nized for not to exceed 15 minutes; after which there will be a brief period for the transaction of routine morning business, not to exceed 15 minutes with statements therein limited to 3 minutes, following which the Senate will proceed to the consideration of the conference report on H.R. 514.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, March 24, 1970, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate March 23, 1970:

FEDERAL POWER COMMISSION

John N. Nassikas, of New Hampshire, to be a member of the Federal Power Commission for the term of 5 years expiring June 22, 1975. (Reappointment)

U.S. MARSHAL

William B. Henderson, of Kentucky, to be U.S. marshal for the western district of Kentucky for the term of 4 years vice Harry M. Miller, retired.

CONFIRMATION

Executive nomination confirmed by the Senate March 23, 1970:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Robert Harry Nooter, of Missouri, to be an Assistant Administrator of the Agency for International Development.

EXTENSIONS OF REMARKS

SITUATION IN GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. EDWARDS of California. Mr. Speaker, the situation in Greece seems to be worsening every day. Not only are more and more individuals suffering the barbarism of a government which uses torture to keep its citizens in line, but the country which was the first democracy and remained a symbol to the free world for years, under the reign of the junta is turning more and more toward the East and away from the principles of freedom. I request that two articles which appeared in the most recent issue of News of Greece be included in the RECORD. The first is the preface from a new book by James Becket, "Barbarism in Greece," whose report for Amnesty International was the first comprehensive account of the use of torture by the Greek junta. The second describes the growing alliance of the junta with the Eastern European countries, while still enjoying a great deal of military support from the United States. How can the United States, in good conscience, still continue its support for such a government?

The articles follow:

BARBARISM IN GREECE

The subject of this book is horrible. Torture belongs on the darkest side of human behavior, yet in the Greek case there are entries to be made on the credit side of the human ledger. People outside of Greece, especially in Europe, have cared about what was going on, and public opinion has played a role. The European Press has vigorously pursued the subject. The international community through its oragnizations has shown that it is willing to try to do something about it. The Scandinavian governments brought their case before the European Commission of Human Rights not for any commercial or territorial advantage, but because they believed in human rights. Despite pressure from many sides, they had the perseverance to see the case through to its conclusion. The members of the Commission conscientiously discharged their duty, concluding that the Greek regime tortures political prisoners as a matter of policy. Most important of all. Greeks themselves, at great personal sacrifice, had the courage to tell their stories and give their names.

I am convinced that because of this fewer Greeks have been tortured than would have been if the regime had a free hand. Efforts from abroad, however, have their limits, which are tragically demonstrated by the fact the regime continues to torture prisoners. In a sense the possible international effort has now been made, and torture has not been stopped. The future is uncertain. All that has happened, all that is described in these pages cannot be simply forgotten by Greeks. If there is not a change soon, it is difficult to see how Greece can avoid great bloodshed.

GREECE AND THE WORLD: JUNTA TURNS EAST

Relations between the colonels and their Communist neighbors have always been based on expediency, rather than on the ringing denunciations of "communism" and "fascism" which the two parties have uttered for public consumption. They have become especially close in the past year, as both have been estranged from the West European democracies by the objections of the latter to torture in Greece and the invasion of Czechoslovakia.

Two recent developments are especially striking. One is the conclusion of a new economic agreement with the U.S.S.R., under which Soviet exports to Greece are to be stepped up and receive most-favored-nation treatment. At the same time, the Soviet Union is to send technicians to the area north of Kavalla to look for peat (and according to some reports other minerals) and prepare plans for electric production based on it. Greece is to pay for this survey with some of its perennially surplus tobacco. From the Soviet point of view, however, one cigaret might seem an adequate recompense. For the area in question is the site of major American top-secret radar installations. And the Soviet technicians, hunting for minerals with the aid of modern electronic devices, might reasonably be expected to discover other things as well.

The second development is the resumption of trade with Albania for the first time since the end of World War II. The announcement of this agreement between the junta and Communist China's only satellite does not specify what commodities are involved. An appropriate exchange, however, might give Greece a supply of the little red book of Mao's thoughts in return for an equal quantity of the book in which Papadopoulos has embalmed his commentaries.

The junta has also decided to station a permanent trade representative in East Germany, while agreeing to increase its trade with Bulgaria. And Hungary has sent a trade delegation to Athens in connection with the holding of a "Hungarian Festival" there—at a time when the intellectual and artistic world of democratic countries is engaged in a cultural boycott of the Greek dictatorship. "Agreement in principle" has also reportedly been reached on a trade pact with Peking.

The junta will certainly find itself more at home ideologically with the Eastern dictatorships than with the democracies which just chased it out of the Council of Europe. Yet in the present state of the world Papadopoulos may soon find himself faced with the necessity of making an agonizing choice between Moscow and Peking: "Under which king, Bezonian? Speak or die!"

FINAL ACTIONS IN APPROPRIATION BILLS, 91ST CONGRESS, FIRST SESSION—INCLUDING FOREIGN ASSISTANCE AND LABOR-HEW-OEO

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. MAHON. Mr. Speaker, as Members will recall, when the House adjourned sine die on December 23 last, two of the appropriation bills for the current fiscal year 1970 had not been finally enacted—the foreign assistance bill and the Labor-HEW-OEO bill. Conference reports on both bills were pending at adjournment.

Summaries of the appropriations business of the session—including those in the CONGRESSIONAL RECORD, volume 115, part 30, page 41213—were made on the basis of the enacted bills plus the amounts in the two conference agreements.

The session-end summaries on the foregoing tentative basis disclosed that in the appropriation bills Congress had, with respect to budget requests for fiscal year 1970 appropriations, reduced the President's budget request by the net amount of $5,604,000,000.

In the final enactments with respect to the two pending bills on which action has now been completed, further reductions, aggregating $766,659,624, were made. The foreign assistance bill was reduced $54,650,000 from the original conference agreement. In the enacted Labor-HEW-OEO bill, H.R. 15931, further reductions, aggregating $712,009,624, were made from the conference agreement on H.R. 13111 which the President vetoed and the House failed to override. The $365,233,000 of the latter sum was in reductions

against specific items. The remainder, $346,776,624, is the 2-percent reduction imposed by section 410 of the bill.

Thus, Mr. Speaker, the revised aggregate net reduction by Congress in budget requests for appropriations for fiscal year 1970 in the appropriation bills is $6,370,000,000, that is, $766,000,000 more than the previously reported figure of $5,604,000,000.

I include a revised comparative table by bills of the session:

FINAL ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS—91ST CONG., 1ST SESS. (AS OF DEC. 23 1969), 91ST CONG., 2D SESS. (AS OF MAR. 5, 1970)

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	House actions			Senate actions		Enacted	(+) or (−), latest action compared with budget requests
	Budget requests considered	Reported by committee	Approved by House	Budget requests considered	Approved by Senate		
A. Bills for fiscal 1970:							
1. Treasury-Post Office (H.R. 11582) (net of estimated postal revenues appropriated)	[2] $2,314,714,000	[2] $2,272,332,000	[2] $2,272,332,000	[2] $2,314,714,000	[2] $2,280,195,000	[2] $2,276,232,000	−$38,482,000
(Memoranda: Total, including authorizations out of postal funds)	(8,821,727,000)	(8,779,345,000)	(8,779,345,000)	(8,821,727,000)	(8,787,208,000)	(8,783,245,000)	(−38,482,000)
2. Agriculture (H.R. 11612)	6,967,562,050	6,806,655,000	6,806,655,000	7,237,562,050	7,642,797,650	7,488,903,150	+251,341,100
3. Independent offices-HUD (H.R. 12307) (including 1971 advance)	15,380,413,600	14,907,089,000	14,909,089,000	15,512,969,600	[3] 14,985,449,000	15,111,870,500	−401,099,100
(Fiscal year 1970 amounts only)	(15,205,413,600)	(14,732,089,000)	(14,734,089,000)	(15,337,969,600)	[3] (14,985,449,000)	(15,111,870,500)	(−226,099,100)
4. Interior (H.R. 12781)	1,390,096,500	1,374,434,000	1,374,286,700	1,390,856,500	1,382,766,900	1,380,375,300	−10,481,200
5. State, Justice, Commerce, and Judiciary (H.R. 12964)	2,475,704,600	2,534,134,200	2,335,634,200	2,475,704,600	2,382,354,700	2,354,432,700	−121,271,900
6. Labor-HEW-OEO:							
The vetoed bill (H.R. 13111)	16,495,237,700	16,651,039,700	17,573,602,700	[4] 19,834,125,700	21,363,391,700	19,747,153,200	−86,972,500
(Fiscal year 1970 amounts only)	(16,495,237,700)	(16,651,039,700)	(17,573,602,700)	(18,608,125,700)	(20,245,811,700)	(19,747,153,200)	(+1,139,027,500)
The approved bill (H.R. 15931)	18,608,125,700	19,301,520,200	19,381,920,200	[4] 19,834,125,700	[5] 19,035,143,576	[5] 19,035,143,576	−798,982,124
(Fiscal year 1970 amounts only)	(18,608,125,700)	(19,301,520,200)	(19,381,920,200)	(18,608,125,700)	[5] (19,035,143,576)	[5] (19,035,143,576)	(+427,017,876)
7. Legislative (H.R. 13763)	311,374,273	284,524,057	284,524,057	372,152,949	342,310,817	344,326,817	−27,826,132
8. Public works (and AEC) (H.R. 14159)	4,203,978,000	4,505,446,500	4,505,446,500	4,203,978,000	4,993,428,500	4,756,007,500	+552,029,500
9. Military construction (H.R. 14751)	1,917,300,000	1,450,559,000	1,450,559,000	1,917,300,000	1,603,446,000	1,560,456,000	−356,844,000
10. Transportation (H.R. 14794) (including 1971 advances)	2,090,473,630	2,095,019,630	2,095,019,630	2,090,473,630	2,147,152,630	2,143,738,630	+53,265,000
(Fiscal year 1970 amounts only)	(1,840,473,630)	(1,875,019,630)	(1,875,019,630)	(1,840,473,630)	(1,947,152,630)	(1,929,738,630)	(+89,265,000)
11. District of Columbia (H.R. 14916) (Federal funds)	228,842,000	188,691,000	188,691,000	228,842,000	173,547,000	168,510,000	−60,332,000
(District of Columbia funds)	(751,575,300)	(683,106,300)	(683,106,300)	(752,944,300)	(657,064,600)	(650,249,600)	(−102,694,700)
12. Defense (H.R. 15090)	75,278,200,000	69,960,048,000	69,960,048,000	75,278,200,000	69,322,656,000	69,640,568,000	−5,637,632,000
13. Foreign assistance (H.R. 15149)	3,679,564,000	2,558,020,000	2,608,020,000	3,679,564,000	2,718,785,000	[7] 2,504,260,000	[7] −1,175,304,000
14. Supplemental (H.R. 15209)	298,547,261	235,057,761	244,225,933	314,597,852	296,877,318	278,281,318	−36,316,534
Total, these bills—							
As to fiscal 1970 (including the vetoed Labor-HEW-OEO bill)	132,607,007,614	125,428,049,848	126,213,133,720	135,200,040,881	130,317,578,215	129,541,115,115	−5,658,925,766
As to fiscal 1970 (including the approved Labor-HEW-OEO bill)	134,719,895,614	128,078,530,368	128,021,451,220	135,200,040,881	129,106,910,091	128,829,105,491	−6,370,935,390
As to fiscal 1971 (including the vetoed Labor-HEW-OEO bill)	425,000,000	395,000,000	395,000,000	1,651,000,000	1,317,580,000	214,000,000	−1,437,000,000
As to fiscal 1971 (including the approved Labor-HEW-OEO bill)	425,000,000	395,000,000	395,000,000	1,651,000,000	200,000,000	214,000,000	−1,437,000,000
Total 1970 bills (including the vetoed Labor-HEW-OEO bill)	133,032,007,614	125,823,049,848	126,608,133,720	136,851,040,881	131,635,158,215	129,755,115,115	−7,095,925,766
Total 1970 bills (including the approved Labor-HEW-OEO bill)	135,144,895,614	128,473,530,368	128,416,451,220	136,851,040,881	129,306,910,091	129,043,105,491	−7,807,935,390
B. Bills for fiscal 1969:							
1. Unemployment compensation (H.J. Res. 414)	36,000,000	36,000,000	36,000,000	36,000,000	36,000,000	36,000,000	
2. Commodity Credit Corporation (H.J. Res. 584)	[6] 1,000,000,000	[6] 1,000,000,000	[6] 1,000,000,000	[6] 1,000,000,000	[6] 1,000,000,000	[6] 1,000,000,000	
3. 2d supplemental (H.R. 11400)	4,364,006,956	3,783,212,766	3,783,212,766	4,814,305,334	4,459,669,644	4,352,357,644	−461,947,690
Release of reserves (under Public Law 90-364)	(82,463,000)	(82,766,000)	(82,766,000)	(79,999,000)	(80,230,000	(80,230,000)	(+231,000)
Total, 1969 bills	5,400,006,956	4,819,212,766	4,819,212,766	5,850,305,334	5,495,669,644	5,388,357,644	−461,947,690
C. Cumulative totals for the session:							
1. Including vetoed Labor-HEW-OEO bill:							
House	138,432,014,570	130,642,262,614	131,427,346,486				−7,004,668,084
Senate				142,701,346,215	137,130,827,859		−5,570,518,356
Enacted				142,701,346,215		[7] 135,143,472,759	[7] −7,557,873,456
2. Including approved Labor-HEW-OEO bill:							
House	140,544,902,570	133,292,743,134	133,235,663,986				−7,309,238,584
Senate				142,701,346,215	134,802,579,735		−7,898,766,480
Enacted				142,701,346,215		134,431,463,135	−8,269,883,080

[1] In round amounts, the revised (April 1969) budget for fiscal 1970 tentatively estimated total new budget (obligational) authority for 1970 at $219,600,000,000 gross ($205,900,000,000 net of certain offsets made for budget summary purposes only), of which about $80,700,000,000 would become available, through so-called permanent authorizations, without further action by Congress, and about $138,900,000,000 would require "current" action by Congress (mostly in the appropriation bills). Also, the April Review of the budget contemplated budget requests for advance fiscal 1971 funding in 4 items totaling $1,661,000,000.

[2] These figures do not reflect the fiscal year 1970 budget proposal for postal rate increases, valued in the Summer Review of the 1970 budget at $315,800,000. Also, they do not reflect a revision downward of some $137,800,000 in postal revenues as estimated in the summer review.

[3] Reflects reduction of $175,000,000 for Appalachian highway program for 1970 and $175,000,000 for advance funding for 1971. Authorization act provided for contract authority in lieu of new obligational authority, with payments for liquidation to be appropriated later.

[4] Includes $1,226,000,000 fiscal 1971 advance funding estimate for elementary and secondary education, not considered by House in any bill (and not in the enacted bill).

[5] Reflects reduction of 2 percent ($346,776,624) imposed by section 410 of enacted bill (sec. 411 of Senate bill).

[6] Shifted from fiscal 1970 budget, a portion of which is technically classified in the budget as "liquidation of contract authorization" rather than as new budget (obligational) authority.

[7] Reflects further reduction of $54,650,000 (in the foreign assistance bill) as a result of the second conference agreement which took place in the 2d session.

Prepared in the House Committee on Appropriations.

THE CAREER EDUCATION PROGRAM

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. QUIE. Mr. Speaker, the career education program proposed in the President's long needed message on higher education reform will bring the Federal Government further into partnership with the State in the formation and improvement of post high school educational institutions in critical skill areas. These have shown their great potential for providing occupational programs at a lower cost per student than 4-year institutions can. However, many States have been unable to provide postsecondary opportunities for career education because of fiscal problems. The entrance of the Federal Government into the field with the States will insure that we will be able to meet the demand for postsecondary programs.

The problem of postsecondary education goes beyond the construction and staffing of junior colleges. What is also needed is a well-defined vocational and

technical education component in these schools, for we must recognize that all high school graduates need or can use a 4-year degree, while at the same time there is a growing need for technicians and trained personnel in industry, government, health, research, and many other fields. While not limited to them, the junior and community colleges are uniquely situated to provide these career programs, and yet many of the postsecondary institutions have not been able to provide these kinds of courses up until now. The emphasis of the President's message is on assisting the States in meeting the costs of starting new programs to teach critically needed skills. Thus, we can provide students with much-needed skills in fields in which they can establish careers. This is a most significant endeavor for the future of our country and its educational institutions. I urge my colleagues to join me in supporting this valuable program.

THE CLOSING OF TEXTILE PLANTS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, March 23, 1970

Mr. THURMOND. Mr. President, in furtherance of the remarks I made on Friday, March 20, concerning the plight of the domestic textile industry, I wish to place in the RECORD an article published in the Greenville News of March 18, 1970, and an editorial published in the Greenville News of Thursday, March 19, 1970, concerning the closing of two textile plants in South Carolina and one in North Carolina. As a result of these closings, 2,000 employees will be without work between March 27 and April 5.

These people are out of work as a direct result of the continuing imports of synthetic fiber.

This is tragic news, as 2,000 people will be without paychecks and income with which to support their families during this time. This is the reason why we must curb imports immediately.

Mr. President, I ask unanimous consent that the article, entitled "J. P. Stevens To Close Plants in North Carolina, South Carolina," and the editorial, entitled "Time To Act To Save Textiles," be printed in the Extensions of Remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

MONAGHAN, WATTS, TUXEDOS J. P. STEVENS TO CLOSE THREE PLANTS IN NORTH CAROLINA, SOUTH CAROLINA

J. P. Stevens & Co. Inc., confirmed Tuesday night that it would close two South Carolina plants and one in North Carolina for a week because of "poor business conditions and a need to adjust inventories."

A company spokesman said Monaghan mill here, the Watts plant at Laurens and the Tuxedo plant at Tuxedo, N.C., will be closed for the week, laying off more than 2,000 employees for the week of March 27–April 5.

An earlier report that the big Dunean mill Stevens operates at Greenville would be involved was denied by the company spokesman.

There were no other industry reports of other companies curtailing work at this time.

"We regret that business conditions are such that this curtailment has been necessary, but poor sales and abnormal inventories allow us no other choice.

"We are concerned that any of our people must lose work because of these conditions, one of the primary causes being the continuing imports of synthetic fibers such as these plants produce." the company official said.

The temporary layoffs brought an immediate reaction Tuesday in Washington, where 4th District Rep. James R. Mann reported he had taken the news to Chairman Wilbur Mills (D-Ark.) of the Ways and Means Committee and urged quick passage of pending legislation aimed at curbing textile imports.

"Although the reason given for the layoffs was simply 'business conditions,' I am persuaded that the great increase in cheap textile imports is at the root of the problem," Mann said.

"Mr. Mills was sympathetic and agreed that the situation is at the critical stage. I was very encouraged when he advised me that the committee would begin work on this problem 'very shortly'," Mann said.

Mann also said he was advising President Nixon of the development in this district "with the hope it will speed action by him."

"I feel Congress would give President Nixon any legislation he may need to deal with this critical problem that jeopardizes the economic well-being of so many people in our country," he said.

[From the Greenville News, Mar. 19, 1970]

TIME TO ACT TO SAVE TEXTILES

The one-week loss of work faced by more than 2,000 textile employes in Greenville, Laurens and Tuxedo, N.C., is a severe blow to them and their families and to the economy of this region and the state of South Carolina.

It represents a tragic loss of income for people who can ill afford it, especially as prices continue to rise. It is difficult to calculate the amount of individual hardship which will result from the shutdowns of Monaghan Mill in Greenville, Watts Mill in Laurens and the Tuxedo, N.C., plant during the week of March 27–April 5.

J. P. Stevens and Co., Inc., announcing the temporary closing of the synthetics fibers plants because of poor sales and rising inventories, rightly expressed concern for the people laid off for one week. There is cause for concern and reason to fear that more of the same may be in store in this region.

Although the textile industry long has been suffering general weakness in employment in the form of layoffs, overtime loss, curtailments and closing of some small, marginal plants, the drastic action by a major company brings home the full impact of the foreign imports problem faced by the industry, its workers and the region in which textile plants are concentrated.

The Stevens announcement noted that one of the primary causes for the shutdowns is "the continuing imports of synthetic fibers such as these plants produce."

This action by one of the nation's strongest textile companies ought to remove whatever doubts may have existed about the serious situation imposed on the industry by the unlimited flood of foreign imports into this country. There no longer is any excuse for Japan and other foreign countries to argue that the American textile industry has not been hurt.

At last report Japan continued to refuse any sort of voluntary agreement to limit the flood of Japanese textiles into the United States. That makes negotiations with other foreign nations impossible.

The time clearly has come for legislation to deal with a situation which threatens to ruin an industry vital to a wide area of the United States. Senators and House members from the textile area now must mount a concerted effort for relief in the form of action by Congress.

The time has come for the President of the United States strongly to advocate passage of relief legislation. President Nixon's administration has tried hard for months to deal with the Japanese. Apparently all efforts to negotiate have failed. As a result Mr. Nixon now must go to Congress in order to redeem the written pledge made to the textile industry and its workers to relieve them of the intolerable burden of unmerciful foreign competition in the domestic market.

The stark fact is that the textile industry cannot endure without serious damage the twin burdens of the domestic economic slowdown and unlimited foreign competition.

The nation cannot afford to let the industry deteriorate, because it is too important to the Southeast and to the effort to help lift minority groups up the economic ladder.

Rhetoric and maneuvering around no longer suffice. Concerted action by both the administration and Congress now becomes necessary.

IN MR. NIXON'S SILENCES IS A SHADOW OF A DOUBT

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. HELSTOSKI. Mr. Speaker, it appears that we have another credibility gap on our hands. This time as it relates to Laos.

It is well spelled out in the following column by Mr. Stuart H. Loory as carried in the Record of Hackensack, N.J., on March 12, 1970:

IN MR. NIXON'S SILENCES IS A SHADOW OF A DOUBT

(By Stuart H. Loory)

Now President Nixon has bared some—but certainly not all—of the secrets of the clandestine war in Laos he inherited from two previous administrations. The United States, he openly admits, is neck deep in a part of the southeast Asia jungle war outside Vietnam.

In six years of fighting, 400 American airmen have become casualties, 400 airplanes have been lost—about as many as, maybe even more, than the number of fixed-wing airplanes the United States has lost over South Vietnam.

These facts emerged from the torpid calm of the Southern White House—the Key Biscayne, Fla., vacation retreat to which the President retired late last week to make his Laos statement.

Why not speak from Washington? If Mr. Nixon wanted to be completely candid, why not make the statement at a news conference where his words and intentions could really be probed and clarified?

Unfortunately, Mr. Nixon's statement on Laos was a politically reflexive reaction to a growing clamor for candor in the White House. It was intended to break the silence that has surrounded the secret war, to show that the nation harbors no secret guilt. But it was only half candid; and so it was wholly unsatisfactory.

The unhappy experience with the Gulf of Tonkin resolution of August 1964, originally presented as a show of solidarity behind President Lyndon B. Johnson but then construed by him as a virtual declaration of war, has taught Congress and the American

people to read words carefully. The presentation of selected facts by the Johnson administration to bolster its case for the massive intervention in South Vietnam in 1965 has cautioned the American people to check and double-check on a President's facts.

And so, when Mr. Nixon says of Laos, "We have no plans for introducing combat forces into Laos," one must look for the loopholes like a Philadelphia lawyer.

No plans? Does that mean plans may be developed later? Maybe.

Ground combat forces? Does that mean more ground combat support forces—engineers to build roads and bridges, suppliers to carry ammunition to combat troops, repairmen to fix disabled weapons, advisers to aim and show the Laotians how to fire the weapons—might be dispatched?

Ground combat forces? What about escalating the American involvement through the introduction of more aircraft to fly cover for the CIA-trained and supplied Laotian forces as well as the Royal Laotian Army?

The President said: "The levels of our assistance have risen in response to the growth of North Vietnamese combat activities."

The clear implication of that sentence is that as North Vietnamese activities continue to grow, so will the United States'. And that, one remembers, was exactly the situation claimed in February 1965, when the State Department issued its famous white paper on South Vietnam as justification for escalating the Vietnam war.

Mr. Nixon says it is his goal to reduce American involvement in Laos. But he leaves no doubt that he is willing to escalate that involvement if necessary.

If Mr. Nixon wanted to dispel doubts about American intentions in Laos he could have started by promising not to send ground combat troops to Laos without consulting Congress. He could have been far more candid about the activities of the CIA in Laos. He could have admitted the United States' violation of the 1962 Geneva agreement on Laos more candidly at the same time he charged violation by the North Vietnamese. Then, starting from ground zero, he might win the true support of the American people.

Robert Bridges, the poet, once wrote:

"I told my secret out
So that none might be in doubt."

Unfortunately, there is still too much silence about Laos in the Nixon administration, and that leaves the suspicion that there is still secret guilt not only about actions there but about intentions.

A TEENAGER SPEAKS OUT IN BEHALF OF HER COUNTRY

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. MYERS. Mr. Speaker, there is increasing evidence that the silent majority among this Nation's young people are fed up with wearing the label of hippie, yippie, and peacenik which rightfully belongs to but a small percentage of their populace. An example of how one teenager has chosen to speak out in behalf of her country and those who have made the ultimate sacrifice to protect all that it stands for appeared recently in the Danville Commercial News in my district. When asked to name the American she most respected and why, this was the heart warming response from Miss Sharon Connor, 17, a high school senior from Rural Route 1, Covington, Ind.:

I don't know this particular man's name but I read about him everyday in the newspaper and I hear him everyday on the radio. I know that he has left his family, friends and everything he's ever had, except his pride, at home so that he and everyone may have the most important possession, freedom.

He's at work early in the morning before some of us have ever gone to bed and he works until it's impossible to go on. He doesn't receive much pay for the work he's doing even though this job is possibly the most important one in our country.

He takes a lot of criticism from other people who don't know a thing about his feelings. The man is ready to go to another country for long periods of time knowing that he may never come back to his country again.

He is willing to run across enemy territory if there is a chance of its doing any good for all the people back home.

I guess I could find out this man's name if I went to an airport where I could watch for a man in uniform to step from a plane.

Or I could take a drive through any cemetery. All I'd have to do is to look for the little American flag which would be waving across his grave. He had to be somewhere.

THE 25TH ANNIVERSARY OF THE FUTURE HOMEMAKERS OF AMERICA

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. NATCHER. Mr. Speaker, the week of April 5 through 11 has been designated National Future Homemakers of America Week and this year's observance by 1,200 local high school chapters is particularly significant since it marks the 25th anniversary of this outstanding organization.

The theme for this national week is "25 Years of Sterling Opportunity" and this, together with the 1970 objective—"To Promote Communication for the Enrichment of Human Relationships"—goes a long way toward accurately describing exactly what the FHA is all about.

During these 25 years some 15 million home economic students in junior and senior high schools have been provided the training and experiences that broaden the home economic education program and the opportunities for improving their personal, family, and community life. In reflecting upon the splendid accomplishments of the 604,000 members of this voluntary organization since it was founded June 11, 1945, I think it is especially gratifying to know that these constructive and commendable activities have taken place not only in the United States but also in Puerto Rico, the Virgin Islands, and in a number of our American schools overseas. I have a special reason for this statement because I have the high honor and good fortune to be an honorary member of the Future Homemakers of America and am naturally very much in favor of increasing its scope wherever possible so that these young people can, through meaningful communication, promote understanding, and strengthen our relationship with all peoples.

Furthermore, I take particular pride in the fact that Kentucky was the first State FHA Association to affiliate with the national organization. We now have 261 chapters with a membership of 17,328 and, based upon the splendid achievements of the chapters in the Second Congressional District, I can assure you, Mr. Speaker, that this organization continues to be an impressive asset in our State.

Certainly during these days of dissent and demonstrations it is good to know that above the din of confusion and revolt we have thousands of fine young people hard at work on projects and programs to promote this country's future. In my opinion the Future Homemakers of America long ago established themselves as a vital and integral part of this country's youth community. I am confident that they are fully aware that they are the future of their country and that they are not only equipped but eager to meet the challenges that lie ahead. The creed of this organization assures the concern and consideration of these young people for their fellowman.

In extending congratulations for 25 years of pride, progress, and purpose, and in paying tribute to these outstanding young individuals I want to express the hope that the unlimited enthusiasm and endurance which they have exhibited in pursuing their various projects during this quarter of a century will continue to flourish at a pace in keeping with their remarkable accomplishments of the past.

HIGHER EDUCATION OPPORTUNITY ACT OF 1970

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. SEBELIUS. Mr. Speaker, I am pleased to see that the administration has proposed, through the Higher Education Opportunity Act of 1970, to do something about increasing funds available to college students for educational loans. As you may remember, during the last session Congress was called upon to provide remedy when banks were unable to make further guaranteed student loans because the prime rate had exceeded the ceiling which the Secretary of Health, Education, and Welfare was authorized to certify. The President has prepared legislation which should prevent such a situation in the future, and which, in fact, should encourage even greater participation by banks.

Basically, the proposal calls for the creation of a National Student Loan Association to provide liquidity in the student loan credit market. This institution would buy student loans back from the banks, colleges, and universities allowing them to use these funds to make

additional loans. The President has estimated that at least $1 billion in new funds would be drawn into the student loan market by the NSLA, all of it at no additional cost to the Government.

Mr. Speaker, I urge speedy action on this very worthwhile proposal.

POLLUTION COSTLY PROBLEM TO SOLVE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. ZWACH. Mr. Speaker, this is to be the decade of the environment. The administration, the Congress, and the people are committed to cleaning up the pollution problems we have been creating since the birth of our country.

While everyone agrees that this is a most worthwhile endeavor, too many people fail to give the cost factor the serious consideration it deserves. However, many of our newspaper editors in the Sixth Congressional District do not have veils over their eyes.

They are pointing out to their readers that this is a costly campaign that must be pursued carefully and patiently.

Typical of these comments is an editorial by Gordon E. Duenow, editor of the Little Falls Daily Transcript. I commend for reading to my colleagues and insert it in the RECORD:

POLLUTION COSTLY PROBLEM TO SOLVE

"The time has come when we can wait no longer to repair the damage already done and to guide us in the future," President Nixon told Congress in his special message yesterday in which he asked for huge federal expenditures to control pollution. Nixon's proposal calls for federal expenditures of $4 billion with states and local governments contributing another $6 billion.

Nixon urged "total mobilization" of all Americans in a concentrated effort to clean the air and purify the nation's polluted waters.

The president had indicated in his "state of the union" message that he would send a special message on pollution to Congress.

What response will be received at the state and local government level remains to be seen. These governmental units are hard pressed for money just to meet operating costs without adding millions for pollution control even though it is evident that the problem is rapidly becoming desperate.

Response of industry, which is the cause of much of the pollution problem we have, is another question. In fact, U.S. Steel Monday told the Minnesota Pollution Control Agency it does not intend to spend money to clean up smoke output from open hearth furnaces at Duluth. "Although U.S. Steel does not intend to quit making steel in Minnesota, that would be the alternative if pollution control standards and deadlines are enforced," Dunsmore said.

U.S. Steel estimates it will cost $4.5 to $5 million to install air cleaners for the furnaces.

Attorney General Douglas Head also has initiated three separate court actions in an effort to stop further pollution of the Watonwan River in southern Minnesota and Stanchfield Creek in Isanti County. He also has obtained a permanent injunction against Aldrich Milk Products, Inc., prohibiting them from further polluting the Partridge River in Wadena County.

The village of Madelia was one of those involved in court action as it was charged with causing pollution of the Watonwan River.

Several years ago the state itself was involved in Morrison County when an inadequate sewer system at Camp Ripley contributed to a pollution problem in the Mississippi River. This problem now has been corrected.

Little Falls also was forced to initiate an extensive storm sewer system project in order to alleviate a serious condition at the sanitary sewer plant. This project cost thousands of dollars and the problem still has not been entirely eliminated. It also remains a possibility that the expansion of home building along the Mississippi River may create additional pollution problems in the future.

So it can easily be seen that there is a serious problem but hard pressed local governmental units find it almost impossible to finance the needed projects. A little government aid will help but probably will not be adequate to do the job without placing new and serious burdens on already desperate property taxpayers.

Without question the problem is there, looking us right in the face. But where do we find the money?

PUBLIC OPINION POLL IN FOURTH DISTRICT OF TENNESSEE REFLECTS DEEP CONCERN OVER NATIONAL PROBLEMS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. EVINS of Tennessee. Mr. Speaker, a public opinion poll which I recently conducted in the Fourth Congressional District of Tennessee, which I am honored to represent in the Congress, indicates a deep and growing concern over such national problems as the conflict in Vietnam, pollution, crime, and security for our older citizens, among others.

Because of the interest of the American people and my colleagues in these major problems, I place my newsletter concerning the poll in the RECORD herewith.

My newsletter, Capitol Comments, follows:

CAPITOL COMMENTS

(By Hon. JOE L. EVINS)

PUBLIC OPINION POLL REFLECTS DEEP CONCERN OVER NATIONAL PROBLEMS: VIETNAM, POLLUTION, CRIME, SECURITY FOR OLDER CITIZENS, AMONG OTHERS

The tremendous response to my recent public opinion poll in the Fourth Congressional District indicates a deep and growing concern over major national problems. Results of the poll have just been released to the press of Tennessee. Hundreds of citizens felt so strongly about issues of current public interest and importance that they wrote letters explaining their views and opinions in more detail. A total of 12,589 responses have been received to date.

Concerning major national issues, the poll showed that:

Virtually all of our people responding want our American troops to be returned home from Vietnam as soon as possible—80 percent favored gradual withdrawal as the South Vietnamese assume an increasingly greater share of combat responsibility, while 17 percent favored immediate withdrawal.

The matter of pollution of air and water and our environment is a grave concern to our people with 89 percent responding favoring increased Federal expenditures to curb pollution.

Crime and lawlessness is another major issue of great concern. A total of 85 percent favored increased Federal appropriations to strengthen state and law enforcement agencies with only 10 percent opposed.

Concern for security for our older citizens was also apparent. A total of 74 percent of those responding favored a system of cost-of-living increases in Social Security.

Inflation is an over-riding concern. A total of 66 percent of those responding favored price and wage controls in the battle against inflation and 60 percent opposed the present policy of high interest rates.

Rural development is considered vital and necessary. Sixty-six percent favored legislation to provide for tax credit for business and industry as an incentive for locating or expanding in rural and small town areas.

Other important results of the poll include these:

72 percent opposed the proposed new welfare legislation which would provide for a minimum income of $1,600 guaranteed to all families at an initial annual cost of $5 billion.

47 percent favored a professional volunteer army with 41 percent opposed—and 44 percent favored further reform of the Selective Service System.

56 percent were opposed to turning the Post Office Department over to a private corporation, 54 percent favored substantial reductions in the space program and 59 percent were opposed to foreign aid.

This informed opinion poll reflects the concern of our citizens over current public issues.

