen Jr., said the same thing earlier that day. He, at least, had the decency to appear distressed.

Moynihan and other mouthpieces for the administration are stressing three points these days.

We need more information about what is effective in education, don't we?

## A GOOD JOB?

The schools—our fine American schools—are not really in such bad shape. They do a pretty good job, really.

More federal money for education would be inflationary.

All three points are untruths designed to obscure the fact that the Federal Government is disregarding its responsibility to the nation's schools.

Let's take them one at a time.

Any teacher, any principal and most parents can tell you what is effective in education. Money is effective. Smaller class size is effective. Feeding children who are hungry is effective. Good salaries to attract good teachers is effective. Tutoring is effective.

Is somebody kidding? What is all of this talk concerning "evaluation of effectiveness of experimental programs"? The schools need money, the kind of money that only the Federal Government—which collects most of the tax dollar—can provide.

Next, are the schools really in such bad shape?

## CAN'T COPE

The schools in Philadelphia are in bad shape. The schools in Philadelphia may have to close down as did those in Youngstown, Ohio. The schools in Philadelphia each year "graduate" thousands of illiterates and one child in three drops out and 40 percent of the children read below "minimum functioning level." Forty percent! Forty percent can't even cope with the simplest readers and textbooks.

The situation is not much better elsewhere in America. Chicago is threatening to fire 6000 teachers—more than 25 percent of the total—because of a \$48 million deficit.

In Champaign, Ill., teachers are being paid in "scrip," which banks will redeem if the school district can sell enough bonds.

## WIDE IMPACT

And it's not just in the big cities. In Grand Ledge, Mich., a new school stands empty because there is not enough money to staff it.

Our fine American schools . . . can they really be in bad shape?

In what other country do so many children go through so many years of schooling and emerge illiterate?

In what other country do the children make war on each other in the schools and on the streets outside of the schools?

In what other country is there such rigid racial segregation in the schools?

Is somebody kidding? Moynihan likes to refer to the number of Nobel Prize winners

America produces. What about the number of unemployable illiterates, the number of Black Panthers, riots, teenage gang killings, muggers and murderers? What about the firetrap school buildings (42 of them in Philadelphia) and the teacher strikes and the high school riots?

Finally, we all want to hold the line on inflation, don't we?

It is not inflationary to spend money on schools. It is not inflationary to equip people to get jobs, earn incomes and keep off the welfare roles.

It is not inflationary to break the cycle of ignorance and poverty that produces the crime that costs us billions in law enforcement, crowded courts, grim prisons.

It is not inflationary to give a hungry child a free lunch and, if it is, so what?

## SCHOOLS DECAY

What is inflationary is trying to fight a land war in Asia, a war that has divided Americans and is sabotaging the national morale.

What is inflationary is going to a dead planet to bring back rocks and dirt.

What is inflationary is putting horror weapons into tubes in the ground and on submarines under the sea.

Is somebody kidding? Moynihan, as Mr. Nixon's adviser on urban affairs, ought to know that the cities and the city schools are decaying.

He ought to know about the illiteracy and the crime and the riots. He ought to know that every neighborhood does not have a police station but every neighborhood does have a school.

The schools can do something about the urban mess. Or, if you don't consider that the role of the schools, they at least should be equipped to perform a relatively simple and straightforward function—teaching people to read and count—given 12 years to do it.

## ONLY FICTION

Moynihan ought to know that the local tax base in the cities can't support the schools. He ought to know that the Federal Government collects most of the tax money and is best equipped to do something about the wretched financial condition of our schools.

Most galling of all in the whole matter are the cheap fictions with which the government surrounds its refusal to make the necessary financial commitment to education.

If the government will not support the schools, let it say so. Let it be a little more direct and honest about it.

If the government will not support the schools, let it at least spare us all this nonsense about evaluations and study commissions and inflation and the fine quality of our schools.

Let it stop sending people like Moynihan out to spread these fictions. They can only add to the misery of our schools and the people who work in them and the children who must attend them.

Things are bad enough without all of that.

## TIMES-STAR SIX-TIME SOCIETY PAGE WINNER

## HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MILLER of California. Mr. Speaker, those of us who have the privilege of living in Alameda, Calif., are extremely proud of our local newspaper, the Alameda Times-Star, and of the very fine staff which helps publish it under

the direction of Mr. Mort Kofman—the son of Mr. Abe Kofman, owner and publisher of the paper.

I am including with these remarks an article which appeared recently in the Times-Star pertaining to an award made to Barbara Stevenson, who is the women's editor of our paper. As set forth in the article, this is not the first time that Miss Stevenson's work has been recognized and I am sure that it will not be the last.

Congratulations, Barbara.

The article follows:

TIMES-STAR SIX-TIME SOCIETY PAGE WINNER

(By Everett Johannes)

Our Barbara has done it again!

The first-place award for Best Women's Interest Coverage in dailies under 15,000 circulation was awarded over the weekend to the Times-Star by the California Newspaper Publishers' Association.

The page is a product of the genius of Barbara Stevenson, Women's Editor of the Times-Star for more than 18 years.

This marks the sixth time Barbara has walked away with the first-place award in the annual CNPA Better Newspaper Contest, which is entered by many newspapers in the State.

"I try to present pages of interest to all Alamedans," she said. "I'm grateful for this honor."

Barbara also won two third-place awards for her work on the Times-Star in the days when the Women's Interest Coverage was not broken down into sub-classifications.

Mort Kofman, assistant publisher of the Morning News, accepted the award, on behalf of the Kofman newspapers, at the awards banquet Saturday in the Century Plaza Hotel, Los Angeles.

The award was donated by Lederle Laboratories, and official presentation was made by Lt. Gov. Ed Reinecke.

Barbara joined the Times-Star staff in June, 1951, and became Women's Editor in August of that year.

She long has been recognized as a leader and guiding force in the women's community of Alameda.

## THE 52D ANNIVERSARY OF ESTONIAN INDEPENDENCE DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. DERWINSKI. Mr. Speaker, today marks the 52d anniversary of Estonian Independence Day but unfortunately the brave people of Estonia are unable to celebrate this great day in their homeland because they are now among the captive peoples of communism.

We must rededicate ourselves to continued efforts to see that freedom is restored to the brave people of Estonia and all the other captives of communism.

The Estonians proclaimed their independence after the tsarist government fell and enjoyed a period of freedom and progress from 1918 until 1940 when their country succumbed to the Communist forces.

May I reemphasize, Mr. Speaker, that the Estonians are a distinct nationality who are at the present time being subjected to a most insidious form of geno-

cide practiced by the dictators of the Soviet Union and that legitimate world opinion should rally behind these subjugated people of Estonia.

Mr. Speaker, our Government has never recognized the Soviet seizure of Estonia, Latvia, and Lithuania and a fundamental point of our foreign policy must be self-determination for the peoples of Eastern Europe including the non-Russian peoples like the Estonians who are held captive in the U.S.S.R.

## DISCIPLINE

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. QUIE. Mr. Speaker, it was my privilege to hear Pastor C. J. Swanson, preach on the First Sunday in Lent, February 15, 1970, at the St. Olaf College Chapel, Northfield, Minn., on the subject of "Discipline."

His sermon was excellent. He spoke to the needs of people in this era of permissiveness and "new morality." Because of its relevance, I submit it for printing in the RECORD at this point so that others may share in the benefit of his thinking:

### DISCIPLINE

There was a time, and not so very long ago, that the church sought to legislate morality. Those in authority (however that may have been determined) stated quite explicitly what was right and what was wrong in terms of individual behavior. Such a dictatorial policy sounds pretty far-out according to the current approach to moral issues. Yet I would submit that life then was a lot simpler for a young person growing up than it is today.

This doesn't mean that everyone followed the pronouncements of the authorities, but at least one knew where one stood. You were either among the faithful or you were a reprobate on the outside. You made a choice in the context of your personal freedom and you knew what this said about you as over against the existing standards. Even the rebels who defied the standards because they thought they were wrong had some satisfaction in their defiant action.

Those who had no interest in breaking the code, on the other hand, found it possible to blame their conservative action on parental and church authorities rather than assume responsibility for being so narrow-minded themselves. And I wonder if it isn't altogether possible that this is one of the role authority figures like parents are called to play by virtue of their position. The child is somehow let off the hook from the standpoint of being the decision-maker. And at certain stages of one's development this may be a very healthy and much-needed arrangement. More likely than not, the child will never admit that he appreciates his parents' role—but deep down on the inside he may very well do so.

### MORAL DECISION-MAKING FRUSTRATING TODAY

All of this is by way of suggesting that decision-making in the moral sphere is far more frustrating and difficult today. Even parents are confused as to when it is appropriate to say no and we probably err on the side of being too permissive, rather than too strict—fearing our role. Most of you wouldn't be willing to admit it to your closest friends,

but my hunch is that in spite of your apparent sophistication you, too, are often confused by the choices with which you are confronted. And adult society is only adding to the confusion by providing you with an absolutely open view to practically all aspects of human behavior and you're in a mighty rough spot—and I mean this in all seriousness.

What kind of principles does one apply today when, for example, he attempts to determine his own attitude toward his behavior in the realm of sex? Is this simply a physical activity from which one derives momentary pleasure? If so, is promiscuity—without regard for the depth or quality of human relationships—the name of the game? Can one condone pre-marital intercourse with any number of partners and still hope for fidelity in marriage? Granted that the sex act has a unitive function, can one carelessly ignore the procreative possibility? I would suspect that the matter of drug use and excessive drinking undoubtedly cause similar feelings of ambivalence.

There's simply not much that isn't available anymore if you really want it. And even if you don't want it, you may have to face the embarrassment of turning it down. No one even says anymore, as they once did, "Christians don't indulge." Thus, we're left holding this wildcat of freedom. Does being free mean that one does everything that's possible for him?

And then there is the vast area of seemingly lesser concerns—yet concerns that do involve moral issues with regard to the way in which we relate to our fellows: The malice, the guile, the envy, the slander, and the insincerity so prevalent among us; the sins of omission when we thoughtlessly ignore fellowmen who obviously need some attention, a little measure of love and acceptance. How easily we set aside our responsibility for other people in the affairs and the encounters of everyday. And what about honesty—is an honor system something to laugh about? Do only the fools live by it? Or, if we take it seriously in the matter of examinations, does it apply in other aspects of life on campus?

What's all of this about anyway? You may think I'm preparing to give you a verbal spanking, but that's not the point. Such spankings are not very effective anymore, anyway. Rather, I think we've left you without help.

### "NEW MORALITY" IN PETER'S DAY

Hopefully, some of you have been reading the New Testament book of I Peter this week. If you haven't—take ten minutes after dinner today to do so because here, it seems to me, Peter is dealing in a very fundamental way with this whole business of what we have come to call the "new morality" in recent years. And I think we have to be very honest about the appeal the term has for us. Some adult critics say it means "no morality" and for some of us it is precisely this apparent absence of all rules that appeals. We construe it to refer to a kind of freedom that is absolutely without restrictions or limitations of any kind.

In this letter obviously Peter doesn't use the term "new morality" but this is, in fact, what he's talking about. Because this is what Jesus was talking about and it is what virtually the entire New Testament is talking about. It was a morality based upon God's redemptive act in Christ rather than demands upon man. It is a response to a covenant of love rather than to a covenant of law.

An understanding of the situation to which Peter addresses himself is helpful. He was writing to a group of very young congregations in and around Asia Minor. This was the primitive church, which means that it was without traditions, rules, regulations—any kind of a codification to determine what life among them would be like.

In a similar sense, we are kind of a primitive Christian generation for—without asking for it—we have been bequeathed the "new morality." We are the first modern Christian generation without rules. The day of codified behavior clearly defined by the church is over. The day of moral absolutes as they were once known is over. This means we're going to face all of the ambiguities faced by a primitive people.

In his letter, Peter discusses basically three things with his Christian friends in these congregations: First of all, he calls their attention to the blessings they have received as God's redeemed people. Secondly, he says a good deal about their duties as Christians in the world. And, finally, he talks about the kind of trials they are going to face because they are Christians.

#### BLESSINGS OF GOD'S REDEEMED PEOPLE

To me the most significant thing about this letter is the place Peter begins. Upon being faced with the responsibility of instructing a group of young congregations, one might have expected that he would begin by listing all of the things they ought to do or not do. This is the place most of us would begin. In fact, I'm afraid this is the place we've made a tragic error in the instruction of the young in our Sunday schools in the past. Fortunately, this error is gradually being rectified in new materials but I take it that most of you had the experience I had of being confronted first with laws and rules rather than being reminded of who we were by virtue of our baptism. To this day many of us think of being Christian in terms of keeping the rules.

I recall an incident out of my early teens which I have never forgotten. A bunch of us fellows were going to another town for some school affair and my dad wanted to talk to me before I left. I had a rather strong suspicion that he wanted to warn me against getting involved in any drinking but to my surprise he didn't say anything about it, specifically, at least—all he said was, "Remember who you are." Without having any great theological insight into the mind of Peter or Paul or Jesus at this point and without ever having heard the term "new morality"—he instituted the basic ingredient in any concept of Christian ethics worth its salt.

And it's the thing that becomes evident in the way in which Peter addresses his friends in this letter. It is this: What a person does is determined by who a person is. You may have seen the article I did a few weeks ago regarding the rehabilitation of prisoners. It talked about the importance of his contacts with his family while he is in prison and about the importance of training him for a respectable job when he gets out; for, if he can have a sense of identity with self-respect, a large part of the battle will have been won in his attempt to go straight.

Peter addresses these people as exiles (i.e., people living in a strange land among hostile forces of every kind), but he says, "You are destined by God and sanctified by the Holy Spirit for obedience." He doesn't begin by saying, "Here is the rule book; this you are to obey." But rather, "This is what God has given you life for." It is a grace note rather than a note of condemnation.

He continues, "We are born anew to a living hope through the resurrection and to an imperishable inheritance." To have an inheritance means that you belong to someone. You are, he is saying, the people of God. In this, he says, you can rejoice even though you may suffer for awhile. A bit later he adds emphasis to this theme: "You are a chosen race, a royal priesthood, a holy nation, God's own people." Once you were nobody but now you are somebody. "Live as free men, yet without using your freedom as a pretext for evil." This, then, is what's new—the guidance is from within, rather than from without.

#### CHRISTIAN LIFE DISCIPLINED BY INNER SPIRIT

Having thereby established in explicit and colorful language who they are, he then moves on to remind them not of a code they must follow to be Christian but rather he suggests that as disciples they will lead disciplined lives—lives that are directed not by legal codes but by an inner spirit that is alive and wise because it knows who it is and to whom it belongs. Then he can say in loving concern, "Remembering who you are—gird up your minds, be sober, do not be conformed to the passions of your former ignorance but be holy in conduct (that is different because your allegiance is different from those who operate under another power). Putting away malice, guile, envy, slander, and insincerity—seek your maturity in Christ the living stone upon whom your life is built."

#### TRIALS FACED BY CHRISTIANS

Peter then makes his third point: To follow such a course will bring with it trials. This is crucial! Our problem is usually not a matter of knowing what's right. Rather, it's a matter of being willing to do the right we know. Trials can be endured because we live by a new will not our own. Most of us need not more knowledge, but more strength. Now during Lent we are mindful of Christ going his trying way to the cross, yet this he could endure because he was certain of his Easter. So, too, we can endure if we are certain of our Easter—the inheritance that belongs to the people of God. The Christian must face the reality of the struggle.

On the basis of my introductory remarks you may have expected a more definitive statement on morality, yet it would not be in keeping with the thrust of Peter's message: What a person does is determined by who a person is. This, to be sure, will not provide answers for those outside the faith, but those who are living in the strength of their baptismal covenant (i.e., in the knowledge of God's cleansing power in their lives through Christ), know who they are and have available to them the inner discipline to act in the power of his Holy Spirit.

Should there be those present (and this may include all of us) who feel somehow that they are removed from the family of the living God by virtue of actions or thoughts unbecoming his children—it is my privilege to remind you of his grace, his endless mercy, his desire and delight to forgive and to receive his own back into the fold. In the power of that forgiveness, "Live as free men, yet without using your freedom as a pretext for evil."

#### DISTRICT MAN KILLED IN ACTION

### HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. GAYDOS. Mr. Speaker, it is with deep regret that I announce the death of another of our brave fighting men, Lance Cpl. Harold R. Schuler, of North Versailles Township, Pa., who was killed in Vietnam on February 12, 1970.

We owe a profound debt of gratitude and appreciation to our dedicated servicemen who sacrificed their lives for this great country. In tribute to Lance Corporal Schuler for his heroic actions, I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

#### DISTRICT MARINE KILLED IN ACTION

NORTH VERSAILLES TWP.—A 20-year-old township Marine has been killed in action in Vietnam, according to the U.S. Defense Department.

Lance Cpl. Harold R. Schuler, of 15 Sprague St., West Willmerding, was fatally wounded by small arms fire on a high mountain in Quang Nam Province on Feb. 12.

The township Marine, a graduate of Turtle Creek High School, had been in Vietnam six weeks at the time he was mortally wounded.

His mother, Mrs. Richard Fisher, had received a letter from her son on Feb. 13 in which he told of plans to attend school when his tour of duty ended in October.

#### CAMPAIGN GM

### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ROSENTHAL. Mr. Speaker, corporate responsibility for corporate behavior remains an underdeveloped and even uncharted terrain of the American legal system. The recent decision to press the largest American corporation—General Motors—on its responsibilities to our society is an important step toward specifying corporate responsibilities.

The effort—called Campaign GM—is led by Ralph Nader and several colleagues, all of whom have demonstrated by their previous activities, a strong commitment to improved consumer and citizen representation in both industry and Government.

I include below the statement of Mr. Nader announcing this program, copies of the resolutions his group will present to the General Motors Corp., biographies of the organizers and biographies of those candidates which Campaign GM has proposed for the General Motors board:

#### STATEMENT BY RALPH NADER

Today is announced an effort to develop a new kind of citizenship around an old kind of private government—the large corporation. It is an effort which rises from the shared concern of many citizens over the role of the corporation in American society and the uses of its complex powers. It is an effort which is dedicated toward developing a new constituency for the corporation that will harness these powers for the fulfillment of a broader spectrum of democratic values.

Ours is a corporate society. Corporations produce, process and market most of the goods and services in the nation. They constitute the most powerful, consistent and coordinated power grid that shapes the actions of men in private and public sectors. Yet, far less is known about the actual operations of the giant corporations than any other institution in America, including the national security agencies.

The diverse impacts of corporate actions on citizens, however, are being felt and described in their torment. These impacts are not catalogued in company annual reports whose style of aggregate, numerical evaluation of company gains and losses has been mirrored by similarly parochial governmental and scholarly assessments. Instead, corporate imprints are reflecting themselves in growing violence to our air, water and soil environments, in imbalanced consumer and producer technologies that harm their users and dehumanize their operators, in the colossal waste and depreciation of consumer goods and services and in the moloch-like devouring of a society's resources to the detriment of sane and humane allocation of these resources to meet the needs of all the people

by superior distribution and innovation. In other negative ways—through the power of avoidance—corporate power centers can condition or determine whether other forces will unjustly prevail over the expression of weaker but more legitimate interests in peace and justice.

For most citizens there can be no rejection of nor escape from the corporate embrace. There can only be submission or control in varying degrees. The choice is between increasing predation or increasing accountability of corporate power to the people. As a bureaucratic structure, the corporation is here to stay and whether it comes in private, public, utility or Comsat-type dress is less important than the dynamic relationship with its total constituency. The paramount foe should include the establishment of enduring access to corporate information, effective voice for affected social and individual interests, and thorough remedy against unjust treatment.

Throughout the past century, the major forms of curbing the excesses of corporate power have been external pressures and stimuli from government and labor. As confronting organizations, however, government and labor groups did not possess the stamina, motivation and generic nourishment that the corporation displayed to keep its opponents at bay or accommodate their vulnerabilities. While overcoming the regulatory state and adjusting to the narrow goals of organized labor, the modern corporation increased its direct power, and, through an imbalanced use of complex technology, its indirect power over citizens. Now mere inaction, mere forbearance, can wreak havoc on the health, safety and well-being of people.

The corporate quest for control of its operating environment has led industry and commerce to narrow or virtually eliminate the range of quality competition in contrast to non-price and/or trivia-indentured competition. The same quest has led to endemic violations of antitrust and other economic laws and produced greater and greater concentrations of corporate power. The intricate evolution of the legal structure of the corporation permits the increasing exercise of personal power accompanied by institutional, not personal, responsibility at the most. The corporate shield absorbs the rare enforcement of the law, not the official(s) whose decisions or negligence led to the violation. In addition, the ownership and management of the corporation have become separated and the ease of even the largest investors in exiting reduces any remaining incentives for owners to exercise voice and guide or discipline management. Clearly the gap between corporate performance and corporate responsibility is steadily enlarged by these aforementioned patterns. Just as clearly, a new definition of the corporation's constituency and its activation is needed.

With its massive size and pervasiveness, General Motors is a leading candidate for the attentions of its assertive constituency—consumers, labor, dealers, suppliers, insurance companies and all citizens who experience the forced consumption of its air pollution and other environmental spillages. Nearly a million and a half of these citizens and institutions are shareholders in the company. In theory they own the company; in fact they have about the same rights as the owner of company debentures. The procedures, the information, the organization, the manpower and the funds are management's to deploy. But the fiction of shareholder democracy continues to plague the reality. By highlighting the fiction a new reality can be borne that will tame the corporate tiger.

And verily, a tiger is General Motors. By virtue of the engines it produces and the plants it operates, the company contributes about 35% of the nation's air pollution by

tonnage. Its hourly average gross, around the clock, of \$2.4 million has not discouraged the company from spending last year less than \$15 million on research and development for less polluting engines. Grossing more than any single governmental budget, except that of the USA and the USSR, GM, with its 1969 gross of some \$24 billion, still cannot find the will to build the greatly safer automobiles that can be built economically by free engineers.

The company continues to lead the way in designs that pile up enormous and avoidable property damage in low speed (under 10 mph) collisions and increase its after-market replacement sales as a result. The company is a charter member of the highway lobby that has opposed successfully the development of mass transit systems and pushed highways through cities and suburbs in the most indiscriminate manner of land use planning. The market power that is synonymous with GM has propelled the industry toward attenuated competition or collusion over design and marketing practices. Innovation has been creatively stayed to the consumer's harm and economic detriment. GM's huge financing arm, General Motors Acceptance Corporation, according to Congressional testimony, engages in deceptive, usurious and exploitive practices in its service to the parent corporation. Secrecy, obfuscation and contracts of adhesion characterize the techniques used to render consumers impotent in remedy for their complaints. These are only the surface references to GM's imprint but they suggest a ferocity of acquisitiveness which could render an optimist euphoric at the prospect of transforming such motivational velocities for man instead of against man.

What is emerging from closer study of companies such as General Motors is that the most intractable obstacles to change for man are not technical at all but are more often associated with rigidities of a bureaucratic and personal nature rather than an economic incapacity or loss. The half century of delay in installing a collapsible steering column was quite probably due to the vested interest of an authoritarian psychology than to the more conventionally adduced reasons. When the decision was made for the 1967 model cars that the collapsible steering column was "in", it was finally decided that in any collision between man and column, prudence dictated that the column should give, not the man's rib cage. This microcosmic episode illustrates the enormous power in the hands of those who decide manufacturing priorities and product designs (the ramrodding steering column is estimated to have fatally injured over 200,000 Americans since 1900). They need assistance in making such decisions along the entire continuum of impacts on people. A few years ago, the company produced many advertisements with the headline "GM IS PEOPLE". It is time to amend the caption to "GM IS FOR PEOPLE." In addition, GM is continually violating laws, including air pollution and safety laws, and it is time for shareholders to voice their concern here. For as has been said, shareholders are harmed as consumers and citizens by the very activities that they own in part.

Campaign GM will appeal to the nearly million and a half shareholders of the company. It will appeal to these shareholders as citizens and consumers, victims of air and water pollution, congested and inefficient transportation and rocketing repair bills for shoddy workmanship.

I am informed that a new organization called the Project on Corporate Responsibility, record holder presently of 12 shares of GM stock, is mailing to its company three shareholder resolutions with the request that they be included in the proxy statement to be sent by GM to its shareholders in April,

preparatory for the annual meeting in Detroit on May 22, 1970.

The first of these resolutions proposes an amendment to GM's charter which would limit the business purposes of the corporation to those purposes which are not detrimental to the public health, safety and welfare.

The second resolution proposes that a shareholders' committee for corporate responsibility be established. This committee, to be appointed jointly by representatives from GM, the campaign committee and the United Auto Workers, would prepare a study on the corporate impact of GM on its workers, the environment, transport safety and efficiency and the public welfare. It will recommend new priorities for the corporation to pursue. The committee will render a report to the shareholders in time for shareholder action at the next meeting. To permit such a task to be accomplished, the committee would have access to all of GM's files.

The third resolution proposes to amend the bylaws of the corporation to increase the size of the Board of Directors from 24 to 27 members. The purpose of this action, as explained in the statement supporting the resolution, would be to make room on the Board for three representatives of the public without displacing anyone now on the Board of Directors.

Three knowledgeable and public-spirited citizens have agreed to stand for election as public representatives on the Board. They are Professor Rene Dubos, Miss Betty Furness and the Rev. Channing Phillips. Their achievements are outlined briefly in the accompanying attachments. The assumption to the Board of these three Americans and the adoption of the aforementioned resolutions will go a long way toward making the days of GM executives less daily and less inimical to the short and long run public interest.

This campaign will seek to win public and shareholder support for these resolutions and candidates. The drive will be run by the Campaign to Make GM Responsible Committee, a Washington based organization with four coordinators—Philip Moore, executive secretary, Geoffrey Cowan, Joseph N. Onek and John C. Esposito. The coordinators will undertake a nationwide effort to raise many of the issues relating to the public impact of GM's private decisionmaking.

A basic thrust of the campaign will be alerting and informing the public about their omnipresent neighbor—General Motors—and how it behaves. It will ask citizens to make their views known to both shareholders and management. It will go to institutions that own GM stocks and, if they decline to respond, the constituents of those institutions will be contacted. The campaign will reach to the Universities and their students and faculty, to the banks and their depositors and fiduciaries, to churches and their congregations, to insurance companies and their policyholders, to union and company pension funds and their membership and to other investors. Not only is everyone affected by General Motors, whether a car owner or not, but almost everyone could exert some influence on some aspect of the company's operations. The totality of such influence may be productive of a sustained momentum. At its annual meeting on May 22, 1970, GM may be the host for a great public debate on the giant corporation rather than a wooden fecital of aggregate financial data. Putting the people back into People's Capitalism, as the New York Stock Exchange once phrased it before small investors were desired to go out of style, is no easy task. But then it was for any period in our history. Increasingly the looming issue is that the choices no longer include the luxury of deferral. Rather they demand the urgency of unyielding reform.

PROJECT ON  
CORPORATE RESPONSIBILITY,  
Washington, D.C., February 6, 1970.

Mr. EDWARD B. WALLACE,  
Secretary, General Motors Corp.,  
New York, N.Y.

DEAR SIR: The Project on Corporate Responsibility (The Project) is a record owner of twelve shares of General Motors stock. The project is a newly formed organization which will explore methods by which corporations can be made more responsive to public and social needs. Both as shareholders and as members of the public, we have been concerned about the myriad ways in which General Motors' decisions affect the lives of virtually all Americans—in areas ranging from auto safety to repair bills, environmental pollution, minority employment, and worker health and safety.

Too many of General Motors' past corporate decisions have been made with eyes fixed on their short range profitability rather than their social effects. For this reason we urge that the corporate charter be amended to underline a principle which we wish management had treated as self-evident: that the Corporation should undertake no activity which is inconsistent with the public interest.

We also recommend that the Board of Directors be increased by three to permit new members to join the Board to insist that the Board take account of the many social consequences of its corporate decisions.

Finally, we recommend that the Corporation finance an independent committee to study past decisions of General Motors and to recommend appropriate structural changes and substantive goals for the future. The Committee would submit a full report to the shareholders before our 1971 shareholders meeting.

Of course, it is the shareholders, of whom the Project and management are only a small part, who, according to corporate law, should vote on these and other matters concerning the Corporation. Thus, the Project encloses three proposals which we intend to present for action at the next annual shareholders meeting in Detroit on May 22, 1970. We are sure that you will share our view that the proposals are proper matters of shareholder concern and we trust that you will include these proposals in the proxy materials which you send to us and our fellow shareholders.

Should management oppose the proposals, we would expect you to include the enclosed statements in support of these resolutions as is required by law.

Thanking you in advance for your cooperation, I am

Sincerely,

GEOFFREY COWAN,  
(For the Board of Directors).

PROJECT ON CORPORATE RESPONSIBILITY

Resolved: That the Board of Directors amend Article Third Subsection (1) of the Certificate of Incorporation by adding the following language: provided that none of the purposes enumerated in subsections (a) through (1) of Article Third shall be implemented in a manner which is detrimental to the health, safety or welfare of the citizens of the United States, or in a manner which violates any laws of the U.S. or of any state in which the Corporation does business.

STATEMENT IN SUPPORT OF CHARTER  
AMENDMENT

The purpose of this resolution is to put the Corporation on record as limiting its business purposes only to those purposes which are consistent with the health and safety of consumers and citizens. Too often, General Motors has manufactured products which are unsafe, unhealthy, and unreliable. The sponsors believe that rather than fighting laws regulating General Motors products, or

seeking loopholes in existing laws, the Corporation should take the initiative in creating products that are fully consistent with the health and safety of its consumers, and of the nation as a whole.

BY-LAWS

Resolved:

That Number 15 of the By-Laws of the Corporation be amended to read as follows:

15. The business of the Corporation shall be managed by a board of twenty-seven members.

STATEMENT IN SUPPORT OF AMENDING BY-LAWS

This amendment will expand the number of directors to enable representatives of the public to sit on the Board of Directors without replacing any of the current nominees of management. The proponents of this amendment believe that adding representatives of the public to the Board is one method to insure that the Corporation will consider the impact of its decisions on important public issues, including auto safety, pollution, repairs, mass transportation and equal employment opportunities.

RESOLUTION

Whereas the shareholders of General Motors are concerned that the present policies and priorities pursued by the management have failed to take into account the possible adverse social impact of the Corporation's activities, it is

Resolved that:

1. There be established the General Motors Shareholders Committee for Corporate Responsibility.

2. The Committee for Corporate Responsibility shall consist of no less than fifteen and no more than twenty-five persons, to be appointed by a representative of the Board of Directors, a representative of the Campaign to Make General Motors Responsible, and a representative of United Auto Workers, acting by majority vote. The members of the Committee for Corporate Responsibility shall be chosen to represent the following: General Motors management, the United Auto Workers, environmental and conservation groups, consumers, the academic community, civil rights organizations, labor, the scientific community, religious and social service organizations, and small shareholders.

3. The Committee for Corporate Responsibility shall prepare a report and make recommendations to the shareholders with respect to the role of the corporation in modern society and how to achieve a proper balance between the rights and interest of shareholders, employees, consumers and the general public. The Committee shall specifically examine, among other things:

A. The Corporation's past and present efforts to produce an automobile which:

- (1) is non-polluting
- (2) reduces the potentiality for accidents
- (3) reduces personal injury resulting from accidents

(4) reduces property damage resulting from accidents

(5) reduces the costs of repair and maintenance whether from accidents or extended use.

B. The extent to which the Corporation's policies towards suppliers, employees, consumers and dealers are contributing to the goals of providing safe and reliable products.

C. The extent to which the Corporation's past and present efforts have contributed to a sound national transportation policy and an effective low cost mass transportation system.

D. The manner in which the Corporation has used its vast economic power to contribute to the social welfare of the nation.

E. The manner by which the participation of diverse sectors of society in corporate decision-making can be increased including

nomination and election of directors and selection of members of the committees of the Board of Directors.

4. The Committee's report shall be distributed to the shareholders and to the public no later than March 31, 1971. The Committee shall be authorized to employ staff members in the performance of its duties. The Board of Directors shall appropriate to the Committee all sums necessary to accomplish its tasks, including compensation to its members and staff. The Committee shall have the power to obtain any information from the Corporation and its employees as deemed relevant by the Committee.