MAURITIUS INDEPENDENCE DAY

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. POWELL. Mr. Speaker, the people of this small island in the Indian Ocean attained their full independence on March 12, 1968. These ethnically quite various peoples seem to have been united in their aim of achieving independence, following the end of the last war they succeeded in proving it to their overlords. Fortunately for them the British Government, which had ruled the people of Mauritius for more than 100 years, was not in position to deny them the claim of self-government and eventual full national independence.

Mauritius is a rather crowded island, with an area of about 720 square miles and a population of more than 800,000. Its inhabitants are mostly agriculturists, and their most valuable product is sugar, though tea and tobacco are also raised there. They have a parliamentary form of government. The government has chosen to remain in the British Commonwealth. Mauritius is also a member of the United Nations. The leaders and people of Mauritius have shown the ability and maturity to govern themselves peaceably and have attained some measure of economic independence. We wish them power to continue their progress in peace.

JOHN WILL ANDERSON BOYS' CLUB OF GARY, IND.

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. MADDEN. Mr. Speaker, the great Calumet industrial region, located in the northwest corner of Indiana immediately adjacent to the city of Chicago, Ill., boasts of many large industries. In this area are located three major steel mills, many oil refineries operated by the Nation's leading oil companies, and several hundred other major and smaller industries.

The community is especially proud of an internationally known manufacturing company, the Anderson Co., which is the Nation's largest manufacturer of automobile and airplane windshield wipers known as Anco products.

The founder of this company was John Will Anderson, internationally known industrialist and one of the Indiana Calumet region's outstanding citizens. The former head of the Anderson Co. passed away several years ago. Previous to his passing he, along with Mr. Edward C. Larson and other officials of the company, conceived and established the John Will Anderson Boys' Club. Recently, I attended ceremonies in Gary, Ind., honoring Mr. John W. Anderson and his cooriginators of the John Will Anderson Boys' Club. Special tribute during the ceremony was paid to Mr. Edward C. Larson, president of the Anderson Co. of Gary, and also the director who continued the great work of the John Will Anderson Boys' Club and expanded its facilities and multiplied its membership to accommodate additional thousands of boys in the Gary and surrounding community.

EDWARD C. LARSON, PRESIDENT OF THE ANDERSON COMPANY

Mr. Larson has been elected a National Director of the Boys' Clubs of America, and this honor to him was announced at a White House dinner for the Board of Directors of the National Boys' Clubs of America.

The people of Gary are justifiably proud of the accomplishments of Mr. Larson and the John Will Anderson Boys' Club. This club in little over 2 years of operation has made a tremendous contribution to the lives of the young people of their community.

The scope of the John Will Anderson Boys' Club, which operates in conjunction with the Steel City Boys' Club, Inc., includes promotion of educational and recreational activities which aim at the development of character and the finest qualities of citizenship among youth in the Gary area.

The club, founded by the late John Will Anderson and directed by Einar Johansen, provides comprehensive programs and facilities for over 2,000 young people. These include athletic and physical development programs, specialized job training, arts and crafts schooling, musical and photography training. A boys' club library is available, for reading and studying, as well as for the development of powers of expression and communication on the part of young boys.

Of special significance in the clubs' operation is the furnishing of complete and well-balanced meals to young members each day, under a program conducted in cooperation with the U.S. Department of Agriculture's special food service program for children.

Through the Edward C. Larson scholarship fund, any young member of the Anderson Boys' Club is eligible for financial aid in order to pursue a course of study at either a liberal arts college or a technical vocational school.

Earn and learn programs offer boys an opportunity to work with hand and power tools. A metal finishing class provides young men from 15 to 18 years of age job training in the field of metal refinishing of office equipment. An agreement between the John Will Anderson Boys' Club and one of Gary's largest office equipment dealers has made this job training both a source of income and a vehicle of community good will for the club.

In addition, the club's physical department offers both team and individual sports to members. During the basketball season, the boys' clubs had four teams representing Gary in boys' club State tournaments. The ages of boys on the teams ranged from 10 to 18. The team for players 13 and 14 years of age won the Indiana State Boys Club Association championship. Along with basketball, gymnastics, tumbling, four bowling lanes are available at the club. Instructional, league and individual bowling are offered daily.

Educational opportunities are both numerous and diversified at the boys' club. A year-round schedule of trips affords members many opportunities to visit interesting sites both in Gary and elsewhere. Boys' club members have visited museums in Chicago, farms in southern Indiana, the Great Lakes Naval Training Center, sporting events in Chicago, and the time trials at the Indianapolis 500. Through such activities, boys have a chance to travel outside of their immediate area, meet new people, and see places they had previously only heard of or read about.

Indeed, the successful operation of the John Will Anderson Boys' Club is a source of pride to the people of Gary. But beyond this, the contribution being made by this club serves as a source of inspiration and dedication for citizens throughout the country to give added support to boys' club operations in their own communities.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 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?

OIL IMPORT CONTROL

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. HATHAWAY. Mr. Speaker, I would like to call to the attention of my colleagues a letter signed by 48 Members and sent to President Nixon last week. The letter urges the President to immediately implement the recent recommendation of his own Task Force on Oil Import Control by replacing the current quota system with a system of tariffs. The letter also urges the President to consider eventual removal of all control over oil imports—a move which could save the average American family nearly $100 a year in fuel costs.

I insert the letter in the RECORD at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 18, 1970.

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

DEAR MR. PRESIDENT: We are disappointed by your failure to implement the recommendations of your Cabinet Task Force on Oil Import Control. The present restrictions on oil imports, which will remain unchanged unless you act, forced American consumers to pay an extra $5 billion for oil products last year. The annual cost to consumers will rise to $8.4 billion per year by 1930 unless changes are made.

Last year alone, the oil import quota system cost the average American family of four an extra $96 for gasoline and heating oil. In many parts of the country the extra cost greatly exceeded this—in Vermont the average family of four paid an extra $180, and in Wyoming it paid $228 extra.

We can understand your concern for the well-being of the oil industry. However, it is the security of the nation, and not that of the oil industry, that the oil import control program is intended to protect. As your Cabinet Task Force put it:

"The governing statute authorizes government intervention in support of domestic price and production only for the extraordinary and compelling purpose of protecting the national security."

The Task Force then went on to state that the fixed quota limitations, which you are retaining, "bear no reasonable relation to current requirements for protection either of the national economy or of essential oil consumption.

"We find," the Task Force said, "that a phased-in liberalization of import controls would not so injure the domestic industry as to weaken the national economy to the extent of impairing our national security."

The Task Force then recommended that the current import quota system be phased out over a period of three to five years, and that a system of variable tariffs be substituted for it. The initial tariff on Eastern Hemisphere crude oil would be $1.45 a barrel, with a ceiling (10 percent of domestic demand) on oil from that region. Oil from more secure Western Hemisphere sources would be subject to preferential lower tar-

iffs. The immediate effect of the plan would be a reduction in the price of domestic crude oil from $3.30 to $3.00 per barrel, with savings to consumers estimated at less than a penny per gallon of gasoline.

This is truly a modest proposal, since removing import controls entirely would save consumers around 4 cents a gallon on gasoline. But it is a step in the right direction and we regret that you have declined to take it.

A necessary further step has been recommended by the Chairman of the Task Force, Labor Secretary George P. Shultz. He has urged that a planning schedule be established now to phase in a reduction of the tariff to $1.00 over a three to five year period. This would reduce the price the consumer has to pay for gasoline by another one cent per gallon.

Finally, we are concerned that the Cabinet Task Force may have dismissed the alternative of total removal of all import controls too hastily. The benefit to American consumers from this alternative—more than $8 billion a year by 1980—requires that it receive careful and continuing consideration. The Task Force said only that it was "unable on present evidence to rule out the possibility" that adopting this alternative would, in the case of certain "conceivable" supply interruptions, leave us with an inadequate supply of oil. "Whether such conceivable interruptions are "reasonably possible," the Task Force said, "is a matter on which judgments may vary."

We urge you, therefore, to direct the Oil Policy Committee which you have established to give full consideration to the possibility of totally eliminating controls on oil imports as part of their task of considering "both interim and long-term adjustments that will increase the effectiveness and enhance the equity of the oil import program."

Sincerely,

Henry S. Reuss, Lee H. Hamilton, Clarence D. Long, Richard Bolling, Edward P. Boland, Richard L. Ottinger, Brock Adams, James G. O'Hara, Donald M. Fraser, Allard K. Lowenstein, George E. Brown, Jr., Thomas M. Rees, Peter W. Rodino, Jr., William D. Ford, Louis Stokes, John C. Culver.

William Clay, James H. Scheuer, Lester L. Wolff, Robert O. Tiernan, Hugh L. Carey, Peter N. Kyros, Robert N. Giaimo, Edward I. Koch, William D. Hathaway, David R. Obey, Benjamin S. Rosenthal, Joshua Eilberg, Leonard Farbstein, William L. St. Onge, John V. Tunney, Abner Mikva.

John Brademas, Joseph P. Addabbo, Sam M. Gibbons, Michael J. Harrington, Dante B. Fascell, Bertram L. Podell, Jonathan B. Bingham, William S. Moorhead, Richard D. McCarthy, Frank J. Brasco, William F. Ryan, James J. Howard, Torbert H. Macdonald, Emilio Q. Daddario, Henry Helstoski, Don Edwards.

GIVE US MORE AGNEWS

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BERRY. Mr. Speaker, what the public needs is more Agnews to give the public views to the news media.

The news media has been spoon feeding the public with half-truths and innuendoes with no one else in high public life to give the public the truth.

Another glaring example was in the Sunday Washington Post in the column of Richard Harwood who wrote among other things:

It was an electorate that proved, in the 1960's, to be murderous enough to assassinate three national leaders, vengeful enough to depose a sitting President, fickle enough to switch nearly a third of its votes between 1964 and 1968, apathetic enough that more people (40 million plus) failed to vote in 1968 than voted for any of the candidates for the presidency.

How can anyone say it was the electorate who assassinated any of the three. The truth is it was three "maniacs" who did it—not the American electorate.

But this is part of the great propaganda program. Give us more Agnews to give the views of the public and the electorate.

HIGHER EDUCATION REFORM

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. MIZE. Mr. Speaker, President Nixon's message on higher education reform spelled out several areas which are in need of change. Not the least of these is in the area of Federal assistance to students in institutions of higher learning. For many years we have supported a whole range of programs designed to help students finance their educations. For the most part, these programs assisted students from both low- and middle-income families alike, and strains on the Federal budget made it impossible to provide enough assistance for all who wished to receive it. But now the President has proposed a thorough realinement of these programs to insure that there are loans and grants available to the children of the Nation's poorest families for higher education. For students whose families are better able to assist their education, he has proposed the creation of the National Student Loan Association to enable students to obtain Government-guaranteed loans.

This NSLA will serve to widen the availability of guaranteed student loans by creating a market for existing loans to which the banks and other lending institutions can sell their loan paper, thus increasing the pool of resources available for lending to students. Liquidity of student loans will solve the main problem which has kept a large percentage of the Nation's banks from participating in the program. By expanding credit in this manner it would be possible to terminate the payments now made to banks to induce them to make student loans, and interest rates on these loans will fluctuate at the market rate. Additionally, the length of time over which recipients must repay their loans will be expanded to ease the burden on those who have received the loans.

The proposals contained in the President's message are worthy of our support. I urge all my colleagues to get behind this effort.

MAINE SUGARBEET INDUSTRY

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. LANGEN. Mr. Speaker, my heart is always gladdened when an individual or a group of people tries to give a hand to someone less fortunate. In 1962, it seemed on the surface that it was in good faith that the Federal Government through its Area Redevelopment Administration and later the Economic Development Administration tried to lend a hand in providing jobs and economic stability to Aroostook County, Maine.

However, Mr. Speaker, there were some who said at the time that what appeared to be a worthwhile project on the surface was neither beneficial to the northern New England area nor was it economically practical. Those who made these observations in 1962 and in 1963 have been proven correct in their analysis.

Many of these same people are now charging that continued meddling in the agricultural industry and the ecology of Aroostook County is disruptive, expensive, and politically motivated. If the Economic Development Administration persists in its efforts to salvage a losing venture by further investment of taxpayers' money in the Aroostook County sugarbeet processing plant, it can easily damage its own credibility and impair its ability to secure private financing in its future efforts to expand economic opportunities.

I am one who, in 1963, called to the attention of this Congress the errors in judgment that compounded themselves in Aroostook County. My area of concern was the allocation of the sugarbeet quota to an area of the country which was not proven a sugarbeet producing region. I was deeply concerned because there is a strictly enforced sugarbeet acreage allotment. If the allotment is divided in such a way as to restrict sugarbeet production in an area where sugarbeet production is a major source of income and is a thriving industry in order to entice sugarbeet production where it is not economical, then the Department of Agriculture is cooperating in a gross violation of faith placed in it by Congress and America's farmers. But this is exactly what it has done.

Today, some $10 million in Federal funds has been invested in the Aroostook County plant of Maine Sugar Industries. Another $8 million has been secured through private financing which is guaranteed by the State of Maine and which may soon become the liability of the taxpayers of that State. The damage to Prestile Stream in the form of pollution may never be estimated in terms of dollars. The loss of revenue suffered by two other New England sugar processors is continuing and I have not seen the estimates by these private, free-enterprise firms who have found it necessary to compete with Maine Sugar Industries, a federally subsidized operation.

We should have taken a cue from Great Western Sugar Co., a large national sugar refining firm, who decided that the investment was unwarranted. But, instead, EDA found a firm which had never been involved in sugar refining.

Not to say that this is not enough of a loss to warrant an investigation of the EDA procedures involved, but my concern is for the sugarbeet producers in States like mine where the industry is successful and where the sugar is refined by hard-working businessmen who not only operate their businesses to compete with Maine Sugar Industries, but who also have to pay the taxes we are spending to try to make job opportunity out of a sow's ear.

Whatever errors in judgment were made in 1962 and 1963 by the Area Redevelopment Administration and the Economic Development Administration were abetted by the Department of Agriculture in April 1964, when it announced it was allocating 33,000 acres of the national sugarbeet quota to Aroostook County, Maine. I said at the time that job opportunity and economic development could best be realized by expanding the sugarbeet quota in the Red River Valley of North Dakota and Minnesota where farmers have a proven record of efficient sugarbeet production and where the industry has been built through years of hard work and free enterprise.

In a recent issue of the Wall Street Journal, I note that Maine Sugar Industries has offered 3 million common shares at $6 a share on the open market. The company anticipates revenue from the sales of $18 million. Firm records indicate that the company showed a loss of $2.4 million during the 9-month fiscal period ending last July 31. Moreover, three creditors have filed suit against Maine Sugar Industries asking a U.S. district court to adjudge the company bankrupt. The losses were blamed, according to the March 16 issue of the paper, on a disappointing sugarbeet crop.

Even the German variety of beets which were imported just for this fiasco did not meet expectations. Farmers will not grow them because they have neither the inclination to experiment with a new crop which they cannot trust nor the confidence in the failing firm which has failed to pay farmers for nearly $1.5 million worth of the crop planted, harvested, and processed. The New York beet growers who have not received payment for their product are now considering suit against Maine Sugar Industries.

The community of Easton, Maine, where the plant is located, is owed $300,000 in back taxes and the Federal Water Pollution Control Agency has granted $196,000 to help clean up Prestile Stream, a stream where 5 years ago the trout fishing was considered excellent. Of the 33,000 acres of the national sugarbeet quota allocated to Maine, a mere 3,000 acres has been planted.

Since there was obviously not enough local sugarbeet production, EDA has already advanced Maine Sugar Industries another $2.5 million to convert its plant to a sugarcane processing plant. Now, raw sugar is imported from overseas to again try to bail out the Aroostook plant. The end result is that the domestic sugarbeet quota is limited by the allocation to New England where the beets are not grown. The domestic sugar industry further pays the bill for MSI because of the impact of imported sugar. Everyone pays the taxes that are used to hold up the Easton, Maine, plant. And everyone pays the taxes that are used to try to clean up the river that their tax money has been used to pollute.

Mr. Speaker, I believe in development and I support many Federal and State efforts to improve economic opportunity wherever opportunity is needed. I would be the first to support a plan to help improve the economic stability of Aroostook County, Maine. I have supported in the past and continue to support plans to improve the economic condition of rural America.

But I have never advocated or approved of a plan that simply steals what rightfully belongs in one place in an attempt to curry favor in another place. And I do not continue to defend an unworkable and impractical project after it has proved to be failure.

Mr. Speaker, the Red River Valley of Minnesota and North Dakota is not a wealthy area. There are many hard-working, business-like, and independent people in the valley. A good number of them raise sugarbeets in order to make a living for themselves and their families. There are over 100,000 acres of sugarbeets under cultivation in the Red River Valley. By allocating the 33,000 acres to this area instead of to New England, the benefits can be reaped by Minnesota and North Dakota farmers. They ask no Federal funds and no heavy EDA investment in a charity drive. They ask only the opportunity to work and to expand their industry.

If there is also a need for economic development in Aroostook County, Maine, I will support a well-considered plan of assistance. But there is also a need for economic development in an area with which I am familiar.

The Department of Agriculture can provide an economic boost in the Red River Valley and it can do it for about $20 million less than in Aroostook County, Maine. This is an example of what I have been saying on this floor for many years: People solve problems: Federal money does not solve problems. Give people a chance where they have demonstrated their ability and industry. They will not fail us. Take from their right to earn a living in order to bolster a dubious venture such as this one and you will destroy the incentive of both the people of the Red River Valley and the people of Aroostook County, Maine.

SCHOOL PRAYER

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BURKE of Massachusetts. Mr. Speaker, I had the great pleasure of recently conversing with the Reverend Robert G. Howes, national coordinator, Citizens for Public Prayer. Father Howes also holds an associate professorship and is chairman of City and Regional Planning at Catholic University, Washington, D.C.

I think that Father Howes' remarks on the subject of school prayer will prove of interest to the Members of this body and I would like to take this opportunity to submit them for the RECORD.

The article is as follows:

CHALLENGE TO THE DEMOCRACY: PUBLIC REVERENCE

(By Rev. Robert G. Howes)

When the U.S. Supreme Court interprets the First Amendment of the Federal Constitution in a manner which radically contradicts the consistent practice of the majority of the states, it does no singular, minimal thing. Whatever the particular practice, that interpretation immediately becomes a precedent affecting the whole future of religion in our public life. As such it must deeply concern not only those whose practice is denied but also those who are involved in any way with religion as subject to and supportive of public policy.

On June 25, 1962, the Supreme Court interpreted the First Amendment as barring the following prayer:

"Almighty God, we acknowledge our dependence upon Thee and we ask Thy blessings upon us, our parents, our teachers, and our country."

The prayer had been composed by a committee of religious leaders. It was made available by the State of New York for an entirely voluntary recitation by pupils and teachers in its public schools. Justice Stewart, in dissent, noted:

"The Court has misapplied a great constitutional principle . . . What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our government."

On June 17, 1962, the Supreme Court widened this interpretation to ban the Lord's Prayer and Bible reading in the public schools of Maryland and Pennsylvania. Once again, no teacher had been required to lead prayer, no pupil to join in reciting it. Specific provision was made for abstention on the part of those who did not wish to participate. There are many pleasant phrases in the two majority decisions. Most of them are collateral remarks, *obiter dicta*, that is remarks incidental to the real deciding reason. One could, and some did, assemble such remarks and claim that the court had done nothing more serious than to rule out a residual unfairness, leaving public religion itself wholly intact.

There are, however, other *obiter dicta* which are less sanguine. For instance, in the first decision Justice Douglas enumerates various instances of government accommodation to religion. Bishop James Pike, appearing before a Senate committee in 1962, called such reasonable accommodation "the great American middle way." Justice Douglas says "our system at the federal and state levels is presently honey-combed" with accommodation. "Nevertheless," he continues, "I think it is an unconstitutional undertaking whatever form it takes." In fact, the deed of the decisions, what the then Harvard Law School Dean Erwin Griswold called "the absolute and . . . extreme" reasoning of the court, is dangerously basic. Henry P. Van Dusen, then President of Union Theological Seminary, wrote:

"The corollary in both law and logic of the Supreme Court's recent interdictions is inescapable, prohibition of the affirmative recognition and collaboration by government at

all levels with all organs of religion in all relationships and circumstances." [1]

Fordham University Law School Professor Charles E. Rice said:

"The school prayer decisions, if followed, predictably will have the effect of raising agnosticism to the rank of the official public religion of the United States. The Court has now cast aside the historical affirmation by government in this country of the essential truth of theism, has embarked upon a search for 'neutrality,' a search incapable of success, and has substituted agnosticism for the theistic affirmation to which a small minority has objected so strongly. And for its action the Court can point to no durable justification beyond its own inflated rhetoric and a tortured historical interpretation." [2]

The Boston Pilot editorialized:

"All Public Life Affected.

"The Supreme Court in the Lord's Prayer and Bible ruling has continued along a path unhappily familiar to all from its earlier decisions. The same tedious arguments emphasizing the 'establishment of religion' clause are brought forth to support a position which turns its back on the total American tradition and outlaws the present practices of 39 states . . . Let us suppose that the Lord's Prayer and the Bible are excluded from the American public schools for precisely the reasons given by the Supreme Court. What is the next step? Clearly, all other expression of religion in public life must now be deleted . . ." [3]

To suggest that pleasant phrases en route to decision can override the deed of the decisions themselves is to ignore the heart of the matter. That heart clearly is the equation by the Supreme Court of "establishment" with public reverence, whether free or not, whether institutional and sectarian or not. Even to question such an equation, the court said in its second decision, is "of value only as academic exercises!" The situation is, in short, as it was a century ago when Abraham Lincoln commented on the Dred Scott decision;

"When all the words, the collateral matter was cleared away from it, all the chaff was fanned out of it, it was a bare absurdity. . . . The Dred Scott decision covers the whole ground, and while it occupies it, there is no room for the shadow of a starved pigeon to occupy the same ground." [4]

Five years have passed since the first prayer ban. In those years, several significant things have happened.

(1) Literally hundreds of bills were introduced in both the House and Senate calling for a clarifying amendment to restore the First Amendment to its preban interpretation and to forestall a further widening of the court's logic. There were 117 such bills on the House side alone in the spring of 1964. Senate Joint Resolution Number 1 of the 90th Congress was signed by 42 senators of both parties. It proposed a restorative constitutional amendment which would read:

"Nothing contained in this Constitution shall abridge the right of persons lawfully assembled in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer."

(2) Catholic response to the prayer bans was openly mixed, though there is no possible doubt that Catholics were in great numbers part of the massive proamendment majority across the nation. The National Council of Catholic Youth officially recorded itself as opposed to the prayer bans and called upon all of its local units to work for reversal. Otherwise, where Catholic apathy and even support of the decisions showed itself, it has been suggested that an underlying cause was self-interest:

"It may be that some of it is motivated by the thought that if public education can be completely secularized (so that, as it has been said, 'religion' in such quarters becomes 'a dirty word'), then there will be an increased public demand for sectarian education which can combine religion with general education. This could then be an argument in favor of parochial schools, and as public schools decline, the argument for public support of parochial schools can be advanced in one guise or another." [5]

I hope this estimate is inaccurate. I fear it may be, in at least a partial sense, accurate. Our bishops wrote once that "religion is our chief national asset," and as such what happened to it anywhere at law must affect it everywhere. I am afraid some of us have simply failed to make the vital connection between what occurred in the prayer ban decisions and those aspects of the First Amendment which preoccupy us more immediately. Too many Catholics have simply failed to appreciate that any fundamental interpretation of the First Amendment by the Supreme Court must over a period of time operate in all areas of religion and public policy, including the area of government aid to nonpublic schools under religious auspices.

(3) Eleven of the 13 justices who passed on the New York prayer issue prior to its arrival at the Supreme Court ruled it constitutional. The attorneys general of 19 states submitted a "friend of the court" brief to the Supreme Court, prior to the first decision, which said in part:

"Our founding fathers, together with the great and God-fearing leaders of the last century and a half, would be profoundly shocked were they to have been told in their day that in this year of our Lord . . . a voluntary nondenominational acknowledgment of a Supreme Being and a petition for His blessings recited by American children in their classrooms is being seriously attacked as a violation of the Constitution of the United States." [6]

It was clear from Congressional reaction that a massive mail concurring with such judgments was hitting Capitol Hill. "Kingsize" was how Senator Dirksen described it. Resolutions endorsing what came to be called the Peoples Amendment for Public Prayer came from the National Conference of Governors, the National Conference of Mayors, legislatures of several states, the National Jaycees, the Veterans of Foreigns Wars, the American Legion, and from such men as Billy Graham, Cardinal Cushing, the late Cardinal Spellman and Bishop Fulton Sheen. Sampling after sampling confirmed the will of the nation. The Gallup Poll in September 1963 recorded a three-to-one majority for reversing the court in its prayer decisions. In October 1964 the Harris Poll put the figure at 82 percent for amendment. Congressional home district polls backed the national sampling. Again and again there was no subject on which more of a congressman's constituents were united than on the need for a prayer amendment, and no subject in which "don't knows" ran lower, or majorities ran consistently higher. At each hearing on prayer amendment proposals, thousands of proamendment petitions were presented. About 40,000 petitions were introduced on the very first day of the House hearings (1964) by Congressman Fallon of Maryland. To the Senate hearings (1966), we introduced in behalf of amendment 35,000 petitions from Pennsylvania, 30,000 from New York and 50,000 from the Midwest. In the spring of 1967 *Good Housekeeping* magazine came up again with an 80-plus percentage for amendment.

(4) Despite all this, *not one single normal floor vote has been held in five-and-a half years in either house of Congress on even the technicality of proposing a prayer amendment to the nation.* And hearings in this critical matter were forced in the House Judiciary Committee only after a discharge petition to by-pass Chairman Emanuel Celler, who was bitterly negative, had nearly succeeded.

(5) In the wake of the prayer ban decisions, things have not stood still. A number of trends have developed. Two are of major importance. First, a trend toward a kind of fearful indecision on the part of public authority. School boards everywhere were from the start anxiously uncertain about whether and how religion was to survive in the public classroom. In some instances, boards have defiled the court, but this is, patently, no solution to the problem. In a few instances, boards have tried to substitute various procedures, such as God sandwiched between Thoreau and Ben Franklin for morning assembly reading. These instances, however, remain so are that each one is the subject of national notice. In most cases the net result has been one of the following: a) to rule religion out entirely; b) to emasculate religion before it is permitted in the school, thus reducing it to the merest art, history or literature; c) to decide any particular question involving religion in the classroom in favor of parents who might conceivably object to it along lines indicated in the prayer ban record. Secondly, there has been a trend toward enlargement of the prayer ban to affect other practices of public reverence. Courts and some attorneys general have relied on prayer ban decisions to strike down kindergarten prayers and such substitutes as the singing of patriotic anthems. In the fall of 1966 the Supreme Court relied significantly on the decisions to knock out aid for church-related colleges in Maryland.

Meanwhile, it was again and again made clear by such opponents of religion in public life as Madalyn Murray O'Hair that the prayer ban would be used as a launching pad for further attacks on all surviving instances of public reverence. It is, of course, impossible to predict with precision just how far the court will go toward accommodating these attacks, but its defenses against them must be seriously weakened by the majority reasoning in the prayer ban cases.

Of course, at the very base of the prayer amendment issue stands the issue of parental rights. There is no question that God belongs in the homes and the churches of America. There is no question that a serious reexamination of His presence there is imperative. But religion is not strengthened at the hearth and the sectarian altar by denying it entry to the public classroom. Religion is not strengthened in the heads and hearts of American youth by wiping it off their lips precisely where most of them prepare for citizenship in a reverent society. What is rather indicated in a joint activity, carefully respectful of the right of dissent, which involves church, home and school. In its 1951 Statement of Belief, which recommended school prayer, the New York State Board of Regents said:

"We believe that thus the school will fulfill its high function of supplementing the training of the home, even intensifying in the child that love for God, for parents and for home which is the mark of true character training and the sure guarantee of a country's welfare."

In its Decree on Education Vatican II underlined how the principle of subsidiarity applies in public education:

"The Church gives high praise to those civil authorities and civil societies that show regard for the pluralistic character of modern society and take into account the right of religious liberty, by helping families in such a way that in all schools the education of their children can be carried out according to the moral and religious convictions of each family."

It is suggested by those who oppose a prayer amendment that the court banned only "prescribed" prayer and that other types of religious presence in the public classroom stand unaffected, indeed encouraged. There

Footnotes at end of article.

is at the very base of the court's decisions a fatal, secularizing equation. Once this equation has been repealed, there is certainly place for reexamination of the entire gamut of that presence. Various approaches to religion as a force for morality and civic strength can and should be tested. Citizens for Public Prayer fully support such testing, but at the right time. So long as the prayer ban remains, however, there can be no compromise. Generally, those who ask substitutes for the brotherhood of prayer call for a moment of silent mediation, classes in comparative religion or the rendition of God strictly in paintings, dates and poetry. Each substitution has its weakness. Collectively, they are totally inadequate to the need of the situation.

Let's take mediation first. It is most significant that the same day the Massachusetts legislature sanctioned mediation in the public schools of the state it petitioned Congress in support of a prayer amendment. A quiet God is better than no God. But a quiet God cannot provide that experience in pluralism which a spoken God encourages. One great advantage of the brotherhood of prayer consists, precisely, in the fact that through it children from various religious backgrounds are taught that although they go freely to their separate churches and synagogues over the weekend, still they can freely find and pronounce together common words of uniting reverence each day during the week. Besides, mediation is extremely difficult even for adults. To suppose that grade school youngsters can meditate properly is a delusion.

As for classes in comparative religion, it may be that once the prayer ban is repealed we can move along these lines. But such classes will require teachers who have the wisdom of Solomon, and are objective enough to relate one religion to another without bias. And should these teachers fail even slightly, offended parents will rise to challenge them in the courts, just as parents who objected to the earlier prayer did.

In regard to religion as art, history and literature, it is true that under these aspects it belongs in many classes, so that children of a reverent people may review their inheritance. But what a tragedy it would be if God could come into school only as a footnote in classes otherwise preoccupied and minus any factor of reverence whatsoever! Religion is more than dates and pretty pictures and nice phrases. Religion is reverence. Any proposal which drains it of its prayerful blood is anemic to start with. In short, none of the suggested substitutes is, at least in its present state of refinement, adequate. None would in any way remove the tragic precedent of the two prayer ban decisions. Finally, the closer any one of them came to being a real collective reverence, the more likely it is that it would be challenged and struck down by courts under the compulsion of prayer ban logic.

MAJORITY-MINORITY PROBLEM

There is another item in the prayer amendment debate which must be pondered. This is the item of majority-minority relationships in a democracy. It has two facets. The first is: How should society accommodate in its practices a majority will against which there is marshaled a loud minority will? The second is: In the public classroom how should the dissent from prayer and the desire for prayer be handled with justice all around? In regard to the first question, it must at the outset be agreed that 50 percent plus one does not of itself make a thing right. Democracy must never be a matter of a bullheaded majority tyrannizing over a cowed minority. Neither must it ever be an oligarchy in which a miniscule elite, somehow wiser, forces its preference on an unwilling majority. This latter state becomes what *The Boston Pilot* has called a "tyranny of the few." One thing is clear: As in all such controversial situations, a dissenting minority must be assured to the maximum reasonable extent its right of silence and abstention. To permit a minority's preference to dominate public practice, however, thus denying to an overwhelming majority its will, is an intolerable travesty of democracy. In this case, a strong argument can be mounted in support of the traditional, pre-ban interpretation of the First Amendment. Even Justice Brennan, siding with the majority in the second prayer ban decision, concedes that its factual position is far from conclusive:

"On our precise problem, the historical record is at best ambiguous, and statements can readily be found to support either side of the proposition.[1]

But even if the court's reading of the history and the semantics were accurate, the case for a clarifying amendment would still stand. No people in a free society are required to be prisoners of words which, in that hypothesis, do not say what the people wish them to say and do not permit practices which the people overwhelmingly wish to provide for themselves and for their children. As in the flag salute situation, what is required of a wise judiciary is not a decision rendering the majority silent before an intolerant minority but one that allows the greatest prudential accommodation for dissent while the majority will prevails. The second facet of majority-minority relationships here can be expressed in a question: Is school prayer an unconscionable intrusion on the rights of the dissenting child and his parents? It must be repeated that in the three prayer ban states, school prayer had been entirely voluntary for both teacher and pupil. Tolerance is, and must continue to be, a two-way street. So long as he is respected in his right to be different, the dissenting child must learn to respect the right of the majority of his fellow students who wish to pray together. Dean Griswold's treatment of this critical matter is excellent:

"Must all refrain because one does not wish to join? . . . No compulsion is put upon him (i.e. the dissenting child). He need not participate. But he, too, has the opportunity to be tolerant. He allows the majority of the group to follow their own tradition, perhaps coming to understand and respect what they feel is significant to them. Is not this a useful and valuable and educational and, indeed, a spiritual experience for the children of what I have called the minority group?"[7]

A related question is often posed. Whose prayer? The answer is simple. Once the civil right of public reverence is restored in the public school, the American people again will select, with a minimum of mistakes and a maximum of good common sense, a reasonably nondenominational prayer. To suppose that any group of Americans with a sectarian majority would be so callous of its neighbors as to insist on a sectarian prayer in their public schools is to fly in the face of the great bulk of American experience. But even should, in a rare instance, such a prayer be proposed, recourse for remedy would still be open with the courts. What is clearly urgent in this entire issue of majority-minority rights is a reasonable pluralism, the kind of adjustment and prudential accommodation which mature men make with their neighbors in any complex matter in which a common decision is required. With such a responsible pluralism, the solution to difficulties such as wording a proper amendment and coming up with consensus prayers is easy. Without it, we become quickly a jungle of selfish predatory religious groups, careless of neighbors and haggling over every approach to that harmony which has so long been the major motif of our people.

A few words of prayer by children in a public place will not alone change the world. The brotherhood of prayer remains an important part of an important pattern. Clearly, however, much more than this is at stake in the fight to write a Peoples Amendment for Public Prayer. The whole matter of a reasonable and reasoned pluralism is involved here. So is the survival intact of all practices of public reverence. So is every other controversial aspect of church-state relationship. So, finally, is the very workability of the democracy itself. It is simply incredible that there are still Catholics concerned with democracy, education and pluralism who cannot, or will not, understand these things. John Donne wrote that "no man is an island!" It can be said with equal force that no decision of the Supreme Court fundamentally interpreting the First Amendment against the expressed will of the nation is an island—a minimal, a singular thing. Remedial action now, loud and long, is emphatically indicted. Seldom has the alternative to such action been more strongly put than by Father Joseph Costanzo, S.J., professor of history jurisprudence at Fordham University: [8]

"American believers are losing by default. They have taken their spiritual heritage for granted. They have allowed a creeping gradualism of secularism, under the specious pretext or another, to take over their public schools. A vociferous and highly organized pressure is exercising its own form of indirect coercive pressure upon the American community.