STATEMENT IN SUPPORT OF RESOLUTION ON  
COMMITTEE

The purpose of this resolution is to enable shareholders to assess the public impact of the Corporation's decisions, and to determine the proper role of the Corporation in society. Past efforts by men such as Ralph Nader to raise these issues have been frustrated by the refusal of management to make its files and records available either to the shareholders or the public. Only a committee representing a broad segment of the public with adequate resources and access to information can prepare a report which will accomplish these objectives.

CAMPAIGN GM

The Campaign to Make General Motors Responsible is a national campaign to generate public and shareholder support for proposals, such as those submitted today by the Project on Corporate Responsibility, which best reflect our concern that General Motors must be responsive to issues of basic public importance. Campaign GM will take these proposals, together with the candidacies of Betty Furness, Channing Phillips and Rene Dubos to the shareholders directly, the constituencies of institutions that own General Motors stock, and to the public at large.

We will ask the shareholders to support the proposals at the annual meeting on May 22 in Detroit. We will ask constituencies of institutions to urge those institutions to support these proposals. And we will ask the public at large to impress on General Motors management and shareholders the importance of these proposals.

Campaign GM will be coordinated by a committee of four people with the assistance of staff and volunteers. The four coordinators are Philip Moore, Executive Secretary, Geoffrey Cowan, Joseph Onek, and John Esposito.

Philip W. Moore, Coordinator, graduated from Harvard in 1964 and the University of Chicago Law School in 1967; was an attorney with the La Salle Street firm, Devoe, Shader, Mikva and Plotkin, in Chicago. He served as Executive Director of ACLU convention litigation project and has spent the last year as staff counsel to Businessmen for the Public Interest. He is also staff counsel to the Project for Corporate Responsibility.

Geoffrey Cowan, Coordinator, is a graduate of Harvard, 1964, and Yale law School, 1968; He served as Legislative Assistant to Congressman William F. Ryan, (D-N.Y.); worked on the McCarthy for President campaign in 1968 and was then Associate Director of the Hughes Commission on the Democratic Selection of Presidential Nominees. He is currently on the legal staff of the Center for Law and Social Policy and is the *Village Voice* Washington columnist. He is a Director of the Project on Corporate Responsibility.

Joseph N. Onek, Coordinator, graduate of Harvard, 1962, attended the London School of Economics in 1962-64, and graduated from Yale Law School in 1967. He clerked for Chief Judge Bazelon of the U.S. Court of Appeals for the D.C. Circuit and for Mr. Justice Brennan of the U.S. Supreme Court.

He is presently assistant counsel for the Senate Subcommittee on Administrative Practice and Procedure.

John Esposito, Coordinator, received a B.A. from Long Island University in 1963, an M.A. in government from Rutgers University and graduated from Harvard Law School in 1967. An attorney in Washington, D.C., he has studied consumer and regulatory matters for the last two years.

Mrs. Susan Weiss Gross, Press Secretary, graduated from Mount Holyoke in 1962 and did graduate work in political science at Columbia University. She worked for pollster Louis Harris, was the principal assistant to Samuel Lubell, and was a reporter for BNA publications.

Joel Kramer, Director of Research, was president of the *Harvard Crimson* in 1968 and graduated from Harvard College in 1969. He has been a reporter for *Science* and *Newsday*.

Radine Fernandez, Administrative Assistant, is a graduate of Douglass College (Rutgers U.), 1968, and is doing graduate work in American studies at George Washington University. She has worked for Stanley Sheinbaum, economist with the Center for the study for Democratic Institutions, in Santa Barbara, California, and was on the staff of Congressman Frank E. Evans (D-Colo.) for the past year.

Donald E. Schwartz, counsel for the Campaign GM Committee, is Professor of Law at the Georgetown University Law Center. He graduated from Union College, 1952, from Harvard Law in 1955 and received an LL.M. in Tax Law from New York University in 1966. He worked for the Securities and Exchange Commission and for a mutual fund. He practiced law with the Wall Street firm of Hill, Betts, Yamaoka, Freehill and Longcope, and has been a professor of corporate law at Georgetown University since 1966.

#### BIOGRAPHICAL SKETCHES ON CANDIDATES

##### Betty Furness

Betty Furness was President Lyndon B. Johnson's Special Assistant for Consumer Affairs from 1967 to 1969. She also served as Chairman of the President's Committee on Consumer Interests and as Executive Secretary of the Consumer Advisory Council.

Miss Furness is currently consumer affairs columnist for *McCall's* Magazine.

##### Rene Dubos

Rene Dubos, one of America's most distinguished biologists, studied at Rutgers University, the University of Rochester and Harvard.

Except for a brief stint as the George Fabyan Professor of Comparative Pathology at the Harvard Medical School, Mr. Dubos has been on the faculty of the Rockefeller University (formerly the Rockefeller Institute of Medical Research) since 1927. The recipient of numerous scientific awards including the Lasker Award in Public Health, he is presently on President Nixon's Citizens' Advisory Committee on Environmental Quality.

His books include *Louis Pasteur—Free Lance of Science*, *Mirage of Health*, and *So Human an Animal* which won him the Pulitzer Prize Award in 1969.

##### Channing Phillips

Channing Phillips graduated from Virginia Union University and received his B.D. from Colgate Seminary in Rochester, N.Y. He was awarded a fellowship to Drew University and has taught at both Howard University and American University in Washington, D.C.

For the past four years Reverend Phillips has been President of the D.C. Housing and Development Corporation. In 1968 he was nominated for President at the Democratic National Convention and he is presently the Democratic National Committeeman from the District of Columbia.

## THE LACK OF REVERENCE FOR NATURE

### HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. COHELAN. Mr. Speaker, I submit for the attention of my colleagues an article of current interest by Colman McCarthy of the *Washington Post* on environmental pollution. Mr. McCarthy brings up a point all of us should consider in our efforts to attack this problem of pollution which is implicit in the title of his essay, "The Lack of Reverence for Nature".

To quote Mr. McCarthy:

The one thing needed to recover and preserve the American environment is exactly the one thing money, programs, and Presidents cannot instantly effect among the people: a reverence for the earth.

I think this is a valid point and perhaps the crux of the entire environmental crisis problem. It is something we should think about as legislators, as we try to deal with this problem. And it is something we should bring to the attention of our constituents. Because the only solution to this critical problem will be found in the close working together of the executive and the legislative with the people of this country.

The article follows:

#### THE LACK OF REVERENCE FOR NATURE

(By Colman McCarthy)

Politicians and businessmen, often the last to prevent a disaster but the first to squirm when it comes, are predictably raising their voices and their dollars on the crisis of pollution control. That many use the word "control" is itself a hearty mock of Nature, as if nothing is wrong with polluting the air, land and water, so long as we "control" it. Hardly a syllable is uttered about elimination, perhaps in stiff fear that if America eliminates pollution who knows what else might go—perhaps the happy twosome of progress and profits.

Thomas Merton, the late Trappist priest who spent 25 years in the Kentucky hills seeking union with God and harmony with Nature, wrote shortly before his death a moving essay on the environment called "The Wild Places." Merton believed that the "tragedy revealed in the ecological shambles created by business and war is a tragedy of ambivalence, aggression and fear cloaked in virtuous ideas and justified by pseudo-Christian clichés. . . . An examination of our social, economic and political history in the last hundred years would be a moral nightmare, redeemed only by a few gestures of good will on the part of those who obscurely realize that there is a problem. Yet compared to the magnitude of the problem, their efforts are at best pitiful; and what is more, the same gestures are made with great earnestness by the very people who continue to ravage, destroy and pollute the country. They honor the wilderness myth while they proceed to destroy nature."

In peeling the pollution onion to its eye, it is not really enough that we are going to spend billions on anti-pollution programs, or that polluters are being hauled into court, or that Mr. Nixon is sponsoring road shows to express his alarm. The one thing needed to recover and preserve the American environment is exactly the one thing money, programs and Presidents cannot instantly effect among the people: a reverence for the earth. This reverence, in its simplest form, means

paying fair homage to the soil, the winds, the waters and honoring the very spirit of their places. In the balance of ecology, wrote American naturalist Aldo Leopold, "a thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise."

One reason the American environment is now a septic tank is that we have never considered ourselves in union with the biotic community. Arrogantly, we have chosen not to be a partner but a master, always goaded to greater horrors by one ethic; what good is Nature if it can't be transformed into wealth? Many believe that our ecologic depravity comes from the Bible—an over-emphasis of the notion in the first chapter of Genesis that man was meant by God to have dominion over all living things. When the Puritans, with their love of literalism, came to the North American continent, they took it as their Christian duty to fight and tame the wilderness. That was "God's work." The Bible- and ax-carrying pioneers followed, and the nation needed only 200 years combat duty with Nature to subdue it with asphalt, chemicals and atmospheric mud.

Part of the taming of the wilderness was a legitimate struggle for existence; the trouble came when the early American tiller of the soil and feller of trees saw nothing wrong with taking a little extra food from Nature, just to make the next struggle easier. This was labelled progress, and if anyone argued, he could be refuted by Genesis I and the growing GNP: the Almighty God and almighty dollar.

Since the time when the first trees were needlessly cut by an early American settler, the overkill mentality has prevailed. It became a habit of mind, a destructive urge so deeply subconscious that even now the politicians and businessmen are easily conning the public that the environment can be saved with just money, programs and patience. Few dare say that pollution is in our national blood, a part of our mood and a basic to our economy, and until we get it out of all three—completely out—our country is doomed. Doomism is not popular among a people who have convinced themselves they can do anything; but eventually the unrequited earth will begin returning to us exactly what we have been giving to it: cruelty and poison.

Assuming for a moment, a wild one, that this country could miraculously regain its senses, what would reverence for the earth involve? A recent talk by Dr. Rene Dubos at the Smithsonian Institution supplies an important part of the answer. Insisting that Nature can be used, without being exploited, by means of "creative intervention," Dubos cited practices of the 12th century brothers and priests of the Cistercian order. With only their muscles and reverence for their land, they used ecological concepts which are as relevant to modern times as the latest ideas of a Fuller or a Doxylades.

"The Cistercians," said Dubos, "established their monasteries in the lowlands and swamps; consequently, they had to learn to drain the land, and therefore they learned to use water power. And, through these technological practices, they converted areas of swamps and forests—that were not habitable because of the prevalence of malaria—into wonderful fertile land which now makes up much of Europe's countryside."

"The achievements of the Cistercians serves to illustrate another aspect of modern ecologic philosophy. . . . The swamps in which they established their monasteries were unfit for human life because of insects and malaria. But monastic labor, skill and intelligence converted these dismal swamps into productive agricultural areas, many of which have become centers for civilization. They demonstrate that transforming of the land, when intelligently carried out, is not

destructive but, instead can be a creative art."

As an example of modern creative intervention—there are a few, incredibly—Dubos praised the stretch of the Taconic State Parkway above New York City. "This is a product of technology which has transformed nature while still respecting her character. I think the Taconic Parkway is a kind of creation which in some ways is the equivalent of the medieval cathedrals."

Another important statement on reverence for the earth is the book, "Design With Nature," by Ian McHarg (Natural History Press, Garden City, New York). McHarg, a landscape architect, goes beyond melancholy and dismay over the anti-nature crimes.

In great, but readable, detail, McHarg outlines ecological plans for the Potomac River Basin, the Green Spring and Worthington Valleys above Baltimore, Staten Island, the New Jersey shore and the Philadelphia airshed.

Man is only a recent visitor to the planet earth. Compared to the billions of years that the primordial forces worked in silence in the vast canyons of cosmic space, he has been here only an infinitesimal moment. The prospect that he will pollute his species back to oblivion is a huge tragedy, but perhaps it is only part of a cycle, a ripple in the contour of evolution, part of the pilgrimage of living things that began with cells and plants and only lately has included man.

The philosopher Whitehead saw the earth as "a second-rate planet revolving around a second-rate sun." Despite this, the earth has been a gracious host for the few moments its most recent visitor—man—has been here. But it has never guaranteed this species a permanent place; and because man is doing what no other species has ever done—quarreling with Nature—it appears that his presence on earth will be nothing more than a brief guest appearance.

#### GREEK REGIME IN HISTORICAL FOCUS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. DERWINSKI. Mr. Speaker, in view of the well-organized attacks to which the Government of Greece is subject, I feel that the column by William F. Buckley, Jr., in the Wednesday, February 18, Washington Evening Star sheds an interesting light on the internal situation in that country.

In addition, I would like to emphasize that the Greek Government is meeting its NATO obligations, cooperating fully with the United States and Turkey in maintaining calm in Cyprus and is also extending the fullest possible linguistic cooperation with the U.S. 6th Fleet and our military forces in the Mediterranean.

The article sets its case well and it is entitled to objective reading:

#### GREEK REGIME IN HISTORICAL FOCUS

I remember Robert Murphy telling me about having been sent to the Dominican Republic by President Kennedy to investigate various charges that had settled down around Trujillo after the dynasty was finally overthrown. He was taken to one large castle-type villa outside the city.

"Here," his guide said, "is where a colonel or a general or a politician suspected of disloyalty would be invited to dinner by young Ramfis Trujillo. He would be royally wine-

fed, and flattered."—the guide walked Murphy around the spacious dining room—"and then he would be led down these—watch your step—steep narrow stairs to (clank clank) this chamber"—the guide opened a huge door into a deep freeze storage room girded with meat hooks—"and then two men would materialize, grab the dinner guest, and suspend him alive on the meathooks. Ramfis would then close the door, and go back upstairs for a cigar and brandy."

"Great God," I gasped, "is that true?" "No," said Murphy. "Not one solitary word of it turned out to be true. It was all made up by Trujillo's enemies."

Libre Belgique is the most influential daily newspaper in Brussels. A few weeks ago, it dispatched an enterprising reporter with instructions to get through to Nicolas Vardikos, former head of the Greek electricians' union, and a supporter of the late George Papandreou.

The ordeal of Nicolas Vardikos was high in the register of complaints posted by Amnesty International to the Council of Europe which resulted in the expulsion of Greece.

According to the report, Vardikos was arrested April 23, 1967, the day after the colonels' coup, beaten brutally, wounded in the head by being thrown against a wall; had two teeth broken; was beaten all over the body with iron rods and for hours on the soles of the feet; had his head squeezed in a vise; was covered with wounds.

To the astonishment of the Belgian correspondent, Vardikos told him: "None of it is true. I was never arrested, never mistreated, never tortured."

Libre Belgique reproduces this sentence handwritten and signed, dated Nov. 12, 1969.

Vardikos then told in detail the story of his relation to the regime and the events since his exile. He explained how Greek emigres in Britain had tricked him into signing what he understood was an appeal for a general amnesty but turned out to be a statement that he had been tortured.

He told also how in Sweden, Andreas Papandreou had tried to get him to join a Communist-controlled trade union and to deliver speeches making accusations he knew to be false against the colonels.

"Why have you given us this information?" Libre Belgique finally asked.

Vardikos answered "Because this whole struggle against Greece is being directed by the Communists. Also because I saw at first hand the corruption of the Greek politicians who have gone abroad."

Strange, how little publicity this statement has received. I have seen it only in the National Review Bulletin. Certainly it has not appeared on the cover of Look magazine, which practically serializes Greek torture stories. On the other hand, let's face it, it is more exciting to read about tortures committed than tortures uncommitted.

To say that the Greek colonels are not guilty of systematic torture is not of course, to say that therefore the Greek colonels' regime is justified.

C. L. Sulzberger writes, as ever intelligently, in the current Foreign Affairs that he does not "believe that torture is official policy" in Greece, "although gendarmes and especially Ioannidis' military police have sometimes been ruthlessly brutal."

And he puts the Greek situation in historical focus. "The current fashion," he writes, "is to decry the military coup as a rape of democracy. Indeed it was: but democracy in Greece is no virgin. There had already been eight military revolutions or coups d'etat since World War I." And two civil wars.

"Democracy" was invented in Greece all right, and is a Greek word. But one should not forget, Sulzberger reminds us, that so are the words "anarchy," "tyranny," "despotism" and—above all—"chaos."