FOOTNOTES

[1] The New York Times, July 7, 1963.

[2] The Supreme Court and Public Prayer (New York, 1964), page 24.

[3] June 21, 1963, The Boston Pilot is the official publication of the Catholic Archdiocese of Boston.

[4] Columbus, Ohio, Sept. 16, 1859; Galesburg, Ill., Oct. 13, 1858.

[5] Griswold, Erwin N., Utah Law Review, Vol. 8, No. 3 (Summer 1963).

[6] United States Supreme Court, October term, 1961, Document No. 168.

[7] Op. cit.

[8] This Nation Under God (New York, 1964), pp. 131–32.

PRAYER IN THE PUBLIC SCHOOL—QUESTIONS AND ANSWERS

(This material is provided by Citizens for Public Prayer, 3004 Adams Street, N.E., Washington, D.C. 20018. It is meant to help you join us in a leadership role. Use it to familiarize yourself with the basic arguments for our common cause and the frequent objections raised to it. Seek chances to spread the word wherever and as often as you can. Remember, it is critically important that we offer the nation the whole truth about school prayer to counteract arguments and pamphlets which minimize and oppose our great cause. Some of this opposition, it must be noted, emerges from so-called "religious" groups. You may re-print this material in any way you like. Try to get it into as many hands as possible. We have been too long a silent majority who wish to see the civil right of free public prayer restored in America. We can be silent no longer. Will you help? Will you take this material, study it and then go out yourself to speak, write and otherwise press loud and long until with the grace of God we win?)

1. What happened which makes a Peoples' Amendment for Public Prayer necessary?

(a) On June 25, 1962, the Supreme Court said, without citing any precedent, that the following prayer freely recited by pupils and teachers in New York State public schools was unconstitutional:

"Almighty God, we acknowledge our dependence upon Thee and we ask Thy blessings upon us, our parents, our teachers, and our country."

(b) On June 17, 1963, the Supreme Court banned the Lords prayer and Bible reading

from the Schools of Maryland and Pennsylvania though in both instances recitation had been by statute free.

(c) The only effective way to reverse a precedent-making decision by the Supreme Court is through a carefully worded Constitutional amendment. This we propose.

2. What did the Court really do?

As in all Court decisions there are brave and good words here. What is important, however, is not the incidental remarks but the deed of the decisions. President Abraham Lincoln had once commented on the Dred Scott decision—"When all the words, the collateral matter was cleared away from it, all the chaff was fanned out of it, it was a bare absurdity." Such is the case here. In its first decision, the Court equated "establishment" with public reverence, whether free or not, whether institutional or not, whether sectarian or not. In its second decision, the Court said that even to question the historic validity of this equation was "of value only as academic exercises." Inserted into such an equation, despite the Court's occasional assurance to the contrary, all practices of public reverence among us must fall. This, in fact, is what the Court did. The fight for a Peoples' Amendment for Public Prayer is, thus, a fight to eradicate what we have called the fatal equation. Much more is involved here than the prayer alone!

3. Are we attacking the Court?

We attack the integrity neither of the persons nor the institutions of the Court as then constituted. Simply, following in the steps of Abraham Lincoln and many others, we seriously question the traditional, historic and legal validity of its prayer-ban decisions.

4. What, then, is really at stake here?

First and foremost, return of the civil right of free public prayer to the classroom.

Second, a process of creeping secularism which, unless now radically checked, could continue to wipe out one by one all other practices of public reverence among us. Examples: attack on the Christmas prayer of the astronauts (1968), on the Pageant of Peace near the White House (1969), on other spiritual exercises in public schools! By forcing the issue of free school prayer, we ask the American people to reflect again on the role of God in their midst, to examine the national conscience again. This could be the critical beginning in a great grass roots effort to make American again a Nation on its knees. Fourth, to reaffirm the democratic process in which the will of the vast majority of our people determines the law under which we shall live.

5. Some say we can still teach about religion in public schools. Is this true?

Religion is more than dates and pictures and which pope ruled when and who reformed what! Religion is essentially effective, the up-reach of the spirit toward a concerned God. Religion, stripped of affection and spirit, is not religion at all. Teaching about religion may be useful. It cannot suffice. Besides any surviving religion in public schools, while it may last for a time, will most surely be subject to attack by the same intolerant few who succeeded in having the prayer-ban decisions handed down. Besides, to accept teaching about religion in places of the civil right of free school prayer does absolutely nothing to erase the fatal precedent now placed by the two prayer-ban decisions.

6. What about substitutions for prayer in the public schools—such as meditation, classes in comparative religion, God sandwiched between Buddha and Einstein in a series of morning exercises?

The same argument holds as in 5 above. Many proposed substitutions are not religion at all. Meditation, of course, is better than nothing. A silent God is better than no God. But since when can little children effectively meditate? Why must God be quiet when He enters a school? Besides, silent meditation by its very nature is individual. It does nothing to fulfill the purpose accomplished by the beautiful brotherhood of free prayer with which most of our school districts began the school day for many decades prior to the prayer-ban decisions. In any case, no substitute would do anything to remove the fatal precedent of the prayer-ban decisions. Those who use the argument from substitution to oppose a prayer amendment (and most substitutors do not support an amendment) are, quite frankly, our foes just as much as those who want all religion removed from the public classroom. They fail to see, honestly or dishonestly, that by accepting a substitute they are permitting a cancer to remain and grow while applying salve to the external wound. All effective substitutes are susceptible to attack from the same kind of intolerant few who secured the prayer-ban in the first place. What is necessary is that a Peoples' Amendment for Public Prayer be written into the Constitution and then further thought be given to the whole matter of religion and morality in education not vice versa!

7. Why should we tamper with the First Amendment?

The First Amendment has already been tampered with by the Court. We propose simply to restore it to its original and traditional meaning. S.J. Res. 6, a sample of possible prayer amendment wording, reads: "Nothing contained in this Constitution shall abridge the right of persons lawfully assembled in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer."

8. Would not a "sense of the Senate resolution" be enough?

There are some Congressmen who may be using this device honestly. We cannot help but feel, however, that many are using it dishonestly. A sense of the Senate resolution would change nothing whatsoever. Only a carefully worded amendment will accomplish what must be done—namely a fundamental reversal of the two prayer-ban decisions.

9. Suppose the Court in fact accurately interpreted the words of the First Amendment?

Even if this were true—and it is not—still our case remains. The people must not be made prisoners of words which do not say what they clearly wish the Amendment to say.

10. Doesn't religion belong rather in home and church than in school?

Religion belongs everywhere in the life of a reverent republic. We do not, certainly, strengthen religion in the heads and hearts of children by wiping it off their lips in that place where they begin to learn the arts and sciences of life together. A God reduced to purely private dimensions is wholly foreign to the religious traditions of the nation.

11. Whose prayer would be used in public schools if an amendment passes?

For generations, with a maximum of good sense and a minimum of error, the American people had free prayer in their public schools. There is no reason why this cannot again be accomplished, and particularly in this new era of enlightened relations between all religions among us. As in all such delicate matters, the question can and will be adjudicated in each school district. Should anyone of these districts be so callous and so foolish as to institute a sectarian prayer, recourse would still lie with the courts.

12. What about minority rights and tolerance?

Tolerance is a two way street. So long as his rights to silence or abstention are recognized the dissenting child can do one of two things. He can deny others their rights by loudly demanding his selfish privilege, or he can refrain from participation recognizing in the process that others think differently than he and respecting their rights to do so. This is a perfect preparation for citizenship in a pluralistic society in which, often, delicate decisions have to be made in which there are majorities and minorities. The dissenter must always be free in his conscience, no pressure must be put on him to conform. But to suggest that this entitles him to deny the great majority the right to do what they feel in their consciences they should do is a travesty of the democratic process. A responsible pluralism in this, as in similar matters, is the very basis of our way of life together.

13. Is common prayer not in fact harmful to real religion?

By no means. True some children mumbled the morning prayer, but some children sing "The Star Spangled Banner" badly and some look out the window while reciting "The Gettysburg Address." This is no reason for abolishing the practice. What a magnificent experience, the children who have attended no religious exercise on the week-end or who have gone to various temples and churches on different days during that week-end come together on Monday and find common words to say to a common though differently experienced father! Who shall say that this experience is not meaningful?

14. How will the prayer-ban decisions effect other church-state cases?

Once the First Amendment has been fundamentally misinterpreted, it is clear that all other cases arising under it will be tainted by that misinterpretation. Make no mistake, the prayer-ban decisions are not dead but living. They will rise in case after case to affect the outcome.

15. What connection is there between the prayer-ban decisions and national sanity?

We cannot, nor do we, contend that all the tragic occurrences in the United States since 1962 can be traced back to the prayer-ban decisions. We do suggest a serious decline in morality among us. We do point to anarchy, arrogance, crime-increase, over-sexism and all the rest. We do say that the prospect of making America again a nation on its knees through a prayer amendment might do much to reverse the national moral crisis.

For further information read: "The Supreme Court and Public Prayer" by Professor Charles E. Rice, Fordham University Press, New York City, 1964.

Whenever you write us, please enclose a self-addressed and stamped envelope. Union in prayer.

The Restoration of the Civil Right of Free Public Prayer Could be the Critical Beginning of a National Return to God

(Testimony of Rev. Robert G. Howes, National Coordinator of Citizens for Public Prayer, Washington, D.C., and Associate Professor at the Catholic University of America, before the City Council of Baltimore, Maryland, on 2 March 1970, supporting a bill to provide for free non-denominational prayer in the public schools of Baltimore.)

How very appropriate that we meet tonight in Baltimore, Maryland, the city from which once Madalyn Murray O'Hair succeeded in driving free school prayer! How very appropriate that the instant resolution bears the signatures of a Councillor Gallagher and a Councillor Kaplan!

The subject before us all here is, technically, a moment in the morning, nothing more. And yet in an extremely real sense, the subject is the future of this nation. I do not suggest, of course, that restoration of the civil right of free public prayer in the classrooms of Baltimore will in and by itself cure the deep diseases now eating inside us. I do suggest that there is in such a restoration the same potential which existed in the penny on the pound of tea which once activated Boston toward revolution. I do suggest there is here a great symbolic moment, a critical break-boundary as Marshall

McLuhan would call it, a turning point. Your action in restoring the civil right of free prayer to school children in that city which now stands blotted before the American people as the first city from which school prayer was specifically banned could indeed begin Operation Break-through for a great national crusade to make America again a nation on its knees! And never in our history together since Valley Forge has such a crusade been essential!

I am here, then, both to support the resolution before you and to invite your attention to the larger issue within it. We in Citizens for Public Prayer have fought for nearly seven years to reverse the two tragic prayer-ban decisions of the United States Supreme Court. We continue to fight. We remained convinced that, while what you do is important, only a carefully worded Peoples' Amendment for Public Prayer is adequate to the need of the situation. Only an amendment which will forever wipe out the precedent of those two decisions can do the job which must be done. Even as you deliberate on this resolution, we invite you and the people of Baltimore to look upon it not as an end but as a vital and triumphant beginning in a process the term of which will be the type of Peoples' Amendment for Public Prayer now supported by 44 Senators of both parties on the Hill but unfortunately bearing the signature of neither of the two Senators from the State of Maryland!

What is actually at stake in the matter before us here?

(a) first and foremost, *the restoration of that free brotherhood in prayer with which for long and good decades American young people began their school day.* This was accomplished with a minimum of mistake and a maximum of common sense. It is a wonderful preparation for responsible citizenship in this pluralistic republic.

(b) *the democratic process* itself. Despite hundreds of bills and evidence of massive public support, in nearly eight years since the first prayer-ban decision not one single proposal for a prayer amendment has reached the floor of either House or Senate for a normal vote. All bills remain blocked in committee. This is almost unbelievable. Even those who disagree with supporters of free public prayer should now join them in demanding a free and fair chance for the issue to be heard first in the Congress, then in the fifty States!

(c) *a re-affirmation of the role of God in our life together as a people.* As school prayer is debated in fifty States, a re-examinaiton of our national conscience and a re-dedication to our national purposes "under God" are inevitable. Seldom has this been more necessary.

(d) *the reversal of a process of creeping secularism.* Attacks on the moon prayer of the Christmas astronauts (1968), on the Peace Pageant at the White House (1969), and similar practices demonstrate conclusively that denial of free school prayer is by no means the end but rather a significant beginning in the creeping secularism which now threatens our reverential national practices. Mrs. Madalyn Murray O'Hair is fully aware of this. Too many who disagree with her are not. Only reversal of the two prayer-ban decisions can once and for all prevent a widening of the ban to strike down one by one all other surviving instances of public reverence among us.

Who supports prayer in the public school?

It will often be contended that only the people support prayer in the public school. And this, of course, is in part true. Somewhere in the vicinity of 75% of the nation endorse free school prayer. It will also be contend that "church leaders" agree with the Court. And this too is in part true. Many whom we call "generals without armies", so-called religious leaders who do *not* speak for their own congregations, have incredibly refused to recognize the evil in the two prayer-ban decisions. But, all the same, the list of supporters of free school prayer is significant. It includes Patrick Cardinal O'Boyle of Washington whose Thanksgiving Day 1969 address to the Kiwanis and Rotary Clubs in Washington, D.C., strongly criticized the Court for its prayer-ban rulings. Also included are Dr. Billy Graham, the National Association of Evangelicals, the National Council of Catholic Youth, the Daughters of Isabella nationally, the Jaycees, the National Governors' Conference, the National Conference of Mayors, the American Legion, the Veterans of Foreign Wars, the Diocesan Council of Catholic Women in Buffalo, New York, and the legislatures of Maryland, Massachusetts and New Jersey! There are many others. A recent poll by Congressman Lawrence J. Hogan (5th Maryland District) showed 71% of all respondents in favor of a constitutional prayer amendment.

Again congratulations. Indeed tonight you may begin to fire the shot which will be heard around the country.

THE LINK BETWEEN THE PROBLEMS OF RURAL AND URBAN AMERICA

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. WOLD. Mr. Speaker, in the period since 1914 there has been a great demographic shift in the United States. Attendant with this shift has been an equally great social and economic restructuring of the United States.

In short the United States has been transformed from a rural agrarian, sparsely settled society to an urban, industrialized, and populated nation. The transformation has not been without benefits, but increasingly we are finding that a tremendous economic and social cost has been exacted in the process.

The scope of the problem is vividly portrayed in an editorial by James M. Flinchum, the editor of the Cheyenne, Wyo., State Tribune.

I include it in the RECORD at this point in my remarks:

[From the Cheyenne (Wyo.) State Tribune, Mar. 6, 1970]

NO ANT HILLS ON OUR HORIZON

The Wall Street Journal in an editorial this week headed "Danger: Anthills Ahead" says that high on the list of national priorities should be a program aimed at preventing America from degenerating into an anthill society.

The anthills mentioned in the editorial amounts to a metaphorical refernce to our urban centers, and as the Journal notes, was used by Secretary of Commerce Maurice Stans recently in warning about what could happen to America in the next 30 years when by the year 2000 a total population of 300,000,000 may be expected in this country, 85 per cent of that concentrated in the urban centers.

It is not very pleasant to contemplate what such an anthill society would mean to this nation," said Stans. Among the probable evils likely are increases in congestion, pollution, crimes and youthful alienations; some local governments might be unable to provide the necessary services for their citizens and thus disintegrate heading to megalopolitan governments of a police state nature.

"Skyrocketing costs of public services, moreover," says the Journal, "could drain so much tax revenue as to produce practically a state-controlled economy."

In one respect we disagree with this thesis: The anthill society is not in the future. It already is here. Consider the problem of New York City; constant friction of one kind or another in this teaming, over-crowded community has led to certain forms of stagnation. An example is a gravediggers' strike that has led to the accumulation of hundreds of bodies that are stacked up in the cemeteries because they cannot be placed underground. Garbage collection is another prime problem, rampant crime in the streets another.

All about us in the nation's megapolitan areas, the anthills are teeming; the situation exists on both coasts: Vast concentrations of people who by their very numbers create an almost insuperable problem. But at the same time the concentrations are encouraged; the tremors of social disorder that are set off by these antheaps are contributed to by the herd instincts of industry and commerce. There is some sign that the danger is recognized; a few industries are moving out of megalopolis and into the hustings, but not in sufficient volume yet.

Perhaps more encouragement is necessary; this need not be in the form of government compulsion, says the Wall Street Journal, but through devices of encouragement such as investment tax credits, liberalized depreciation allowances, planned decentralization of government facilities and continued assistance to new communities.

From a social standpoint, the problem deserves the intense scrutiny and study of the Nixon Administration for it has shown that it possesses the courage and candor to make such an approach rather than contribute to further escalation of the antheaps through the social action programs espoused by its two predecessor administrations which shore up the anthills rather than arrest their development or erode them.

Finally, we wish some public-spirited citizen or agency might take out a full page ad in a publication such as the Wall Street Journal that would convey the message that there are no anthills in Wyoming.

Perhaps a photograph or one of Connie Schwiering's great paintings depicting the Tetons would aid such a message; no anthills, only mountains and magnificent, but largely, empty landscapes.

A little people distribution would help everybody all around.

Our cities would be even more overburdened; our rural areas would have deteriorated even more had it not been for the reluctance of legislators from rural areas of the United States to adopt the great social programs of the past decades.

But the onc man-one vote ruling has increased the power of urban areas and soon will give political power to direct the Nation's resources and energies solely toward the solution of the Nation's urban problems.

Another article which sheds light on the problems and outlines some general starting points toward rural development is the recently published findings of the President's Task Force on Rural Development.

As Mr. Flinchum has stated so eloquently, however, problems cannot be solved through ignoring rural America. To do so would be a very unwise policy and would multiply the already existing problems of both areas.

In the past decade, a few farsighted

individuals have noted the link. But these findings were buried in the clarion cries for help by the cities.

Despite this an increasing number of persons have noticed the connection. Indeed, the recognition has progressed to the point where urban leaders recognize that at least a portion of the Nation's resources must be directed toward a solution of the Nation's rural problems if theirs are not to be compounded.

There are many paths the revitalization of the Nation's rural areas may take. Mr. Flinchum points out some possibilities—investment tax credits, liberalized depreciation allowances, planned decentralization of Government facilities, and continued assistance to new communities.

THE STUDENT IN THE UNIVERSITY AND SOCIETY OF TODAY, NO. 5

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. McCLORY. Mr. Speaker, I include in the RECORD as a part of my remarks today the second half of a report by the National Association of State Universities and Land-Grant Colleges entitled "Constructive Changes To Ease Campus Tensions: State and Land-Grant Universities Take Positive Steps To Involve Students and Curtail Campus Disruptions."

The remarks follow:

POLICIES AND PROCEDURES ON CONDUCT AND DISRUPTION

Largely in response to the growing threat of violence and disruption on college and university campuses, institutions of higher learning throughout the country have in the past two years developed specific procedures and policies to protect their campuses and to guarantee the rights of those engaged in normal university activities to continue their pursuits unhampered. The examples in the following sections illustrate recent activities along these lines. Institutions not listed here have been excluded not because they have not been taking steps to deal with disruptive demonstrations but only because the Office of Institutional Research lacked specific information on their activities at the time this compilation went to press.

POLICIES ON OBSTRUCTION AND DISRUPTION

In this section are examples of the kinds of specific policy and warning statements state universities have been adopting recently with regard to campus disruption. These statements make it clear that state universities will not tolerate violence, disruption, and interference with the rights of others and that they will initiate disciplinary proceedings against those who engage in such tactics. Penalties are clearly spelled out, and in many cases include expulsion or suspension.

Alabama

Auburn University in October 1969, revised its policy for campus disruptions, to warn that students "engaged in or contributing to any disruptive or destructive activity will be subject to prompt disciplinary action and, if appropriate, to civil action." Non-students, it warns, will be brought before the proper civil authorities.

Furthermore, in response to concern expressed by student leaders, disciplinary procedures and penalties for offenses including rioting, disruption of University operations, dishonesty, and possession or use of illegal drugs have been clearly defined and published in the student handbook.

Arizona

In July 1968, the Arizona Board of Regents adopted a policy clamping down on acts of disruption or violence on university property.

Arizona State University's new code of conduct warns expulsion or suspension may result from offenses including the following:

"Intentional obstruction or disruption of teaching, research, administration, disciplinary proceedings, or other University activities, including public service functions and other duly authorized activities on University premises.

"Occupation or seizure in any manner of University property, a university facility or any portion thereof for a use inconsistent with prescribed, customary, or authorized use; preventing, obstructing, or substantially interfering with the use of a facility or a portion thereof by those persons for whom or to whom the space is assigned.

"Participating in or conducting an assembly, demonstration, or gathering in a manner which threatens or causes injury to person or property; which interfers with free access, ingress, or egress to University facilities . . . remaining at the scene of such an assembly after being asked to leave by a representative of the Office of Student Affairs or a campus security officer."

California

University-wide rules which are applicable on all nine campuses of the *University of California* state that one of the specific categories of misconduct for which students are subject to discipline is "obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities, including its public service functions, or of other authorized activities on University premises."

Colorado

In September 1968, Regents of the *University of Colorado* approved a general tightening up of regulations governing student conduct. This was the first major revision of the Laws of the Regents since 1960. The new laws spell out standards of conduct expected of students in more detail than the old ones and they specifically state that CU officials shall not discuss student grievances "under conditions of coercion, intimidation or where ultimatums are present or implied."

The ultimate authority for disciplinary action is vested in a Faculty Committee.

In addition, a resolution passed by the Faculty Council empowers the chairman of any public meeting held on campus to take all necessary steps to see that speakers can be heard and are treated with courtesy.

Colorado State University's "procedure for accommodating peaceful assembly on campus" was revised in March, 1969. This policy statement guarantees the rights of peaceful assembly and prohibits demonstrations which interfere with educational functions. Demonstrations are prohibited in classrooms during hours they are scheduled for use. Demonstrators refusing to leave when directed by authorized university personnel are subject to immediate temporary suspension and arrest under applicable city and state laws.

Connecticut

At the *University of Connecticut* during the past two years, students have comprised a large majority of the special committee which formulated policies related to recruitment and related demonstrations. Several students now serve as voting members on a special committee developing guidelines for responsible dissent and demonstration on the campus.

All matters of student conduct and disciplines are accountable to the Student Conduct Committee. This board is comprised of three faculty members and seven students and acts autonomously under the authority of the Dean of Students.

Delaware

In August 1968, the *Delaware State College* Board of Trustees declared its college policy "to make clearly understood that vandalism, disruptive activity, taking over or otherwise occupying or using the College grounds, buildings or facilities without proper authorization, intimidation and violence are unacceptable modes of behavior and will not be tolerated."

The *Delaware State College* student handbook warns that "any student who initiates or participates in a demonstration or any form of protest on campus that obstructs the academic process, interferes with the rights of others on campus, or results in physical violence or property damage is subject to serious disciplinary action."

Delaware State College and the *University of Delaware* have declared they will permit students to demonstrate, picket, and distribute leaflets. But whatever steps necessary will be taken to control picketing that interferes with university functions.

Florida

At *Florida State University*, a new student code details "offenses" which may lead to expulsion or lesser penalties:

"Deliberately impeding or interfering with the rights of others to enter, use, or leave any University facility, service, or scheduled activity.

"Deliberate interference with members of the University community in carrying out their normal functions or duties.

"Participation in unlawful demonstrations, riots, affrays, or assemblies in violation of policies, rules and regulations of the Board of Regents and the Florida State University, or in violation of the law.

"Destruction, damage, or misuse of University property . . .

"Unlawful or unauthorized entry into or upon University owned or controlled buildings, property or facilities."

The *University of Florida's* policy governing demonstrations was adopted by and has the support of faculty and student leaders. As explained by UF President Stephen C. O'Connell: "The policy is a simple one. Briefly stated, under it freedom of speech and action is guaranteed everyone entitled to be on our campus, so long as the individual obeys the law, does not interfere with the rights of others, or interfere with the orderly operation of the University. If anyone by his action threatens to disrupt, he is warned to desist. If he persists, he will be suspended pending hearing. If he still doesn't stop, he will be arrested."

Georgia

The Board of Regents of the *University System of Georgia* has adopted a policy on disruptive and obstructive behavior, which is said to be consistent with resolutions adopted in 1968 by the AAUP, AAC, and AHE Executive Committee condemning actions taken to disrupt the operations of institutions of higher education. It warns as follows:

"Any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary or public service activity, or any other activity authorized to be discharged or help on any campus of the University System of Georgia is considered by the Board to have committed an act of gross irresponsi-

bility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

Hawaii

A proposed addition to the Student Handbook of the *University of Hawaii* pertaining to judicial procedures is currently before the university's governing bodies. It specifies a variety of sanctions that could be involved in cases where students are found guilty of actions which disrupt any university function.

Idaho

In April, the *University of Idaho* Board of Regents adopted a Faculty Council-approved University policy calling for "prompt and firm action" interminating any disruptive protest demonstration or sit-in.

Illinois

In September 1968, the *University of Illinois* Board of Trustees warned that "acts of violence, disruption, and interference with the rights of others" . . . (are) wholly antagonistic to the spirit and purpose of the University . . . Such actions constitute unacceptable behavior on the part of any University student or member of the faculty and staff."

The *University of Illinois* has a new "Policy on Demonstrations," which brings together all current policies and procedures of the University for maintaining order on its various campuses. Included are actions of the Board of Trustees and the president and a statement adopted by the Senate committee on Student Discipline. A step by step approach to the handling of disruptive activity has been set up at each campus of the University, according to the document. It also notes that liaison with state, county and local law enforcement bodies has been established to assure their availability if needed. The "Policy" is signed by President David D. Henry.

Indiana

On August 28, 1969, the *Purdue University* Board of Trustees amended its June 8, 1968, resolution covering conditions of student conduct leading to suspension or expulsion from the University to include obstruction and disruption of university activities as grounds for automatic suspension for a minimum of one full academic semester plus the remainder of the semester during which the offense occurred.

The resolution also noted that "demonstrations are not of themselves misconduct. Demonstrations which do not involve conduct beyond the scope of Constitutionally-protected rights of free speech and assembly are, of course, permissible. However, conduct which is otherwise improper cannot be justified merely because it occurs in the context of a demonstration."

In September, Purdue added to its statement of principles and policies for academic tenure originally issued in October 1964 a section warning that faculty staff members would be dismissed if found guilty of disruption or obstruction of university activities.

Iowa

In February 1968, the State Board of Regents in Iowa designated as acts of misconduct subjecting the violator to disciplinary action "intentionally disrupting the orderly processes of the university; intentionally obstructing or denying access to services or facilities by those entitled to use such services or facilities; or intentionally interfering with the lawful rights of other persons on the campus, or inciting others to do these acts."

This policy applies to all Regents institutions in the state.

At the *University of Iowa*, it has been incorporated in the current Code of Student Life distributed to all students and in the general catalog.

At *Iowa State University*, it has been incorporated into the regulations concerning student behavior that appear in the 1969–71 student handbook.

Iowa State University also warns that admission or re-entry to the university as a student may be qualified or denied to anyone who while not registered as a student commits acts that would have subjected a registered student to disciplinary proceedings.

Kentucky

The *University of Kentucky* Student Code warns students that disruptive or coercive acts may lead to suspension or expulsion. Any action constituting "interference with, or coercive action against, any registered, organization or any individual on property owned or operated by the University . . . or prevention of ingress to and egress from buildings" is a disciplinary offense at the University.

Louisiana

Louisiana State University has banned Students for a Democratic Society from all its campuses. The Board of Regents said it could "find no reason why it should encourage destruction of the university system by according SDS, or any other similar organization, official status."

Maine

The *University of Maine* has distributed a Statement on Campus Disorder, approved in October, 1969 by the Student Senate and the Council of Colleges. The statement includes policies approved in 1967 by the Faculty Council and Board of Trustees stating that normal university functions may not be disturbed and the free flow of traffic may not be disrupted by individuals or groups. The statement also outlines relevant disciplinary regulations and procedural guidelines for dealing with campus disorders.

In addition, the University's Code of Student Conduct, currently under review, confines demonstrations to the outside of University buildings and warns that demonstrations must not block access to buildings or interfere with either the free movement of anyone on university grounds or the normal conduct of university affairs.

Maryland

Current regulations of the *University of Maryland* warn that "disciplinary sanctions will be imposed not only for individual misconduct which demonstrates a disregard for institutional behavioral standards, but, as well, for conduct which indicates disregard for the rights and welfare of others, as members of an academic community. Such conduct may ultimately call into question the student's membership in the university community, either because he has violated elementary standards of behavior necessary for the maintenance of an educational milieu, or because his continued presence at the University adversely affects the ability of others to pursue their educational goals."

The University of Maryland regulations also forbid destruction or theft of personal or university property and warn that disciplinary action may include restitution to the University or to the individual(s) involved.

Massachusetts

Under the leadership of the President, Provost, Dean of Institute Affairs, and the Chairman of the Faculty, a code of behavior relating to dissent on the campus has been developed at the *Massachusetts Institute of Technology*. Faculty-student committees have been appointed to apply this policy to specific instances of disruption and violence which may involve the civil authorities or the Discipline Committee of M.I.T.

The Code of Student Conduct for the *University of Massachusetts* has been amended by joint committee action to include defined limits and procedures for campus protest and dissent. These standards are under continuing study by the committee at the direction of the Board of Trustees Committee on Student Activities.

Minnesota

On April 24, 1968, a student-faculty committee at the *University of Minnesota* issued a report on campus demonstrations and made various recommendations. The implementation of the report has been initiated and supported by faculty and students. In summary, the report states that orderly demonstrations as an expression of favor or dissent should be permitted and encouraged on a university campus, because of the very purpose, nature and functions of a university. It adds, however, that "demonstrations which disrupt the functioning of a university endanger its existence."

Michigan

University of Michigan President R. W. Fleming at a faculty meeting on September 29 of 1969 said: "We can within the University of Michigan, tolerate as much dissent and turbulence, I suppose, as any university in the country. But we cannot tolerate continued harassment and disruption which makes our primary purpose for being here impossible."

In June 1968, the *Michigan State University* Board of Trustees passed a resolution warning that attempts to interfere with university activity may subject participants to legal and disciplinary action, "including suspension and expulsion."

Mississippi

Mississippi State University has revised certain regulations and procedures relating to campus disturbances.

Missouri

A strong policy statement warning that the *University of Missouri* will not tolerate actions by any groups or individuals that interfere with its normal and regular activities was issued in fall 1968 by President John C. Weaver. The statement has the unanimous support of the Board of Curators and applies to all four University campuses. It warns that any students or employees who interfere with normal activities "will face immediate suspension and may suffer ultimate dismissal."

Montana

The *University of Montana* has long had a general policy which insures the student's right to freedom of speech and expression through demonstrations or otherwise so long as the exercise of this right does not interfere with the normal operation of the university. In the event the normal operation of the university is in fact interfered with, then a policy statement has been prepared to be read to the students participating in any such violation of University regulations which informs them that if the violation continues, the university will, upon recommendation of the Attorney General of the State of Montana, take the necessary steps to obtain an injunction against its continuance.

Nebraska

The *University of Nebraska* Board of Regents adopted a policy on "campus disorders and response to disruptive action" on April 19, 1969. In this instance, students, faculty, and administration agreed on the policy which was presented to the Regents for approval. This policy states in effect that when disruption occurs, sanctions will be imposed on the spot. If these sanctions are ignored, university officials can invoke police force. The policy also provides for the right of any individual or group to petition for public hearing.

New Hampshire

At the *University of New Hampshire*, faculty, student, and administration committees dealing with specific issues, such as

ROTC, recruitment as well as student rights, have all emphatically rejected physical disruption of the University's normal operations as a tactic. The committees also suggested peaceful means for recording opposition to campus situations that seem undesirable.

New Jersey

The *Rutgers University* policy on demonstrations states that any demonstration that interferes with the freedom of other members of the academic community will not be tolerated. This includes all actions which interrupt the normal activity of the institution, e.g., occupying buildings, obstructing traffic, or committing any act of trespass or vandalism. The University warns that such activities, if carried out, can result in disciplinary measures, including possible suspension, expulsion, or the application of civil remedies as appropriate. Where disciplinary measures are required, due process will be observed in accordance with well-defined procedures established by each college and division of the university.

New Mexico

In January 1968, the Deans' Council of *New Mexico State University*, working with the President's office, widely publicized the University's position on rights and responsibilities of students. The statement specifically warns against activities "which hinder a faculty member or administrative officer in the performance of his university duties or which put obstacles in the way of students going about their legitimate university concerns." Such activities "must be considered irresponsible, and the individuals involved will be subject to disciplinary action," the statement continues.

The Regents of the *University of New Mexico* approved a Student Standards Policy for the University several years ago. It guarantees procedural due process to students in violation of university regulations and sets up standards of student behavior. The policy calls for disciplinary action "if a students acts in such a way as to affect adversely the University's educational function or disrupt community living on campus."

New York

In July 1969, the *State University of New York* Board of Trustees adopted new rules and regulations for maintaining public order on state university campuses. These regulations were distributed on SUNY campuses this fall. They are binding on all persons on university-controlled premises. They detail "prohibited conduct" which may subject violators to penalties including expulsion and/or dismissal. Among the prohibited activities are the following:

Entering into private administration or faculty offices without permission "express or implied."

Remaining in any building or facility without authorization after normal closing hours.

Deliberately disrupting or preventing the orderely conduct of classes, lectures, and meetings; or deliberately interfering with the freedom of any person to express his views, including invited speakers.

Willfully damaging or destroying property of the institution or under its jurisdiction.

Entering or remaining in any building in a manner that obstructs its authorized use by others.

A report by a Special Trustees' Committee on Campus Unrest at *Cornell University* endorsed the adoption of a new university-wide judicial system, formulated and approved by both the Faculty Council and Board of Trustees. The major thrust of the new system is that there will be no negotiations under duress and no amnesty to offenders. Students refusing to abide by university codes and regulations will be suspended or expelled.

New regulations designed to prevent disruption of public order are also in force this year at *Cornell*. The rules were adopted by the Board of Trustees in compliance with a new section of the New York State Education Law.

The regulations affirm the rights of peaceful dissent and free speech on campus. Regarding "Standards of Conduct," they summarize as follows: "All persons shall conduct themselves on University premises in a manner which does not disrupt or obstruct university operations or functions or infringe upon or interfere with the lawful exercise of the rights and freedoms of others." Specific kinds of prohibited conduct are listed, including using force against persons or property, obstructing access to University premises, and preventing the participation of others in employment interviews and other authorized activities.

To help enforce the regulations, the Trustees, acting on recommendations from a student-faculty-administration task force, created two boards to hear cases and appeals involving alleged violations and also created the post of judicial administrator. These positions were filled this fall.