Col. Papadopoulos emerges more and more clearly as an old-fashioned military

despot—who is in absolutely no rush at all to implement his much-vaunted Constitution. But it helps a little bit to know that he is not taking his guests down to the deep freeze at night.

#### AMERICAN TAXES USED TO HONOR LENIN—UNO BUREAUCRATS RESPONSIBLE TO NO ONE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. RARICK. Mr. Speaker, most of us have heard from the people at home—the majority which is becoming increasingly less and less silent. One of the messages which they are sending loud and clear has to do with taxes, and with the shameless waste and theft of their hard earned money.

I call to the attention of Members that a portion of the money which we have appropriated—part of the more than \$20 million which our taxpayers have been forced to contribute to UNESCO, one of the arms of the U.N. Organization—will be used this year to honor the bloody Bolshevik Lenin as a "humanistic" educator.

See my remarks in the CONGRESSIONAL RECORD, volume 115, part 10, page 13440.

In view of the recent arrest of a Soviet U.N.O. bureaucrat for espionage on the west coast, I further call to the attention of the House the double freedom from any control over such people, which is an apparently unexpected result of the application of the doctrine of diplomatic immunity by this country and the application by the international organization of its own doctrine of freedom from any government control over its U.N.O. bureaucrats. See article 100.

I include pertinent newsclippings in my remarks:

[From the Chicago (Ill.) Tribune, Feb. 21, 1970]

U.S. TO HELP U.N. HONOR LENIN  
(By Willard Edwards)

WASHINGTON, February 20.—This nation, because of its membership in the United Nations, has been led down some strange paths and forced to assist in the financing of activities repellent to American ideals.

Some kind of a climax will be achieved Sunday, however, on the 100th anniversary of the birth of Vladimir Ilvich Ulyanov, born April 22, 1870. He is better known as Lenin, the founder of bolshevik communism and father-god of the soviet empire.

American taxpayers, whether they like it or not, will help to defray the costs of a symposium in honor of Lenin's memory conducted under the auspices of the United Nations education, scientific and cultural organization (UNESCO).

Even the state department found this a mockery, and the United States delegation vigorously opposed the proposal when it was put forward in the fall of 1968 by Russia. It was outvoted, however, 48 to 7, with 21 abstentions and 47 absentees.

The United States was embarrassed by this Russian propaganda coup, because it had initiated the celebration by UNESCO and other U.N. agencies of 1970 as International Education year. Now it was taken aback by the inclusion of "Lenin and the development of science, culture, and education" as a theme to be explored in a symposium.

George Orwell, some of whose prophecies in "1984" are approaching reality long in advance of that year, would have been enchanted by the selection of Lenin as an educational figure to be deified by a world organization established to maintain international peace and security.

The record of Lenin's words and actions makes clear his contempt of education as a force for serious social change. He believed firmly that violence was the only solution to world problems: "Not a single problem of the class struggle has ever been solved in history except by violence."

He created the "dictatorship of the proletariat," and it was based on power, not on laws or elections. In praise and encouragement of terror, he was second to none. A lawyer by education, he was completely blind to law as an instrument of social organization.

The symposium, to be held some time this year, will require talented participants to adjust these recorded views of Lenin with "the development of science, culture and education." Even UNESCO, it is suggested, will be hard put to produce salutes to Lenin as an educator.

In a letter to the state department, Sen. George Murphy (R., Cal.) asked for an explanation of American participation in, and financing of, this grotesque event.

The reply from Assistant Secretary H. G. Torbert Jr. confessed American discomfiture about the symposium. Lenin, he conceded "was not the kind of personality preeminent in education, science, and culture whom UNESCO might appropriately commemorate." He was, in fact, "a political figure whose concepts are irreconcilable with American ideals of freedom and liberty."

But, Murphy was asked, why get disturbed? The cost of the symposium was only \$8,000, a small item in comparison with the regular UNESCO budget of 77.4 millions for 1969-70. The United States pays 30 per cent of the cost of UNESCO operations.

Most U.N. delegates, Torbert said, "considered the symposium to be a relatively insignificant activity which would present no real problems."

Whether it cost \$8,000 or 8 cents, Murphy commented, he thought American taxpayers would resent this use of their money. They would not agree that honoring an apostle of terror lacked significance.

[From the Washington Post, Feb. 23, 1970]

#### REDS PUT PRESSURE ON THEIR EMPLOYEES IN U.N.

(By Robert H. Estabrook)

UNITED NATIONS, February 22.—The U.N. Staff Council representing the 3,600 international civil servants here is considering how to dissuade governments from bringing pressure on their citizens in the secretariat.

At stake are allegations that one Communist mission has subjected civil servants to "evaluations" of their work, as well as the practice of two Communist countries of requiring their nationals in the United Nations to turn over part of their salaries to the government.

A Czechoslovak former member of the secretariat, whose contract was not renewed after objections by the Czechoslovak mission, brought the issue to the attention of the 41-member Staff Council. He is now employed in private industry in New York.

#### REFUSED TO KICKBACK

He asserted that he had been given a form showing that he was expected to give back part of his \$14,000 U.N. salary and that on several occasions his work was "evaluated" by the Czechoslovak mission. His refusal to pay the kickback supposedly was a factor in the opposition of the mission to renewal of his U.N. contract.

Eastern European sources explain that both

the Soviet Union and Czechoslovakia have required the contributions so as to bring the income of their citizens in the secretariat in line with that paid their diplomats of comparable grade.

Although the Czechoslovak requirement reportedly was suspended in response to protests about two weeks before the Soviet invasion in 1968, the government is said to be planning to reinstate it.

After receiving the allegations, the Staff Council appointed a five-man committee to investigate. This in turn produced both a majority and a minority report, neither of which has yet been approved.

#### THE TWO VIEWS

The majority view, signed by employees from the Soviet Union, Pakistan and Argentina, recommended that the case be dropped in the absence of actual evidence of mission interference with the work of civil servants.

The minority report, signed by staff members from the United States and India, called for a more careful review of the particular complaint.

The result has been the drafting of a resolution now before the council calling upon the U.N. to protect employees and establishing a committee to receive complaints. It reminds employees of their obligation neither to seek nor to accept instructions from any national government.

Article 100 of the United Nations Charter enshrines this obligation. In it each member government also undertakes not to attempt to influence members of the international secretariat.

#### WASHINGTON EVENING STAR WARNS OF POLLUTION SHELL GAME

### HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. EVINS of Tennessee. Mr. Speaker, the Washington Evening Star in a recent editorial vigorously denounced the administration's fast shuffle of funds appropriated by the Congress to combat water pollution through matching grants to State and local governments.

Before some officials of the administration seemed to discover pollution this year, the budget request last year for this important program was a minimal \$214 million. The Congress, aware of the seriousness of the problem, raised this amount to \$800 million. The administration later proposed a \$10 billion 5-year program to combat water pollution with the Federal share being \$4 billion and the State and local share \$6 billion—which amounts to a recommended Federal share of \$800 million a year.

The Evening Star points out that, although the \$800 million which Congress appropriated for this year was to go as matching funds to the States to finance the Federal share for sewage treatment expenditures undertaken at the behest and urging of the Federal Government, the administration is now putting at the bottom of the list those States which had the initiative to move ahead with this program.

Because of the interest of my colleagues and the American people in this most important matter, I herewith place the Evening Star editorial in the RECORD.

The editorial follows:

#### NOW YOU SEE IT

A while back, we had some words of praise for the Nixon administration's decision to release \$800 million in federal clean-water funds. The money—or so we thought—was to go as matching funds to the states in partial repayment for sewage treatment expenditures undertaken at the urging of the federal government.

This was, it seemed, a belated acknowledgement of the federal obligation to the states, as spelled out under the Clean Water Act of 1965. But things are not, as the saying goes, always as they seem. Not when the administration spokesmen start rewriting the script.

That \$800 million, according to the new official line, will not actually go to paying the states back for those projects that have already been completed. To qualify for a cut of it, the states must undertake new projects before June. Anything left over after the new projects are paid off will be available to pay off the old debts. This, the federal spokesmen explain, they are entitled to do because of some vague wording in the 1965 act.

At least that's what the administration seems to be saying.

If that indeed is the new plan, it is highly dubious environmentmanship. What it does, in effect, is to penalize those states that took the federal government at its word, and reward those that have dragged their heels. It may save a buck for the administration during fiscal 1970. But it will also make the states justifiably reluctant to pick up the tab for any future anti-pollution programs based on a vague promise of future repayment from a proven welcher.

It is entirely possible that some other explanation of what is happening to the \$800 million will be forthcoming. Perhaps we are still wrong in our understanding of federal intentions. Considering the confused explanations that have come out so far, we feel no obligation to apologize for any uncertainty.

We are, however, tired of trying to follow the \$800-million pea while the shells are shifted by a battery of federal pitchers.

Maryland's governor, Marvin Mandel, displayed a healthy skepticism when he was told of the federal decision to release the matching funds. With a caution born of months of fruitless pleading with Washington to cough up the \$13.4 million that his state was owed, he pointed out that promises of payment were an old story and that he would believe that the money was coming when it arrived.

The federal government is about to undertake a \$10 billion clean water program, promising to match \$6 billion in state expenditures with \$4 billion in federal funds. State governments can be expected to take note of Washington's low credibility rating and to examine the wording of any new bills for fine-print escape clauses. They should hesitate, before plunging ahead with costly plans, until they are certain that the federal obligation is something more than a contract written on the water.

#### THE 52D ANNIVERSARY OF ESTONIAN INDEPENDENCE

### HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. LUKENS. Mr. Speaker, I wish to extend my good wishes to those freedom loving people of Estonia, and their relatives and descendants in the free

world on this their 52d anniversary of independence.

Estonia, as the other captive nations, had a short-lived independence. The Soviet Union occupied Estonia during World War II and to this day have not withdrawn.

I am proud of the fact that the United States continues to recognize Estonian diplomatic representatives and has never recognized the forcible incorporation of Estonia into the territory of the Soviet Union.

Estonia is another example of Communist aggression and the inability of communism to permit individual freedom and self-determination.

My heart goes to these people who know first hand the value of freedom and who still today entertain the hope to regain this freedom and independence which was stolen from them.

#### UNAMERICAN ACTIVITIES ON CAPITOL HILL

#### HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mrs. CHISHOLM. Mr. Speaker, today Mr. Lester Maddox, the Governor of Georgia, was allowed to present one of the most flagrant anti-American displays ever performed in this Nation's Capitol.

As a black woman, I am dismayed by the fact that within the Capitol Restaurant he was allowed to pass out ax handles, his personal symbol of resistance to the orders of the highest court and the laws of this Congress. Such symbolism is basically racist.

But as an American and a duly elected Representative of the people, I am appalled by this act. I am appalled not by his action of protest, but by his symbol of protest and the place of its occurrence.

First, may I address myself to the symbol. The ax handle as first displayed by Mr. Maddox was intended to be seen as a weapon. What Mr. Maddox was saying was that he intended to use it on any black person who attempted to enter "his" restaurant, a public eating place, and as such covered by the civil rights law. Therefore, he was saying that he would, by any means necessary, resist the law of the land, as it applied to him and he was, of course, encouraging others to join him. The ax handle, relative to Lester Maddox, therefore, must be seen as a weapon of resistance to the U.S. Government.

Mr. Speaker, we are Representatives sworn to uphold and defend that Government. Can we afford to condone such action either by open agreement or tacit acceptance, especially when it takes place virtually within our Chambers? I wonder if we are not endangering the sanctity and validity of our oaths of office?

Second, I would like to pose this question to my esteemed colleagues. What would your reaction and the reaction of the Capitol Police Force have been if

this anti-American display had been carried out by members of the Black Panthers, the SDS, the American Nazi Party, or the Communist Party of America and the symbolic weapons they had chosen were toy guns and not ax handles?

How many of them would be in jail at this very moment? Does Lester Maddox enjoy a privileged position simply because he is a Governor and not an ordinary citizen? To my mind that is the only difference between his display and the hypothetical ones that I proposed.

#### DRUG FIRMS OVERPRODUCE, ILLEGAL DEALERS GET RICH

#### HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. PEPPER. Mr. Speaker, a page 1 story in the Miami Herald of February 15, 1970, written by Mr. Al Pagel, the Herald's medical writer, graphically depicts the alarming extent of the black market trade in amphetamines or "pep" pills in the United States.

Mr. Pagel cited the case from the House Select Committee on Crime's hearings last October in San Francisco of a young man who saved \$200, opened a clandestine laboratory in the kitchen of his apartment and was soon in business manufacturing metamphetamine or "speed" tablets. Within a year, the youth was netting more than \$30,000 a month.

This is an American success story we can well do without.

At those same San Francisco hearings, the committee revealed that existing statutes governing the manufacture and distribution of amphetamines, barbiturates, and tranquilizers are so lax that one pharmaceutical firm had for 10 years been shipping millions of amphetamine tablets to an address in Mexico that turned out to be approximately the 11th hole of the Tijuana Country Club.

The address, of course, was phony. But the pills were very real. They ended up, according to the Bureau of Narcotics and Dangerous Drugs, on the American black market. Taken to excess amphetamine pills are more than dangerous, they are deadly.

That is why a bipartisan majority of the members of the Select Committee on Crime on February 23, 1970, introduced legislation to set a strict quota system on the number of amphetamine tablets that can be legally produced in the United States. The bill also provides law enforcement officers with needed statutory regulations to clamp down on the operators of clandestine laboratories.

Mr. Speaker, the facts that the committee learned in San Francisco and the facts contained in the excellent and timely article written by Mr. Pagel are indeed disturbing.

I highly recommend my colleagues read the informative article that appeared in the Miami Herald and insert it in full at this point in the RECORD:

[From The Miami Herald, Feb. 15, 1970]  
DRUG FIRMS OVERPRODUCE, ILLEGAL DEALERS  
GET RICH

(By Al Pagel)

It was a typical American success story—a young man on his way up.

Ben was the youth's name. He was 19; ambitious. And he had an idea. Getting a parttime job after school he diligently saved his money until he had nested away \$200. That was enough. He purchased some used equipment, a few raw materials and set up a small manufacturing plant in the kitchen of his apartment.

Within a year, Ben was netting more than \$30,000 a month.

A true success story. Except for one flaw. Ben's fast-selling product was a mind-boggling drug called methamphetamine. His kitchen-styled manufacturing plant was illegal.

The history of Ben's operation was reported at the San Francisco hearings held last October by Rep. Claude Pepper's Select Committee on Crime. It is, say investigators, just one of many clandestine laboratories that are springing up across the country to meet a soaring demand for "backstreet" drugs.

Ben's plant, in comparison to some, was a small operation. Federal agents, for example, closed down an Atlanta lab last December that was turning out a million amphetamine tablets a week. A plant almost that large was discovered near Malone, Fla., the previous year.

But despite the output of such illegal laboratories, authorities insist most unlawfully-purchased drugs come from the shelves of legitimate manufacturers, not from clandestine operations.

American drug firms are over-producing, claim the critics. The figures are indeed startling.

Almost 23,000 different drugs are currently manufactured which can cause either psychotic or physical dependency.

Eight million amphetamine tablets are produced each year by major U.S. drug firms.

Three-and-one-half billion barbiturate capsules or tablets are produced annually.

"The manufacture of 30 to 40 therapeutic doses of amphetamines and barbiturates for every man, woman and child in the nation is wrong," Dr. Joel Fort, a noted drug expert, told the Pepper committee. "There's not that great a need."

Even more disturbing than the general over-production of such drugs, however, is the fact that nearly half of the yearly production falls into non-medical hands.

Although drug firms can be criticized for over-production and a certain lack of self-policing, it would be unfair to place the sole blame for today's drug problem on manufacturers. The problem is more complex.

Some of the fault lies in the laws. Controls are far from strict.

None of the chemical ingredients of the most commonly abused drugs, for example, are controlled by federal law. They are readily available—usually without question—to anyone with money enough to buy them.

At the Pepper hearings a California witness told how he obtained needed chemicals for an unlawful operation by sending in orders to a chemical supply house on a standard statement form that can be purchased from any printer. He was challenged only once and a curt phone call to the questioning salesman brought a quick apology.