In June, 1969, the Board of Higher Education of *The City University of New York* adopted an eight-rule code dealing with the maintenance of order on its campuses. Included are specific prohibitions against: Obstruction or forcible prevention of others from the exercise of their rights; interference with the institution's educational process or facilities; unauthorized occupancy or obstruction of university facilities; disorderly/or indecent conduct; possession of weapons on campus; theft or damage to university property or the property of any person on university premises, and use of language or actions likely to provoke or encourage physical violence.

A range of specific penalties to which violators will be subject is also spelled out. The rules were drafted by the Board's Education's Law Committee following consultations with representatives of the university's Faculty Senate, Student Advisory Council, and Deans of Students.

North Carolina

The Executive Committee of the *University of North Carolina* Board of Trustees adopted on July 7, 1969, a statement defining University policy in cases of disruption of the educational process; and on September 12, 1969, a statement of procedures to implement the policy.

It defines disruptive conduct and warns as follows:

"Any student, faculty member (including full-time or part-time instructor), or employee who willfully by use of violence, force, coercion, threat, intimidation or fear, obstructs, disrupts, or attempts to obstruct or disrupt the normal operations or functions of any of the component institutions of the University, or who advises, procures, or incites others to do so, shall be subject to suspension, expulsion, discharge, or dismissal from the University."

In implementing the statements, each chancellor was to appoint a student-faculty-administration board of inquiry and a university hearings committee.

In September the Chancellors of the six units of the *University of North Carolina* distributed copies of these statements to all students, staff, and faculty.

At *North Carolina A & T State University*, a code to student life, widely distributed this fall, sets down guidelines for protests, picketing, and demonstrations by student groups. It requires specific grievances, issues, "or other potential protest or demonstration concerns" to be submitted 96 hours in advance to the president of the Student Government Association, who will conduct a hearing on them and submit his findings and recommendations to the Dean of Student Affairs. Applications to assemble for purposes of protests in the case of unreconciled grievances must be made at least 24 hours in advance. Assemblies and demonstrations must be conducted so as not to interfere with or obstruct normal traffic flow onto, about or around the campus. The use of the campus "as a staging area" for off-campus protests or demonstrations will be discouraged.

The code to student life also warns that "any student or faculty member who willfully, by use of violence, force, coercion, threat, intimidation or fear, obstructs, disrupts, or attempts to obstruct or disrupt the normal operations or functions of the University, or who advises, procures, or incites others to do so, shall be subject to suspension, expulsion, discharge, or dismissal from the University."

North Dakota

A statute enacted by the 1969 session of the North Dakota Legislature mandates the State Board of Higher Education or the administration on the campus involved to take certain steps in the event that any person is found to have willfully damaged any university property or willfully obstructed the normal administration of the university.

The course of action required includes the following:

(1) The filing of a civil suit for damages against the person;

(2) The signing of a criminal complaint charging him with a violation of the law;

(3) If the person is a student, his expulsion from the school; and

(4) If the person is a faculty or staff member, the bringing of a hearing on the charge of breach of his employment contract.

The statute does not grant the administration of a college the authority to withdraw the civil or criminal complaints once they are filed. Therefore, no requests for amnesty or withdrawal of charges can be honored.

In a policy statement on campus disruption, the *North Dakota State University* Administrative Council cited the provisions of the statute. The statement added that, in the event that any seizure or forcible occupation of university property falls short of the willful destruction or obstruction prohibited, the Academic Council of NDSU will take action, including:

(1) All negotiations, if any, with the occupying group will be terminated immediately.

(2) The occupying group will be advised that the university authorities are prepared to meet with a limited number of representatives of that group at a time and place when and where reasoned discussion can be had, but only after the seizure or forcible occupancy has ceased, and only with the understanding that such seizure or forcible occupancy will not be repeated.

(3) The occupying group will be notified publicly to vacate.

(4) If the notice to vacate is not followed, all necessary steps to ensure compliance will be taken.

The *University of North Dakota* is currently in the process of drawing up more detailed statements of policy and procedures to be followed in the case of serious interruptions of normal university activities than are found in its "Conduct Code and Disciplinary Procedures," its current guide in handling student violations of regulations.

Ohio

The *Ohio State University* Board of Trustees has adopted a set of rules dealing with disruption of university operations and with the university committee on discipline. The rules provide that students found to have engaged in disruptive acts may be subject to expulsion, with or without prosecution in civil courts.

The Policy for the Conduct of Members of the *Ohio University* Community was adopted in September, 1968. It specifically declares

as unacceptable conduct for members of the University community and visitors "obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university activities, including the University's public service functions, or of other authorized activities, on University-owned or controlled property."

Violators may be ejected from University property, suspended or expelled from the University, or liable to legal prosecution as appropriate.

Oregon

The *University of Oregon* Code of Student Conduct has detailed provisions which include offenses relating to the physical abuse of another person in the academic community and to the malicious destruction, damage, or misuse of University property or of private property on campus. It also proscribes improper disruptions of classes.

Oregon State University's Student Handbook has undergone considerable revision to insure that it defines in detail the code of conduct for all students. Sections include: Responsibility of Individuals, All University Policies and Regulations, Disciplinary Actions and Procedures, Responsibility of Student Organizations, and the recently adopted statement on "Students Rights, Freedoms and Responsibilities at Oregon State University."

Pennsylvania

Last March, in a letter to parents, *Pennsylvania State University* President Eric A. Walker reaffirmed the University's determination "that no class shall be interrupted nor action tolerated that threatens others or interferes with the educational programs of the University."

South Carolina

A policy concerning the conduct of students, adopted by the Board of Trustees in 1965, still is the standard at *Clemson University*. The policy recognizes that "there is a valid function performed by faculty and student body alike in considering and supporting any and all issues controversial or noncontroversial within the framework of orderly peaceful and lawful decorum, demeanor and processes." At the same time, it empowers the president of the university to take any disciplinary action that he feels the circumstances warrant to prevent acts of violence, unlawful use and misappropriation of institutional property and facilities, criminal acts and public acts which reflect adversely on the maintenance of discipline and on the good name and reputation of the university, its student body, and faculty.

A statement in the rules and regulations of the *University of South Carolina* recognizes the rights of students to peaceable assembly, freedom of opinion, freedom of speech, and freedom to engage in the normal educational and institutional processes of the university. It adds that the university will use all of its resources to see that no one connected with the university interferes with the free exercise of these rights. Appropriate legal and disciplinary sanctions will be invoked in cases of "physical obstruction or interference, interference by noise, and actions which offend or outrage normal sensibilities . . ."

South Dakota

South Dakota State University's regulations state that students may have peaceful demonstrations but they cannot interfere with the normal operations of the institution in teaching, research, and extension. They cannot interfere with the rights of any other student or citizen, and they cannot destroy property which belongs to individuals, the state, or federal government.

A policy adopted at the *University of South Dakota* states that student demonstrations are recognized as a legitimate means of expression to the point that there is no interference with the freedom of others or disruption of regular scheduled university activities.

Tennessee

On June 20, 1968, the *University of Tennessee's* Board of Trustees approved a resolution that "conduct or activities which are disruptive of the educational process will not be tolerated on any campus of the University of Tennessee." The Board authorized the president and administration of the University to take "any lawful action which is necessary to maintain law and order and the integrity of the institution . . . This board will not tolerate any form of civil disobedience or disruption of the University's orderly business."

The University's policy permits campus demonstrations in areas generally available to the public provided demonstrations are orderly and do not interfere with university traffic and activities.

On March 27, 1969, the *University of Tennessee* Administrative Council approved an itemized list of "misconduct for which students are subject to discipline." It includes "obstruction or disruption of teaching, research, administration, discriminary procedures, or other University activities, including its public service functions, or of other authorized activities on University premises."

Student regulations have been updated at *Tennessee State University* to be more specific regarding penalties for disruptive acts.

Texas

In April 1968, the Board of Regents of the ten-institution *University of Texas System* amended its rules and regulations dealing with disruption of educational activities by force or violence. Penalties including expulsion for students and dismissal for employees were set for those who "acting singly or in concert with others, obstruct or disrupt, or attempt to obstruct or disrupt, by force or violence, or by threat of force or violence, any teaching, research, administrative, disciplinary, public service or other activity authorized to be held or conducted on the campus of a component institution of the UT System."

Texas Tech University regulations forbid "the use of force or violence which in fact causes obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university-authorized activities, including its public service functions, or of other authorized activities on university premises . . . The words 'force or violence' include such acts, for example, as are commonly called 'stand-ins,' 'sit-ins' and 'lie-ins' only when such acts are in fact obstructive or disruptive of any of the authorized activities as set out above."

Texas Tech President Grover E. Murray has warned that "the administration and the Board of Directors of the university neither condones, nor will tolerate, irresponsibility of actions or interruptions of the orderly processes conducive to maintenance of a desirable learning atmosphere. The administration and the Board of Directors of Texas Tech intend unequivocally that abrogation of the university's requirements of conduct and behavior shall make the offender liable to disciplinary action including separation from the University community."

In a statement issued last May, the *Texas A & M University* Board of Directors noted that "the doors of Texas A & M University have been, and will continue to be, open for orderly constructive change as recommended by anyone with noble purpose. But change which would disrupt due academic processes—change thrust upon this institution under the ugly veil of threat or demand—will not be considered or tolerated."

A statement issued last March by *University of Houston* President Philip Hoffman warned students that disrupting the normal educational program or threatening life or property could lead to fines or prison. He specifically warned that occupation of buildings, classrooms, offices, laboratories, or other University facilities in such a way as to interfere with their normal use would not be tolerated, nor would blocking of access of those facilities be allowed. Persons failing to end disruptions when so requested by university spokesmen will be subject to university disciplinary action, as well as civil arrest and prosecution. In making his statement, President Hoffman noted that he also represented "the unanimous viewpoint of the Board of Regents."

Virginia

At the *University of Virginia*, in May, 1968, University President Edgar F. Shannon, following a meeting with student leaders, stressed that "University officials will not negotiate . . . under conditions of duress, such as unauthorized occupation of university property." In September, 1969, he issued a statement confirming the university's commitment to academic freedom, freedom of speech, and the right of students to indicate publicly their views in ways not disruptive of academic activities, scheduled events, or other normal university functions. The university's catalogs state that "any student found guilty of participating in or inciting a riot or an unauthorized or disorderly assembly is subject to suspension."

A detailed statement on procedures to be observed in the event disruptive activities develop was adopted in 1968 by the University Council and Board of Visitors at *Virginia Polytechnic Institute*. The statement was distributed to all students and faculty during fall registration for the 1968–69 and 1969–70 academic sessions. The statement outlines procedures for orderly picketing and demonstrations. In the event these activities become disruptive or interfere with normal University programs or the individual rights of others, specific steps for restoring order are outlined in the statement.

Washington

Washington State University President Glenn Terrell last March in an open letter reiterated university policy of using all resources available "to prevent disruptive action on the campus on the part of anyone—faculty, students, staff, or outsiders." Members of the university community "who violate the rights of others" are subject to disciplinary procedures.

Last November, the *University of Washington* Regents issued a statement declaring explicitly "what it has regarded as implicit heretofore, namely, that it will not condone actions on the university campus . . . which threaten the destruction of university facilities, records, or property, or which prevent students, faculty, or staff from carrying forward their regular activities and responsibilities . . ." The Regents warned that individuals resorting to disruptive activities "expose themselves to university discipline or action of the courts, or both."

Wisconsin

Recently-enacted Regent regulations applying to all *University of Wisconsin* campuses prohibit intentional conduct which seriously damages university property, indicates serious danger to the personal safety of members of the university community, and which obstructs or seriously impairs university activities. Other new regulations require identification cards, authorize chancellors to close campuses to outsiders in emergencies, severely limit the use of bullhorns at campus rallies, regulate picketing and other assemblies to limit interference to regular campus activities, and prohibit the entry on campus for specified periods by students who have been suspended or expelled as a result of obstructive or dangerous conduct

and by non-students who are convicted of crimes involving danger to persons or property on campus.

Wyoming

The *University of Wyoming* has declared it will permit students to demonstrate, picket, and distribute leaflets so long as the procedures are orderly and do not interfere with the rights of others or hamper normal university functions.

STUDENT CODES

At a number of institutions, all regulations pertaining to student behavior have been assembled into a comprehensive document known as the student code. Students are expected to familiarize themselves with their codes and to abide by the regulations laid out in them. These codes have in many cases been developed by and/or with the assistance of students. In recent years, a number of these codes have been revised to deal more explicitly with disruption of campus activities and the penalties for such disruption. The Office of Institutional Research has in its files complete copies of a number of these student codes and will furnish further information or samples upon request.

Alabama

Although the *University of Alabama* has no official Code of Conduct, officials are now bringing together all policies and procedures relating to students, with a view toward making these more readily available to students.

Arizona

Following more than two years of work by the Student Affairs Committee and other groups, *Arizona State University* has for the first time this fall a single code of conduct, bringing together in one document materials formerly found in a variety of publications not spelled out at all. Pending formal adoption by appropriate campus governing groups, the code of conduct went into effect this summer as a "provisional but operating regulation."

California

At the nine campuses of the *University of California* each enrolled student is given a student handbook which includes an extensive section on the rights and obligations of students and the procedures involved in disciplinary action. Revision of these rules at either the campus or University-wide level occurs only after extensive consultation between students, faculty, and administrators.

Colorado

Colorado State University distributes a handbook entitled "The Rights and Responsibilities of Students and Student Groups at Colorado State University." The handbook contains general policy statements affecting students and their organizations along with pertinent city and state regulations.

Delaware

University of Delaware President E. A. Trabant has set as a major "problem" to be solved this year the development of documents on student rights and responsibilities, along with the development of a new judicial system and a new constitution for the Student Government Association. Drafts of the needed documents were prepared last year by student-faculty committees. They currently are awaiting revisions needed to eliminate conflicts with the University's charter and inconsistencies.

Florida

At *Florida State University*, a new code of conduct, entitled "Rights and Responsibilities of Students at the Florida State University" went into effect this fall. The code was developed with the assistance of both students and faculty.

President Stanley Marshall early in the fall of 1969 was to appoint a commission representing all segments of the University to undertake an extensive study of the relationships of the students to the University and to recommend additional changes in the code as needed during the academic year.

The *University of Florida* has a Student-Affairs Committee which constantly reviews the need for changes in the University Code of Conduct. A revised code is now receiving the consideration of the committee.

Georgia

Each institution in the *University System of Georgia* either has revised or is in the process of revising its rules governing student conduct in the light of recent court decisions in this area. Generally students are being given a more active role in decision making, particularly with regard to the discipline of their fellow-students.

Hawaii

A detailed Statement of Standards for the *University of Hawaii* is currently under consideration by the university's governing bodies. The document consists of a community bill of rights plus a designation of behavior that would be unacceptable from students, faculty or administrators. The statement notes that "the achievement of excellence in the University is promoted by the unification of the academic community in a common purpose: The mutual enhancement of educational experiences." The statement guarantees rights to academic freedom to participate with equal status in formulation of purposes and policies of an all-university nature to engage in peaceful protest, and to due process, among other rights listed.

Idaho

The *University of Idaho* is now revising its rules and regulations as well as procedures for handling disturbances to determine whether they need strengthening. A new student code of conduct is expected to be developed soon.

Indiana

The *Indiana University* Board of Trustees presented a new student code of conduct to all students during registration for the fall quarter this year. It spells out in detail the rights of students to appeal and to due process of law. The document received an enthusiastic endorsement from the student body president.

Iowa

At the *University of Iowa*, a current "Code of Student Life" has been published as the result of last year's work of an all-university Committee on Student Life, which establishes rules and regulations governing standards of conduct at the University. Six years ago only four students sat on this committee; now there are seven student members on the 15-man committee. Although in effect now, the code is subject to refinements and revisions.

At *Iowa State University*, the "Code of the Student Community" is published as part of the student handbook, "The Chart." A subcommittee of the Council on Student Affairs is currently developing a procedure for greater consultation with students and other segments of the university community in making future revisions of "The Chart."

Kansas

At the *University of Kansas* a subcommittee of the Student Senate is currently developing a new Student Code of Conduct for ratification by the Student Senate.

Kentucky

The *University of Kentucky* Board of Trustees revised the University's Code of Student Conduct in July 1969. The revised code spells out penalties for disruptive and coercive actions. Student and faculty trustee representatives were included on the Board committee that studied the code.

Maine

A Disciplinary Code adopted at the *University of Maine* in 1968 deals quite specifically with the maximum sanctions that may be imposed for various forms of conduct. Dismissal is the maximum sanction for acts of destruction of property or for knowingly giving false information to university officials in pursuit of their official duties. Suspension is the maximum sanction for trespass, or intentionally placing a person in fear of physical harm. Disciplinary probation is the maximum sanction for disorderly behavior. The code also outlines the procedure to be followed by the University in disciplining a student when policies are violated.

In addition, the University's current Student Handbook includes a Code of Student Conduct adopted in May, 1967. The Student Matters Committee of the Student Senate is reviewing this code this year and Student Senate action on a revised code is expected before the end of the year.

Massachusetts

The Student Matters Committee of the Senate at the *University of Massachusetts* is presently reviewing the university's Code of Student Conduct, and Student Senate action on a revised code is expected before the end of the academic year.

Michigan

The Commission on Student Government of *Wayne State University* is currently completing a comprehensive bill of student rights and responsibilities. It will enlarge and make current a similar bill enacted by the university's Student-Faculty Council four years ago.

Minnesota

At the *University of Minnesota* a new Student Code of Conduct is presently being considered by a special Study Committee on Student Affairs. The committee will make its report early in 1970.

Montana

At the *University of Montana*, Standards of Student Conduct have been adopted and approved jointly by the students, faculty, and administration. All violations are concerned with the lawful missions, processes, or functions of the University.

Montana State University is currently reviewing all disciplinary rules, regulations, and penalties, as well as the philosophy behind required student conduct. Revised rules will be compiled for distribution to all students.

Nebraska

The *University of Nebraska* Board of Regents, Faculty Senate, and the Associated Students of the University of Nebraska have adopted, as institutional policy, a document on "The Student in the Academic Community." This document outlines general rights and responsibilities, rights and responsibilities in the classroom, and rights and responsibilities in the instructional settings. The new University Council on Student Life is an outgrowth of this effort.

During the summer of 1969, a publication entitled "Expectations for University Students" was mailed to each student's home address. This publication included information on student conduct, codes, the policy on disruptive action and the document on "the Student in the Academic Community."

Nevada

At the *University of Nevada, Reno*, a subcommittee of the Office of Student Affairs, including the student body president and a faculty member, has been delegated the responsibility of surveying, organizing, and collating existing policies and regulations affecting students.

New Hampshire

A joint student-faculty-administration committee established by the *University of New Hampshire* Senate in 1968–69 developed a lengthy "Declaration of Student Rights and Responsibilities" which sets forth University policy guidelines in eight areas—freedom to learn, freedom of access to higher education, faculty-student relations, student

records, student affairs, student conduct on and off the campus, procedural standards for student discipline, and enforcement of the Declaration's provisions. In brief, the Declaration establishes that "students are free to learn and to challenge" and to "support causes by orderly means which do not disrupt the regular and essential operation of the University or violate the rights of other members of the academic community and of the community at large." The Declaration, now incorporated as the introductory section of UNH's Student Rights and Rules Book, makes clear provision for due process procedures in any disciplinary actions undertaken by University officials.

New Jersey

Rutgers University has endorsed the principles espoused in the "Joint Statement on the Rights and Freedoms of Students."

New Mexico

A Statement of Rights and Responsibilities for the *University of New Mexico*, adopted by the Board of Regents, affirms the student's right of free speech and honest expression of opinion. It calls for disciplinary action only in cases where "a student acts in such a way as to affect adversely University's educational function or disrupt community living on campus."

New York

New codes and student conduct are being developed on campuses of the *State University of New York* during the 1969–70 academic year in compliance with the requirements of the new New York State Education Law. The law requires that all colleges "chartered by the regents or incorporated by special act of the legislature shall adopt rules and regulations for the maintenance of public order on college campuses and other college property used for educational purposes and provide and program for the enforcement thereof." The new rules must govern the conduct of students, faculty and other staff as well as visitors and other licencees and invitees on campus. The document must also clearly set forth penalties for violation of the rules. The new codes will be used concurrently with the new "Rules and Regulations for Maintenance of Public Order on Premises of State-Operated Institutions of the State University of New York," adopted by the SUNY Board of Trustees.

Rules of Student Conduct regarding drug violations have recently been revised at the *State University of New York, Stony Brook*. The new rules provide sanctions which vary according to the character and quantity of the drugs involved and the nature of the offense itself. Students are prohibited from possessing marijuana; central nervous system stimulants, such as amphetamine or barbiturates; Peyote, LSD or other hallucinogenic drugs, and narcotic drugs such as opium or heroin. The maximum sanction for possession of the former two types of drugs is suspension, and the maximum sanction for possession of the latter two types is explusion.

The penalty for selling marijuana and stimulant and depressant drugs is suspension for a first offense and explusion for any subsequent violations. The penalty for selling narcotics or hallucinogenic drugs is expulsion.

Cornell University's student code, which was first issued in 1963, was revised last year. The updated code went into effect, on at least an interim basis, this fall.

In August, Cornell published a "Policy Notebook for Students," containing the University's basic documents concerning student conduct. The booklet states that "the establishment of policies concerned with student life has been the result of the combined efforts of students, faculty, and administration."

North Carolina

Student codes of conduct are under constant revision at the *University of North Carolina at Chapel Hill* either by the Student Legislature or by the referendum device. Two matters of current concern to students are:

A belief that action should be taken by the university only when the offense occurs "on campus."

A desire to add the Double Jeopardy amendment to the Constitution which will bar action by the university in cases where a student is being prosecuted in the civil courts.

North Carolina A & T State University this year has distributed a booklet called "Code to Student Life: Some Policies and Guidelines."

Ohio

At *Miami University*, faculty, students, and administration have worked cooperatively in the last few years to define reasonable and effective student conduct regulations.

In response to a state legislative mandate, representatives of the faculty, student body, and administration at *Ohio University* developed a statement of campus conduct standards, which was approved by the Board of Trustees in September 1968. Copies of this statement were distributed by Ohio University President Claude R. Sowle to all members of the Ohio University community this fall.

Oregon

A document on Student Rights, Freedoms and Responsibilities is in effect this fall at *Oregon State University*. It was approved by the Associated Students OSU Senate and the OSU Faculty Senate and signed by the OSU president. The document deals with academics, student affairs—particularly pertaining to freedom of association and freedom of inquiry and expression, off-campus freedom, and disciplinary measures.

South Carolina

Contained in "Student Rules and Regulations" of the *University of South Carolina* is a "Statement of Student Rights and Freedoms Within the Academic Community," initiated by the Student Senate, passed by the Faculty, and approved by the Board of Trustees.

South Dakota

At the *University of South Dakota* students publish their own handbook and, under the Student Court System, they have developed their own codes of conduct and penalties for infractions thereof.

Texas

Rules on student services and activities at the *University of Texas at Austin* have been compiled and are published in the General Information Bulletin of the university as well as in a separate pamphlet. Areas dealt with include: Orientation, admissions policies, student financial aid, the Student Health Center, housing, student organizations, intramural sports, the Texas Union, student records, the use of university facilities, and student discipline and conduct.

Utah

At *Utah State University*, a student-faculty committee last year reviewed and rewrote, where advisable, all university policies involving the student community and collected them into a single document referred to as "The Student Code."

Washington

At the *University of Washington*, major revisions in regulations covering student conduct and discipline have been adopted by the Regents on recommendation of the University Senate in the first major restructuring of regulations since 1959. A major point of the new code is creation of a Joint Council on Student Conduct and Activities, composed of students and faculty. It will be responsible for a "continuous review of the general standards of conduct . . . rules and regulations on student activities and procedures for student discipline as they affect both individual students and student organizations."

The new code places regulations and discipline in a more specific framework than previously with more highly specified and regulated student participation.

West Virginia

At *West Virginia University*, students wrote and voted approval of a Statement on Student Rights and Responsibilities, commonly called the Student Code. The University Senate referred the Statement to a conference committee consisting of five students and five faculty members to develop a jointly prepared statement that will be presented to the University Senate and the student body for approval.

Wyoming

Every enrolled student of the *University of Wyoming* receives a student handbook which outlines the rights and obligations of students and details procedures to be followed in disciplinary actions. At the present time, administrators and students are completing work on a student Bill of Rights.

UNIVERSITY PREPAREDNESS FOR DISRUPTION

Although university officials have increased their efforts to maintain viable channels of communication and to deal with legitimate student concerns, they remain alert to the possibility that disruption of their operations may in fact be threatened. Rather than be caught unprepared, most institutions have developed detailed plans for handling disturbances should they occur. In many cases, these plans include coordination among students, faculty, and administration groups, as well as with campus and local police authorities.

Alabama

Auburn University has worked out a detailed procedure which will be followed should protest activities interfere with the normal activities of the University. The procedure provides for injunctions and criminal prosecution. It also outlines activities for the campus security officers, Office of Student Affairs staff, student leaders, and others. Approximately 30 student leaders have agreed to help control mass demonstrations under the direction of the Student Affairs staff.

Arizona

The *University of Arizona* has in the past sought and secured restraining orders in certain cases and has been ready in other cases, if necessary, to secure the action of civil authorities to maintain an orderly campus. It would not resort to court action and police enforcement, however, unless necessary. As President Richard A. Harvill says: "Preparedness though is absolutely essential."

Arkansas

In 1967, the Arkansas Legislature passed an act enabling all Arkansas agencies and institutions to confer peace officer status upon their security personnel. The act also defined certain violations of the law and the actions that the agency or institution could take. With other existing laws, the University believes it has the tools needed to handle disturbances that might occur on a campus.

California

UCLA Assistant Dean of Student Activities, Allan Wiesblott, reported: "We have avoided a battle plan, believing it would lead to a war situation. Instead of planning for trouble we're trying to prevent it."

Colorado

Colorado State University's administration began developing plans for handling disrup-

tion shortly after the 1964 occupation of Sproul Hall at Berkeley. These plans have been reviewed and modified at regular intervals. The University's student handbook and "procedure for accommodating peaceful assembly on campus" outline the procedure to be followed by campus administrators and security officers in the case of demonstrations that are not peaceful.

Florida

On October 1, the *University of Florida* added to the staff of the Vice President for Student Affairs a special assistant on matters of student conduct. The new official's duties will include representing the University in investigating alleged violations of the Student Conduct Code, and, when necessary, presenting the facts of a charge before the Committee on Student Conduct; determining matters of conflicting jurisdiction between campus judicial bodies; referring charged persons to appropriate University counseling courses; maintaining files of all charges and dispositions; acting as a depository for records of the Committee on Student Conduct and for current rules of procedure of all judicial branches; recommending changes needed in such procedures; and preparing orders of expulsion for signature by the chairman of the Committee on Student Conduct.

Georgia

In the case of disruption, the *University of Georgia* will handle the situation in accordance with guidelines set down in a formal written memorandum between the Department of Public Safety (Campus Police) and the Division of Student Affairs.

Maine

The *University of Maine's* 1969 Statement on Campus Disorder spells out in some detail procedural guidelines to be followed "whenever possible" in dealing with campus disorders. It calls for a "control group" made up of students, faculty, and administrators to advise the university president in "extraordinary" situations.

Maryland

University of Maryland President Wilson H. Elkins has noted that "It is the policy of this university to deal with disruption, seizures, or other illegal action as quickly as possible with whatever legal means are necessary." He added that Maryland "will not negotiate with any individual or group under threat of force."

Massachusetts

The president of the *University of Massachusetts* has a formally established emergency advisory committee, composed of members of both the Faculty Senate and the Student Senate. This body provides broad-based community involvement and advice to the president in the event that emergency situations may require community participation in developing a decision.

In the single instance where there was a disturbance on campus, the university terminated it with the assistance of state police. Violators were brought before the civil courts. This process was successful in that neither damage nor injury resulted to any person involved in the action.

In the case of a recent disruption, the *Massachusetts Institute of Technology* obtained a restraining order from the court prior to any instance of violence. Separate committees of students, faculty, and administrators have been set up to deal with the problem of disruption. A Task Force of administrators works closely with the Campus Patrol and the civil authorities in dealing with problems of violence.

Michigan

The *University of Michigan* last summer developed plans for use in case of building occupations or violent demonstrations. The University also fireproofed and bombproofed files containing important documents.

Minnesota

In a policy statement issued September 29, *University of Minnesota* President Malcolm Moos listed standards for determining whether an event is to be considered "disruptive," set down procedures for faculty members faced with disruptions, and defined the disciplinary procedures followed by the University after a disruption. Faculty chairmen of public meetings, and other university officers are instructed to call university police immediately if a disruption appears to threaten life or property. In the event of potential or pending disruption, staff members of the Office of Student Affairs are to be called to assist in resolving any conflict which could escalate into a serious disruption. The guidelines are considered interim procedures pending the report of an extensive study expected in 1970.

Missouri

At *Lincoln University* the "Student Handbook" has been revised with special emphasis given to the "University's expectation of students regarding change, dissent and unrest." While certain specific infractions are listed along with possible University actions, the "Handbook" employs a positive approach by emphasizing expectations rather than an exhaustive list of "do's and don'ts," replete with matching penalties. This "Code of Expectations" is being emphasized in the release of the "Handbook" by the University's Office of Public Affairs.

Montana

At the *University of Montana,* plans to deal with campus disruption have been worked out in some detail among the faculty and the administration in conjunction with local and state authorities. It has been determined, upon the advice of the Attorney General of the State of Montana, that the injunction is the proper legal tool to be used in the event of campus disruption, and the University has been assured by civil authorities that adequate force will be made available upon request in a timely manner to deal with any disruption which may occur.

Montana State University has developed procedures which will go into effect should the normal operation of the university be obstructed.

New Hampshire

At the *University of New Hampshire,* during 1968–69, when some kind of student disruption seemed possible, a group of interested faculty and administrators, all of whom had had direct contact with students, met to develop a policy for handling disturbances. This group proved to be invaluable in controversies which developed over recruiting by organizations such as Dow Chemical, CIA, and others. This group also helped formulate a plan which could be implemented in case of subsequent confrontations. That plan is currently being updated to take account of new issues and new personalities which have arisen in the course of this new academic year.

New Jersey

The various colleges of Rutgers University have adopted specific and detailed policy statements on campus dissent, demonstrations and disruptions, spelling out the steps to be taken in case of disruption. As an example, Rutgers' University College has established a student-faculty-administration Committee on Campus Disruptions with the authority to deal with emergencies.

New Mexico

As student disturbances increased on various campuses around the country last year, it was decided at *New Mexico State University* that additional policy statements of a specific nature were needed. Two such statements were adopted for use in case of disruption at NMSU. Both statements warn participants to desist and spell out the possible consequences they face. The first statement deals with the problem of students attempting to take over University buildings. The second concerns student sit-ins. Both have been publicized on campus.

The *University of New Mexico* developed a plan for dealing with violence on campus in 1966. It assigns responsibilities aimed at maintaining and/or restoring to various members of the university community, including the Student Body President. The student officer will also be consulted in decisions on appropriate steps to be taken following a demonstration.

New York

At the *State University of New York at Buffalo,* guidelines articulated by President Myerson outline procedures used since fall of 1968 in response to threatening disruption on campus. When disruption threatens, a student-faculty-administration special security task force and a student-faculty observer corps go into operation.

The task force is convened to maintain campus procedures. If disruption or violation increases rather than diminishes, the task force considers calling campus security guards. At the same time, the observer corps tries to provide a moral influence against the use of force. Should the problem go beyond the influence of the observers or the campus security agents, calling for outside law enforcement assistance is considered. A representative of the task force is to suggest to the outside police, if called, the importance of avoiding violence and actions against innocent persons. The security task force remains in session for further decisions. The observers remain prepared to serve as witnesses at any subsequent judicial proceedings and to receive reports of any infringement of rights and liberties.

Cornell University President Dale Corson announced in September that he would appoint two committees, one representing students and the other faculty, to advise the administration in the event of campus disruptions involving public order. The committees will be developed "to meet quickly when a crisis is pending or has developed in order to provide the administration with assessments of student and faculty sentiment regarding both the situation confronting the University and the various courses of action which could be pursued at such times."

In September 1969, *The City University of New York's* Administrative Council, composed of college presidents and the chancellor, passed a resolution calling for the establishment on each college campus of a consultative committee composed of elected representatives of the faculty and student body which would participate along with the college administration in formulating general policy guidelines in advance of emergency situations and which would be available for immediate consultation in emergency situations.

The resolution also called for the establishment of a university-wide consultative committee composed of representatives from each of the college consultative committees with university-level purposes and functions similar to those of the college committees. The chairman and vice chairman of the Faculty Senate, the chairman of the Student Advisory Council, and the chancellor serve ex officio on this university committee.

In the event of serious disruptive activity on a college campus, no action is taken until the above consultative procedures have been implemented except in extreme situations where it would be impossible to implement such procedures.

Ohio

At *Kent State University* last April 1, temporary restraining orders—which have been used at other colleges primarily to break up demonstrations—were used to enjoin certain

persons from coming onto the campus. The persons were non-students who were major leaders fo SDS and who took part in a demonstration at the Kent State Administration Building the previous day. Had they come on the campus, they would have been in contempt of court and subject to immediate arrest. The University is reported ready to use such orders again should the occasion arise.

Miami University has "planned for appropriate firmness, if necessary, in order to maintain order" according to President Phillip Shriver. "The Ohio legislature has provided adequately for state support to maintain order should such support be required. Provision has also been made for the utilization of court injunctions if necessary . . . . We believe that we are adequately prepared for campus disorders and violence should such occur."

In a letter to all members of the university community this September, *Ohio University* President Claude R. Sowle warned that should disruption of normal campus operations occur, "I would have no choice but to use any and all means at my disposal to restore order and permit the University to return to its proper activities and pursuits."

Ohio State University administrators have adopted a set of procedures to be followed in the event of a disruption.

Oklahoma

In the event of a disturbance, officials at *Langston University* have developed a plan with which to deal with it. The plan has not been made publics, but is known to the few key people who would be responsible for putting it into effect. It would subject disrupters to both university suspension and criminal arrest.

Oregon

Plans are in existence at *Oregon State University* to deal with all forms of disorder, with emphasis being placed on cooperative efforts by all members of the university community to resolve problems and forestall impending campus disruptions through the means of rational discussion. These plans were utilized in the summer of 1969 during a "sit-in" at the office of the Dean of Humanities and Social Sciences and provided an effective means to minimize the disturbance.

Rhode Island

Guidelines adopted by the Board of Trustees of the *University of Rhode Island* call for a meeting between the president of the university or his designated representative and any probable protesting group or groups prior to a campus visit by a potentially controversial person. Purpose of the meeting is to establish mutually agreeable arrangements.

The guidelines also prohibit demonstrations that block sight, hearing, access or egress, or otherwise interfere with the orderly conduct of an event being protested. To attain this objective, certain areas in which protest activity is prohibited may be defined in advance by mutual agreement between the University and the protesting parties.

A special university committee, representing the administration, the campus police force, the faculty, and the student body has been set up to formulate special rules and procedures in the event of a visit by a highly placed government official or highly controversial person.

South Dakota

In the event that action occurs on the *University of South Dakota* campus which interferes with the freedom of others, disruption of regular university activities, or destruction of property, university security officials are instructed to inform the offenders that they have a given time to disperse or they will be subject to arrest and possible suspension from the university.

Texas

A letter signed by Grover E. Murray, President of *Texas Tech University*, including ten key university regulations that were adopted by the College's Board of Directors in June 1968, is reproduced annually in the Code of Student Affairs, a copy of which is given each student each year at registration.

The regulations were carefully developed with legal counsel and are under constant review by the college's new resident legal counsel to ensure that Texas Tech is in a secure, legal position to take fast and effective action in the event of any destructive or disruptive activities on the campus.

Officials of the *University of Texas* system have "anticipated contingencies and set out certain procedures" for dealing with unrest.

Utah

Utah State University's administration has plans for dealing with student interruption of university programs if these should occur.

Virginia

Under detailed procedures worked out in the spring of 1968 by the University Council and Board of Visitors, *Virginia Polytechnic Institute* has specific plans for dealing with disruption. Persons involved in a disruptive act will be asked by the Director of Security to disperse immediately. Failure to respond when advised will lead to arrest. Following arrest, university actions with regard to those arrested will be held in abeyance until each case is resolved in the courts. In accordance with university policies, all students and staff members involved in disruptive activities will be held individually responsible for their actions.

Wisconsin

The *University of Wisconsin* last summer developed plans for use in case of building occupations or violent demonstrations.

Wyoming

According to *University of Wyoming* President William D. Carlson, plans have been developed for use in case of disruptions, seizures, or other illegal actions.

POLICIES AND PRACTICES REGARDING POLICE

Realizing that the use of police on campus has in the past caused problems, a number of institutions have taken steps to coordinate their activities in advance with local and campus police authorities. A few examples of such activities, as well as policies on police involvement that have been adopted, are listed in this section. There are no doubt many similar examples but the OIR is simply listing those in its files. These activities further reflect the advance planning many institutions have engaged in to be sure they are prepared to deal with potential campus disruption.

Alabama

A plan developed by *Auburn University* in conference with Auburn City personnel includes specific provisions for the role of campus and city police. When an emergency situation exists, campus police will alert the city police who will position themselves as observers until called upon for assistance by campus police. Auburn's policy for campus disturbances specifies that accusers must be prepared to identify positively those accused of committing violent acts and to swear out warrants for their arrests.

Arkansas

At the *University of Arkansas*, appropriate University officials have been working closely with the county sheriff, the Mayor and Chief of Police of the city of Fayetteville, and other law enforcement officials in developing plans to handle disruptions. "We believe we have developed procedures which will be effective in maintaining control in the event of disturbances," says UA President David W. Mullins.

California

The *University of California at Berkeley* is doubling its campus police force this year.

Connecticut

The *University of Connecticut* has, in consultation with students, developed a working relationship with both on-campus and state authorities designed to provide for public safety and security.

Georgia

The *University of Georgia* has an established procedure for coordinating activities with local police. This is outlined in a memorandum of agreement involving the president of the university, the Public Safety Department, and the Division of Student Affairs.

Maine

Noting that "the presence of uniformed officers at the scene of a student disturbance frequently incites the group to expanded action," the *University of Maine's* Statement on Campus Disorder states that in general only the ranking or senior officer available on campus is authorized to call campus security forces. Exceptions are made 'in the unlikely event that personal injury, bloodshed, fire or other destruction of public property occurs without prior warning so as to constitute an emergency situation."

Maryland

The *University of Maryland* this year expects increased participation by campus police in enforcing regulations. The campus police force has been doubled. The University also has a new supervisor of public safety and security and 47 security officers. The new director, who is 29 years old and holds a degree in criminology from Florida State University, hopes to foster better relationship between his department and students. "I can react better to students because I haven't been out of college that long myself," he says.

Massachusetts

At *Massachusetts Institute of Technology* a general policy has been adopted for solving problems on campus without calling the police. All other avenues for solving the problem will be explored prior to calling in outside authorities.

Minnesota

At the *University of Minnesota* close coordination is maintained among the campus police, the administration, and city police.

Montana

Montana State University meets annually with representatives of the various law enforcement bodies to exchange ideas and information and to agree on practices. In extreme emergencies campus security will summon assistance from off-campus law enforcement bodies. Otherwise this is done only at the direction of the president or his representative.

At the *University of Montana*, repeated conferences have been held with the city administration and city police officials, as well as county enforcement officers and the County Attorney's office, and the office of the Attorney General of the State of Montana. Lines of communication have been established and alternative courses of action in response to possible situations have been explored at length.

Nebraska

The *University of Nebraska* has adopted a policy making clear that the institution "abhors the use of force as a method for settling disagreement and will always make exhaustive attempts to deal with issues by rational methods." When, however, such rational efforts prove ineffective or when imminent danger to life or property exists, more forceful methods shall be used to protect

the rights and property of members of the community.

New Jersey

Rutgers University policy is that violators will be dealt with by University authorities in all cases possible. But the president of the University or his designated representative has the right to call upon the civil authorities if he deems it necessary.

At the same time, through the efforts of its Security Department, Rutgers University has established good working relationships with all enforcement agencies which might be involved with campus disruptions. No such agency will "invade" any campus of the University unless invited or unless it has proper warrant, in which case university authorities are to be informed before the warrant is enforced.

New Mexico

New Mexico State University reports that in the past year in particular and in the years before that, University officials have met on numerous occasions with the law enforcement personnel of the community and state. As a consequence, the University has a close working relationship with the local police, state police, and New Mexico National Guard. If disruption does occur, procedures are clear and well-planned. Officials hope there is no occasion to resort to force; but they also state that if force is necessary, they will act promptly and decisively. "Experience at other campuses tells us that prompt and decisive action is one of the important keys to the successful handling of student-caused disruption," says Phil S. Ambrose, Vice President-Student Affairs.

During the 1968–69 school year, conferences were held between the *University of New Mexico* and state and city police. It was decided that if the university required major police assistance, the president would contact off-campus security forces.

North Carolina

The campus security force of the *University of North Carolina at Chapel Hill* has been strengthened during the past year. In addition, a detective agency is now providing night watchmen around residence halls occupied by women students. Excellent liaison exists between the campus security force and city and state police authorities in the event that additional police are needed on campus.

Oregon

Campus security personnel are appointed as peace officers by Oregon law and have authority to deal with all violations of the law or of university regulations. By university policy, however, they normally restrict their activities to campus traffic control and the enforcement of university regulations, with offenses that violate state or local laws being left to local law enforcement officers with whom the Campus Marshal maintains continuous liaison and coordination.

South Dakota

South Dakota State University has decided on procedures to be followed by administrators if an interruption occurs on the campus. First, either the president or the next in line of authority will appear and warn the students that they have five minutes to move. If they do not move in that time, the administration will act to bring in first of all the campus police, secondly the city police and highway patrol, and if that does not work, the National Guard. The president has outlined the procedure he will follow to his Board of Regents.

In the case of a disturbance of a critical nature in which police action would be required, a "command car" concept has been organized at the *University of South Dakota*. The President, the Director of Student Affairs, the Sheriff, the Chief of Campus Security, and the Chief of Police would ride together in this car. Any decisions made, therefore, would be representative of a combined opinion on action to be taken.

Texas

The *University of Texas at Austin* has increased its security force on all campuses this year "partly because we want to be ready for anything," says a spokesman. The force includes some 50 officers trained in FBI-sponsored schools for peace officers.

Utah

The *Utah State University* administration has reviewed its relationship with local law enforcement officials in providing assistance if help is needed.

Wisconsin

During the last year, the administrations of the Madison and Milwaukee campuses of the *University of Wisconsin* have not hesitated to invite the local police on their campuses whenever student demonstrations were likely to grow too large for the campus security forces to handle.

Wyoming

The *University of Wyoming* has conferred with city, county, and state officials concerning the roles of campus and off-campus police units in emergency situations.

POLICIES ON FIREARMS

In this section are examples of specific university policies in effect regarding the use and possession of firearms on the campus. In many cases these policies are part of an overall student code. In all of the examples that follow firearms are expressly banned from the campus. A majority of state universities have policies regulating firearms.

Alabama

At the *University of Alabama* possession of firearms or dangerous weapons is prohibited.

Arizona

Arizona State University's new code of conduct forbids "possession or use of any firearm, incendiary device or explosive, except in connection with a university-approved activity."

Connecticut

The *University of Connecticut* for many years has explicitly prohibited the possession or use on its campus of firearms and other weapons defined by state statute to be dangerous. It also prohibits specifically a wide range of other dangerous materials and devices. A specific prohibition against firearms and dangerous weapons was also enacted a year ago by the Student Senate.

Delaware

The current Student Handbook of *Delaware State College* notes that "the use and/or storage of firearms, ammunition, or explosives of any kind in motor vehicles, buildings, or elsewhere on the college premises is prohibited. The possession or discharge of firearms, firecrackers, or any lethal weapon, the use of candles and starting a fire on the college premises are not permitted."

Florida

Florida State University's new code of conduct lists as a specific violation "unauthorized possession or discharge on the FSU campus or property of ammunition, weapons, explosives, or fireworks."

Georgia

Students are prohibited from possessing firearms on *University of Georgia* property except with permission from the Department of Public Safety.

Iowa

The *University of Iowa's* Code of Student Life lists as an act of misconduct "use or possession of serviceable firearms, ammunition, explosives, fireworks, or other dangerous articles within any University building or University approved housing, on the campus, or at any University sponsored or supervised function or event, except in authorized facilities."

Iowa State University's "Code of the Student Community" states that students "shall not possess or use serviceable firearms, ammunition, explosive or other dangerous weapons or materials on the campus except as specifically described by the Department of Residence for purpose of storage, or as authorized by the chief of campus security or as authorized for instructional and research purposes."

Kansas

At the *University of Kansas*, firearms may be carried only by "persons authorized to do so by the Chancellor or his designated representative." The University warns that "violation of this rule will result in immediate dismissal from the University."

Maryland

At the *University of Maryland*, 1969–70 University Regulations forbid the use or possession of fireworks or firearms.

Massachusetts

A new Massachusetts law bans all firearms on college and university campuses in the Commonwealth except for certain weapons required for security purposes by authorized personnel. This reinforces existing regulations at the *University of Massachusetts* and *Massachusetts Institute of Technology* banning firearms.

Minnesota

State statutes forbidding unauthorized firearms on state property apply to *University of Minnesota* students.

Montana

Students at *Montana State University* are permitted to have hunting rifles or shotguns. Gun rooms are provided in the residence halls where all guns and ammunition must be stored and signed in and out. No handguns are permitted. Concealed weapons are a violation of the law and campus regulation.

Nebraska

University of Nebraska students residing in residence halls are allowed to have firearms but they must store them in a central area. Special storage areas for firearms are provided on the first floor of each residence hall.

New Hampshire

The *University of New Hampshire's* "Student Rights and Rules Book" has for many years carried strict prohibitions against the keeping of "firearms, explosives and fireworks" in men's and women's residence halls and provides for confiscation of such materials and disciplinary action against the owner. During 1968–69, the University also developed and instituted policies which are designed to restrict the use of armed campus police officers. Under the new policy, campus police officers are not armed while they are performing routine traffic control duties or normal day-time patrols of the campus.

New Jersey

Each of the several colleges of *Rutgers University* has had policies prohibiting firearms for at least 25 years. In addition, the New Jersey state legislature in 1969 passed a bill prohibiting unauthorized persons from possessing firearms while on the premises of an educational institution.

New York

Regulations adopted by the trustees of the *State University of New York* last summer include as prohibited conduct knowingly possessing upon university premises "any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the chief administrative officer whether or not a license to possess the same has been issued."

New regulations in effect this year at *Cornell University* contain this section dealing with firearms: "The possession, carrying, or use of firearms, including rifles and shotguns, ammunition, explosives, or other dangerous weapons, instruments, or substances in or upon University premises, except by law enforcement officers or except as specifically authorized by the University, is prohibited." Students may have such weapons on university property only by depositing them with the Division of Safety and Security for safekeeping until the students leave the city to go home. Rules and regulations for the maintenance of public order adopted by the Board of Higher Education of *The City University of New York* contain a section on firearms which states:

"No individual shall have in his possession a rifle, shotgun or firearm or knowingly have in his possession any other dangerous instrument or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution."

North Carolina

The Consolidated University of North Carolina, and *North Carolina A & T State University* expressly forbids "the possession of bowie knives, dirks, daggers, loaded canes, sword canes, machetes, pistols, rifles, repeating rifles, shotguns, pump guns, or other firearms or explosives upon any University campus or in any University-owned or operated facility, unless explicitly permitted by the appropriate Chancellor or his designated representative in writing." Violation of this prohibition is grounds for suspension from the University.

South Dakota

The use of firearms or the possession of firearms on any state-owned property within the *University of South Dakota* campus is prohibited.

Tennessee

Following an incident in which a student was injured at *Tennessee State University*, President Andrew P. Torrence issued a firm memorandum to all students of the university, in which he cited the university policy with reference to firearms. The policy states that the possession of any type of firearms, long knives, pellet guns, or any other type of weapons or firecrackers is prohibited on campus. The president warned that the policy would be rigidly enforced and that violation of the policy is grounds for immediate expulsion from the university.

The *University of Tennessee* lists in its standards of conduct as a category of misconduct for which students are subject to discipline "possession, while on University-owned or controlled property or at University-sponsored or supervised activities, or any weapons such as, but not limited to rifles, shotguns, ammunition, handguns and air guns, including explosives such as firecrackers, etc., unless authorized in writing by the Superintendent of Safety and Security."

Texas

Rules of the *University of Texas System* include a section which quotes the state law making it unlawful to interfere with the normal activities of any institution of higher education by "exhibiting or using or threatening to exhibit or use a firearm."

Virginia

At the *University of Virginia* the possession, storage, and use of any kind of ammunition, firearms, fireworks, explosives, air rifles, or air pistols on university property, in fraternity houses, and on fraternity property, is prohibited.

Washington

A new gun control policy at *Washington State University* provides for locked storage of all student-owned guns in residence halls or the Safety Building. The policy was recommended by the student-faculty Student Affairs Advisory Committee.

West Virginia

Possession of firearms, firecrackers, or other explosives on university property, including in university-supervised residence halls, has long been prohibited at *West Virginia University*. This regulation is clearly spelled out in a new Student Handbook published in 1969.

Wisconsin

Regent regulations applicable to all campuses of the *University of Wisconsin* prohibit carrying or using firearms on university property with certain exceptions.

Wyoming

University of Wyoming regulations forbid the possession of firearms, incendiary devices, or explosives within university buildings or university housing.

STATEMENT IN EXPLANATION OF A BILL TO AMEND THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. AYRES. Mr. Speaker, the purpose of this bill is to improve the Longshoremen's and Harbor Workers' Compensation Act by increasing benefits, liberalizing certain provisions of the act, and removing the dual liability of stevedore and ship repair contractors for employment injuries to employees covered by the act. At the present time, these employers are liable for compensation required by the act and may also be liable for reimbursement to shipowners of amounts paid in damages by the shipowners to the same employees for the same injuries.

A comparatively small number of employees now recover substantial damages for their employment injuries from shipowners which must be ultimately paid by the Longshore Act employer, while the benefits under the act, which the great majority of employees depend on for income when disabled, are inadequate and out of date. The proposal combines provisions to break the circular liability chain and significantly improve benefits.

CIRCULAR LIABILITY CHAIN—LONGSHOREMEN V. SHIPOWNERS V. STEVEDORES

The initial point for consideration in the present circular liability chain which exists with respect to the Longshore Act is that the act explicitly states that the liability of the employer for damages for injury or death resulting from employment of employees covered by it shall be exclusive.

The Longshore Act covers approximately 266,000 longshoremen and harbor workers. Of this number, 14,464 received workmen's compensation at some time during fiscal year 1968. In that same fiscal year, 1,320 cases were filed by Longshore Act employees in the U.S. district courts against third-party shipowners for damages for employment injuries.

Beginning in 1946 the courts established the principle that a shipowner owes an absolute warranty for seaworthiness to Longshore Act employees. This warranty has no relation to negligence and, under the decisions, makes a shipowner a virtual insurer for any employment injury which befalls a longshoreman, ship repairman, or harbor worker aboard ship.

Under existing principles also formulated by the courts and first stated in 1955, the Longshore Act employer is liable to reimburse the shipowner for recoveries by Longshore Act employees for injuries for which the employer stands primarily liable under the act. Since election between receiving compensation from an employer and bringing suit against a shipowner for the same injury is not required, the same employees are involved in an unknown number of both claim and litigation cases. Recoveries made by employees against shipowners, however, are offset against compensation payments under the act. The courts in 1963 began applying the new principle that a shipowner employing longshoremen directly to unload his ship—acting as his own stevedore—is subject to damage suits by the longshoremen for employment injury, despite the fact that the shipowner is an employer under the Longshore Act.

The provisions of this bill relating to the circular and enhanced liability of Longshore Act employers are intended to reinstate the exclusive liability principle of the act.

INCREASE OF PRESENT MAXIMUM AND MINIMUM COMPENSATION

The existing minimum disability compensation payment of $18 weekly was established in 1956 and the existing maximum payment of $70 weekly was established in 1961. In the interim since 1961 to June 1969, the average weekly wage in ship and boat building and repair has increased by 35 percent.

We estimate that in 1970 most longshoremen will be earning nearly $200 a week. The base rate under union contracts will be $4.60 an hour in all ports except San Francisco and the Great Lakes. The base rate in San Francisco will average $4.81 an hour for a standard 8-hour day, including a guarantee of 2 hours overtime daily. In the Great Lakes the basic rate will be $4.02 an hour, increasing to $4.71 an hour in 1971. The 1970 rates for the west coast become effective in June 1970, for the east and gulf coasts in October 1970, and April for the Great Lakes.

In 1961, when the present $70 weekly maximum was put into effect, the average earnings of a longshoreman working a 40-hour week, handling general cargo, were $129.60. In 1970, the comparable figure will be $192.60 an increase of 49 percent. The weekly earnings in 1970, again assuming a 40-hour week and using the general cargo rate, will be $184 in most east and gulf coast ports and $160.80 on the Great Lakes. These earnings represent increases over 1961 of more than 50 percent. It should be noted, however, that these calculations are made on basic general cargo rates. Most workers will earn considerably more because of penalty cargo rates paid for handling certain types of cargo and for different working conditions.

In view of the above facts, an increase in the maximum compensation under the Longshore Act to $119 a week is recommended.

Since wages in the District of Columbia, to which the Longshore Act applies, average approximately $132 a week, a lower maximum of $85 is set for employment injuries in that jurisdiction and a proportionate overall maximum increase for temporary total disability to $29,160.

The minimum compensation would also be increased from $18 to $35 weekly to provide a totally disabled employee with sufficient funds to meet the cost of minimum subsistence. Employees whose wages do not exceed the new minimum are entitled to their entire wages free of the act's percentage limitation otherwise applicable. With today's living costs it is evident that employees making less than $35 weekly would not be able to subsist on 66⅔ percent of their earnings.

The act presently provides that temporary total disability benefits may not exceed $24,000. An increase in this overall maximum proportionate to the increase in the weekly maximum is provided. The increase would be to $40,800 except in the District of Columbia.

INCREASE IN DEATH BENEFIT PERCENTAGES AND AUTHORIZATION OF STUDENT BENEFITS

The percentage of an employee's wage which may be drawn by a widow is increased from 35 to 45 percent, and of surviving grandchildren and sisters and brothers eligible for benefits, from 15 to 20 percent.

Further, surviving children in a student status, as defined by the bill, would be authorized to continue to receive benefits after reaching 18 years of age.

DISFIGUREMENT

The lump sum payment of $3,500 is extended to be paid for disfigurement of the neck, as well as of the face and head, and also of other normally exposed areas which would affect employability.

REDUCTION IN LENGTH OF DISABILITY BEFORE ELIMINATION OF WAITING PERIOD AND EXTENSION NOTICE AND CLAIM TIME

Since 1956 the act has provided that there must be a 3-day waiting period unless the disability continues for at least 28 days. The bill reduces the period to 21 days, after which compensation is payable for the waiting period. This improvement is in line with modern workmen's compensation law trends.

The act now provides that notice of injury or death shall be given within 30 days and claim for compensation or death shall be filed within 1 year after the injury or death. These time limits do not take into consideration the later development of latent disability from a relatively minor accident, or disease causally related to the employment. The time for giving notice of injury and filing claim for compensation or death is, therefore, extended to 60 days after the employee or the beneficiary is aware, or in the exercise of reasonable diligence should have been aware, of a relationship between the disabling condition or the death and the employment.

SPECIAL FUNDS

Two special funds are established under the act. One, is for employees covered by the Longshore Act and its extensions; and the other, for workers in the District of Columbia. The funds provide continuing compensation for permanently disabled workers, or their survivors, when so-called second injuries are suffered by employees with existing physical impairments. The special fund payments begin when payments attributable to the second injury have been completed by the employer or insurance carrier who is liable.

The funds also provide compensation payments when an employer becomes insolvent, and for expenses of vocational rehabilitation when necessary in certain cases, including a living allowance not to exceed $25 a week.

Financing of the funds is provided by fines and penalties collected under the act, interest, and sums of $1,000 paid into the fund in nonsurvivor death cases. The Longshore Act fund is now in a precarious state. Annual disbursements are in excess of annual income, and the outstanding liabilities against the fund exceed the amounts it contains.

In order to finance the Longshore special funds adequately, the bill requires that employers or insurance carriers in cases where an employee suffering employment injury dies and there is no eligible beneficiary pay into the funds any amounts remaining unpaid under a schedule award. It also increases from $1,000 to $20,000 the amount which must be contributed by employers or carriers into the funds in all cases where an employee dies from an employment injury and there is no eligible beneficiary. At present compensation levels, the average compensation paid in fatal cases under the Longshore Act is $35,000. The contribution of $20,000, therefore, where the potential liability is so much greater appears reasonable.

Provision is made also for an appropriation when necessary to supplement the special fund.

ADMINISTRATION EXPENSES

In line with the policy of defraying the cost of Government programs related to particular industries by charges on the industries, the bill also authorizes financing of the cost of the act's administration, including the safety program conducted pursuant to section 41, by a pro rata assessement made by the Secretary upon carriers and self-insurers upon the basis of gross premiums paid to the carriers or the amounts self-insurers would have paid if they purchased insurance. Procedures for making the assessment are provided. Authorization is made for appropriation from Congress until the assessments are collected and when funds are not otherwise available.

In view of the length of time since improvements have been made in the compensation program under the Longshore Act early action is sought to provide income maintenance for injured employees within its terms in keeping with wages and other current economic factors.

A summary of the bill to amend the act follows:

SECTION BY SECTION SUMMARY OF BILL TO AMEND THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Section 1—*Definitions*—(a) Amends section 2(4) of the Act to extend the definition of "employer" to include "vessel."

(b) Amends section 2 of the Act by renumbering paragraph (20) and adding a new paragraph (19) to define "vessel."

Section 2—*Liability for Compensation*—Amends section 4 of the Act, requiring employers to secure compensation, to except vessels unless another employer of an employee entitled to benefits under the Longshore Act does not secure compensation. Provides further that when an employer, as defined under the Act, secures compensation, such compensation shall be the exclusive remedy against any employer.

Section 3—*Waiting Period*—Amends section 6(a) of the Act to permit payment of compensation without a waiting period when the disability exceeds 21 days. A three-day waiting period is now specified unless the disability exceeds 28 days.

Section 4(a) and (b)—*Maximum and Minimum*—Amends section 6(b) of the Act to increase the maximum of $70 a week to $119 a week; the minimum from $18 to $35; and amends section 14(m) to increase the overall money limit for temporary and partial disability from $24,000 to $40,800.

Section 5—*Disfigurement*—Amends section 8(c)(20) of the Act to expand the meaning of compensable disfigurement to include, in addition to the face and head, disfigurement of neck, or of any other area normally exposed while employed which would handicap an employee in obtaining or holding employment.

Section 6—*Injury following previous impairment*—Amends section 8(f)(1) to clarify and make definite the conditions under which an employer provides compensation for disability caused by subsequent injuries and thus to encourage employment of handicapped persons.

Section 7—*Student benefits*—(a) Amends section 2(14) of the Act to add "student" to definition of eligible "child" and adds a new paragraph (21) to define "student" for the purpose of continuing benefits to certain surviving dependents while they are in school.

(b) Amends section 8(d) to allow surviving dependents to receive benefits beyond 18 years of age if in a student status.

Section 8—*Death benefits*—(a) Amends section 9 (b) and (c) of the Act to increase the death benefits to the surviving wife or dependent husband from 35 to 45 percent of the deceased employee's average wages.

(b) Amends section 9(d) to increase the death benefit for dependent grandchildren, brothers or sisters from 15 to 20 percent of such average wages.

(d) Amends section 9(e) to increase the maximum weekly wages for computation of death benefits from $105 to $178.50 and increases the minimum from $27 to $52.50.

(d) Amends section 9(g), which provides for the commutation of compensation benefits to certain aliens who are not residents of the United States or Canada. The section now requires the Secretary, upon application of an insurance company, to commute future installments of compensation to such aliens by paying one-half the commuted amount of future compensation. The amendment removes the requirement for commutation payments and permits the Secretary to commute in his discretion.

Section 9—*Defense Base Act—Benefits to Alien Survivors*—The Defense Base Act extends the benefits of the Longshoremen's and Harbor Workers' Compensation Act to employees of contractors at United States bases or on public works where such contracts are performed outside the continental United States. Section 2(b) of that Act respecting compensation payments for nonresident aliens is similar to section 9(g) of the Longshoremen's Act. This bill, therefore, amends section 2(b) of the Defense Base Act to conform to amendment to Longshore Act described in preceding section.

Section 10—*Time for Notice and Claim*—Amends section 12(a) to extend the time for

giving notice of injury or death to the deputy commissioner and to the employer, from 30 days after the injury or death to 60 days after the employee or the beneficiary is aware or in the exercise of reasonable diligence should have been aware of a relationship between the injury or death and the employment.

(b) Amend section 13(a) to defer the time for filing a claim for compensation for injury or death in latent disability cases. The Act now provides that a claim must be filed within one year after the injury or death, or if payment of compensation has been made without an award a claim may be filed within one year after the date of the last payment. The amendment provides that the time for filing claim shall not begin to run until the employee or beneficiary is aware, or by the exercise of reasonable diligence should have been aware of the relationship between the injury or death and the employment.

Section 11—*Special Fund*—(a) Amends section 8(d) by providing for payment into the special fund, described in section 44(a) of the Act, of any disability compensation due to an employee under a scheduled award when he has no survivors.

(b) Amends section 44(c)(1) by substituting $20,000 for the $1,000 now required to be paid into the special fund by the employer or insurance carrier upon the death of an employee resulting from employment injury when there are no survivors.

Section 12—*Administration Expenses*—Amends section 45(a) to add new subsections (c) through (1) providing for the Secretary at the end of each fiscal year to assess carriers and self-insurers for cost of administration for next fiscal year.

Section 13—*Appropriation*—Amends section 46, (a) to authorize appropriation of amounts necessary for administration of Act in fiscal year beginning July 1, 1970, pending receipt of assessments authorized by section 45, (b) authorizes appropriations for administration when sufficient assessments are not collected, and (c) authorizes supplementary funds as necessary to meet obligations of special fund under section 44 of the Act.

Section 14—*D.C. Workmen's Compensation Act*—(a), (b) and (c)—Provides that the maximum compensation rate in the District of Columbia under extension of the Longshore Act in 45 Stat. 600, will be $85 a week and the overall maximum in temporary total disability cases will be $29,160.

(d) Provides the basis for computing death benefits shall be considered to be no more than $127.50.

Section 15—*Technical Amendment*—Makes grammatical change of substituting "or" for "nor" in Section 3(a)(1) of the Act.

Section 16—Repeals section 47 "Availability of Appropriations." No longer needed.

Section 17—*Effective Date*—Provides for effective dates for different sections and that higher benefits and other related provisions shall apply only to injuries and deaths therefrom sustained after the effective date indicated.

FAMILY ASSISTANCE ACT

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BROWN of Ohio. Mr. Speaker, I am glad to see that the Family Assistance Act is now ready for House action.

I want to underscore the fact that this is a program of employment assistance as much as it is a program of income assistance, workfare rather than welfare.

Among its many advantages, the family assistance approach separates the making of financial payments from the provision of social services.

Our graduate schools train social workers. But what these social workers then do mostly is perform the paperwork of administering allowance payments. They also serve as investigators.

Social workers who have no time to do social work are not going to get people off the welfare rolls.

Social workers who are the welfare "detectives" are not going to establish the kind of helping relationship with their clients that will enable those who need held to become self-supporting.

Under the family assistance plan, social workers will be able to do their job, and a separate agency will worry about the money.

I consider this a critical reform.

ABNER MIKVA DOES IT AGAIN

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. KOCH. Mr. Speaker, our colleague, ABNER MIKVA, has introduced a bill entitled "Handgun Control Act of 1970." It is superb legislation, absolutely necessary, and should be enacted immediately. His proposal has received the editorial support of the New York Times. With the thought it would be of interest to the Members of this House, I am setting forth a copy.

The editorial follows:

SATURDAY NIGHT SPECIALS

The 1968 gun control laws were passed in the wake of the assassinations of Robert F. Kennedy and Martin Luther King as the beginning of efforts by the Federal Government to prohibit interstate mail-order sales of firearms and over-the-counter sales to minors. Because Federal licensing and registration were not built into the laws, the burden was placed on states and municipalities to fill the breach with strong regulations of their own.

The states have failed to tighten the loopholes, especially in the hidden area of handguns. The National Violence Commission rated only New York, Massachusetts and New Jersey as strict enforcers of their permit requirements.

Gun control is both a Federal and a state concern. Neither type of limitation works without enforcement by the other. A startling example is the "Saturday night special" the cheap, nonsporting concealed gun that is the criminal's favorite weapon. The 1968 gun laws helped to stop the importation of such guns; they were coming into the United States at a rate of 750,000 a year.

However, a new "cottage industry" has grown up in this country to replace the imported handguns. Through use of cheap parts from abroad, "Saturday night specials" are now being produced by the hundreds of thousands here. The Internal Revenue Service estimates that domestic production equals and possibly exceeds the flow of cheap handguns that the 1968 law was supposed to stop.

A Handgun Control Act of 1970, introduced in Congress by Representative Abner J. Mikva of Illinois, is directed at pistols, revolvers and other concealable weapons. It would halt the importation, manufacture, transfer and transportation within the United States of any handgun, except by law enforcement officers, military personnel and certain qualified persons licensed by the Secretary of the Treasury. The bill does not go so far as to ban possession of handguns by those legally owning them now. There is, however, a procedure for giving up weapons to law enforcement officials.

The new proposal could be an important advance because it prohibits the further legal manufacture of "Saturday night specials." It could also be the basis for regulation of a similar nature by states and municipalities. Confiscation cannot get past the legislatures, but controls can and must, to stop the stockpiling of private arsenals.

U.S. DISTRICT COURT OF COLORADO DECISION IN PROJECT RULISON CASE

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. HOSMER. Mr. Speaker, Project Rulison is an AEC experiment being conducted with the cooperation of the Department of the Interior and Austral Oil Co. CER Geonuclear Corp. is the program manager. It is part of AEC's Plowshare program, a research and development effort to develop peaceful uses of nuclear explosive technology.

Project Rulison is essentially a study of the economic and technical feasibility of nuclear stimulation of the low permeability gas-bearing Mesaverde sandstone formation in the Rulison area of Colorado. Nuclear stimulation is accompanied by the detonation of a nuclear device to create a cavity and a fracture system to stimulate the production of natural gas. Because of its low permeability, the Mesaverde formation does not produce natural gas in commercial quantities, although it does contain a significant gas reserve.

Several plaintiffs brought suit against AEC, Austral Oil Co., Inc., and CER Geonuclear Corp. to stop Project Rulison. The plaintiffs were comprised of a number of individuals, the Colorado Open Space Coordinating Council, Inc.—a nonprofit public benefit Colorado corporation—and a Colorado district attorney.

Before the nuclear device was detonated at a depth of 8,431 feet on September 10, 1969, this lawsuit sought to prevent the shot; however, the court denied the request for an injunction and the denial was sustained by the 10th Circuit Court of Appeals. Plaintiffs then sought a permanent injunction to prohibit the planned flaring of the gas contained within the cavity created by the nuclear detonation. The general purpose of the proposed flaring is to determine the extent of stimulation of production, the dimensions and configuration of the cavity and fracture system, and the feasibility of the entire project.

The court's decision on March 16, 1970,

was generally in favor of AEC's position, and will permit Project Rulison to proceed. The judge found AEC's project plans to be reasonable and adequate from health and safety standpoints.

Several issues of law and of fact were before the court. On the issues of law, the court essentially found as follows:

First. Did the plaintiffs have standing to sue? The court held that they did—except for the district attorney—that there was a question of possible irreparable injury to their health and safety as a consequence of an action by AEC beyond its statutory limits.

Second. Was there a justiciable controversy? The court held that there was—that the principal question revolved around the proposed flaring and whether that activity would be carried out with due regard to public health and safety as required by the Atomic Energy Act.

Third. Was this a suit against the sovereign and consequently barred by the doctrine of sovereign immunity? The court held that it was not because the complaint was to the effect that the proposed action would be beyond AEC's statutory authority.

Fourth. Were plaintiffs attempting to stop discretionary acts of the AEC that were not really subject to judicial review? The court decided that its review should be limited to whether the health and safety arrangements of the AEC for the proposed flaring constituted an abuse of discretion. The judge indicated his belief that "there is clearly a necessity for review to insure that the AEC discretion does not become a citadel impregnable to challenge by the concerned public, to insure that it is not so exercised as to fail to exercise the standard established by law, that is, the protection of the public health and safety." The court decided that the plaintiffs were not seeking review of discretionary acts immune from judicial review.

Fifth. Were plaintiffs entitled to their requested order to direct AEC to answer all questions and to turn over to plaintiffs all information regarding the project? The court held in the negative.

Sixth. Were AEC's plans for protecting health and minimizing danger to life and property a reasonable exercise of its statutory authority? The court found that they were.

With respect to the issues of fact, the key question was whether the proposed flaring of the gas from the Rulison cavity would endanger the life, health or property of the plaintiffs in contravention of the requirements of the Atomic Energy Act respecting health and safety. In pursuing this main inquiry, five subsidiary points were entailed:

First. Were AEC's plans reasonably adequate?

Second. Was the plan for flaring within the radiation protection standards of the AEC and the Federal Radiation Council?

Third. Were the defendants prepared and equipped actually to implement the plans, thereby insuring health and safety protection?