Information on how to combine these chemicals is also easy to obtain.

By mailing 50 cents to the U.S. Patent Office, for instance, you can get the formula for making lysergic acid (LSD).

A common tool among drug abusers today is the so-called "cook book." Sold on the

street or passed from friend to friend, these handy manuals tell amateur manufacturers what equipment to buy, what chemicals to buy, what steps to take and how to use the end substance. Anyone with normal ability to comprehend can easily follow the instructions.

In Ben's case, he learned how to manufacture methamphetamine in two hours by studying a chemistry book available in any college library.

Restrictions on exportation of legally manufactured dangerous drugs are also minimal. Huge quantities of these dangerous drugs are shipped to Mexico and Canada each year by U.S. drug firms. Millions of tablets then are smuggled back across the borders for illegal use.

"Any kind of pill made in America can be purchased in large quantities in Tijuana drug stores," a long-time San Francisco dealer testified.

Even after recent inspection crackdowns by U.S. border guards, smuggling drugs back into the country was relatively simple, said the dealer, either by car or light plane.

He explained to Pepper's committee how the smugglers operate.

"Go to Tijuana, to a drug store there, and for \$3,000 buy 300,000 tablets of benzedrine. Hire a runner and help the runner stash the benzedrine in the gas tank of the car.

"You can get approximately 75,000 in a tank at a time, and it would take about four trips to take the 300,000 across the border.

"The runner would cost about \$1,000 and the benzedrine would then be resold in the Bay area through dealers for about \$12,000. So your profit on that would be about \$9,000."

The smuggler told committee members he didn't work the system full time.

"I work a week, then take a few weeks vacation."

His average yearly profit—\$60,000.

"These guys are smart," acknowledges Tony Acri of Miami's Federal Bureau of Narcotics and Dangerous Drugs.

"If things get tough on the Mexican border, they switch to Canada," he said.

Florida's drug action differs somewhat from California, notes the agent. There is less problem with smugglers, but more from thieves.

"We average about 30 drug store robberies or burglaries every month in South Florida," said the agent. "It's the chief source of supply down here."

Hi-jacking also channels legitimate drugs into abusers hands. Last June, for instance, some 2.2 million units of methamphetamine were stolen from a New York loading dock.

Even modern Knights of the Road—long-distance truckers—add to the problem, according to Acri, by peddling thousands of amphetamine tablets to truck stops along the eastern coast.

And Florida, like the rest of the nation, is troubled by excessive refills on physicians' prescriptions. Under federal drug abuse amendments, a doctor can write a prescription for 100 to 200 amphetamine or barbiturate tablets and the patient can get five refills for that prescription during a six-month period without additional prescription.

"I think that situation is leading to much of our indiscriminate use and abuse of these drugs in our society," said Dr. Fort.

Enforcement officers claim their job is made more difficult by inadequate laws which coddle pushers and illegal manufacturers.

Lt. Norbert Currie, head of San Francisco's narcotic's detail, explained one aspect of the problem to the Pepper committee.

"Say we run into circumstances where, on the premises, we find certain specific chemicals and certain specific equipment. By combining these chemicals and this equipment

the end result can be methamphetamines or LSD or hallucinogenic substances.

"Unless we have the end product that we can identify in our crime lab as this substance, there is actually nothing we can do with the equipment. We confiscate it, but if we are challenged we have to give it up."

Law officers and medical experts both are calling for changes—tightening of prescriptions refills, stricter requirements on exportation of dangerous drugs, a registry system for chemical ingredients, and greater social concern.

One witness before the Pepper committee struck strongly at what he termed "social permissiveness."

"I think a society which does not and will not demand accountability for various types of ethical drugs which we know are circulating around in woeful proportions is a society which will not demand accountability for soaring crime rates.

"I think we are getting, not necessarily what we deserve, but we are getting . . . what we should expect."

#### DECEPTIVE TV ADVERTISING—I

### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. ROSENTHAL. Mr. Speaker one of the more refreshing aspects of the "consumer revolution" is the devotion and energy dedicated to it by those in private life who must volunteer their time and resources to protect the consumer who lacks the voice in government he needs and deserves.

One of the more effective private spokesmen for the consumer has been Prof. John F. Banzhaf III of the George Washington University Law School. Professor Banzhaf, who has also done much work in the antismoking cause, recently prepared the following petition on deceptive television advertising.

Because of its length, the brief is being inserted in the RECORD in two sections. The first, included below, covers the principal petition for rulemaking asking for action by the Federal Trade Commission. In tomorrow's RECORD, I will include the appendices with specific examples of this deceptive advertising as cited by Professor Banzhaf.

The brief follows:

[Before the Federal Communications Commission, Washington, D.C.]

#### PETITION FOR RULEMAKING

(In the matter of adoption of standards designed to eliminate deceptive advertising from television)

Pursuant to 5 USC Section 553, the statutory authority, and 47 CFR Section 1.401(a), the Commission authority, TUBE, Termination of Unfair Broadcasting Excesses, a group of students from George Washington University Law School, respectfully requests that the Commission adopt as part of their Rules and Regulations, standards (included herein) designed to eliminate deceptive advertising from television.

In support whereof, the following is respectfully submitted:

#### INTRODUCTION

Deceptive advertising is recognized as having a harmful impact upon the public. Due to the great potency of television, this impact is magnified and expanded. Thus, regulation is necessary to guard the public interest. Un-

fortunately, industry self-regulation has been found to be ineffective. Governmental agencies now responsible for such regulation, as the FTC, are effective in the determination of deceptive advertising on a case by case method, yet their enforcement policies and sanctions are weak and ineffective. Thus, it becomes the responsibility and obligation of the FCC to regulate deceptive advertising on television. This responsibility can be accomplished by the FCC's acceptance of standards for deceptive advertising.

#### I. THE IMPACT OF TELEVISION

With the increasing sophistication of our technology, the impact of television has had a tremendous significance which will continue to increase in the future. Recently, many social scientists have been concerned with the psychological effects of television. An acknowledged authority, Marshall McLuhan, suggests that a "world community" has been formed due to the effect of television. McLuhan states that T.V. is an instantaneous, electronic informational system and the viewer approaches T.V. as a reliable source of factual information.<sup>1</sup> Two other well-known social scientists, Paul Lazearfield and Robert Merton, found that the flood of information from television transforms the energies of the audience from active participation to passive knowledge. They described this phenomenon as "narcotizing dysfunction"; television actually drugs listeners into a state of passive reception.<sup>2</sup> In this state, the viewer is susceptible to any form of information that he receives from T.V. Use of television by educators further emphasizes the fact that people learn more easily from T.V. Today, many modern schools have installed closed circuit T.V. as a teaching tool. Television, therefore, has become an extremely potent source for the gathering of knowledge, knowledge which causes people to act.

In addition to television's ability to disseminate knowledge with great impact, the effectiveness of advertising has been enhanced by the recent sophistication in the science of motivation. Advertisers now make use of the following basic characteristics of human behavior to increase the effectiveness of their advertisements: people react when stimulated; inconsistency is a form of stimulation which creates a feeling of uncertainty; people resolve this uncertainty by seeking an answer to clarify this inconsistency.<sup>3</sup> Thus a product's advertisement on T.V. should stimulate the viewer into comparing that product with the one he is currently using. The claim of the new product, inconsistent with the performance of the old one, will create a feeling of uncertainty in the viewer's mind, and the viewer will resolve this uncertainty by purchasing the advertised product to see if the performance is consistent with the claims.<sup>4</sup> These psychological characteristics have been employed by the advertising industry to effectively sell their products through the television media. Hence, the advertiser is encouraged to provide sufficient stimulation in order to cause uncertainty about their product.<sup>5</sup>

As a consequence of this entire process, advertising encourages and is susceptible to excessive claims by advertisers which, ultimately, often leads to deception (See Appendices B-F). Deception is defined as the capacity or tendency to deceive the public. Actual deception need not be shown or found. *Montgomery Ward & Co. v. Federal Trade Commission*, 379 F. 2d 666 (1967). The effect of the ad, more than anything else, constitutes deception:

Advertising deception may result from the use of statements which are not technically false or which may be even technically true,

Footnotes at end of speech.

since the only relevant consideration is the impact of the statements on the general public, including the ignorant, unthinking and the credulous. *National Broadcasting Company, Inc.*, 14 RR 2d 315, 316 (1968).

The tendency to deceive is the greatest among viewers that are the least sophisticated. "In evaluating the tendency of the language to deceive, the Commission should look not to the most sophisticated readers (or viewers) but rather to the least." *Exposition Press, Inc. v. Federal Trade Commission*, 295 F. 2d 869, 872 (1961).

The attractiveness of extravagant and even deceptive advertising is its effectiveness. Certain studies have shown that up to a certain point, the more extravagant the claim the more successful the ad.<sup>5</sup> Furthermore, disbelief of the consumer is no bar to the effectiveness of an exaggerated advertisement. Mr. Gerhold, Vice President and Director of Research for J. Walter Thompson Company has said that if you make a statement, repeat the claim often enough, loud enough, with enough vigor and sincerity, the problems associated with disbelief of the ad will disappear.<sup>6</sup>

#### II. THE HARM CAUSED BY DECEPTIVE ADVERTISEMENTS

Deceptive advertising on television leads to substantial harm. This harm takes various forms, and adversely affects all segments of society. One form, financial harm, may be realized through the monetary loss to an individual consumer each time he purchases a deceptively advertised product. The loss for each separate purchase may be small, but in a year's time these losses add up to a significant amount. Moreover, an individual's loss leads to a sponsor's gain. The sponsor, inducing sales by deceptive ads, gains huge profits from the total of these small individual sales. This gain is contrary to public policy.

The harm to one's health that can result from deception is direct and serious. This can occur because the advertisement omits a warning of serious side effects (cigarettes can kill, powerful mouthwashes may injure the mucous membrane of the mouth, brightening toothpastes contain abrasives which remove enamel from teeth), and furthermore, one might conceivably rely solely on the therapeutic claims of a product when medical advice is needed (Geritol isn't the panacea it so implies [see Appendix F-4]; Listerine will not prevent colds [see Appendix F-2]; analgesics do not relieve tension [see Appendix C-2]).

Unfortunately, the greatest amount of relative harm falls on those who can least afford it—the poor, particularly the inhabitants of the inner-city. Due to their lack of education and the feeling that they are members of a lower social class they are particularly susceptible to the misleading claims of products advertised on television which give the impression of being identifiable with the prosperous middle class. This harm is compounded, because in the inner-city, television, which is almost a universal appliance, is more extensively watched than elsewhere.<sup>7</sup>

Children are also easily taken in by misleading claims (see Appendix B). Children, especially pre-schoolers, are highly impressionable, and are usually unable to appreciate the fine distinctions between reality and illusion, truth and falsification, fact and exaggeration. Lacking the ability to properly place in perspective advertising claims, youth are susceptible to accepting blindly that which is represented as truth. Their parents, the eventual purchasers, are not in a position to judge either since they probably did not see the ad and know only that their child desires the advertised goods. Others have recognized the vulnerability of youth to misrepresentation, including the National Association of Broadcasters which has said:

The broadcaster and the advertiser should exercise special caution with the content and presentation of television commercials placed in or near programs designed for children. Exploitation of children should be avoided. Commercials directed to children should in no way mislead as to the product's performance and usefulness.<sup>8</sup>

Finally, the harmful effects of deceptive advertising are felt within the industry. Here the snowball theory has taken effect. Once that first deceptive ad is aired, advertisers of competing products are forced into making similar claims to remain competitive. As a result, extravagant deceptive claims have become an accepted practice utilized by all. The effect of this is that now, if a manufacturer has a superior product he will probably begin his advertising campaign by employing the exaggerated claims technique. The result is that the public has no firm basis upon which to distinguish product superiority.

The public is, therefore, the ultimate loser. For example: In 1956, Procter and Gamble marketed Crest with stannous fluoride (an additive which had been skillfully developed and researched at Indiana University. The stannous fluoride, by a process of coating the tooth, was proved to add to the effectiveness of ordinary toothpaste. However, from 1956 until 1960, Procter and Gamble, caught up in the exaggerated claims technique, developed campaigns centering on the themes of "Triumph over tooth decay" and "Look Mom, no cavities." These ads, unable to inform the public of a proven product, gave Crest only 12% of the toothpaste market. The leader with 35% of the market was Colgate Dental Cream.<sup>9</sup> Its advertising was based on the results of tests which essentially showed that those who brushed after every meal with Colgate Dental Cream fared better than a control group which followed their ordinary brushing habits.<sup>10</sup> The fallacy in this test is that any toothpaste could have been substituted for Colgate Dental Cream with comparable results.

The unavoidable conclusion is that for four years the only proven effective anti-decay toothpaste was not reaching the public while the best seller was exploiting the results of irrelevant and misleading research. Thus, for four years the public was without an important product.

#### III. THE FAILURE OF THE FEDERAL TRADE COMMISSION

The Federal Trade Commission, the traditional agency responsible for the regulation of deceptive advertising, has proven to be ineffective. The FTC, by the Federal Trade Commission Act of 1914, initially was given broad jurisdiction and powers over misleading advertising. Under the Act (as amended in 1938), deceptive practices in commerce are declared unlawful, Section 5(a)(1), the Commission may prevent these deceptive acts, Section 5(a)(6), and the Commission's findings are conclusive, Section 5(c). However, the FTC has been remiss in executing this statutory delegated authority. The American Bar Association Report on the FTC states: "When actual performance is measured against the potential which the FTC continues to possess, the agency's performance must be regarded as a failure on many counts."<sup>11</sup>

The ineffectiveness of the FTC in controlling deceptive advertising has been in the area of enforcement. The main deficiencies are delay, ineffective sanctions, and the inability to reach those most responsible for the dissemination of deceptive advertising on television, i.e. the broadcast licensees.

One of the main problems of enforcement is the delay in making a determination of a deceptive practice during an investigation.<sup>12</sup> There is also delay in the actual elimination of a deceptive practice due to the lengthy appeal process. The Commission does not

have the statutory power to halt a challenged activity immediately.<sup>13</sup> It must wait until the respondent has exhausted all the legal machinery available before a deceptive advertisement will be removed from the airwaves.

An example of delay involving a deceptive television commercial is the case *Carter Products, Inc. v. Federal Trade Commission* 268 F. 2d 461 (1959). This case involved misleading advertising claims made about "Carter's Little Liver Pills." The FTC, in 1956, issued a cease and desist order against the respondent prohibiting him from using certain advertising claims. Through all the legal maneuvers possible, the respondent was capable of postponing his compliance with this order for over 13 years. It was only in 1969 that they were required to remove the deceptive commercials from the airwaves.

Another major problem of enforcement is that of the FTC's ineffectiveness in utilizing its sanction powers. This agency is ineffective in regulating deceptive advertising over the airways because it does not use its formal enforcement procedures as effectively and as often as it should. The FTC's formal or adjudicative proceedings are commenced by the filing of a complaint by the Commission, 16 CFR Section 3.11(a) and results in the issuance of either a cease and desist order, or a "consent" (non-contested) cease and desist order.

The cease and desist order is the only coercive legal enforcement tool generally available to the Commission. It is issued after hearings and appeals, and prohibits the respondent from employing the particular deceptive practice described. This order imposes no retroactive sanctions, but merely prohibits future repetition of that conduct against which it is aimed. Thus these sanctions are defective in that their scope is limited to future violations rather than imposing punitive measures for past violations. For example, the deceptive advertising campaign by an advertising sponsor may have already been presented to the public or may even have been terminated by the time of the issuance of the cease and desist order. The producer, already having achieved his intended objective, will be told not to use that deceptive ad again, but will not be punished for having already used it. Thus the producer will not be deterred from using other deceptive advertisements in the future. As long as the ads are not the same type that were sanctioned previously by the FTC, an advertiser is free to conduct any type of misleading campaign that he so desires.

The "consent" (non-contested) cease and desist order is the other possible result of a formal adjudicative proceeding. For this result, all the formalities of a trial are dispensed with, and the respondent merely consents to the issuance of a cease and desist order. This order has the same force and effect as an order entered after a formal trial. Thus, as with the cease and desist order, an advertiser can successfully promote a deceptive advertisement and not be punished for his violations.<sup>14</sup>

Even when the Commission issues a cease and desist order, there may be a failure to diligently enforce its decision as is illustrated by the long history of the Commission's dealings with the J. B. Williams Company over advertising campaigns for Geritol.

J. B. Williams Company, the manufacturer of Geritol, represented their product as being of benefit in the treatment of fatigue and other minor disorders such as nervousness and irritability. After three years of investigations as to the validity of these statements, the FTC, in 1962, issued a complaint stating that respondent misrepresented the efficacy of their product. The Commission did not seek a preliminary injunction as they had the power to do. Three years passed before the Commission issued

Footnotes at end of speech.

a cease and desist order, which was finally affirmed in 1967 by the Court of Appeals in the case of *J. B. Williams Company v. Federal Trade Commission*, 381 F. 2d 884 (1967).

As required, the respondent filed their first compliance report early in 1968. On November 14, 1968, the Commission held a public hearing to determine whether the new Geritol commercials complied with their order. In the FTC New Release of December 13, 1968, it was stated that the new commercials "not only failed to comply with the order, but . . . are no less objectionable than the commercials denounced by the Commission when it issued its original order herein."

Instead of seeking civil penalties (up to \$5,000 per day for violations), the Commission merely asked for the submission of another compliance report. Even after this report was submitted, the Commission found that certain Geritol commercials still violated the cease and desist order. Again, the FTC failed to impose civil sanctions for violations. As of September, 1969, the commercials were still being televised.

The Commission is also ineffective in regulating deceptive advertising over the airwaves because it cannot control those most responsible for its dissemination—the broadcast licensee. Section 14(b) of the FTC Act states:

No publishers, radio-broadcast licensee, or agency or medium for the dissemination of advertising . . . shall be liable under this section by reason of the dissemination by him of any false advertisement, unless he has refused, on the request of the Commission, to furnish the Commission, the name and post office address of the manufacturer, packer, distributor, seller or advertising agency, residing in the United States, who caused him to disseminate such advertising.

Thus the FTC, even if it has issued a cease and desist order against a sponsor for a deceptive commercial, can probably take no action against the broadcaster, the one who is showing this deceptive ad to the intended consumer.

#### IV. THE INADEQUACY OF SELF-POLICING

Self-policing by the industry itself has been generally inadequate. The National Association of Broadcasters, the self-created regulatory arm of the broadcasting industry, is always quick to claim that they can take care of any problems arising with respect to deceptive advertising. But for the most part, they cannot.

In 1962, Phil Edwards, the Chairman of Broadcast Advertisers Reports, which was monitoring television commercials in an attempt to ferret out deceptive advertising, announced he would no longer monitor for the industry. The NAB and the stations were ignoring the complaints. He stated: "Self-regulation on an industry-wide basis is not only deceptive, but it is impossible."<sup>18</sup>

It is clear, that the economic structure of the industry itself precludes the possibility of effective self-policing. The broadcast licensee is dependent on advertising sponsorship for its very existence. It is idealistic to expect the industry to bite the hand that feeds it. (Broadcasters are not in a position to be selective unless all are required to conform to a uniform policy of regulation.)

Advertising agencies also are caught in the economic trap. As Max Geller, President of Weis and Geller, has said:

Agencies don't get paid for sticking to principles. If a company wants to go haywire in its claims, the agency either goes along or loses the account. Agencies need the moral crutch of Uncle Sam's regulations to resist the pressure of clients in this Darwinian jungle.<sup>19</sup>

The NAB, purporting to be concerned over the issue of public health, has been remiss

in their duties with respect to the advertising of cigarettes and analgesics. Amidst all of the anti-cigarette information presently available, the NAB introduced a plan of voluntary withdrawal of cigarette commercials by September 1, 1971; yet this plan calls for ending these ads a full year after the tobacco companies proposed withdrawal and actually a year and nine months from the time tobacco companies were willing to drop the ads providing broadcasters would release them from their contracts.<sup>17</sup> (Subsequently, the Senate has passed a bill that terminates the advertising of cigarettes on T.V. by January 1, 1971.) The NAB has not been able to eliminate deceptive advertisements for analgesics from television either. Earlier this year the Code Authority, a section of the NAB, surveyed its Medical and Science Advisory Panel on the extent of relief of tension by non-prescription analgesics. Certain analgesic advertisements claim that their products calm "jumpy nerves" and relieve "taut-tense nerves". The results of the survey reveal that in the doctors' expert opinions, none of the analgesics surveyed is capable of relieving tension, depression, jumpy or taut-tense nerves. The Code then advised the broadcasters of these findings presumably so that the broadcasters could remove these deceptive advertisements from the air. Now, seven months later these claims still persist. (See Appendix C-2).

As Warren Braren, the former head of the New York office of the Code Authority, said recently:

The NAB still continues to see itself as the protector of the free enterprise system of broadcasting which is another way of saying don't interfere with the broadcaster's right to sell advertising time as he chooses.<sup>18</sup>

#### V. THE RESPONSIBILITY AND AUTHORITY OF THE FEDERAL COMMUNICATIONS COMMISSION TO REGULATE

The Federal Communications Commission has a responsibility to control deceptive advertisements on television. Such responsibility is, in part, derived from the impact and potential of the media itself. Many deceptive advertisements would not have the great effect upon the public were it not for the ability of television to narcotize its viewers. It is the media which allows many advertisements to be so effective and the FCC has control over the media.

Thus, due to the fact that the media is the means for deception, the great impact of television, and the ineffectiveness of the Federal Trade Commission and industry self-regulatory organizations to control deceptive advertising, the responsibility of such regulation should be assumed by the Federal Communications Commission.

The FCC's effectiveness in this area is derived from its powerful point of leverage. This point of leverage is its power to grant licenses. This power, found in Sections 301 and 303 of the Communications Act, is pervasive and absolute as "Congress has occupied the field of television regulation in its entirety." *Opinion of the Attorney General of Massachusetts*, 7 RR 2d 2081 (1966). Anyone who desires to broadcast anything on the airwaves must have a license and once the license is obtained, the broadcaster has a virtual monopoly for the period of the license. *WFLI Inc.*, 12 RR 2d 18 (1968). A broadcasting license, of course, is not obtainable from any other source and must be granted by the Federal Communications Commission. The "federal government has preempted the licensing and assignment of radio frequencies" (including television). *Opinion of the Attorney General of Michigan*, 12 RR 2d 2145 (1968).

The ultimate power of licensing is readily recognized by the licensees themselves. Any action by the Commission to limit the term of a licensee by granting a short-term renewal, *In re Application of Melody Music, Inc.* (WGMA), 6 RR 2d 973 (1966), *In re*

*Application of WCHS-AM-TV Corp.*, 10 RR 2d 445 (1967), *In re Application of Eastern Broadcasting Co.*, 14 RR 2d 331 (1968), to deny a license in an application for renewal, *In re Application of Melody Music, Inc.* (WGMA), 36 FCC 701 (1964), *Eleven Ten Broadcasting Corp.*, 22 RR 699 (1962), *In the Matter of WHDH, Inc.*, 15 RR 411 (1969), or to revoke a license, *In the Matter of Revocation of License of KWK Radio, Inc.*, 34 FCC 1039 (1963) is met by strong opposition by the licensee. The licensee should react; his economic life is at stake. In fact, potential economic loss is great. The licensees have a total market value of about \$3 billion.<sup>19</sup> The only possible recovery for the licensee is to sell his equipment, but this step is small consolation for the fact that he has lost the value of his license without compensation and, even worse, that he is out of business. The FCC, thus, can exercise a great deal of power over the licensee to eliminate the broadcasting of deceptive advertising. For, while a censured manufacturer can still produce products and a censured advertising firm can still produce ads, a broadcaster without a license ceases to exist.

The Federal Communications Commission's authority to regulate deceptive advertising is clearly within the scope of its powers. The Commission has on various occasions acknowledged its ability to act in related areas of deceptive broadcasting, and on many occasions, has regulated in this field.

The source of this power is found in the Communications Act itself where the Commission is granted the power to license a prospective broadcaster on the basis of "public convenience, interest, and necessity." *Radio Station WOW v. Johnson*, 326 U.S. 120, 65 S. Ct. 1475 (1945).<sup>20</sup> The Communications Act also states that the Commission has the power to prescribe the nature of service to be rendered by stations, Section 303(b), the duty to encourage the larger, more effective use of radio (which includes television), Section 303(g), and the authority for adoption of rules to carry out provisions of this Act, Section 303(r).

The Federal Communications Commission has a long history of acting in the public interest to prevent deceptive broadcasting. The earliest cases, including one coming from the Federal Radio Commission, predecessor to the FCC showed the Commission acting against the use of airwaves to promote dangerous drugs and quack medicine. *KFKB, Broadcasting Ass'n., Inc v. Federal Radio Commission*, 47 F. 2d 670 (1931), *In the Matter of the Farmers and Bankers Life Insurance Co.*, 2 FCC 455 (1936), *In the Matter of Oak Leaves Broadcasting Station, Inc.*, 2 FCC 298 (1935).

The Commission addressed itself directly to the problem of false, misleading, and deceptive advertising in 1960 when it established a duty on the licensee to eliminate this type of advertising.

Broadcasting licensees must assume responsibility for all material which is broadcast through their facilities. This includes all programs and advertising material which they present to the public. With respect to advertising material, the licensee has additional responsibility to take all reasonable measures to eliminate any false, misleading or deceptive matter.<sup>21</sup>

The FCC restated this policy in the following year.<sup>22</sup>

A series of cases since these statements of policy clearly show that the FCC not only can but desires to eliminate fraudulent, deceptive, and misleading advertisements from the air. The Commission has viewed a variety of broadcasting practices as contrary to the public convenience, interest, and necessity and has used various sanctions to end these practices including letters of censure, short-term license renewal, denial of license renewal, and license revocation. The Commission has expanded upon its early rulings that

Footnotes at end of speech.

limited the use of airwaves in the broadcasting of materials that lead to physical harm to the public. In, *In the Matter of Television Station WCBS-TV*, 9 FCC 2d 921 (1967), the Commission applied the "fairness doctrine" to the field of cigarette advertising. Deceptive use of audience survey ratings of a program was, in two instances, grounds for a short-term license renewal of one year instead of the usual three. In *re Application of Star Stations of Indiana, Inc.*, 3 RR 2d 745 (1964) and *In re Application of Western Broadcasting Co.*, 14 RR 2d 335 (1968). The FCC has also ruled in the area of fixed quiz shows issuing a letter of censure to a licensee in one case, *National Broadcasting Company*, 14 RR 2d 421 (1968) and granting a short term license renewal in another, *Melody Music*, supra p. 18 (1966). The Broadcasting of fraudulent contests resulted in the denial of license renewal in two cases, *Eleven Ten Broadcasting Corp.*, supra p. 18, and *Melody Music*, supra p. 18 (1964), and license revocation in a third case, *KWK Radio*, supra p. 18.

A special type of fraudulent contest, the "Lucky Bucks", has recently become the object of Commission action. The listening and viewing audience were led to believe that by staying tuned to that particular station, they would receive information which would enable them to win sums of money up to \$1,000. However, in reality, the mathematical chances for winning were infinitesimal. The Commission issued two letters of censure, *National Broadcasting Company*, 14 RR 2d 315 (1968) and *In re Complaint Concerning Deceptive Advertising by Station WKYC*, 14 FCC 2d 683 (1968), stating that the practices of these licensees would be considered in the proceedings for the renewal of their licenses. Two licensees, *WCHS-AM-TV*, supra p. 18, and *Eastern Broadcasting Corp.*, supra p. 18, received only short term license renewals because they broadcast "Lucky Bucks" shows on their station. In each of these cases, the Commission, in making specific reference to Public Notice 61-1316 placed responsibility directly on the licensee to limit deceptive and fraudulent advertising on his broadcasts.<sup>23</sup> This responsibility, the Commission stressed, if improperly executed could lead to sanctions.

The Commission can act and has acted to prevent deceptive and fraudulent broadcasting from the air and thus far has prevented advertisements leading to public harm, fraudulent audience rating surveys, fixed quiz shows, fraudulent contests, and deceptive program advertising from being broadcast by their licensees. Deceptive commercial broadcasting has not yet been categorically eliminated and now is the time to include deceptive commercial advertising with those other forms of deceptive broadcasting and advertising and also prohibit this form of deception from the airwaves.

#### VI. THE CONSTITUTIONALITY OF FEDERAL COMMUNICATIONS COMMISSION STANDARDS

The argument has been made at various times that Federal Communications Commission sanctions on the ground of "public interest, convenience, and necessity" are unconstitutional as violative of the First Amendment right to freedom of speech. On the basis of the law in this area, these objections are simply untrue. Granting or denying licenses to prospective broadcasters on the basis of the above criteria is merely one of the powers granted to the Commission by Congress. The denial to a station of a license, validly made, because the standard of "public interest, convenience, and necessity" has not been met is not a denial of free speech. *National Broadcasting Company v. United States*, 319 U.S. 190, 63 S. Ct. 997, (1943).

Standards for deceptive advertising, as long as they do not constitute "prior re-

straints," impositions of limitations before publication, do not constitute censorship. Standards will merely act as a guide for the Commission to determine whether a licensee, on the basis of his past performance is fit to perform in the future. In the *KFKB* case, supra p. 20, the court held that:

There has been no attempt on the part of the Commission to subject any part of the appellant's broadcasting matter to scrutiny prior to its release. In considering the question whether the public interest, convenience, or necessity will be served by a renewal of applicant's license, the Commission has merely exercised its undoubted right to take note of applicant's past conduct, which is not censorship. (At 672).

The Commission's action to limit excessive commercial broadcasting has even been construed as not to constitute censorship as evidenced in *Bay State Beacon, Inc., v. Federal Communications Commission*, 171 F. 2d 826 (1948). In that case, the Commission went so far as to refuse to grant a permit for the construction of a broadcasting station to an applicant because the applicant's proposed broadcasting schedule allowed too much time for commercial broadcasting. Again the court held that such an act by the Commission was not censorship and did not violate the applicant's First Amendment right. Thus, FCC action is the area of regulation of deceptive advertisements on television is not unconstitutional.

#### VII. THE CODE OF STANDARDS

A method of eliminating these deceptive forms of advertising is the adoption by the Commission of general standards defining and proscribing deceptive and misleading advertising. Standards would create a broad, uniform guide instructing each licensee of his responsibility and obligations and could be used by the Commission with great accuracy in measuring the performance of any licensee. Members of the Commission, themselves, have on past occasions recognized the value of adopting standards. Regarding overcommercialization (i.e., too great quantity of ads), the suggestion of adopting such standards was raised in *In the Matter of amendment of Part 3 of the Commission's Rules and Regulations with respect to advertising on Standard, FM, and Television Broadcast Stations*, 1 RR 2d 1606 (1964) and *Commercial Practices of Broadcast Licensees*, 2 RR 2d 885 (1964). In addition, both decisions made reference to the need for regulation in the area of the content and quality of commercial broadcasting. In the former decision, the Commission denied the adoption of standards at that time because sufficient information was lacking, but in general, they recognized the need for employing such standards:

The establishment of generally applicable standards by means of rule-making procedures . . . may have a number of advantages. For, in addition to permitting an overall treatment of the problem, not available in a case by case consideration, the rules adopted would have the added advantage of being definite, of providing guidelines and guidance to licensees and of applying equally to all competitors in a given market.<sup>24</sup>

And in the latter decision, Chairman Henry in a dissent, quite specifically asks for the adoption of standards:

The most fair and effective way for this Commission to regulate the commercial practices of broadcasters would be through the announcement of general standards—criteria which would let the public and industry know where they stand and what they can expect from us. (At p. 887).

Thus, it is proposed that the FCC accept a code of standards which would regulate deceptive advertising on television on an industry wide basis. The proposed standards recognize the ability of the Commission to effectively regulate television advertising through enforcement policies applicable di-

rectly to the licensees and the existing interaction and cooperation between governmental agencies. Further, the proposed regulations are aware of the necessity of advertisements to the broadcast industry, yet consider the balance between that necessity and the public welfare, good, and well being to be determinative of the responsibilities of the FCC as to advertising misrepresentation on television.