Fourth. Were AEC and FRC radiation protection standards reasonably adequate to protect life, health, and property?

Fifth. Were there safe economical alternatives to the proposed flaring as a means of determining the effectiveness of the Rulison shot?

The judge answered the key factual issue and the first four subsidiary questions in the affirmative; regarding the last question, he found that the plaintiffs had failed to establish that any such alternative existed and, besides, that the proposed flaring was reasonable.

In considering the factual questions, Judge Arraj reviewed the effects of the detonation, the plans for reentry and the attendant provisions for health and safety of the public. He discussed at length AEC's plans for reentry into the Rulison cavity. He then proceeded to consider the plan for production testing, including the monitoring program, the processing of the gas produced during the flaring operations, the analysis systems, and the planned environmental surveillance activities to be carried out under the supervision and control of the Southwestern Radiological Health Laboratory of the U.S. Public Health Service. This will include elaborate sampling and monitoring before reentry, in order to establish background levels of radiation, as well as during reentry and flaring operations. The decision specifies that all of the data gathered under the surveillance plan, the meteorological support plan and the onsite monitoring program are to be disseminated by AEC to the public.

With respect to releases of tritium and krypton-85, the court noted that AEC's plans were based upon a maximum release of 10,000 curies of tritium and 960 curies of krypton-85 The court found from the evidence in all probability the Rulison device produced significantly less tritium that the plans contemplated. The judge referred to Dr. Holzer's testimony to the effect that the maximum percentage of tritium that would probably reach the surface in the flaring operation was 19 percent of which about 9 percent would be flared—a small fraction of what AEC included in its plans for its postulated "maximum hypothetical accident." The judge found AEC's plans for limiting releases of radionuclides within established levels to be reasonable. Judge Arraj referred to the testimony of Dr. Victor Bond, Associate Director of Brookhaven National Laboratory, in regard to the properties of tritium and krypton-85 and dosage implications. He noted that plaintiffs offered no substantial testimony to contradict Dr. Bond's testimony; he also noted the testimony offered in November 1969 by Dr. Radford before the Subcommittee on Air and Water Pollution of the Senate Committee on Public Works, and found that it does not controvert Dr. Bond's testimony that the dose from the Rulison flaring will not constitute a health threat. The court concluded that the preponderance of the evidence shows that the Rulison plans for the release of gas from the cavity "make reasonable provision for the protection of the health and safety of human, plant, and animal life."

The decision includes a detailed consideration of the reasonable adequacy of the FRC and AEC radiation protection standards for the protection of life, health, and property. Much of the evidence and testimony at the trial went to this particular point. The court refused to insinuate itself into the risk-benefit evaluation, inherent in the setting of exposure standards, with respect to the need for the natural gas locked in the Mesaverde formation at Rulison. The decision states that this was for Congress to decide, and that the court's task is "to insure that the AEC has not exceeded congressional standards established to protect the public in a utilization of atomic energy which Congress has authorized, presumably after having evaluated the risk-benefit equation presented by the Rulison project." The court found that Rulison plans did not entail a departure from the protection standards.

The decision discusses the concept of linear relation between dose and damage to living cells. The decision states:

> We find that the adoption of this assumption constitutes a conservative approach by the standards setters and does not constitute a recognition of the scientific validity of the linear theory.

In regard to the expressed views of Drs. Tamplin and Gofman, the judge says:

> Thus, although the plaintiffs claim that their demand for a lowering of the standards is supported by "hard evidence," they have failed to produce in this Court any "hard evidence" of radiation effects at or below the low dose levels of the radiation protection standards.

The decision includes a discussion of the practical threshold theory, and the court finds that there is evidential support for the theories of threshold and practical threshold; the court notes that this evidence was not taken into consideration in the establishment of the current standards. The court expresses the following opinion:

> The field of radiation protection is constantly changing with the appearance of new scientific knowledge on the biological effects of ionizing radiation. Careful decisions must be made in the context of contemporaneous knowledge. Such decisions cannot be indefinitely postponed if the potentials of atomic energy are to be fully realized. All that is required to establish reasonableness of the decision setting a standard under the statutory directive to protect the public health and safety is that it be made carefully in light of the best of available scientific knowledge. Absolute certainty is neither required nor possible.

The concluding portion of the decision includes these statements:

> We conclude that the evidence shows that the AEC is following the Congressional mandate and its own rules and regulations, and that the actions and plans of the AEC in the prosecution of the conclusory phase of Project Rulison constitute a reasonable exercise of its statutory authority to conduct research in the utilization of atomic energy while providing for the protection of the health and safety of the public. * * *

Lest our ruling today be misunderstood, some additional words are required. This opinion, our findings, conclusions and ruling apply only to the specific factual situation presented by this litigation. We approve only of the flaring of the gas from the one well in the Rulison unit in which a nuclear device was detonated on September 10, 1969. We are not here and now approving continued detonations and flaring operations in the Rulison field. Such determination must be made in the context of a specific factual situation, in light of contemporary knowledge of science and medicine of the dangers of radioactivity, at the time such projects are conceived and executed.

Further although we have found that the plans for the flaring do provide reasonably for the health and safety of the public and that the specific plans for surveillance are reasonable, we determine that the Court should retain jurisdiction in order to insure that the plans we today approve as reasonable are in fact reasonably and safely executed. To aid this retention of jurisdiction we further determine that the defendants should file with this Court data and reports of the information collected by the surveillance system outlined in Appendix A.

A copy of this more than 60-page decision is available in the Joint Committee on Atomic Energy office, Room H403 in the Capitol.

VFW VOICE OF DEMOCRACY WINNING ESSAY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. TEAGUE of Texas. Mr. Speaker, each year the Veterans of Foreign Wars of the United States sponsors a Voice of Democracy program in which high school students are asked to write a broadcast script. All five winners of this year's contest on "Freedom's Challenge" were guests of honor at the VFW congressional dinner and received a personal congratulation from President Nixon. I would like to include the essay of the first place winner, Lawrence N. Slaughter, of North Charleston, S.C. A 17-year-old North Charleston High School student, Lawrence is vice president of the student council, and plans to study for the ministry at Emory University in Atlanta. The VFW should be commended for their sponsorship of such a fine program. After reading this essay, I think you will agree that we all can take pride in the patriotism and faith in America displayed by this young student.

The essay follows:

FREEDOM'S CHALLENGE

(By Lawrence N. Slaughter)

Well, what is it, I mean, I hear you talking all the time about it, but I don't know what you mean. I just can't get it. What is this thing—"freedom."

It isn't that I haven't tried to find out what it is; I looked it up in the dictionary and it said that it was the "lack of restraint." That sounded good to me—"lack of restraint." But then I got confused all over again. You told me that I had freedom. But I can't drive on the left side of the street. I cant' scream and yell outside if I want to. There's a lot of things that I can't do. Who's lying, you or Noah Webster?

I wonder if I'll ever know what it means. I wonder if anyone ever knew what it really means. I know that I'm not the only one that was ever told that he had freedom. What did freedom mean to the man that enlisted in the army of Adolf Hitler and was told that he was of the superior race and he should kill to have freedom. What did freedom mean to the Russian peasant whose land was burned—for freedom? What does freedom mean to the Vietnamese whose family is killed—for freedom? What is freedom to the poverty stricken American who is bound by hunger in this the "land of the free." But what I really want to know is what is freedom to me. You say that I have freedom; but the militants tell me that I don't, and I ought to kill you to get it and the radical right says I ought to kill the militant so that I can keep this freedom that I'm not sure I even have. I'm confused.

Wait you say that my freedom "stops when another man's freedom begins." Hey now that makes sense. That's why I can't exercise my freedom to scream and yell, because it violates another man's freedom to have peace. I can have freedom as long as I let another man have his. That means I can have freedom of speech as long as I don't yell "fire" in a crowded theater. I can have freedom of the press as long as I don't use it to use the paper to lie about someone else. Now, that makes sense; I guess you could say that I'm "free and bound."

That's quite a responsibility isn't it. I've been given this freedom and I guess it was given to me so that I might keep it long enough to give it to someone else. That must be what you mean by this "Freedom's Challenge" bit. It is a challenge and the challenge seems twofold. I've got to keep this freedom and I've got to give it away, too. Now that's a paradox. I've got to protect my freedom so that someone else may have it after I'm gone. I've got to cherish this thing, freedom; but then again, I can't cherish it so much that I won't let others have this right that I enjoy. I guess I've got to protect his freedom as much as I have to protect mine. If that means that I've got to work with him to save our freedom together, I guess that's what I'll have to do. If it means that I have to leave him alone because he doesn't like me, that's his freedom, and I've got to protect it.

Now I know what freedom means and this worries me more than not knowing. Now that I know, I'm worried. It's staggering to think that I have this responsibility of protecting both mine and others' freedom. I am free—and I am bound to protect this freedom. What a responsibility; and what a challenge! I hope I can live up to it. Can you?

WCOC RADIO STATION IS TOPS

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. MONTGOMERY. Mr. Speaker, I am happy to rise today in recognition of radio station WCOC in my hometown of Meridian, Miss. Owner and manager of the station is Mr. Withers Gavin, who also publishes an outstanding weekly newspaper in Quitman, Miss.—the Clarke County Tribune. WCOC has been in continuous operation for 45 years and has been an affiliate of the Columbia Broadcasting System since May 1, 1937. It was only recently that CBS presented WCOC and Mr. Gavin a gold microphone in recognition of this affiliation. WCOC is tops in my book. I am pleased to be able to recognize this outstanding station and call its accomplishments to the attention of my colleagues.

MR. A. B. CULBERTSON PROVIDES A TIMELY MESSAGE

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. WATSON. Mr. Speaker, my good friend, Mr. A. B. Culbertson of Laurens, S.C., has generously provided me with two very timely and inspirational poems which I would like to share with my colleagues. Mr. Culbertson speaks from the heart; yet, his thoughts reflect his deep wisdom and keen awareness of life. I commend his poems to the attention of the Congress as follows:

OUR HERITAGE WE PONDER

(By A. B. Culbertson)

From the blue-capped hills of South Carolina
To the wave-kissed sands on the plains below;
Out where we live in the wide open spaces
Down where the blessed breezes blow;
Where the cotton fields all bid you welcome
And the textile mills are humming low,
There's a simple pride in honest living
And the legions yet to come must keep it so.

From the hallowed walls of old Fort Sumter
Where patriots stormed in the long ago
For the sovereign rights of America's childhood,
South Carolina is the place you know,
To the sacred shrine of John C. Calhoun
Where lives the spirit of devotion of yore
To the things we love in the good old Southland,
The dreams of long ago will keep it so.

Let me go forth on the sunset trail,
In a land where the sweet magnolias grow;
Where the honey bees mingle with the golden jasmine
And the sparkling streams will always flow;
Where the peaches bloom in perfumed splendor
And the luscious fruit hangs row on row;
Where the sun shines through in every window
And the heavens, smiling down, will forever keep it so.

OUR PLIGHT WE PONDER

(By A. B. Culbertson)

There is a horde of depraved souls
Where filth and sin abound
On hand-out alley's sorry domain
And the vicious cycle goes round.

The soothing dole goes up and up
And the morals still come down
On the cradle that rocks the wretchedness
In degradation town.

The time has come to remove this curse,
So hopelessly unsound,
To protect the ones who deserve a hand
And assist them off the ground.

To restore in each the founding faith
And guide them safely around
The crippling snares of "The Great Society,"
Where the vultures of graft abound.

To redeem the pride in honest work,
Wherever it is found,
And the way of life that's far removed
From degradation town.

Arise ye patriots, your country calls again,
To restore a government that is sound
And make the lights to shine again
On every soul in every town.

THE POSTAL STRIKE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BIAGGI. Mr. Speaker, it finally came—the threatened postal strike that I tried to warn the Congress about on February 19.

My warnings and those of 16 of my distinguished colleagues from the New York City metropolitan area went unheeded, and as a result of continued foot dragging here in the Congress and at the White House, frustrated and bitter postal employees carried out the first postal strike in history.

On March 10, 1970, my colleagues and I wrote a letter to the Postmaster General, urging him to give immediate attention to this serious situation in New York City. We asked him at that time to call for the establishment of a special interim measure which would enact and employ title VI, section 5303 of the United States Code, providing for the higher rates of basic compensation for New York postal employees. But, our efforts went unnoticed.

Despite their pleas for action, and their desire to be heard, New York postal employees received no interim relief from extremely low and relatively unattractive entrance salary levels.

If the Postmaster General had moved to institute this interim pay policy until promised postal pay legislation was passed, the wildcat strike might have been averted.

I am disturbed, Mr. Speaker, because too few took seriously the appeal of Gustave Johnson, president of the Metropolitan Postal Council and Local Branch 36, and of Mr. Moe Biller, of the National Postal Union. These gentlemen did all they could to avert this walkout. They made a special trip to Washington to meet with members of the House Post Office and Civil Service Committee and New York City delegation "to tell it like it was."

Their main appeal was to urge the House membership to move promised postal pay legislation through the Congress as quickly as possible, but this cry fell on deaf ears.

I find it hard to understand why the President would promise postal pay equality with private enterprise and then use "budget considerations" to deny it shortly thereafter. To make matters worse, the President publicly threatened to veto postal pay raises if they were not accompanied by his postal reform bill. And, if that were not enough, the pay increase in the bill provides for a 5.4 percent raise, retroactive to January 1, 1970, for postal workers in grades 1 through 6 only. What happened to the postal supervisors? Do they not have to eat, too? Does inflation affect them less than it does any other citizen and taxpayer?

I feel our postal workers must be given every hope that they will not be sidetracked again in their efforts to finally obtain pay parity with other Government employees and workers in private industry. The 5.4-percent salary increase included in the House bill is just a first step in this direction. Another necessary step would be a guarantee that they will receive an additional 5.7-percent increase on July 1, 1970, as previously promised.

Short-lived promises can only bring harsh reaction. We're dealing with bread-and-butter issues for those who must try to feed and shelter their families on unbelievably low postal salaries. With the high cost of living in New York, postal workers must struggle on their low salaries just to make ends meet—I know, because I myself experienced these conditions when I was a postal worker.

It is a pity that my warnings to Congress in my initial remarks on this subject went unheeded and my fears were confirmed. In Italy, the postal workers had to strike before their promised and deserved benefits were obtained. Regrettably, their American counterparts were driven to the same measure in an effort to obtain their just deserts. This, only after all other forms of redress were exhausted. This is only the case because the administration has insisted on tying salary issues to unrelated organizational reform.

Now a serious burden has been placed on our shoulders. The public and business communities in the largest city in the United States are suffering because the U.S. mails are not being delivered.

I fully sympathize with the public and the business communities, but I also appreciate the plight of the woefully underpaid postal worker.

The responsibility for reestablishing the mail service rests with us, Mr. Speaker, and with the President. Court injunctions will not end the miserable salary conditions of postal employees—only fast and equitable salary increases will.

Yesterday I met with Mr. Gustave J. Johnson, president of the Metropolitan Postal Council in New York. I appealed to him and his membership to move through "mercy mail," which includes mail to and from Vietnam and other major military areas, social security mail for widows, widowers, and pensioners, and similar essential mail of a humanitarian nature.

While Mr. Johnson feels this appeal involves several complicated facets, he expressed a willingness to ask his membership to comply. He also stated, in response to my request, that if the strike continues beyond the first few days of April—when social security and the bulk of other welfare-type mail passes through the system—postal employees will enter the postal stations to identify and move as much of this mail as possible.

Mr. Speaker, the postal crisis is rapidly spreading across the Nation. I urge the Congress to prevent this crisis from becoming one of overwhelming proportions by considering immediately salary action for our postal employees.

Personally, I have wired the President to use the power of his Office to stimulate such action. In addition, I will do all I can to guarantee our postal employees, of every level, fair salary treatment and to return normal mail service to our Nation.

MASS TRANSPORTATION

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. SYMINGTON. Mr. Speaker, the Housing Subcommittee of the House Banking and Currency Committee has recently completed hearings on mass transportation proposals. Two distinguished St. Louis area officials, Mayor Raymond S. Zielinski of Bellefontaine Neighbors, representing the East-West Gateway Coordinating Council and the County Municipal League, and Mr. Robert S. Knapp, chairman of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, submitted testimony to the committee to urge substantial Federal contributions toward the solution of urban transportation problems. While the text of the hearings will be published at a later date, I feel their statements enumerate the plight of many of our Nation's urban areas and I include them, and my own, at this point in the RECORD:

STATEMENT OF CONGRESSMAN JAMES W. SYMINGTON, SECOND DISTRICT, MISSOURI

The inscription on Sir Christopher Wren's tomb at St. Paul's Cathedral in London reads: "If you seek my monument look around you." In this decade of the 70's, the quality of the environment will be our monument. And the quality of our environment, in such a highly mobile society, depends on the quality of transportation we provide. Automotive pollution, traffic congestion and paved-over land reflect the impact of our transportation system and the need for better solutions to the transit problem. We have the technology and the resources to leave a proud legacy in this decade—we need only the commitment. H.R. 6007, the bill which I have co-sponsored, seeks to provide that commitment.

The need for resolve is clear. In the U.S. we are experiencing rapid growth in urbanization, industrialization and in automotive usage. In fact, we are now producing automobiles faster than we are producing people. In Metropolitan St. Louis, the total area population increased 32 percent between 1950 and 1965, while during this same period the rise in automobile registration was 87%, or 2.7 times the rise in population. Moreover, between 1957 and 1965, the total number of vehicles entering and leaving the central business district of St. Louis during an average weekday increased by 30 percent. This increase, stimulated by completion, and improvement of two major highways and con-

struction of new parking areas, only underscores the urgent need to develop and use fast and convenient mass transportation vehicles and systems.

We cannot continue to encourage the American love affair with the automobile, at the expense of rapid transit. In most of our major urban areas the transit systems available are inadequate to say the least. Local, state and Federal agencies responsible for development of these systems have been encouraged to overlook pollution and the congestion caused by various transportation designs, while emphasizing expanded highway construction. There is today no attractive alternative to the automobile for those who can afford private vehicles and even less comfort for those who must patronize public transportation.

It is not difficult to believe, therefore, that the average American commuter spends 13% of each workday breathing the fumes of the car in front of him. In fact, these automobile fumes have become the most important single source of air pollution in the United States today. In his statement before the Senate Public Works Subcommittee on Air and Water Pollution the Honorable Lawrence K. Roos, Supervisor of St. Louis County, pointed to the increase in and the difficulty of controlling, pollution from automotive sources:

"According to the best available estimates the sources of air pollution emanating from St. Louis County breaks down as follows: 5% open burning, 25% industrial sources, and 65% motor vehicles. Six years ago, prior to the inception of our air pollution control program, 30% of estimated pollution came from open burning, 30% from industrial sources and 40% from motor vehicles."

Clearly, the control of auto pollution has not kept pace with efforts in other areas. Even with stricter standards of emission we cannot be assured of adequate protection since the increase in the auto population will offset any reduced emission per vehicle. It is quite clear, in terms of congestion and pollution, that we can little longer afford the privilege of individual transportation by means of internal combustion engines within our metropolitan areas.

Even relatively modest support of innovations with existing transit systems have had noticeable effects on automobile usage. As an example, a recent high speed rail project from the Village of Skokie to downtown Chicago initiated by the Chicago Transit Authority with financial assistance from the Department of Housing and Urban Development, shifted approximately 2,000 auto trips to mass transit facilities. While this achievement, not imposing in itself, gives cause for optimism, it is equally clear that we must make a massive Federal investment in the development and installation of mass transit systems.

There is also some optimism that such an investment is forthcoming. The Senate has passed S3154 which provides $1.86 billion over the next five years with contract authority totaling $3.1 billion. H.R. 6007 would also make a substantial commitment, providing $10 billion over the next four years. It would establish an Urban Mass Transportation Trust Fund, financed by the existing 7% automobile manufacturer's excise tax, which would be very similar to the Highway Trust Fund now financed by the 4¢ gasoline tax. This bill would also provide a major improvement in mass transit funding by raising the limitation on federal participation from the current 2/3 to 90%.

Mr. Chairman, I feel that H.R. 6007 provides both long term assured financing and a more meaningful level of funding. Without an investment of such magnitude, municipalities will not be able to develop physical and financial plans of sufficient scope to have a measurable effect on our transportation problem. Whichever method of funding the committee adopts, however, the primary concern must be an adequate level of financing.

This critical need for financial support was emphasized by Robert S. Knapp, Chairman of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, in his statement to this Committee:

"In six years since the enactment of the Urban Mass Transportation Act of 1964, we have been able to raise only $650,000 of the general obligation funds needed to furnish the local share necessary for implementing a program of $38,000,000. Without long range commitment in advance of federal help, there is scant possibility of raising the local general obligation share needed to implement a rapid transit plan of hundreds of millions of dollars."

Our cities and municipalities, faced with this problem of raising the local one-third of the funds prior to receiving a federal commitment to a capital grant, have not been successful. We have witnessed the repeated failures of local school bond issues in recent years as taxpayers refuse to authorize further municipal expenditures. I think it is safe to say that taxpayers who refuse school bonds will give little consideration to transportation revenue raising. Moreover, many metropolitan areas such as mine are divided into many small governmental jurisdictions with diversified budget cycles and funding restrictions, covering 100 or more separate municipalities. This fragmentation makes raising the necessary local revenues for mass transit an insurmountable task.

Mr. Chairman, as I have said we must seek massive funds to do justice to our urban areas in their quest for adequate, safe transportation systems. I believe H.R. 6007 provides these funds with equitable and realistic financing provisions.

We cannot permit our urban centers to continue this fight with token assistance from the federal government. It is a common problem crucial to us all and we must secure funds to complete the task. Without real progress on mass transit in this decade, the legacy we leave will not be a proud one.

STATEMENT OF MAYOR RAYMOND S. ZIELINSKI OF BELLEFONTAINE NEIGHBORS

I am Raymond S. Zielinski, mayor of the city of Bellefontaine Neighbors, Missouri. I serve on the board of directors of the East-West Gateway Coordinating Council in the Metropolitan St. Louis area: am president of the St. Louis County League of Municipalities; and also serve on the transportation committee for the National League of Cities. I am here in consideration of the Public Transportation Assistance Act of 1969—Senate Bill 3154.

Because of my enthusiasm for the development of a rapid transit system, I was asked by Governor Warren E. Hearnes of Missouri to organize a group to study the transit facilities in Montreal and Toronto, Canada in October 1969. Mayors of twenty county municipalities, thirty-six other city officials in and around St. Louis County, and representatives of most daily and weekly newspapers in the metropolitan area made the two day trip. They were absolutely excited about the transit systems they saw in operation in Canada and the desirability of promoting similar facilities in the St. Louis metropolitan area.

This encouraging response prompted Governor Hearnes to invite State legislators from the metropolitan area to accompany him on December 3 on a similar study. Strong support for the project in the legislature is essential because enabling legislation to authorize the establishment of a transit tax district will be the first step toward making the idea a reality.

Governor Hearnes has promised me that he well make every effort to introduce enabling legislation in the very near future.

A rapid transit system could be a major step toward elimination of air pollution. Other advantages are speed, safety, convenience, and economy.

"Social acceptability" is the key to the ultimate success of any rapid transit system in the St. Louis metropolitan area. We have to educate residents of St. Louis and St. Louis County to believe, as our Canadian neighbors do, that it's perfectly proper to hop into a subway train whatever the occasion. When that day arrives, we will have no problem getting the public support we need to finance the transit system the St. Louis metropolitan area must have if it is going to pay the necessary cost of a rapid transit system.

The public must be informed about these advantages, as well as the disturbing prediction that by 1980 the local highway system will be so clogged with cars that movement will be practically impossible.

I believe the project very definitely feasible, however, financing it will require a tremendous amount of money. This fact, not lack of local interest or a belief that the system is not needed or practical, is the principal barrier to progress with definite plans for rapid transit here.

No one familiar with existing rapid transit systems suggests that it is possible for them to be self-supporting, although an official for the Toronto system predicts that in time, it will be recognized as so valuable that the system will be supported entirely by taxation and there will be no charge for riders!

I am sure that any system developed in the St. Louis metropolitan area will require extensive Federal and State aid, in addition to funds raised by local taxation. The public Transportation Assistance Act of 1969, Senate Bill 3154, is a step in the proper direction as far as rapid transit is concerned.

Federal aid must be provided at a level substantially higher than the present program. In addition, that assistance must be provided in a manner consistent with the realities of financing local long term capital improvements.

Adding more dollars to the present program will not do the complete job. A firm long term commitment of Federal assistance for better urban public transportation services is necessary.

Any new Federal mass transit funding program must meet three criteria:

1. A level of funds sufficient to provide enough Federal dollars to pay that share of the cost of improvements to local public transportation systems which cannot be financed from local sources.

2. Assured availability of funds which localities can depend upon to implement long term capital improvement programs in public transportation.

3. A financing method which is parallel to that of other programs aiding improvement of urban transportation systems so that system development can proceed without distortions caused by ease in financing one mode over another in the total system.

Improvements to public transportation on the scale necessary to solve the urban transportation crisis will require major long term *local* capital commitments. Before localities make these commitments, they must have reciprocal long term commitments of *Federal* aid.

Too often in the recent past, proponents of assistance to local governments have succeeded in winning substantial authorizations for new programs to aid local governments, creating great expectations that substantial Federal aid would be forthcoming, only to see these authorizations turn into shallow promises unfulfilled when tested against the hard realities of the appropriations process.

Localities which went ahead and made commitments for new programs on the assumption that authorized Federal aid would be forthcoming have faced fiscal crisis when authorized funds were not appropriated. They have had to scrape the bottom of the financial barrel to get cash to finish projects which it was assumed could not be completed without Federal aid when the project started. Now, the cities say, "We must have a commitment we can depend upon in new public transportation legislation."

Programs aiding housing, education, highway safety, air pollution, crime control, and *public transportation* have all been funded at well below authorized levels. Experience in the water pollution program has been particularly bitter. There, the Nation's cities supported and agreed to enforcement of Federal standards on the assumption that substantial Federal assistance would be available to aid construction of waste treatment facilities. Now, the standards are being enforced, but Federal aid has fallen behind. This pattern should not be repeated for public transportation.

There is a vast difference between the capital improvement program we are discussing here and operating programs whose level of expenditure can be regulated on a year-to-year or even a month-to-month basis. When a community undertakes to buy a new fleet of buses or construct a subway system, firm contracts must immediately be made requiring set dollar commitments over a number of years. These contracts provide funds to support planning, design, construction or manufacture, and other related functions. At the same time, contracts for the capital goods and facilities are made, other contracts establish the financing for the local share of the cost of these goods and facilities—such contracts establish commitments often ranging from ten to thirty years with set payments to be made at fixed times and enforceable penalties charged in case of default. The local element of these long term programs must be supported by an equally guaranteed Federal commitment. It cannot be a commitment which is scaled up or down in the shifting nature of short term priorities. Such shifting can create disaster in local Capital programs which depend on availability of specific dollar amounts at set points as the program progresses.

Senate bill 3154 uses the same mechanism as the Federal Aid Highway program to assure substantial and continuing federal assistance. It also preserves legislative oversight of program management and effectiveness; and, recognizes that financing by user charges would be self defeating and that the whole community benefits from improved transportation; as well as avoids the necessity of earmarking other tax revenues into a trust fund account. The source of funds would be provided from general funds. The measure authorizes loans for advance acquisition of land for transit right-of-way and inclusion of such costs in capital grants. It requires that copies of grant applications be sent to the governor of the state for his comments. It requires public hearings on project applications under certain conditions. Participation in the program would be further encouraged by clarifying provision of existing law relating to private carrier contribution of local share of project costs.

Submitted herewith is a motion made at our last regular meeting wherein the St. Louis County League of Municipalities requests that consideration be given by Congress to solving the serious problems of mass transportation as expeditiously as possible with a view towards the best possible methods of funding nad financing rapid mass transportation systems throughout the United States; and, further, that this motion be presented to Congress, as I am doing today, for appropriate action. This was unanimously adopted by our entire membership.

Also submitted is a motion from the city of Bellefontaine neighbors wherein the board of aldermen requests that this measure be adopted.

Submitted also is a resolution wherein the east-west gateway coordinating council of the metropolitan St. Louis area recommends that the Congress pass this measure as being essential for the implementation of a rapid transit system in this area and does further memorialize Congress to provide in this public transportation act the same 90%–10% federal grant program as is currently provided in the Interstate Highway System Act, in lieu of the ⅔–⅓ grant program currently provided in the bill.

I wish to thank you for this opportunity to be heard and urge prompt speed in the consideration of various types of funding measures by your committee.

STATEMENT OF MR. ROBERT S. KNAPP, CHAIRMAN OF BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT

The Bi-State Development Agency is a body corporate and politic established in 1949 by Compact between the States of Missouri and Illinois, and consented to by the Congress. The Agency is similar in concept to the Port of New York Authority, and is empowered to own and operate many types of facilities in the general field of transportation. Its operations are limited to the geographic area of the Missouri-Illinois Metropolitan District comprising the City of St. Louis and the Counties of St. Louis, St. Charles and Jefferson in Missouri and St. Clair, Madison and Monroe Counties in Illinois. The Agency has no taxing authority and must raise all project funds by means of revenue bonds.

Prior to the formation of the consolidated, area-wide Bi-State Transit System on April 1, 1963, metropolitan St. Louis was served by 15 privately-owned transit companies each operating as a separate entity. From the standpoint of the transit rider, the then existing situation was most unsatisfactory for many reasons. Further, most of the privately-owned transit companies were in financial distress and, as a result, they were forced to provide poor service with run-down equipment. In fact, if Bi-State had not entered the picture, many of the communities would have been without transit service today.

Much has been accomplished during the past seven years in the improvement of transit service in this metropolitan area. However, despite the many advantages gained under Bi-State ownership, our transit system is confronted with a serious situation brought about by increased costs and a decline in riding due primarily to the tremendous and continuing increase in the sale of automobiles. During the past two decades, the number of automobiles in our nation has approximately tripled, while the population itself has grown only one-third. Billions of tax dollars have been spent for improvement of streets and highways with the result that more and more automobiles are clogging the streets of our city every day. In turn, there has been a decreasing use of transit facilities forcing a deterioration of service, all of which threatens the very existence of our cities, including St. Louis. Thus the problem we face is a part of a national trend.

With automobile usage growing much faster than the population, and with the estimated upward surge of population in the metropolitan area during the next decade, there is an urgent need for achieving a balanced transportation system. By balanced, we mean that as much attention must be made to the development and improvement of transit as made to highway and parking facilities.

We are of the opinion that a grade-separated, high-speed rapid transit network to complement the present surface system is a must for all cities such as St. Louis. Steps in this direction for our area have already been taken by Bi-State and a rapid transit study is being undertaken by a firm of transportation engineers selected by the Agency. Although we must continue to work toward the goal of rapid transit, we know that its construction is still many years in the future.

In view of this time lag, it is obvious that immediate steps should be taken now to improve our present bus surface network while awaiting the development of a rapid transit system, it would, of course, have to be coordinated with the surface system—so whatever steps are taken to improve the present operation would continue to be of benefit to the future.

Unfortunately, the revenues of our Bi-State Transit System do not permit any such steps to be taken without outside financial assistance. In fact, the present trends of increase in costs and decline in riding can only result in a continuing cycle of higher fares and curtailed service. Certainly this is not what we want to do and we are confident that it is not what the people of the St. Louis Metropolitan Area want. We believe that it is essential to preserve and improve the usefulness and attractiveness of our present transit system. With this end in view, we have recently developed a broad scale plan to accomplish this end during the period between now and the eventual achievement of a rapid transit network.

Our Transit Development Program 1969–1975, which was adopted last year, will require for revitalization and modernization of our existing bus system the expenditure of $38,000,000 over the next six years. Although the final report on our rapid transit system will not be due for approximately one year, our preliminary estimates indicate a total system cost could be in the range of 500 to 600 million dollars. Thus, our Agency, on its own, will need expenditures in the range of 25 to 100 million dollars annually over the next 8 to 10 years.

Although Bi-State has been eligible under existing laws for federal capital grants for the purchase of new equipment, the necessity of raising the local one-third *prior* to obtaining a federal commitment has proved an almost insurmountable barrier. The area served by our Bi-State Transit System is fragmented into numerous small governmental jurisdictions. Approximately 20 percent of our mileage is in Illinois and 80 percent in Missouri, and each State operates on different budgetary cycles and has its own constitutional restriction on obligation of funds. The Missouri area is further fragmented between the City of St. Louis and about 100 outlying municipalities beyond the St. Louis City limits. Our Illinois service is similarly broken down into 20 smaller communities.

In the six years since enactment of the Urban Mass Transportation Act of 1964, we have been able to raise only $650,000 of the general obligation fund needed to furnish the local share necessary for implementing a program of $38,000,000. Without long-range commitment in advance of federal help, there is scant possibility of raising the local general obligation share needed to implement a rapid transit plan of hundreds of millions of dollars.

We believe that the provisions of S–3154 as now written will go a long way toward restoring the concept of balanced transportation to our urban areas. However, progress must not stop here. We feel that continuous long run additional support for urban transportation systems is needed, and that ultimately there must be provisions for an

assured source of income and the acceptance for a greater federal share in the overall cost.

We urge the enactment of the Public Transportation Assistance Act of 1969 in the general form as given in Senate Bill 3154.

NATIONAL POSTAL CRISIS

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. ROE. Mr. Speaker, Washington fiddles while the Nation faces economic chaos.

In a telegram to President Nixon, I said:

I respectfully implore your full support in behalf of pay increases for the Nation's dedicated postal workers.

Each and every working American is entitled to just compensation for work he performs. It is written, "A laborer is worthy of his hire."

Immediate action in the form of postal pay increases is essential to avoid unnecessary hardship and economic chaos to the people of our Nation.

This unjustifiable situation strikes at the very conscience and integrity of our representative government.

The attitude of Congress and the administration is callous and there is a lack of forthright action on the postal crisis. This attitude is forcing postal workers into the poverty class, how can the Congress talk about welfare reform if its present posture in regard to postal workers will force these dedicated employees to seek Federal welfare in order to survive.

In telegrams to Speaker of the House, JOHN W. MCCORMACK, Majority Leader CARL ALBERT, and Representative THADDEUS J. DULSKI, chairman of the Post Office and Civil Service Committee, I said:

The unjust treatment of dedicated postal workers is a national disgrace—immediate, forthright action on the past of Congress is essential to avoid national economic chaos.

Recommend immediate suspension of all cumbersome procedures of the House to clear the way for immediate action on pending legislation for pay increases for all postal employees.

Any protracted delay will be economically disastrous to the people of the Nation.

It is abundantly clear that not only is the Federal Government's position not justified, but it is wreaking havoc with the Nation's economy. If the postal strike continues, hundreds of thousands of people will be thrown out of work. Already we are hearing the plaintiff cries of mail order houses, banks, stock markets, senior citizens waiting for their checks, retirees, and others.