Following is a presentation of the Code of Standards (See Appendix A for a complete text of Code) and accompanying comments:

#### I. General statement and considerations

(a) This proposed code establishes basic standards which define and regulate deceptive advertising on television. The code develops principles of aesthetic and ethical considerations and incorporates criteria which identify misleading advertisements. The intent is to foster Commission acceptance of its regulatory obligations and maximum utilization of current enforcement policies.

(b) Broadcast licensees have certain responsibilities and obligations to the public in relation to media advertising.

1. Advertising messages should be presented with courtesy and good taste and function in accordance with the highest standards of ethical sensitivity, acceptability, and discretion in regard to the average viewing public.

2. Broadcast licensees must understand the great impact and effect of media advertising upon the general public, especially children and youth.

3. Concern for the public good and well-being should take precedence over consideration of economic expediency and institutional or individual advantage.

*Comment:* The proposed code is concerned with regulating deceptive advertising on television. Its motivating force is the public interest and well-being to be accomplished through industry-wide standards enforced by the FCC. The code holds the broadcast licensee to standards of good taste and discretion in regards to their viewing audience's composition and preferences. Evaluation of such audience composition by the licensee is to include consideration of "the ignorant, the unthinking, and the credulous" and children and youth. It further requires the licensee to be aware of the types of deception and their methods of presentation. The FCC will utilize these standards as criteria to determine the success of the licensees' efforts to eliminate these various forms of deception from their broadcasts.

The proposed standards are further concerned with the balance between the economic value of advertisements to the broadcast industry and the public interest, convenience, and necessity. The code in no way underestimates the value and necessity of advertisements to the viable functioning of broadcasting. Yet, this interest must be subordinate to the concern for the public. As the Commission has said:

Thus, while it must be recognized that, as the only source of revenue for most broadcast stations, advertising is an indispensable part of the American system of broadcasting, it must be further recognized that broadcast stations cannot be operated primarily in the interests of advertisers in presenting their message to the viewing or listening public, or primarily in the interests of the station licensees in the revenues to be derived therefrom; broadcast stations must be operated in the public interest—the interest of the viewing or listening public in the nature of the program service received.<sup>25</sup>

Hence, acceptance of these standards will allow FCC participation in regulatory procedures which requires no change in legislation, no change in basic inter-governmental relationships, and no change in the basic functioning of the FCC. The only change required by this proposed code is the ac-

Footnotes at end of speech.

ceptance by the FCC of greater responsibilities and obligations for the benefit of the average viewing public.

## II. General standards for deception in media advertising

(a) Criteria for the regulation of deceptive media advertising concerns identification of deceptive advertisements as to their ability to deceive, the applicability of the deception, and the method of deception.

(b) Elements of deceptive advertisements:

1. An advertisement which has the tendency or capacity to deceive the average viewing public is proscribed.

2. Proscribed deception applies to the misrepresentation of a product's characteristics, performance, and/or appearance.

3. Proscribed deception applies to the methods of achieving misrepresentation in advertising:

(a) Misrepresentation of facts to induce the purchase of goods.

(b) Misrepresentation as to the implications derived from the totality of the deceptive advertisements.

(c) Failure to disclose material facts.

*Comment:* The standards apply deception to misrepresentation of a product's characteristics, appearance, and/or performance. This includes both verbal and visual misrepresentations which can be attained by three methods, or techniques, of deception. The first method concerns a misrepresentation of fact. Such techniques include undisclosed simulations, mock-ups, distortion by cameras or props, or tampering with or abusing a competitor's product. Misrepresentation of fact is among the most common forms of deception and abounds on the media today in the form of advertisements for various consumer goods (See Appendices B-F). A second method does not necessarily require a specific misrepresentation of fact to be deceptive. This method of misrepresentation is successful in its ability to foster deception in a viewer's ultimate impression derived from a total advertisement. It is deception derived "from the sum total of not only what is said but of all that is reasonably implied." *Aronberg v. Federal Trade Commission*, 132 F. 2d 165, 167 (1942). Thus, there need be no specific misrepresentation. Rather, it is the impression derived from the totality of the advertisement or series of advertisements which creates the deception. Again, these advertisements exist on today's media in the form of certain advertisements (See Appendices B-F). The third form of deceptive advertisement may present the greatest danger, for it is the most devious and insidious in its nature. It involves simply the deletion from the advertisement of pertinent, necessary, or material facts as to a product's danger, limitations, or ineffectiveness. This is inverted deception. Rather than falsification of facts, advertisers hide them; rather than manipulation, there is deletion. Yet the result is the same. The average viewer is deceived, misinformed about a product's characteristics, appearance, or performance. Such deletion of material facts or non-disclosure of pertinent information which results in deceiving the average viewing public is equivalent to deception accomplished through implication or misstatement. "To tell less than the whole truth is a well known method of deception; and he who deceives by resorting to such a method cannot excuse the deception by relying upon the truthfulness *per se* of the partial truth by which it has been accomplished." *P. Lorillard Co. v. Federal Trade Commission*, 186 F. 2d 52, 58 (1950). Such deception can be found in various advertisements (See Appendices B-F).

### III. Enforcement

The Commission shall, upon reasonable notice, take appropriate action against licensees who fail to comply with the provisions of these standards. Appropriate action

by the Commission is limited to only those sanctions provided for in the Communications Act.

*Comment:* These proposed rules recognize the powers granted to the FCC under the Communications Act of 1934 and propose that the Commission utilize certain provisions to require station licensees to operate "in the public interest, convenience, and necessity." The point of leverage by the Commission over the licensee, as stated before, is the power to license. All forms of Commission sanctions would be related to this power.

The Commission has a wide range of alternatives in enforcing these provisions. Probably the best summary of these alternatives is found in a 1959 memorandum by the U.S. Attorney General, William Rogers, to the President. His suggestions included:

Adopt a program of more intensive scrutiny of licensee's past performances in connection with renewals. It might be appropriate for the Commission to adopt a system similar to that followed by the Internal Revenue Service which chooses a certain number of returns at random for a spot check in depth. The Commission might follow the same course by requiring narrative and detailed accounts of past operations, and, in addition to acting on specific complaints, choose a certain number of renewal applications of all the licensees in a particular community for close examination, requiring more detailed information where necessary, and setting questionable cases for hearing. The procedure would include consideration of advertising practices, material which has been advertised, and action taken on complaints by the FTC. The procedure should emphasize a comparison of the licensee's actual performance with the promises he made as to his programs and operations when his license was originally granted or last renewed. The licensees would thus be put on notice that from time to time they might have to give a detailed accounting as to their operation in the public interest.<sup>20</sup>

Further, the Commission, considering a licensee's qualifications during a license renewal hearing, may use existing inter-governmental relationships for aid in the determination of deceptive advertisements. For example, the FCC and FTC have already established a convenient working relationship between themselves.<sup>21</sup> Thus while the FCC could have assistance in determining whether a particular ad is deceptive, they alone would make a determination as to whether or not a licensee adhered to the standards for the elimination of deceptive ads. Ultimately, a licensee who failed to adhere to these standards could receive a letter of censure, be granted a short term license renewal, have its application for license renewal denied, or have its license revoked.

Wherefore, these arguments considered, the Commission is respectfully requested to issue an appropriate notice of proposed rule making looking toward the adoption of these standards designed to eliminate deceptive advertising on television.

Respectfully submitted,

TERMINATION OF UNFAIR  
BROADCASTING EXCESSSES,  
JONATHAN S. BOWERS,  
LAURENCE H. COHN,  
PETER M. NEMKOV,  
RICHARD PORTUGAL.

### APPENDICES

Appendix A consists of a complete text of the proposed Code of standards.

Appendices B-F consist of a representative sampling of advertisements which may be deceptive. These ads have been broadcast within the last two months in the Washington metropolitan area by the three major networks: CBS, ABC and NBC (not in RECORD).

#### APPENDIX A: CODE OF STANDARDS

##### I. General statement and considerations

(a) This proposed code establishes basic standards which define and regulate decep-

tive advertising on television. The code develops principles of aesthetic and ethical considerations and incorporates criteria which identify misleading advertisements. The intent is to foster Commission acceptance of its regulatory obligations and maximum utilization of current enforcement policies.

(b) Broadcast licensees have certain responsibilities and obligations to the public in relation to media advertising.

1. Advertising messages should be presented with courtesy and good taste and function in accordance with the highest standards of ethical sensitivity, acceptability, and discretion in regard to the average viewing public.

2. Broadcast licensees must understand the great impact and effect of media advertising upon the general public, especially children and youth.

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(a) Misrepresentation of facts to induce the purchase of goods.

(b) Misrepresentation as to the implications derived from the totality of the deceptive advertisement.

(c) Failure to disclose material facts.

### III. Enforcement

The Commission shall, upon reasonable notice, take appropriate action against licensees who fail to comply with the provisions of these standards. Appropriate action by the Commission is limited to only those sanctions provided for in the Communications Act.

#### FOOTNOTES

<sup>1</sup> *The Medium is the Message*, Marshall McLuhan, Bantam Books, New York, 1967.

<sup>2</sup> Lazerfeld, Paul and Robert Merton, "Mass Communication, Popular Taste, and Organized Social Action," *Mass Communication*, ed. Wilber Schramm (University of Illinois Press, Urbana, Illinois, 1960).

<sup>3</sup> Leavitt, Dr. Clark, "The Communication Response," *Psychology in Media Strategy*, ed. Leo Bogart (American Marketing Association, 1966), p. 27.

<sup>4</sup> Ittleton, Professor William H., *Psychology in Media Strategy*, ed. Leo Bogart (American Marketing Association, 1966), p. 44. (\*) To illustrate by example: A housewife has viewed three different ads for a detergent: the first states "X detergent will get your wash clean"; in the second, a wash cleaned with Y is compared with another and it is stated "Y gets wash cleaner". The third shows the same comparison but it is stated that "Z with bio-enzyme will get wash whiter than white—bright!" The housewife is most stimulated by the most extravagant claim. Originally she thought that the brand she was using was adequate. Now she is told that Z is the best and this creates uncertainty. She resolves her conflict by purchasing brand Z to test the validity of the claims.

<sup>5</sup> McGuire, Dr. William J., *Psychology in Media Strategy*, ed. Leo Bogart (American Marketing Association, 1966), p. 71.

<sup>6</sup> Gerhold, Paul E. J., "Basic Research and Advertising Practice: A Dialogue," *Psychol-*

ogy in Media Strategy, ed. Leo Bogart (American Marketing Association, 1966), p. 68.

<sup>7</sup> Report of the National Advisory Commission on Civil Disorders, (New York, Bantam Books, 1968), Chapter 4.

<sup>8</sup> The Television Code of the National Association of Broadcasters, 14th ed. (1969), section X, 3.

<sup>9</sup> Bliven, Bruce, "Annals of Business," *The New Yorker*, Vol. 39 (March 23, 1963), pp. 83-84.

<sup>10</sup> Whiteside, Thomas, "Annals of Television," *The New Yorker*, Vol. 45 (September 27, 1969), p. 78.

<sup>11</sup> Report of the ABA Commission Report to Study the Federal Trade Commission. American Bar Association, September 15, 1969, p. 35.

<sup>12</sup> The ABA Commission report states: "The number of investigations in that Bureau (Deceptive Practices) pending in 1969 (about 800) also is down sharply from the highs in the period 1962-64 (about 1200 to 1350 per year). But again in terms of the length of time investigations remain in a pending status, the percentage pending 'over 2 years' was 52% in 1969, more than double the figure in each year during the period 1962-64 and substantially higher than any single year since 1962." (*Workload and Manpower Reports*) (ABA Commission Report, p. 30.)

<sup>13</sup> An exception to this involves those deceptive commercials discussed in Section 12, 15 U.S.C. Section 52, i.e., "any false advertisement" likely to induce the purchase of foods, drugs, or cosmetics. In these cases, if the Commission should feel that delay during the pendency of administrative proceedings will work prejudice to the public due to the continued circulation of allegedly deceptive advertisements, it has available the recourse to the federal district court for a temporary injunction provided in Section 13(a) of the Act, 15 U.S.C. Section 53(a).

<sup>14</sup> In recent years, there has been a noticed decline in the Commission's use of formal enforcement procedures. This is revealed through an investigation into the workings of the Bureau of Deceptive Practices. The ABA Commission Report, stated that this bureau has over recent years issued fewer and fewer formal complaints. It issued 177 formal complaints in 1961, but only 129 in 1964. The number issued then fell to only 45 in 1968 and to 65 in 1969. Corresponding to this decrease in formal complaints, has been a decrease in the number of cease and desist orders issued after formal litigation. The Bureau of Deceptive Practices issued 180 cease and desist orders in 1961 and only 68 in 1969. (*Workload and Manpower Reports*) (ABA Commission Report, pp. 20-21).

<sup>15</sup> Edwards, Phil. "Deceptive Regulation," *Time*, Vol. 79, March 23, 1962, pp. 73-74.

<sup>16</sup> Geller, Max. "Madison Avenue v. The FTC," *Time*, Vol. 79, February 2, 1962, p. 61.

<sup>17</sup> Baren, Warren. Speech before the Advertising Age Media Work-Shop, December 3, 1969.

<sup>18</sup> *Ibid.*

<sup>19</sup> "3 Billion in Stations Down the Drain?" *Broadcasting*, Vol. 76 February 3, 1969, p. 19.

<sup>20</sup> That this phrase is important is evidenced by its presence in Section III of the Communications Act no less than 14 times. Sections 303, 307(a), 307(d) twice, 309(a), 310(b) twice, 311(b), 311(c) (3) twice, 316(a), 317(d), 318 and 319(d).

<sup>21</sup> *Statement of Policy*, FCC Public Notice No. 60-970 (1960).

<sup>22</sup> *Licensee Responsibility with Respect to the Broadcast of False, Misleading, or Deceptive Advertising*, FCC Public Notice No. 61-1316 (1961).

<sup>23</sup> *Ibid.*

<sup>24</sup> *FCC Notice of a Proposed Rule Making*, FCC Public Notice No. 63-467 (1963).

<sup>25</sup> *Ibid.*

<sup>26</sup> Laurent, Lawrence (ed.) *Equal Time:*

*Private Broadcaster and the Public Interest*, Atheneum, New York, 1964, pp. 85-86.

<sup>27</sup> *Liaison Between FCC and FTC Relating to False and Misleading Radio and T.V. Advertising*, FCC Public Notice No. 57-172 (1957).

#### POLICE CHIEFS, PLEASE COPY EXAMPLE OF INDIANAPOLIS

#### HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. BRAY. Mr. Speaker, one of the most novel, effective, and yet basically simple ideas to be put into practice in the war on crime in cities has been developed by the Indianapolis Police Department. Policemen assigned to patrol cars take them home with them; under the orders of Police Chief Winston Churchill, they are to be used for personal errands, and in so doing Indianapolis has 450 police patrol cars on the city streets at all times.

The results have been dramatic. The following story from the February 22, 1970, issue of *Parade* tells how and why:

#### POLICE CHIEFS, PLEASE COPY

Indianapolis, Ind., is a fortunate city. It has a progressive mayor, Richard Luger, 38, a former Rhodes scholar from Denison College.

It also has a progressive police department headed by Winston Churchill, 44, and his assistant, Frank Spallina, 43, both Luger appointees.

A year ago these gentlemen came up with a novel idea. As a deterrent to city crime, they ordered policemen assigned to patrol cars to take the cars home with them. "In your off-duty hours," Churchill explained to the surprised squad men, "these cars are for your personal use. Take the wife shopping in them. Drive your kids to the movies. Those of you who are single, use your car for dating purposes if you like. The idea is to get the cars out on the streets where they can be seen.

"In exchange for using the cars, all we ask of you is that you keep the radio on and respond to police calls."

As a result of this practice, Indianapolis now has 450 police cars out on patrol or in visible use all the time. Says assistant chief Spallina: "Because of this system we've had more than 100 felony apprehensions by our men in off-duty cars. We've been able to foil a bank robbery, several bar stickups, all kinds of felonies.