Who can deny that the postal workers of the Nation are entitled to a decent living salary. Their starting pay is a little over $6,000 a year and it takes them 21 years to reach the top of $8,400—I unequivocally support the pay increases for postal workers.

I think that it is reprehensible that a situation such as the Nation is now involved in can continue. The control of inflation is not working when the administration and Congress express concern about inflation but then agree to a $1.8 billion allocation for foreign aid and deny a decent salary to hundreds of thousands of American citizens working in a crucial area involving the entire Nation. There is something fundamentally wrong with this kind of thinking.

The Federal postal pay is now 21 months behind comparable scales in private enterpise. A 5-percent increase in postal workers' pay was passed by the House of Representatives last October 14, the Senate approved the increase in December, and now President Nixon asks that the pay increase be delayed until January 1, 1971, because "It is inflationary."

These people have gone on strike in sheer desperation, over 50 percent of them hold two jobs and many depend on their wives to work in order to meet family living expenses. They have got to feed their families and educate their children and you cannot do this on a substandard salary. While the cost of living is increasing every month, Washington dilly-dallies on a meager pay increase that will not even come up to last year's increase in the cost of living.

I want immediate action for the postal workers of this country.

UNITED NATIONAL CONFERENCE AT GEORGETOWN UNIVERSITY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BROYHILL of Virginia. Mr. Speaker, a young constituent of mine, Bradford J. Wing of Annandale, Va., recently informed me of his participation in the North American Invitational Model United National Conference at Georgetown University, February 19 through 22, an event which went largely unnoticed in the Washington press in spite of the fact that some 2,500 high school students from all over the Nation were involved.

As I feel participation in this activity represents a very real interest on the part of many of our young people in developing realistic attitudes toward international affairs, I insert Bradford's report on the conference at this point in the RECORD:

THE NORTH AMERICAN INVITATIONAL, MODEL UNITED NATIONS CONFERENCE

(By Bradford J. Wing)

International understanding is one of the most important things for people to strive for. Toward that goal, the United Nations provides a forum for nations to discuss their views of world problems. Similarly, the North American Invitational Model United Nations (NAIMUN) Conference is one of the best ways for students to become aware of the virtue of facing and resolving issues over a conference table.

NAIMUN is sponsored by Georgetown University and was last held from the 19th through the 22nd of February, 1970, at the Shoreham Hotel here in Washington, D.C. About 2500 high school students came from all over the United States to represent various nations in the four-day conference of the model U.N. Much research is done prior to the convention so that the participants will understand their adopted nation's point of view. Students leave the convention more appreciative of the world's problems, having been brought to understand why most of those problems can't be solved overnight. Compromise and the art of diplomacy are found to be necessary for a nation to survive.

Another facet of the NAIMUN Conference is represented by the "political games." There, students take on the roles of officials responsible for imaginary nations confronted with realistic problems. The political make-up, economics, social nature, resources (human and natural), and the military situation of the country must all be taken into account. Trade agreements, military alliances and/or mutual non-agression pacts consistent with the nation's internal and foreign policies must all be negotiated. The variables in the functioning of a nation's economy, as well as the pressures on that country's leaders, are much better felt at the end of involvement in these political games.

The net effect of the whole NAIMUN Conference is to instill a more realistic attitude toward international affairs in those participating. This attitude turns out to be contagious. For example, the group from W. T. Woodson High School, Fairfax, Virginia, that has twice played a part in NAIMUN was so enthusiastic about the possibilities of such conventions that they organized the Fairfax Area Model United Nations (FAMUN) for Fairfax County high school students.

It is through projects such as these, that today's youth can favorably influence the future of the world.

THE FAMILY ASSISTANCE ACT

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BEALL of Maryland. Mr. Speaker, I think the President's Family Assistance Act, which is now before us, is the most constructive social legislation in decades.

We have finally stopped trying to patch the AFDC program. It cannot be done, because that approach is a failure, and the record has proven it.

The Family Assistance Act replaces AFDC. It changes the whole structure of welfare by—

Establishing a Federal floor to reduce inequities among the States;

Providing uniform eligibility standards;

Creating a payment system that encourages work;

Improving the manpower training program for welfare recipients;

Providing a uniform, and firm, work requirement; and

Providing adequate day care so mothers can go to work.

The time has come to take bold action. I commend the President and the Ways and Means Committee for their wisdom

in taking the first steps toward building a welfare system aimed not at perpetuating the dole but at taking and keeping people off of it.

LEAA ORGANIZED CRIME TRAINING CONFERENCE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. FASCELL. Mr. Speaker, among the critical items on the agenda for the 91st Congress requiring prompt congressional action are the legislative proposals aimed at eradicating the menace of organized crime. While we must reshape some of our laws and create new ones to achieve that purpose, we must do more to train all elements of the criminal justice system, at all levels of government, to deal more effectively with syndicated criminal operations.

The Law Enforcement Assistance Administration of the Department of Justice has held three regional organized crime law enforcement training conferences for the purpose of extending to State and local criminal justice personnel new techniques and procedures for use against organized crime. An indirect and significant benefit of these conferences is the establishment of rapport among the participants. Trust and rapport constitute the foundation for cooperation and coordination.

At the most recent LEAA Organized Crime Law Enforcement Training Conference held at Norman, Okla., more than 300 State and local investigators, judges, and prosecutors, attended a 4-day working session at which many of the country's experts on organized crime conducted seminars on every aspect of the problem. An indication of the value of such conferences is the following joint statement drafted subsequent to the conference by the 21-man delegation from the State of Washington:

The delegates from the State of Washington to the Third Organized Crime Law Enforcement Training Conference sponsored last week in Norman, Oklahoma, by the Law Enforcement Assistance Administration of the U.S. Department of Justice, stated they planned to work toward the development of a statewide pooling of information on organized crime activities in this state. They said that the information gained at the conference, when considered in the light of their experience, indicates that organized crime exists in the State of Washington today. They agreed that only through a cooperative effort could our state guarantee that it is ready to meet this challenge. The delegates said they hoped to obtain Federal funds to implement this project.

The delegates represented all parts of the criminal justice system and all areas of the State of Washington.

Because it can serve as a model for future conferences by groups in the public or private sector, I am inserting the agenda of the recent LEAA Organized Crime Law Enforcement Training Conference at Norman, Okla.:

MONDAY, MARCH 2, 1970

GENERAL SESSION

9:00–9:30 a.m.—Orientation: Martin Danziger, Forum Room.

9:30–10:30 a.m.—Speech: "Patterns of Organized Crime," Ralph Salerno, Forum Room.

10:30–10:45 a.m.—Refreshment Break, Corridor B.

10:45–12:00 noon—Workshops: "Defining Organized Crime":

Police	Prosecutors	Planners	Judges	
1–20	1–5	1–9	1–3	Dennis M. Crowley, seminar room B1.
21–40	6–10	10–18	4–5	Harold Yarnell, seminar room B2.
41–60	11–15	19–27	6–7	Vincent Piersante, seminar room B3.
61–80	16–20	28–36	8–9	Earl Johnson, seminar room B4.
81–101	21–25	37–45	10–11	Joseph A. Nardoza, conference room A.
102–122	26–30	46–55	12–13	Ralph Salerno, conference room B.

12:00–1:30 p.m.—Lunch, Commons Dining Room.

2:00–2:15 p.m.—Introduction: Dale Crowder, Executive Director, Oklahoma Crime Commission, Forum Room.

Welcoming Remarks: Honorable Dewey Bartlett, Governor of Oklahoma.

2:15–2:45 p.m.—Speech: "Intelligence Sharing," Harold Yarnell, Forum Room.

POLICE, JUDGES AND PLANNERS SESSION

2:45–3:45 p.m.—Workshops: "The Intelligence Function"—1. Organization of an Intelligence Unit; 2. Selection and Training of Intelligence Agents; and 3. Sharing Intelligence:

Police	Planners	Judges	
1–17	1–8	1	Ray Holt, seminar room B–1
18–34	9–16	2	Joseph A. Nardoza, seminar. room B–2.
35–51	17–24	3	Vincent Pierstante, seminar room B–3.
52–68	25–32	4	Marion B. Phillips and Don Lowe, seminar room B–4.
69–86	33–40	5	Harold Yarnell, seminar room B–5.
87–104	41–48	6–7	Dennis M. Crowley, seminar room B–6.
105–122	49–55	8–9	Ralph Salerno, conference room B.

3:45–4:00 p.m.—Refreshment Break.

4:00–5:00 p.m.—Workshops: "The Intelligence Function," Return to same Seminar Rooms.

PROSECUTORS AND JUDGES SESSION

2:45–3:45 p.m.—Workshops: "The Prosecutor's Role in the Investigatory Process"—1. Investigations; 2. Preparation for Grand Jury; and 3. Grand Jury:

Prosecutors	Judges	
1–10	1–5	Michael DeFeo, seminar room A2.
11–20	6–9	Edward Joyce, seminar room A4.
21–30	10–13	Louis Scalzo, seminar room A5.

3:45–4:00 p.m.—Refreshment Break, Corridor B.

4:00–5:00 p.m.—Talk: "Contempt and Immunity," Conference Room A.

GENERAL SESSION

6:00–7:00 p.m.—Dinner, Commons Dining Room.

8:00–9:00 p.m.—Talk: "The Nature and Scope of La Cosa Nostra"; "New Demands for Sophisticated Intelligence Capability"—Gerald Shur, Forum Room.

TUESDAY, MARCH 3, 1970

GENERAL SESSION

9:00–9:30 a.m.—Talk: "Title III, Omnibus Crime Control and Safe Streets Act of 1968, Wiretapping and Electronic Surveillance"—Charles Ruff, Forum Room.

9:30–10:00 a.m.—Speech and Demonstration: "Electronic Equipment," Frank J. Jameson, Forum Room.

10:00–10:15 a.m.—Refreshment Break, Corridor B.

10:15–10:30 a.m.—Talk: "Confidential Funds," Frederick Rody, Forum Room.

10:30–12:00 noon—Panel: "Electronic Surveillance Equipment." 1. Special Uses; 2. Limitations; 3. Quality of Equipment; 4. Training; and 5. Counter-Measures—Frank J. Jameson, Joseph A. Nardoza, Frederick Rody, Forum Room.

12.00–1:30 p.m.—Lunch.

2:00–2:45 p.m.—Panel: "Development of Tax Cases; Cases Involving Commercial Transactions and Frauds"—Intelligence Division, United States Internal Revenue Service—Richard A. Nossen; William Owens; Joseph R. Rosetti.

PLANNERS AND JUDGES SESSION

2:45–3:45 p.m.—Panel: "Planning Organized Crime Components of State Law Enforcement Plans"—Martin B. Danziger; Melvin Axilbund; Donald R. Cressey; Earl Johnson; Sheldon Krantz; and Raymond McConnell—Forum Room.

3:45–4:00 p.m.—Refreshment Break, Corridor B.

4:00–5:00 p.m.—Workshops: "Planning Organized Crime Components of State Law Enforcement Plans":

Planners	Judges	
1–27	1–3	Sheldon Krantz, Donald R. Cressey, seminar room A2.
28–55	4–7	Raymond McConnell, Earl Johnson, seminar room A4.

POLICE, PROSECUTORS, JUDGES SESSION

2:45–3:45 p.m.—Workshops: "Development of Tax Cases; Cases Involving Commercial Transactions; and Frauds":

Police	Prosecutors	Judges	
1–61	1–15	8–10	Richard Nossen, conference room A.
62–122	16–30	11–13	Joseph R. Rosetti, conference room B.

3:45–4:00 p.m.—Refreshment Break, Corridor B.

4:00–5:00 p.m.—Continuation of Workshops: "Development of Tax Cases; Cases Involving Commercial Transactions; and Frauds," Conference Rooms A and B.

GENERAL SESSION

6:00–7:00 p.m.—Dinner, Commons Dining Room.

Introduction: Calvin K. Hamilton—Speech: "Corruption and Organized Crime"—Clarence M. Kelley, Chief of Police, Kansas City, Missouri Police Department. Forum Room.

8:00 p.m.—Movies: "The Corrupt City"; "Biography of a Bookie Joint."

WEDNESDAY, MARCH 4, 1970

GENERAL SESSION

9:00–10:15 a.m.—Panel: "Federal Investigative Agencies—Relation to State and Local Efforts to Combat Organized Crime"—William Behen; Ralph Erickson; Charles A. Miller; Patrick P. O'Carroll; Frederick Rody;

Robert Snow; and Theodore Thoma—Forum Room.

10:15–10:30 a.m.—Refreshment Break, Corridor B.

PLANNERS AND JUDGES SESSION

10:30–12:30 noon.—Workshops: "Planning Organized Crime Components of State Law Enforcements Plans."

Planners	Judges	
1–27	1–3	Sheldon Krantz, Donald R. Cressey, seminar room A2.
28–55	4–7	Raymond McConnell, Earl Johnson, seminar room A4.

POLICE, PROSECUTORS AND JUDGES SESSION

10:30–12:00 noon—Workshops: "Federal Investigative Agencies—Relation to State and Local Efforts to Combat Organized Crime":

Police	Prosecutors	Judges	
1–61	1–15	8–10	Group I[1], conference room A.
62–122	16–30	11–13	Group II[2], conference room B.

[1] 10:30–11:15 a.m.—Charles A. Miller, Patrick P. O'Carroll, Robert Snow. 11:15–12 noon—William Behen, Ralph Erickson, Frederick Rody, Theodore Thoma.

[2] 10:30–11:15 a.m.—William Behen, Ralph Erickson, Frederick Rody, Theodore Thoma. 11:15–12 noon—Charles A. Miller, Patrick P. O'Carroll, Robert Snow.

GENERAL SESSION

12:00–1:30 p.m.—Lunch, Commons Dining Room.

2:00–3:00 p.m.—Talk: "Undercover Operations," Forum Room.

3:00–3:15 p.m.—Refreshment Break, Corridor B.

3:15–4:45 p.m.—Workshops: "Corruption and Organized Crime":

Police	Prosecutors	Planners	Judges	
1–20	1–5	1–9	1–3	Louis Scalzo, seminar room, B1.
21–40	6–10	10–18	4–5	John Gardiner, seminar room, B2.
41–60	11–15	19–27	6–7	Raymond McConnell, seminar room, B3.
61–80	16–20	28–36	8–9	Joseph A. Nardoz, seminar room, B4.
81–101	21–25	37–45	10–11	Joseph R. Rosetti, seminar room, B5.
102–122	26–30	46–55	12–13	Martin B. Danziger, conference room, B.

4:45–5:30 p.m.—Panel: "Combating Organized Crime Through Business and Professional Organizations"—Mark H. Furstenberg; Patrick F. Healy; and Wayne Hopkins—Forum Room.

6:00–7:00 p.m.—Dinner—Speech: "Combating Organized Crime—Concepts and Methods"—William S. Lynch, Chief, Organized Crime and Racketeering Section, Department of Justice—Commons Dining Room.

THURSDAY, MARCH 5, 1970

GENERAL SESSION

9:00–10:00 a.m.—Panel: "Sentencing in Organized Crime Cases"—Clayton Anderson; Richard Hecht; Sol Rubin, and Judge Pearce Young—Forum Room.

10:00–10:15 a.m.—Refreshment Break, Corridor B.

10:15–10:30 a.m.—Evaluation, Forum Room.

10:30–10:45 a.m.—Talk: "The Role of LEAA"— Ivan E. Levin—Forum Room.

10:45–11:45 a.m.—Speech: "Organized Crime in the Ghetto"—Oliver Lofton—Forum Room.

11:45–12:00 noon—Closing Remarks—Forum Room.

(Numbers in grids reflect those assigned to participants.)

NEEDED BOOST FOR CAREER EDUCATION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, during the past few years, many educators have noted the frustrations felt by students who have little interest in the traditional 4-year course of study, but have the desire to acquire some form of post-secondary education. For these students the junior or community college and the technical institute have often filled the bill.

President Nixon took note of the unique characteristic of these schools in his recent message on higher education, and commented that "a traditional diploma is not the exclusive symbol of an educated human being." It might also be noted that this traditional diploma is not the exclusive key to a well-paying occupation. Many of the skills taught by these 2-year schools are in great demand. I am certain that persons of all ages who wish to further their education will benefit from the proposed career education program. This program would provide $100 million in fiscal 1972 to assist the States and colleges in starting career education programs in community and junior colleges and technical institutes. I think that these sums will be some of the best ever spent by the U.S. Government.

A RESOLUTION BY THE ZIONIST ORGANIZATION OF DETROIT

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BROOMFIELD. Mr. Speaker, it was my great pleasure recently to address the Zionist Organization of Detroit concerning the worsening situation in the Middle East. Following my talk the organization adopted the following resolution which I call to the attention of my colleagues. A copy has been forwarded to the President with my endorsement:

Be it resolved, by the Zionist Organization of Detroit that it hereby respectfully implores Richard Nixon, the President of the United States, to immediately take steps to ship necessary aircraft and other weapons of defense under favorable terms to the State of Israel; that the long term and short term interests of the United States are parallel and co-extensive with the needs and aspirations of the State of Israel and its valiant people. As loyal American citizens of the Jewish faith, we urge you to counter Russian influences in the Near East at once by reaffirming the traditional policy of the United States to stand by the Jewish people as it struggles to fashion a new life and a new world for its peoples who have made it its home in the last several decades, and who are each day absorbing new immigrants from various parts of the world.

DOMESTIC TRANQUILLITY THREATENED BY INTERNAL SUBVERSION

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BURTON of Utah. Mr. Speaker, I wish to bring to the attention of my colleagues an article in this week's issue of Barron's the well-known national weekly of the business and financial community. It concerns the systematic assault that has been taking place against American universities and industries, and the alarming fact that much of this revolutionary action is instigated by young people from the "best" homes and schools in America. The article follows:

[From Barron's, Mar. 23, 1970]

NO MAD BOMBERS: SUBVERSION HAS BECOME A CLEAR AND PRESENT DANGER

To the handful of bankers who stand up to be counted (Barron's, March 16) albeit belatedly or reluctantly, add the names of Messrs. A. W. Clausen and Louis B. Lundborg, president and chairman of the board of directors, respectively, of the Bank of America. At the annual meeting of the largest commercial bank in the U.S. last week, both executives, in response to the sniping of a few dissident shareholders and to outside radical attacks, succeeded in taking a stand of sorts. Mr. Lundborg ruled out of order a resolution offered by a group of respectable peaceniks urging an immediate, total withdrawal of U.S. forces from South Vietnam. He also defended the bank's financial activities in that embattled land, and refused "positively" to consider shutting up shop in Saigon. Mr. Clausen, in turn, assailed the "pernicious propaganda" spread by "agitators" from Isla Vista, small community near the University of California campus and site of a Bank of America branch which "rampaging demonstrators—students and nonstudents"—burned to the ground late in February. At that time Bank of America, in full-page advertisements, broke the majority's silence on the issue of violence, which it urged all its countrymen, heedless of differences, to join hands in shunning. "We believe that at some time and in some place Americans must decide whether they intend to have their decisions, indeed their lives, ruled by a violent minority. We are but one bank, but we have decided to take our stand in Isla Vista."

Nothing like a burning branch to make one see the light. Or perhaps coercive picket lines flung around the homes of executives, demonstrations on company property and dynamite blasts at offices and plants will do just as well. If so, business and banking alike can scarcely fail to realize that they are under siege. Last spring, Barron's warned: "'Enlightened' or otherwise, capitalism has come under direct assault from a hit-and-run coalition of radical students and alienated members of minority groups who seek not to achieve higher wages, improved working conditions or more jobs, but . . . to shake the Establishment and ultimately bring it down. Scorning such bourgeois expedients as collective bargaining, they opt for tactics like infiltration, intimidation, boycott, sabotage and violence." Since then the plot, so to

speak, has thickened. In one labor dispute after another, left-wing extremists have sought to forge an alliance between students and workers. To judge by what happened last week at the Bank of America and Hercules Powder—as well as by disclosures in the underground press of plans for a widespread campaign against "war profiteers" and "polluters"—the annual meeting, like the campus, is destined to become a battleground. Corporate headquarters, after a spate of recent bombings, already have wound up on the casualty list.

Along with the office equipment, furniture and files, the explosions should have shattered a few pervasive myths about the origins of revolution and the means needed to combat it. Communism is supposed to spring from misery and poverty, yet the most ruthless of the plotters emerge as daughters (and sons) of riches. "Workers of the world unite," cry Students for a Democratic Society (obscene misnomer); if they succeed, however, all power will be wielded by so-called intellectuals, who, from secure command posts deep in the groves of academe, push the buttons. Neither free enterprise nor freedom, finally, can long endure without learning how to protect itself. As Eastman Kodak and Ford, two early targets, found out the hard way, corporate statesmanship and a social conscience are open invitations to trouble; IBM, showcase of enlightened capitalism, is still cleaning up the bomb-blasted rubble. Instead, commerce and industry should close ranks behind internal security legislation (now pending in the Senate Judiciary Committee) which would rebuild the nation's defenses against sedition and subversion. Full-page ads denouncing violence are all well and good as expressions of moral indignation and righteous wrath; amidst a clear and present danger, survival demands more.

The thrust at the corporate jugular takes many forms, some at the outset at least, little more than harassment. Last week, for example, 30 young militants picketed headquarters of Hercules, Inc., handing out leaflets accusing the company, which supplies the military in Vietnam, of "war crimes." Radical "agitators" denounced the Bank of America as capitalist "profiteers," charges which the top executives indignantly denied. During the next six weeks or so, other strategic annual meeting throughout the country are targeted for demonstration, invective or worse. Here are the militants' marching orders, as disclosed in the latest issue of "New Mobilizer": "April is seen as the time to focus on the the economic issues of the war around the theme 'Who Pays for the War? Who Profits From the War?' . . . In East Hartford, Conn., on April 14 we will bring publicity to bear on United Aircraft. In Seattle, Washington, on April 27 we will confront Boeing. . . . Plans for April 15 in Cleveland are moving ahead well. A lot of work has gone into demonstrations at the annual stockholders' meeting of AT&T to be held at the Public Auditorium in Cleveland on the 15th . . . Buffalo . . . A detailed scenario has been mapped out. Leafleting will take place at three local steel plants early in the week of April 15: Bethlehem, Republic and Allegheny-Ludlum . . . On April 28 we will be demonstrating at Gulf Oil in Pittsburgh and Honeywell, Inc., in Minneapolis . . . Honeywell, Inc., makes the antipersonnel fragmentation bomb, the most hideous weapon presently used against the Vietnamese."

Violent words, moreover, long ago escalated to deeds. In February of last year, hundreds of students from riot-torn San Francisco State College joined the picket line of refinery workers striking against Standard Oil Co. of California. In Seattle the University of Washington SDS pinned a United Fruit recruiter against a wall and forced him to watch a film purporting to depict his company's depredations in Latin America. In Washington, D.C., nine anti-war demonstrators broke into the offices of Dow Chemical Co., ransacked the files and splattered blood on the walls. At Ford Motor Co 's assembly plant in Mahwah, N.J., a group of workers known as the United Black Brothers staged a wildcat strike, and, with SDS help, set up a picket line that temporarily disrupted production. During the prolonged shutdown at General Electric, a cause which SDS and its allies in the Progressive Labor Party promptly embraced as their own, student activists sought to run GE recruiters off college campuses at Michigan State, Princeton, Rutgers and the University of Chicago. "The revolutionary assault on American universities and industries," warned Representative William E. Brock (R., Tenn.) at the December Congress of the National Association of Manufacturers, "is a calculated attempt to weaken and eventually destroy private enterprise in America. Students for a Democratic Society and their allies are trying to forge a Marxist student-worker alliance which will create disruption in industry."

Violence inevitably has led to destruction of property, personal injury and death (which fate, with fine irony, so far has reserved for the radicals). Last August an explosive device with the force of 24 sticks of dynamite ripped through the Marine Midland Building in New York City, devastating the eighth floor and injuring 19; "It was a miracle," said one victim, "that nobody was killed." Others were hurt in mid-November, when bombs went off in the Chase Manhattan, General Motors and RCA Buildings. Two weeks ago bombs caused extensive damage in offices of General Telephone & Electronics, IBM, and Mobil, while an accidental detonation recently destroyed a bomb factory (and killed several activists) in a town house in Greenwich Village. Repeated bombings also have occurred in San Francisco, Seattle and Detroit.

The first explosions were something of a mystery—The New York Times even speculated that they might be the handiwork of some new Mad Bomber. Subsequent events soon disclosed the method in the madness. In November an anonymous letter to the newspapers, denouncing "the giant corporations," acknowledged the deed. This month a group which calls itself "Revolutionary Force 9" claimed the credit. "IBM, Mobile (sic) and GTE are enemies of all life," said the market communique. "All three profit not only from death in Vietnam, but also from American imperialism in the Third World. They profit from racist oppression, from the exploitation and degradation of employes forced into lives of antihuman work, from the pollution and destruction of our environment."

Beginning to get the picture? A closer look at those who have been arrested in connection with the bombings, or managed to blow themselves up, reveals a clear-cut pattern of left-wing extremism. Not that squalor is much in evidence—on the contrary, two of the victims found in the ruins of the Greenwich Village townhouse, as well as one of the survivors (whose father owned the $250,000 dwelling), came from wealthy families. They were graduates of "good" schools (notably Swarthmore and Bryn Mawr, which, on the basis of the fragmentary evidence to date, assay remarkably high in radicalism; Bryn Mawr last fall appointed as Professor of Black Studies Herbert Aptheker, noted "theoretician" of the Communist Party, U.S.A.) Most of them had traveled to Cuba, rioted in Chicago or elsewhere and belonged to the "Weathermen" or some other ultra-violent wing of SDS, which J. Edgar Hoover, in the FBI Law Enforcement Bulletin for June 1969 has described as "rapidly gaining a definite Marxist-Leninist coloration."

Such disclosures seemed to astound both the so-called communications media and the public. They should have come as no surprise to readers of Barron's, who, thanks to the skill and courage of crusading journalists like Alice Widener, have long been alerted to the growing menace of the New Left and their Old Left mentors. Year-by-year Mrs. Widener, virtually single-handed, has covered the annual conferences of Socialist Scholars, at which blueprints for the radicalization of American college youth have been unveiled with increasingly open arrogance. At the first such affair (held, fittingly, at McMillin Theater, Columbia University, scene of bloody student riots several years later) Prof. Staughton Lynd, then of Yale University (and then and now associated with organizations cited by the U.S. Attorney-General as subversive), urged his fellow scholars to be ready at any time to put aside their books and go for "the jugular." "I wonder whether every teacher who calls himself a Socialist," he mused, "doesn't have the duty to become a professional revolutionary."

The Second Conference played host to a meeting of leaders of the Radical Education Project, an enterprise of SDS, which outlined a proposed "network of people in the U.S. and abroad who will serve the movement as quick, incisive sources of intelligence . . . such a network, including scholars, journalists, leftist youth leaders, government officials, guerrilla leaders etc. can provide us with firsthand reports of the action of insurgent movements, the workings of the foreign policy apparatus, impending developments. . . ." Guest of honor at the Third Conference was Owen Lattimore, whom the U.S. Senate Internal Security subcommittee has labeld "a conscious, articulate instrument of the Soviet conspiracy," while the Fourth, held at Rutgers in September 1968 featured an address by Ernest Mandel, Belgian Marxist and a chief strategist of the bloody French student revolts (for which he has been banned from France). Mandel advocated "mass strikes and mass movements," with students as the "detonators in the formula for triggering a social explosion, creating a revolutionary situation."

Barred from the U.S. as well, he used blunter language in a taped message to a rapt audience in New York's Town Hall last fall: "As a revolutionary Marxist you must know that you cannot destroy capitalism piecemeal. You can abolish the structure only by overthrowing it." Yet The New York Times denounced his ban as the the "blacklisting" of a distinguished person who only sought to participate in "academic discussions," while last week, it reported, "six American Scholars" (in point of fact, four of them Socialist Scholars) brought suit in federal court to restrain the Attorney-General from barring M. Mandel and keeping him from a scheduled "lecture tour."

Finally, at the Fifth Annual Conference, the Socialists dropped all pretense of scholarship. According to the official program, they plan the widespread reproduction and distribution of SSC papers in pamphlets "for assignment in the college classroom of materials written from an explicitly socialist perspective. . . ." As Mrs. Widener summed up (Barron's, September 15, 1969): "There you have it. Sure of immunity, the Socialist Scholars no longer need the 'convenience' of dissimilation concerning aims, methods and acts. They no longer need put on a false front of academic objectivity; they no longer need pretend that there is a separation between activities off-campus and on-campus, out-of-classroom and in-class.'

Whence comes such immunity? Why, largely from the U.S. Supreme Court, which, under the influence of Earl Warren and his fellow-traveling associate, William O. Douglas (whose new book openly sanctions violent revolution) over the years has syste-

matically gutted the nation's internal security laws. It would come to an abrupt end if Congress enacted various measures now in committee. One bill, supported by Rep. J. Herbert Burke, (R., Fla.), would restore the power of the Secretary of State (stricken down by the High Court in 1967) to limit the travel of U.S. citizens to hostile countries, notably Cuba; Fidel Castro, charged the Congressmen, "is operating a university of revolution in the hills of Pinar del Rio, where new left Americans receive training in bombing tactics and guerrilla warfare." A more comprehensive piece of legislation, currently in the Senate Judiciary Committee, would prohibit, without regard to the immediate effect thereof, the willful or knowing teaching or advocacy of the duty or need to overthrow by force or violence the government of the United States. If such statutes were passed and enforced few Socialist Scholars or SDS members would be walking around loose.

McCarthyism, some will cry, repression! We say that actions—notably dynamite bomb blasts—speak louder than words. The Preamble to the U.S. Constitution, following "in order to form a more perfect union, establish justice," sets forth as the next high purpose "to insure domestic tranquility." Today no task is more compelling.

SGT. RICHARD G. HILL

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. LONG of Maryland. Mr. Speaker, one of my constituents, Mrs. Carmine Danesie, Jr., lost a fine young son in Vietnam. Sgt. Richard G. Hill was an outstanding soldier and I am proud to know he was representing Maryland. His mother sent me the following letter which she received from the Department of the Army, listing the numerous awards her son won while serving in the Army. I would like to honor Sergeant Hill's memory by including that letter in the RECORD:

DEPARTMENT OF THE ARMY,
OFFICE OF THE ADJUTANT GENERAL,
Washington, D.C.

DEAR MR. AND MRS. DANESIE: I have the honor to inform you that your son has been awarded posthumously the Distinguished Service Cross for heroism, Bronze Star Medal (First Oak Leaf Cluster), Air Medal, Purple Heart, and the Good Conduct Medal.

Prior to death, Richard had been awarded the Bronze Star Medal, Army Commendation Medal for heroism, Purple Heart with Third Oak Leaf Cluster, National Defense Service Medal, Vietnam Service Medal with One Bronze Service Star, Vietnam Campaign Medal, Combat Infantryman Badge, and the Sharpshooter Badge with rifle and pistol bars.

Arrangements are being made to have these awards presented to you in the near future by a representative of the Commanding General, First United States Army.

The representative selected will communicate with you in the next few weeks to arrange for presentation. Any inquiry or correspondence concerning presentation should be addressed to the Commanding General, First United States Army, Fort George G. Meade, Maryland 20755.

My continued sympathy is with you.

Sincerely,

ROBERT E. LYNCH,
Colonel, AGC,
Acting, the Adjutant General.

CONFRONTATION IN THE MIDDLE EAST

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include the keynote address delivered by Eugene V. Rostow, sterling professor of law and public affairs, Yale University, 1966–69, formerly Under Secretary of State for Political Affairs, at the Emergency Connecticut Jewish Leadership Delegate Assembly on Peace in the Middle East, Millard Auditorium, University of Hartford, West Hartford, Conn., on March 8, 1970. The address follows:

CONFRONTATION IN THE MIDDLE EAST

We have come together today as citizens to consider the problem of peace and war in the Middle East. Naturally, those of us who are Jews feel a special concern for the Jews of Israel. But there is no conflict between our obligations as citizens, and our sympathies as Jews. The policy of Israel is to make peace with its Arab neighbors, in accordance with the Security Council Resolution of November 22, 1967. The national interest of the United States is the same—that the parties to the conflict make peace in the Middle East, pursuant to the Resolution, and in ways which are fair and dignified for Israel, for the Arab refugees, and for the Arab nations alike.

Our government, and that of Israel, do not always agree. That is normal in the relations of even the most friendly states. We and our European Allies have important interests in the Arab Middle East, which Israel respects, but doesn't necessarily share. But on the central problem of the Middle East crisis, the United States and Israel are fully agreed:—the time has come to make peace, not to restore the Armistice of 1949. On this critical issue, President Nixon and Secretary of State Rogers are just as clear and explicit as President Johnson and Secretary of State Rusk. This fact is the rock on which all else must be built.

I stress this point at the outset, for I believe it to be fundamental for all of us.

I shall discuss the crisis in the Middle East in the framework of our foreign policy as a whole. Within that framework, I shall try to concentrate on the broader and more basic problems, and put issues of detail, however urgent, into the context of larger considerations.

The situation in the Middle East is poisonously difficult and poisonously dangerous. There is no magic which can persuade the Arabs to give up their sense of grievance as to the existence of Israel. At best, that bitter feeling will take many, many years to fade. And most of the issues of the transient headlines have no real bearing on the course of events. It would be a mistake, for example, to divert much attention from the underlying problems to secondary ones like the French sale of planes to Libya. Egypt hardly lacks planes. There has been much criticism, too, of Secretary Rogers' recent speech. I think concern about that speech is unjustified. The speech parallels President Johnson's speeches of June 19, 1967, and September 10, 1968. While the diplomatic application of these policies may show change—a possibility on which I have no information—the principles on which they rest are sound, and deserve bipartisan support. In any event, the nuances of a particular speech or statement mean little in themselves. President Nasser will not be brought to the table of peace by a speech. The *pattern of events* is dominated by *something quite different:* the massive, ominous, increasing *pressure of Soviet policy,* which is exploiting Arab hostility to *Israel in order to transform* the whole region. There is no hope of containing and controlling that pressure without the calm and steady application of the full influence of the United States. No other force in world politics can deter such prolonged and determined Soviet pressure.

I submit that no citizen has the right to urge the invocation of that influence—that is, the full influence of the United States—unless vital interests of the nation are at stake. Our first post-war Presidents, and the Congresses which passed and reaffirmed the Middle East Resolutions in 1957 and 1961, have believed that vital national security interests of the United States are indeed at stake in the Middle East. I fully agree with their assessment. These interests are now affected by the process of Soviet penetration of the area. They would be critically threatened by a threat to Israel, both in itself, and for the consequences in Saudi Arabia, Egypt, South Arabia and the Levant; in the Magreb of North Africa; and in the Persion Gulf. Such changes would imperil our access, and the access of Europe and Japan, to the oil and the space of this strategic region, and call into question our position in Europe and the Mediterranean. As President Nixon has recently said, "The United States would view any effort by the Soviet Union to seek predominance in the Middle East as a matter of grave concern."