"In the past we only had 110 cars on the street at any one time. Now we're using 450 cars around the clock, and our citizens couldn't be more pleased. We had one off-duty officer riding around with his 3-year-old son when he heard a radio call on a bar robbery. He raced to the scene of the crime and helped apprehend the criminal."

Indianapolis policemen are also taking better care of their vehicles.

Chief Churchill, who gets kidded a good deal about his famous name, plans to extend the same personal-use system to an additional 60 surveillance cars used by his detectives.

"That will give us 510 cars on the streets," explains Spallina, "which is not bad for a police department which numbers 1086 men. Our idea is working because crime rates in every classification have gone down. The presence of a police car means a policeman is nearby, and that's what deters crime in so many cases.

#### PATRIOTISM—A PERSONAL EMOTION

#### HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. MURPHY of New York. Mr. Speaker, as we embark on a new decade, the American Legion begins its 51st year of meritorious service to veterans and their families. Patriotism, unabashed and undying, is one of the Legion's most important products. It is therefore fitting that the following address on patriotism be included in the RECORD. Mr. Leonard M. Shayne, president of the National Customs Brokers and Forwarders Association of America and a Legionnaire, reminds us all in his Veterans Day address at the Port of New York Customhouse that patriotism is a personal emotion, but one worth sharing. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include Mr. Shayne's moving address:

#### SPEECH BY LEONARD M. SHAYNE

Fellow Americans, fellow veterans, my remarks are highly personal for I consider that patriotism is a personal emotion. Therefore, I am honored to be able to address you today but at the same time I am somewhat embarrassed to discuss what have been my private thoughts.

Men have created many beautiful works of art—some of the greatest of these I have been privileged to see and to admire the world over. But no other thing man has made gives me the thrill, the excitement that I feel when I see my flag, the flag of our country, our star spangled banner. Its brilliant colors, its shape, its design are to my eyes a thing of never ending beauty.

Yet, I ask myself, Are red and white and blue any more beautiful colors than green or yellow or any other color? Do not men of equal critical faculty to ours admire their own national flags as much? If I am an honest man, must I therefore not admit that my flag is beautiful to me because my eyes see the symbol but my heart and mind see something else beyond? Without doubt it is the love of country which makes us admire our flag, and without doubt when we pay our reverent respects to our flag, we try to express our attitude towards our country.

Our country! The country we love. The wondrous, rich, bountiful land which by grace of God we were born in. The land to which by His grace, and by our courage and intelligence, or that of our forefathers, we migrated. It is a lovely land. No river or valley exceeds in majesty that of our own Hudson. No seacoast is superior in beauty to that of Maine, nor beaches to those of Cape Cod, nor mountains to the Grand Tetons. One could catalog our nation's natural wonders for hours. It is easy to love the beautiful handiwork of nature we find here—it is easy to love our remarkable land. But, stop now—what of the sights of other countries that I have seen—the towering Alps, the Mediterranean coasts, the rolling green fields of England and of Ireland. Surely these are beautiful too. It cannot be only the land of America that I love for the wonders of nature are everywhere in the world.

Perhaps it is the works of my fellow men I see about me which inspires my admiration—this towering city, our institutions, museums and universities, our places of worship, our public monuments such as this magnificent building in which we are assembled. I admire so many of them, and I

am proud to see what my countrymen have built. But, my friends, there is Paris, London, and Rome—there are the wondrous remains of Ancient Greece. And, in all truth, what we have made here may be bigger or different and we may prefer it to what men have created elsewhere because it is our creation, but it is hard indeed to say that ours is better in the absolute sense than that which other men have created elsewhere.

Perhaps my love of country is based upon the beauty of our people—but in truth our people are but the immediate descendants, and in many cases of the same generations, as their brothers and sisters of other continents. We do not have our own language. Most of our customs are not our own. Our people are vigorous and creative and have that special spirit which is "Americans." But all in all we are not native to this land. We are native to the whole world. They are us, and we are they.

Our form of government is surely to my preference. I like the fact that I can speak my mind and vote secretly as I choose. I cherish the right to believe or not believe as I choose, to worship as I choose, to aspire as my imagination leads me. I value the security of my home and I feel that it is secure. I value the knowledge that the corner cop is there to protect me, the certainty that our citizen armed forces are our defenders—the mighty arm of civilian government, the knowledge that our courts presume every man innocent of wrongdoing until proven guilty, the sense of government by the people for the people which finds each public official to be at once a citizen like me and at the same time a man of conscience, and a servant of the people. The entire fabric of democratic government chosen by a free and educated electorate is necessary to me. Yet, the citizens of Great Britain, the Scandinavian countries, France, our Canadian neighbors and many others in today's world have a basically similar atmosphere of government.

I ask myself then, what is it that makes an American love his country? What should he love about it? Why do I?

It is the *idea* of it. Not the symbols, not the flag, not just the land, nor the things we have wrought, nor our people who are our partners during these brief years we have on earth, but the totality of the *idea* of America which is unique and precious and superior to any other *idea* of nationality that has existed and survived.

Thomas Jefferson and the founders of our country summed it up better than I can.

"We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

This is what we fought for in war. This is what we worked for in peace. This is what Americans have died for on battlefields around the world. This is what Americans live for and work for at all times.

Friends, I thank you for inviting me to speak to you on this important occasion because it has given me an opportunity to consider seriously these matters which we tend to forget during our busy daily lives. Fellow citizens, I repeat—patriotism is a personal matter, and I admonish myself as follows (for I do not presume to suggest to others), I admonish myself: Wave the flag for the sake of the pleasure it may give you, but remember the republic for which it stands. Work for the ideals of that republic, for much remains to be accomplished. Love your country—be proud of its heroes—but do what you can to make their sacrifices worth while. Regretfully, the dead are dead, no pomp or circumstance can affect them or bring them back. So, think of their families, think of their loved ones, think of their ideals. Think of those who are fighting for our country today on foreign fields, think of their loved ones and those who love them. Think of all our living fellow Americans everywhere who need us. Think of the living who are in pain,

or in want, or who suffer injustice. And, thus remembering, let me express my appreciation of the privilege of being an American not alone by my thoughts or by my words, but by my deeds of every day.

#### A NEW ECONOMIC THEORY

### HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. LANGEN. Mr. Speaker, on November 21, 1966, I introduced into the RECORD a newspaper article on inflation that was published in the Duluth Herald. It was written by William D. Partridge, editorial director of the book-in-the-making "Economic Inequities."

Mr. Partridge's book consists of three parts: First, 50 articles in 50 daily newspapers in 50 States; second, 50 coauthor analyses of the newspaper articles by substantial professional economists and other social scientists, and, third, congressional remarks from time to time by 50 Members of the Senate and House of Representatives. The book is now in 44 of the 50 States, and has located and publicly announced 40 of the 50 coauthors. The book's profits or royalties in entirety go to American colleges and universities.

A year ago, I wrote to Mr. Partridge about the newspaper articles, as follows:

They are as current now as when written, some even more pertinent. The problems discussed remain, and the solutions still seem to escape the bulk of our economists.

Inflation, which is the subject of the Minnesota article, certainly bears out this comment.

Mr. Partridge has visited me to tell of an observation he has made concerning certain mathematical relationships that seem to exist between debt, production, and inflation. He calls it the debt-production ratio, or DPR. I have read his original DPR account, which I include as a part of these remarks, and, while I am not an economist myself, it makes much sense to me. I sincerely hope our body of professional economists and others in the business and labor communities will investigate this DPR concept, for we all know that inflation is not under control. Mr. Partridge's original account follows:

THE TRIPARTITE RELATIONSHIP BETWEEN CREDIT, PRODUCTION, AND INFLATION: THE DEBT-PRODUCTION RATIO AS AN INDEX OF TOTAL CAPITAL FORMATION OR CONSUMPTION

(By William D. Partridge)

Government expenditures numerically increase monetary, fiscal, and business statistics, but they do not increase economic wealth except in socialistic, fascist, or communist societies. Tax dollars taken from the producing economy to purchase a fighter aircraft (albeit needed), to finance a welfare situation or way-of-life, or to support a civil service (much of which is needed) do not increase economic production or real wealth. Since the stone age, economic activity has been rationalized to produce and trade goods and needed services for an ever-increasing standard of living. This constant movement forward to higher and higher standards of living is activated and fed by an individual's profit motive, which motive is not born of greed, as some would put forth, but of in-

stinct. There is no moral problem involved, for instincts are not man-made. Governments are not individuals, and they have no instincts: they are man-made and in the natural order are subservient to the individuals who made them. Recognition of Government as an economic entity or as a human super-father is destructive to the individual as an individual, is psychopathologically wrenching to man's natural instincts, and, finally, is preclusive to pure economic analysis, which is the subject under discussion. Examination of the economic or real credit structure, therefore, must be confined to the private sector if one is to learn just what is actually "bought and paid for."

During the seven years 1962-1968, Non-Governmental Gross National Product (total GNP less Governmental Expenditures) as a percent of total net private debt has steadily declined from the low of 60.7% in 1962 to the still lower 52.6% in 1968.

Put in reverse, more clearly, the private sector owed 1.647 times as much as it produced in 1962. (\$659.5 Billion owed ÷ \$400.4 Billion produced = 1.647.) In 1962, the private sector owed 165% of what is produced.

Right here, in 1962, is the "tilt light" that most professional economists ignored. As the years passed, the "tilt light" glared ever brighter: but few in economics or in business stopped to play the game according to the rules. Man's instinct for profit (like other instincts) cannot be legislated out of existence. Nor can it be equated with his intelligence. The fact that paper profits make paper tigers and paper economies was not a controlling influence. To wit: The seven-year period (1962-1968) percents for amounts owed in relation to amounts produced are as follows, starting with 1962—165%, 170%, 173%, 175%, 176%, 184%, 190%. In other words, in 1968, we owed almost twice what we produced.

Note well: The 1966 increase was the smallest increase in the whole series of debt-production ratio (DPR).

Now, the Consumer Price Index (CPI) percent increase for the seven years lagging by one (1963-1969) were as follows, starting with 1963—1.2%, 1.3%, 1.7%, 2.9%, 2.8%, 4.2%, 5.4%. Six of the seven years showed price-increase rates higher than the year before. The one year showing no rate increase was 1967, which followed immediately the lowest debt/production ratio (DPR) increase—that for 1966.

This, presumably, is a brand-new, 3-way relationship between credit, production, and inflation, each element in the whole picture being part and parcel of the other two taken together. A more complicated linear-correlation methodology, it is submitted, might establish the DPR as a prime economic indicator, a tool, for realistic macroeconomic analysis.

The CPI is the glamor index of price watchers who watch prices. The DPR is much more than a mere index, for its main importance is the key to positive operational procedure. "Gradualism" just might work with the DPR, which is causal, whereas "gradualism" won't work with the CPI, which is resultant.

In order to reduce the CPI for 1971, we must forcefully reduce the DPR for 1970. If reduction of the DPR became national economic policy in fact, then prices might start to come down immediately through human expectation, which is not dependable. On the other hand, once DPR reduction were in force in fact, prices would eventually come down, certainly not continue upward, because of economic logic, which is dependable.

As long as the DPR is over 100%, that long will there be inflationary pressures as well as a real capital formation less than real capital consumption. This is true whether or not total government spending is in deficit. Public deficit spending, or public excessive spending not in deficit, means so

much more real capital taken from the producing economy. This, in turn, reduces production and expands the need for private borrowing. The numerator (D) goes up, the denominator (P) goes down, the whole DPR goes up.

Given no decrease in the U.S. standard of living, Environmental Control is an economical impossibility as long as the DPR is greater than 100%.

#### ESTONIAN INDEPENDENCE DAY

### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1970

Mr. WOLFF. Mr. Speaker, we should all give pause today to honor a nation

whose people have shown indefatigable courage despite centuries of Communist control. I am speaking of Estonia, a land which today celebrates her 52d anniversary of her declaration of independence.

Indeed, it is well that the United States has always supported this courageous nation's attempt to regain her own identity—an identity which she held for only two decades. By acknowledging Estonian diplomatic and consular representatives in this country, we have reaffirmed that this freedom loving land should have the right to her independence.

Through years of Communist aggression and terror, Estonia has not been afforded the opportunity for her culture and her people to grow and flourish freely. Instead, as we know, she has re-

mained under a shadow of intimidation and hardship. Yet, despite this most unfortunate situation, her people have never lost hope of achieving liberty and freedom once again.

But, in order to do this, they must receive the support of all who are already free, all who already know the precious nature of independent thought and independent expression.

I would therefore like to take this opportunity to reaffirm our support of efforts to gain freedom for mighty Estonia and all other nations who remain under Communist control. May each one of us hold this matter among those of top priority until we gladly can say that independence has been restored to all lands and the world is truly at peace.

## HOUSE OF REPRESENTATIVES—Wednesday, February 25, 1970

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*And now abideth faith, hope, and love, these three; but the greatest of these is love.—1 Corinthians 13: 13.*

O God and Father of mankind we call to mind before Thee the men and women who come from other lands to visit our country and to study at our universities in an attempt to learn something about our way of living. Keep alive in them and in us the love of that which is good that goodness may live in all our hearts.

Particularly do we pray for the President of France who visits us this day. Guide his country and ours that together we may walk in Thy ways and make freedom, justice, and peace an increasing reality in our troubled world. Let no bitterness separate us, but may good will fill our hearts and bind us together in a fellowship of kindred minds seeking the good of all mankind.

In the spirit of the Prince of Peace we pray. Amen.

#### THE JOURNAL

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

#### MESSAGE FROM THE PRESIDENT

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

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 515. An act to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and

otherwise to strengthen the food service programs for children in schools and service institutions; and

H.R. 14944. An act to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 80-816, appointed Mr. BIBLE, Mr. SPONG, Mr. ALLOTT, and Mr. SCHWEIKER to be members of the Board of Visitors to the U.S. Naval Academy.

The message also announced that the Vice President, pursuant to Public Law 84-1028, appointed Mr. PASTORE, Mr. MOSS, Mr. BOGGS, and Mr. DOMINICK to be members of the Board of Visitors to the U.S. Air Force Academy.

The message also announced that the Vice President, pursuant to Public Law 84-1028, appointed Mr. CANNON, Mr. MCGEE, Mr. HOLLINGS, and Mr. PEARSON to be members of the Board of Visitors to the U.S. Military Academy.

#### RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair. Accordingly (at 12 o'clock and 3 minutes p.m.), the House stood in recess subject to the call of the Chair.

#### JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY THE PRESIDENT OF THE FRENCH REPUBLIC, GEORGES POMPIDOU

The SPEAKER of the House presided. The Doorkeeper (Hon. William M. Miller) announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to conduct the President of the Republic of France into the Chamber the gentleman from Oklahoma (Mr. ALBERT), the gentleman from Louisiana

(Mr. BOGGS), the gentleman from New York (Mr. CELLER), the gentleman from Michigan (Mr. GERALD R. FORD), and the gentleman from Illinois (Mr. ARENDS).

The VICE PRESIDENT. Pursuant to the order of the Senate, the following Senators are appointed to accompany the committee of the House to escort the President of France, Georges Pompidou, into the House Chamber: RICHARD B. RUSSELL of Georgia, MIKE MANSFIELD of Montana, EDWARD M. KENNEDY of Massachusetts, ROBERT C. BYRD of West Virginia, J. W. FULBRIGHT of Arkansas, HUGH SCOTT of Pennsylvania, ROBERT P. GRIFFIN of Michigan, GORDON ALLOTT of Colorado, MILTON R. YOUNG of North Dakota, and GEORGE D. AIKEN of Vermont.

The Doorkeeper announced the Ambassadors, Ministers, and Charges d'Affaires of foreign governments.

The Ambassadors, Ministers, and Charges d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 30 minutes p.m., the Doorkeeper announced the President of the French Republic.

The President of the French Republic, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, I have the high privilege and the great honor of presenting to you the President of the Republic of France.

[Applause, the Members rising.]

#### ADDRESS BY THE PRESIDENT OF THE FRENCH REPUBLIC, GEORGES POMPIDOU

President POMPIDOU. Mr. Speaker, I thank you for the noble words which you have spoken to introduce me. Through me, they are addressed to France, where