But present trends could well lead to this dangerous end—the end, that is, of Soviet predominance—unless the process of Soviet penetration is halted.

For the Arab-Israeli conflict has become more than a regional quarrel; it has been used by the Soviet Union to generate a major confrontation with NATO as a whole. President Pompidou was right the other day when he said the Mediterranean was the soft underbelly of Europe, and compared the Soviet presence there to the Cuban missile crisis. These are words of tremendous resonance. But they are not exaggerated. They underscore the importance of our acting promptly, quietly, and firmly, in concern with our Allies where possible, to prevent these nightmares from becoming reality. The United States can have no objections to the presence of the Soviet Union in the Mediterranean. We should have no wish to claim these vital international waters as a NATO lake. But the possibility of hegemony and predominance is another matter, especially when the Soviet Union states as official policy that one of its goals is the withdrawal of the Sixth Fleet from the Mediterranean.

I propose to open the discussion this afternoon in that perspective—the perspective, that is, of a bipartisan foreign policy, addressed to basic national concerns and interests. No other premise for policy matches the gravity of events. The American people have long had a warm and admiring interest in Israel, and we have taken on deep moral and political responsibilities, both by sponsoring the creation of Israel in a hostile Arab world, and by committing ourselves repeatedly to uphold her freedom, and that of the other states of the region. These aspects of our relationship to Israel are important, and I do not minimize them. But they should be viewed, I believe, as reinforcing our interests as a nation, which could be adversely affected in many ways by a continuance of present trends in the region.

This is not the ocacsion for a full review of the history of the twenty years' crisis in the area. But the suggestions I shall make today require a few points of reference, by way of background.

II

The basic positive element in the situation, and the compass of our policy, and of Israel's, is the Security Council Resolution of November 22, 1967. After months of diplomatic effort, including the Glassboro meetings, that Resolution received unanimous support from the Council. It was backed by the assurance of the key countries that they would accept the Resolution, and work with Ambassador Jarring to implement it.

It is important to recall what the Resolution requires. It calls upon the parties to reach an agreement which would definitively settle the Arab-Israeli controversy, and establish conditions of just and lasting peace in the area. That agreement, the Security Council said, should establish secure and recognized boundaries between Israel and its neighbors, to replace the Armistice Demarcation Lines established in 1949, and the cease-fire lines of June, 1967. The Israeli armed forces should withdraw to such lines, as part of a package deal, dealing with all the issues of the Resolution, and in a condition of peace. The agreement should establish demilitarization and other security arrangements, guarantees for maritime rights in the Suez Canal and the Strait of Tiran, embody a fair settlement of the refugee problem, and assure the right of every nation in the region to live in security and peace. It was provided that the Secretary General should appoint a representative to consult with the parties, and assist them in reaching the agreement required by the Resolution.

Thus far, it has been impossible to initiate the final stages of the processes of consultation and negotiation which are necessary to the fulfillment of the Resolution. The reason for the stalemate is simple. The government of the United Arab Republic has refused to implement the Resolution. It has rejected procedures for negotiation accepted by other parties to the conflict. And thus far it has been backed in that posture by the Soviet Union. President Nasser could not long persist in this stand against the will of the Soviet Union. Under these circumstances, and in the nature of Arab opinion, no other party to the conflict can move towards peace.

I am convinced that a peace in accordance with the principles of the Resolution is possible, if the United Arab Republic reaches the conclusion that peace is in its best interests, and must be made.

There is a great skepticism among the parties: a skepticism altogether natural against the background of more than twenty years of history. The Arabs fear that Israel has no intention of withdrawing, even to secure and recognized boundaries; Israel fears that the Arabs have no intention of making peace. After the deceptions and disappointments of 1957, Britain, the United States, and many other countries have said that Israel must not be asked to withdraw except to a condition of secure peace. That is the basic idea of the Security Council Resolution.

But Israel has said repeatedly and officially that it has no territorial claims as such; that its sole interest in the territorial problem is to assure its security, and to obtain real guarantees of its maritime rights; and that even on the difficult issue of Jerusalem, it is willing to stretch its imagination in the interest of accommodating Jordanian and international interests in the Holy City.

These assurances by Israel have been the foundation and the predicate of the American position in the long months since June, 1967. If the Arabs are skeptical of Israeli professions, their remedy is obvious: put them to the test of negotiation. They could be sure, as Prime Minister Golda Meir remarked the other day, that the position of the United States in negotiating process would come more than half way to meet their claims.

It is by no means self-evident that either the Soviet Union or the United Arab Republic is now interested in peace. They have gained positions, and aroused forces, which seem for the moment to enhance their influence, and diminish that of Nasser's Arab rivals. Arab raids and Israeli reprisals have generated an atmosphere of turbulence and violence which is dissolving many sectors of Arab society, and bringing more and more extremists to positions of influence and power. As Nasser has recently said, recent changes in Libya and the Sudan are basic changes in the whole Middle Eastern situation.

Despite the attractions of continued war and proxy war in the Middle East to Soviet and Egyptian policy makers, however, they should also be conscious of its risks, which directly threaten the life of Israel, and other fundamental state interests of the United States and its Allies.

One consequence of President Nixon's recent statement on Soviet predominance in the Middle East, which I read a few moments ago, should be to make sure that there is no misunderstanding, and no miscalculation, by anyone on this critical point.

III

How can the dangerous stalemate in the Jarring Mission be brought to an end?

I should like to suggest seven lines of political action as the key elements of an urgent and coordinated diplomatic camgaign—a crash program, undertaken to achieve a prompt breakthrough in the Jarring Mission. The danger is mounting. We should act on a crisis basis now, to prevent another round of full-scale war in the not very distant future.

1. The first, obviously, is to persuade President Nasser, and the Soviet Union, that their present course involves risks which no man can foresee or control.

Diplomacy has ways of conveying such thoughts discreetly, and reinforcing their implications with action. On this basic issue, we should not venture to formulate a program here, save to note its primordial importance. Unless President Nasser and the leaders of the Soviet Union are led to this conclusion, we can expect the situation to deteriorate, and perhaps to explode. It is hardly a favorable sign that the Soviet Union has recently refused even to support the restoration of the cease-fire, and has launched a menacing propoganda campaign against Israel, both within the Soviet Union, and in the world community.

It is in this setting that we should view the question of providing Phantoms and other arms to Israel. Obviously, such arms are important in themselves. They should help to convince both President Nasser and the Soviet Union that a "war of attrition" against Israel is not only a crime but a folly. And they should underscore the fact that there can be no alternative in the Middle East but a fair political settlement under the Security Council Resolution—a settlement establishing a condition of peace. On arms supply, I believe, the American government agonizes too much. Our policy in this regard should be crisp and predictable, and dominated by the idea, which both President Johnson and Secretary of State Rogers have expressed, that the military situation must not become an incentive for war, from any quarter. If this point is clearly understood, the chance of peace should be improved.

Assuming that this basic condition is met, what other courses of action are open to us to achieve a breakthrough?

2. The second step I should suggest is to press for a restoration of the cease-fire in the Security Council, despite Soviet opposition at the moment. In connection with the restoration of the cease-fire, we should propose effective police action to treat the war against airliners, and other aspects of the guerrilla campaign, as international piracy. Under international law, a state is fully responsible for irregular hostilities conducted from its territories. If it cannot control such activities, the international community is authorized to do so. You will recall that one of our earliest ventures in international politics was the suppression of the Barbary pirates in the Mediterranean in the late eighteenth century.

3. The attempt to renew the cease-fire should be linked, I believe, to a direction by the Security Council that Ambassador Jarring convene a conference of the parties in his presence, on or before a day named by the Council, to initiate the process of reaching the agreement of peace called for by the Security Council Resolution of November 22, 1967. This action should be based on the assurances Ambassador Jarring has received that the parties have accepted the Resolution, and are prepared to implement it. President Nasser once said publicly that he could accept a procedure like that at Rhodes in 1949. The Security Council should insist on pressing the point.

Even if the Soviet Union should be prepared to veto a restoration of the cease-fire, and a call to a conference, the effort of seeking Council consensus should help to crystallize public opinion and concern, and lead governments, particularly those of our European Allies, to take responsible positions in a crisis that directly and vitally affects their interest.

4. Parallel to these efforts, we should vigorously and visibly pursue NATO consultations on the Middle East, and develop the Middle East programs and initiatives the NATO Council decided to undertake in 1967. These steps, especially if they involved increased naval and air activities by the Alliance, and a presence in Malta, could help to deveolp the counter-currents the situation so manifestly requires.

5. It would be irresponsible dangerous, at this point, to withdraw American forces from Europe. I should oppose that course for many reasons, which have just been restated both by President Nixon and Undersecretary of State Richardson. But the situation of the Middle East is a special and distinct reason for maintaining our troop strength in Europe. With the Middle Eastern crisis becoming more and more volatile, the availability of mobile forces may become criticaly important both as a deterrent, and as an emollient influence. No one should wish to have the President face such problems with only nuclear weapons in his hand. And a withdrawal at this stage would be the wrong diplomatic signal in every sense, if our goal as it must be, to exert every influence at our command to deter catastrophe.

I should therefore urge that the Mansfield Resolution on troop withdrawals be deferred, as an act to strengthen the President's diplomatic position, and give him every possible resource for minimizing the risk of war, and of great power confrontation, in the Middle East.

6. If troop withdrawal would be a dangerous and misleading signal of our intentions in the Middle East, it would be twice as dangerous even to consider Senator Mathias' proposal to repeal President Eisenhower's Middle Eastern Resolution, which authorizes the use of force in the area. Sentaor Mathias is an attractive and intelligent man, whom I admire and respect. But in this venture, he is emulating King Canute. Repealing the Resolution can't repeal the problem. Our legitimate interests in the Middle East are under far more pressure today than was the case in 1957. We cannot hope to protect those interests, and lessen the danger of war, by intensifying doubt about the seriousness of our purpose.

7. Finally, I should propose that we offer to guarantee an agreement of peace reached by the parties in accordance with the Security Council Resolution of November 22, 1967. I can conceive of no step more likely

to change the political climate, to overcome Arab fears, however irrational, and to offer the Arabs a genuine alternative to their present course. With an American guarantee for the peace, Arab reliance on Soviet support should lose some of its attractiveness. And with such assurances, it should become possible for Israel to sign the Non-Proliferation Treaty.

It might be contended that such a step would increase our obligations in world politics. This is not the case. We now have the inescapable obligation to protect our interests in the Middle East, under circumstances of rising and changing pressure. Since 1950, we have repeatedly promised, often with our Allies, to support the territorial integrity and political independence of all the states of the area, and we have acted many times in the name of that principle in behalf of Lebanon, Saudi Arabia, Egypt, Israel and other countries. And the Eisenhower Doctrine stands on the statute books, far more general and open ended than the Treaty I am recommending.

What I propose is something limited, and greatly in our interest, an American guarantee to a condition of peace for Israel, for Egypt, for Lebanon, for Jordan, and indeed for Syria and Iraq, if they choose to make peace. Such a guarantee should help make negotiations possible, and end the war which has brought so much waste, and so much tragedy to the peoples of the Middle East, and has become, in President Johnson's phrase, a burden to world peace.

IV

I have tried today to stress what I consider to be the most important elements of the situation in the Middle East, and those which most urgently require considered and responsible action. I have talked only about what our government should do, and what it should not do, to protect our interests in the Middle East, including our national interest in Israel. The situation is not easy. It cannot be brought to a successful resolution if we falter.

But there is no reason for despair, if American opinion soberly faces the facts. We have the resources, the influence, and the will, to bring about an era of negotiation with the Soviet Union, which might genuinely end the Cold War. But that goal cannot be achieved without the hardest kind of national effort, based on a clear national understanding.

We may not succeed, but we must try. For the prospect would be dismal to put it mildly if the world had to endure another twenty years of increasing hostility in the Middle East, backed by increasingly sophisticated arms—a process which could always threaten to escalate into nuclear war. On the other hand, with peace achieved, Israel could start a new phase of its mission among the nations. And its neighbors could turn to policies and programs which represent their interests far more truly than the sterile yearning for revenge.

THE GREAT SOUTH ASIAN WAR

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. RYAN. Mr. Speaker, the revelations of past weeks about U.S. military and paramilitary activities in Laos portend a repetition of the tragic history of our involvement in Vietnam.

Any student of these events must conclude that there is more than happenstance which accounts for America's involvement in Vietnam. Nor is the United States increasing role in Laos unintentioned.

Michael Klare, a staff member of the North American Congress on Latin America, has written a remarkable analysis of U.S. policy in Asia entitled "The Great South Asian War." This article appeared in the March 9, 1970, issue of the Nation. It is Mr. Klare's thesis that:

To gain a world-historical perspective on the war in Vietnam, one must see it as but one episode in a Great South Asian War that began almost immediately after World War II, and can be expected to continue into the 1970's, if not well beyond them.

In support of this thesis, Mr. Klare points out that—

United States military activity in Southeast Asia has actually increased in the past few months, with most of this increase taking place in Laos.

And he maintains that—

The Pentagon is now preparing for combat operations in the neighboring regions of South Asia.

Mr. Klare predicts that future conflicts are inevitable. These conflicts stem from the United States' "stabilization of Asia's dependent status vis-a-vis the United States, as a supplier of raw materials and market for manufactured goods." This strategy "will doom South Asia to a condition of permanent underdevelopment, and most of its inhabitants—especially those in rural areas—to a condition of permanent impoverishment."

Michael Klare concludes:

It has become abundantly clear that American plans for creation of a mercantile empire in South Asia will require the continued presence and intervention of United States troops (or native troops under American command) for as long as one can see into the future.

I commend this article to my colleagues, and urge that they give it the most careful and thoughtful consideration.

I further urge them to support the creation of a joint congressional Committee on Foreign Policy, which I have proposed in House Concurrent Resolution 531, and in which 17 of my colleagues have joined. This instrument would enable Congress to analyze and assess from all aspects those political and economic moves by this Nation which all too often result in military involvement up to, and even including, intervention. Clearly, the warning Mr. Klare sounds in his article should awaken Congress so it defaults no longer on its responsibility to the American people by failing to render effective oversight of our foreign policy.

The article referred to follows:

[From the Nation, Mar. 9, 1970]

THE GREAT SOUTH ASIAN WAR

(By Michael Klare)

(Mr. Klare, a staff member of the North American Congress on Latin America, is completing a book on counterinsurgency planning in the United States.)

To gain a world-historical perspective on the war in Vietnam, one must see it as but one episode in a Great South Asian War that began almost immediately after World War II, and can be expected to continue into the 1970s, if not well beyond them. The Great War has already encompassed the Indo-Chinese War of Independence (1946–54), the guerrilla war in Malaya (1948–60), intermittent warfare in Laos (continuing), guerrilla skirmishes in Thailand (continuing), and other armed struggles in Burma, Malaysia and Indonesia. Combatants in these conflicts have included, in addition to troops of the countries named, the armies of Great Britain, France, Australia, New Zealand, South Korea, Nationalist China and, of course, the United States.

These episodes constitute a common war not only because they occupy overlapping zones in a single theatre of war but also because they spring from a common cause: the determination of the advanced industrial nations of the West (led by the United States) to intensify their control over the destinies of the underdeveloped lands of Asia. The Western presence in South Asia is naturally a military and economic challenge to Communist China, whose real or imagined influence has been a factor in each of these struggles. But it is not the threat of Chinese bellicosity that lends unity to all these episodes; it is rather the determination of the region's indigenous peoples to secure a future that will be free of foreign control. Because the nations of South Asia are frozen in a state of underdevelopment, and because national boundaries (which, more often than not, were established by European powers) do not always conform to ethnic distribution, these conflicts often take the form of "insurgencies"—i.e., local struggles against centralized authority—and the response to them has been a succession of "counterinsurgencies." Although the doctrine of counterinsurgency was originally formulated to substitute a strategy of "limited warfare" for the obsolete strategies of "all-out" (i.e., nuclear) warfare, in South Asia counterinsurgency threatens to become *unlimited* in its duration.

At the end of World War II, the United States and its allies in Western Europe agreed to sanction the re-establishment of one another's spheres of influence in Asia. The United States, having conquered Japan, was to be dominant in the western Pacific (China, Japan, the Philippines, etc.); France would remain in Indo-China, and Britain in the Indian Ocean area (India, Burma, Malaya, Signapore, etc.). The Allies also apportioned responsibility for the maintenance of a defense perimeter, corresponding to their colonial holdings, which encircled the eastern half of Asia from Korea to Kashmir, and pledged to assist one another if any point on the perimeter came under heavy attack. This "gentleman's agreement" was soon put to the test, for the restoration of colonial regimes in South Asia (revoking wartime promises of independence) produced guerrilla warfare throughout the region. Several countries won their independence this way, where continued occupation would have been unprofitable (Burma) or beyond the capacity of the home economy (Indonesia). But in Southeast Asia proper, the colonialists were prepared to engage in protracted counterguerrilla struggles to maintain their control of the area's resources. In Malayia it took Britain (with the aid of Australia and Gurkha tribesmen) twelve years to force the last remnants of the Malayan Races Liberation Army across the border into Thailand. In Indo-China, France faced an even more formidable foe. In 1950, confronted with a deteriorating military situation in Vietnam and growing discontent at home, France appealed to the United States to honor its commitment and help prevent a breach of the Asian defense perimeter. Although the United States had already deployed its troops in South Korea to protect the northern

flank of the perimeter, it nevertheless agreed to supply France with arms and badly needed funds (the total U.S. contributions to the French military struggle in Indo-China amounted to $2.6 billion, or 80 per cent of the cost of the war).

Despite this help, the Viet Minh won at Dienbienphu, and the French army withdrew from Southeast Asia, leaving a substantial military vacuum at the mid-point of the Asian defense perimeter. The United States—which until this time had considered Southeast Asia to be of secondary importance to its Pacific territories—quickly moved in. The French colonial apparatus had not completed its removal from Saigon when America's first paramilitary legions began arriving. To circumvent the Geneva Accords, which prohibited the introduction of new weapons or foreign military personnel into Vietnam, the Michigan State University Group (MSUG) was established to provide a "cover" for the CIA team which armed and trained Ngo Dinh Diem's secret police and palace guard. The gradual intensification of U.S. military activity in Vietnam—from the arrival of the first Special Forces "advisers" to the deployment of a half-million-man army—is too familiar to need repeating. Less familiar, perhaps, is the history of U.S. involvement in Laos and Thailand; it is only in the past few months, in fact, that the public has learned that the United States maintains a substantial—and active—military establishment in Laos, and that we are bound to the Bangkok government by secret military protocols. Despite the well-publicized U.S. troop withdrawals from South Vietnam, U.S. military activity in Southeast Asia has actually *increased* in the past few months, with most of this increase taking place in Laos.

During his recent eleven-nation tour of Asia, Vice President Spiro Agnew stated in Australia that "despite a great deal of speculation and rumor, the United States is not withdrawing from Asia and the Pacific." Thanks to the assiduous journalism of a few "Establishment" newspapers—particularly those which have come under attack from Mr. Agnew—there can no longer be any denying that the U.S. war effort in Vietnam has "spilled over" into the rest of Southeast Asia. What is *not* known by most Americans is that the Pentagon is now preparing for combat operations in the neighboring regions of South Asia.

On January 16, 1968, Prime Minister Harold Wilson announced that Great Britain would withdraw all its troops stationed east of the Suez Canal by the end of 1971. British bases in Asia—located in Singapore, Malaysia and several Persian Gulf sites—formed the backbone of a defense line extending across the entire Indian Ocean. Britain's impending withdrawal from this region produced consternation in Washington, where it had always been assumed that the English could be counted upon to protect America's western flank in Asia. One U.S. strategist, James D. Atkinson, wrote: "For almost a century the vast Red Sea-Persian Gulf-Indian Ocean complex was an area of relative stability. This was so because . . . British forces were on hand throughout these sea spaces and able to respond quickly for any needed police actions." With Britain no longer willing to perform this police function, the Pentagon began making plans to assume responsibility for defense of the Indian Ocean area. These preparations—including the acquisition of new bases and the development of new combat capabilities—have been artfully camouflaged in Defense Department statements, with the result that very few Americans know that such plans exist. Nevertheless, it can be shown that the United States is developing the ability to fight a naval war in the Indian Ocean or a land war on the peaks of the Himalayas.

The military does not plan in a milieu devoid of political and economic considerations; before proceeding with a discussion of U.S. military strategy in South Asia it is necessary, therefore, to investigate the principal nonmilitary factors which have determined the limits of that strategy.

The Pacific-Indian Ocean area has achieved parity with Latin America and Europe as an outlet for U.S. trade and investment. According to the Commerce Department, U.S. trade with Asia and Oceania amounted to $12.9 billion in 1967, compared with $9.4 billion in Latin America and $18.5 billion in Europe. Direct U.S. investment in this area is only $6.8 billion, the comparable figures for Latin America and Europe being $10.3 billion and $17.9 billion, but earnings are unusually high: $1.7 billion in 1968, compared with $1.4 billion for Latin America and only $1.3 billion for Europe. While trade with Japan (America's leading trading partner after Canada) accounts for a large bulk of U.S. commerce in the Pacific, our economic relation with other Asian countries are growing steadily. To be sure, the current boom in favored Pacific countries is largely the result of Vietnamese War spending—Japan, Okinawa, South Korea and the Philippines all provide essential goods and services for the U.S. forces, and profit handsomely from our installations on their territory. But long-term investments—particularly in mining and oil refining—indicate that U.S. economic interest in the area will grow.

Closer examination of trade and investment data suggests that the center of gravity of U.S. economic activity in Asia is shifting southwestward, from the North Pacific to Southeast Asia, Australia and Indonesia (thus following the line of military advance sketched above). Although direct American trade and investment in the Indian Ocean has not increased as rapidly as in the Pacific, the region is a principal market for countries like Australia and Japan whose economies, through the agency of "multinational corporations," are becoming increasingly linked to that of the United States. Furthermore, the Indian Ocean itelf has acquired considerable strategic importance (particularly since the closing of the Suez Canal) as a major sea route for oil. The Middle East's abundant fields now supply 50 per cent of the oil imports of Western Europe, 90 per cent of Japan, 65 per cent of Australia's, and 83 per cent of Africa's (as well as most of the oil used by the United States in Vietnam). Some of it is carried by pipe line to the Mediterranean, but the bulk of it goes by tanker across or around the Indian Ocean. Finally, one must never forget that the Indian Ocean borders on the second, fifth and sixth most populous countries in the world (India, Indonesia and Pakistan), whose allegiance to the West is considered a major objective of U.S. policy. If any of these countries were to undergo a Communist revolution, Western domination of the entire area would be threatened as other Asian countries readjusted their trade and political relations to accommodate the changed strategic balance.

Long-term U.S. strategy in the Pacific and Indian Ocean areas can perhaps best be described as the "Latin Americanization" of South Asia—i.e., the stabilization of Asia's dependent status vis-à-vis the United States, as a supplier of raw materials and market for manufactured goods. As in other parts of the Third World, the United States has cultivated partnership arrangements with the more advanced nations in the region (in this case, Australia and Japan), in order to exploit more efficiently the resources of the whole area. Because this strategy will doom South Asia to a condition of permanent underdevelopment, and most of its inhabitants (especially those in rural areas) to a condition of permanent impoverishment, conflict is inevitable. The revolutionary tide which swept through the colonial nations after World War II has not diminished with the attainment of nominal self-rule: everywhere in the Third World rebellious peasants are demanding that their economic emancipation be postponed no longer. In Vietnam, the United States has learned at tremendous cost the hard lesson that even poor farmers—once inspired by the promise of a better life for their children—can stop the most powerful armies in the world. It has become abundantly clear that American plans for the creation of a mercantile empire in South Asia will require the continued presence and intervention of U.S. troops (or native troops under American command) for as long as one can see into the future.

This analysis is evidently shared by military planners in the Pentagon, for despite Presidential promises of a U.S. troop withdrawal from Asia following the cessation of hostilities in Vietnam, the Pentagon has shown that it expects to maintain a military establishment in the area for the indefinite future. In its fiscal 1970 budget report to the Congress, the Defense Department stated that it will "be necessary for the United States to continue some form of military presence in the region for some time and this must include appropriate basing arrangements." But popular disaffection with the Vietnamese War in particular, and with defense spending in general, has created a problem for Pentagon strategists. To solve it, they have evolved a three-pronged strategy that is designed to minimize direct U.S. involvement in Asia, while assuring our mastery of future guerrilla battlefields. This scheme, constituting the U.S. defense plan for the Great South Asian War, can be summarized as follows:

The creation of client regimes in each Asian nation, backed by the native military establishment and dependent on U.S. economic assistance for survival, which are obliged to provide indigenous troops for counterinsurgency operations planned and directed by U.S. "advisers."

The establishment of an "Anglo-Saxon Alliance"—the United States, New Zealand, Australia and ultimately the Union of South Africa—to protect the Asian interests of the (white) people inhabiting these former British colonies.

The formation of an elite counterinsurgency "fire brigade," composed of U.S. servicemen trained and equipped for combat in irregular jungle and mountain terrain, which can be flown to trouble spots in Asia from rear-area bases in the United States when serious emergencies occur.

Each of these goals will now be discussed in detail.

Client regimes. Throughout the Third World, the United States has so manipulated the social and economic relationships of native populations as to create subgroups which place loyalty to Washington over that to their fellow countrymen. U.S. foreign aid programs, import subsidies and military grants are all designed to create in each country a privilege stratum dependent upon continued American beneficence for its prosperity. When such a group acquires control of the national government, the United States ultimately exercises the power. Since the ruling group remains dependent on U.S. aid even when in control of the governmental apparatus (in order to finance development projects and meet military payrolls), Washington can compel a client regime to provide troops for U.S.-led counterinsurgency campaigns. This process of cultural subversion is easily discerned in South Vietnam, but the same mechanisms prevail elsewhere in Asia, particularly in Thailand, South Korean and Laos. This arrangement affords two advantages to the United States: it reduces the need to maintain large over-

seas garrisons, and avoids local antagonism to the overt American presence.

In every country where U.S. funds provide a significant percentage of the military budget, native troops are being armed and trained for counterguerrilla operations. In Thailand, for instance, the U.S. military assistance program (estimated at $100 million per year) is being used to provide the entire army of more than 100,000 men with M16 rifles, machine guns, radios and other standard light equipment designed for jungle conditions. Thai recruits are trained in their homeland by U.S. Special Forces instructors, and then sent for further "on-the-job" experience in Vietnam and Laos, where they participate in combat operations under U.S. command. Thai troops in Vietnam (now numbering 11,000) are rotated frequently, so that as many soldiers as possible acquire some familiarity with anti-guerrilla warfare. Whereas most Americans assume that these troops were brought in as a publicity gesture to "internationalize" the U.S. intervention, it is now clear that an equally important objective is to provide advanced counterguerrilla training to troops that may some day be called upon to employ their skills in other countries (or perhaps in their own).

The Pentagon apparently prefers to concentrate its efforts on the formation of small, well-equipped and highly motivated units, rather than on large, general purpose armies made up of undisciplined recruits of questionable loyalty. Thus each country receiving substantial military aid has been obliged to create special counterguerrilla units, variously called "Rangers" or "Special Forces" after their American counterparts. They usually receive their training from Special Forces instructors, and attend special indoctrination courses developed by American social scientists. Again taking Thailand as an example, the Green Berets have helped organize the Thai Special Forces Group, a 1,000-man unit regarded by some observers as the best military force in Thailand. Crack units of this sort often develop a closer relationship to their American advisers (who, moreover, pay their salaries), than to native officers. It is not surprising, therefore, that in Vietnam, such units often outperform regular South Vietnamese troops.

Though most U.S. military assistance programs in Asia are designed to strengthen the internal security capabilities of the regular armed forces, in some instances the Pentagon and CIA have by-passed the native military establishment to create irregular military forces which operate independently of the regular army, and usually under direct U.S. command. The mercenaries who serve in these independent armies are frequently recruited from the minority groups which can be found in most South Asian countries. Many of them have suffered at the hands of the dominant ethnic group, and are thus susceptible to psychological pressure designed to turn them against guerrilla units drawn from the majority group. Thus in Vietnam the Americans created the Civilian Irregular Defense Groups, made up of Montagnard tribesmen, and stationed them in border areas where they could be used for raids into Cambodia, Laos and North Vietnam. A similar force, know as the Armée Clandestine and composed of Meo tribesmen, has been active in Laos since the 1950s. According to *The New York Times*, this force of 15,000 mercenaries, "is armed, equipped, fed, paid, guided strategically and tactically, and often transported into and out of action by the United States." The Armée Clandestine is commanded by CIA operatives attached to the U.S. Embassy in Vientiane, and functions independently of the Laotian High Command. It is credited with several recent victories against Pathet Lao troops, and is considered more reliable than regular Laotian units, which often retreat in the face of concerted enemy attacks.

Even the "nonmilitary" components of the U.S. foreign aid program are designed to foster the development of surrogate counterguerrilla armies in Asia. It has been established that a major portion of funds channeled through AID are used to subsidize the police forces of many Asian nations. Approximately half of the AID budget in Thailand, for instance, is devoted to this purpose; U.S. funds are being used to construct 1,000 new police stations in rural areas (especially in the troubled Northeast), each of which is to be manned by at least twenty members of the Thai National Police or paramilitary Border Patrol Police. Before assuming their new posts, these officers will receive six weeks of counterinsurgency and jungle warfare training provided by AID's "Public Safety Advisers."

The long-range objectives of U.S. assistance programs in Asia were summed up by former Defense Secretary Clark M. Clifford in an unusually candid statement to Congress on January 15, 1969:

"Clearly, the overriding goal of our collective defense efforts in Asia must be to assist our allies in building a capability to defend themselves. *Besides costing substantially less* (an Asian soldier costs about 1/15 as much as his American counterpart), *there are compelling political and psychological advantages on both sides of the Pacific for such a policy.* [Emphasis added.] Moreover, as our experience with the South Korean Army has so well demonstrated, there are no insuperable obstacles to the development of good local land forces capable of offering a credible deterrent to a Communist aggression."

Aside from the curious remark on the dollar value of Asian soldiers, this statement is noteworthy as a straightforward expression of the policies discussed above.

Anglo-Saxon alliance. In the alliances which the United States has contracted during the cold-war era, there exists an unspoken but evident differentiation between contracts of convenience and contracts of conviction. While the State Department may speak glowingly of U.S.-Vietnamese friendship, U.S.-Korean friendship, or U.S.-Thai friendship, there are very few countries which Washington trusts implicitly—trusts, that is, with secret military information or access to the inner circles of defense policy making. The small group of countries which do enjoy these privileges have two striking characteristics in common: they are all former colonies of Great Britain, and are all ruled by the white descendants of European immigrants. At present, this select group includes Canada, Australia and New Zealand; if the Pentagon had its way, and diplomatic considerations were set aside, the Union of South Africa would also be admitted to this exclusive club. Military officers of these favored countries routinely receive copies of secret U.S. intelligence reports, are kept informed of Pentagon work on chemical and biological warfare and other secret projects, and participate as equals in military strategy conferences. In order to cement this working relationship still more firmly, the Pentagon has initiated Project Mallard, which will ultimately provide a "joint tactical international communication system for the armies, navies and air forces of the United States, United Kingdom, Canada and Australia." One does not share military communications channels with any but the closest allies.

Anglo-Saxon cooperation in the Pacific is guaranteed by the ANZUS Pact (Security Treaty Between Australia, New Zealand and the United States), which commits these countries to assist one another in the event of an attack on any one of them, or upon any of their Pacific dependencies. Australia and New Zealand are further associated with the United States as members of the Southeast Asia Treaty Organization (the only other Asian members are Thailand and the Philippines—both heavily dependent upon U.S. military assistance). The strength of the ties which bind the military establishments of Australia and New Zealand to that of the United States is perhaps best shown by the fact that both countries have supplied combat troops for Vietnam, despite widespread domestic opposition. When Vice President Agnew arrived in Canberra, he referred to Australia's contribution to the U.S. war effort in Korea and Vietnam, and stated that in its future endeavors, Australia "will always have the unfailing support and loyal friendship of the United States of America." In a subsequent press conference, Agnew spoke of the "common English ancestry" of Australia and America. The Vice President was told by Prime Minister Gorton that "you have never been more welcome than you are here in the capital of Australia."

The close relations that developed in recent years among the United States, Australia and New Zealand spring not just from a common language and cultural heritage but also from some very real policy considerations. The United States, as said above, seeks to replace its forces in Asia with foreign troops whose loyalty to U.S. objectives can be relied upon; Australia and New Zealand, for their part, must be assured of unhampered trade with, and sea routes to, the nations bordering the Pacific and Indian Oceans. Australia, moreover, is motivated by policies of racial exclusion; like the whites of South Africa. Australians dread the traditional southward migration patterns of colored peoples, and are therefore willing to provide military assistance to their northern neighbors (Australia provides such aid to Malaysia and Singapore, just as South Africa does to Rhodesia) in order to establish a buffer zone against further migrations. These racial considerations are not incompatible with U.S. policy, which seeks to maintain Western (i.e., white) hegemony in the Pacific-Indian Ocean area. Thus in return for its promise to come to the assistance of Australia and New Zealand in any future emergencies, the United States has been invited to establish new military installations in those countries, and can expect their help in the reconstitution of the Asian defense perimeter following the withdrawal of Great Britain in 1971.

The U.S. naval operations in the South Pacific and Indian Ocean will be greatly facilitated upon completion of communications facilities in Canterbury, New Zealand, and North West Cape, Australia. These will house very low frequency (VLF) radio transmitters (for use in communicating with submerged Polaris submarines) in addition to conventional transmitters. The Canterbury station, part of the "Omega" communications system, has provoked some local opposition, but the Australian facility is well under construction. Known as U.S. Naval Communications Station Harold E. Holt (for the late Prime Minister), the North West Cape installation will house the most powerful VLF transmitter in the world.

When it is completed, the United States will have acquired the requisite communications capacity for expanded naval operations along the eastern rim of the Indian Ocean (a similar facility at Asmara, Ethiopia, performs the same role in the western part of the ocean). The operational capability of U.S. naval vessels sent to the Indian Ocean would be enhanced even further if present diplomatic sanctions against South Africa were dropped. The Navy is particularly eager to gain access to the Simonstown naval base, strategically located on the Cape of Good Hope, for refueling and repair work. The Defense Department would also like to cooperate with South Africa in the collection of intelligence data on naval and maritime activity along the coast of Africa. Although the Pentagon has heretofore spoken cautiously on this subject, a number of influential Con-

gressmen, including Sen. Strom Thurmond, are urging the White House to adopt some kind of formula for limited military cooperation (excluding internal security ventures) with South Africa.

The cooperation of Australia and New Zealand will become even more useful to the United States in December 1971 when the last British troops leave South Asia. Britain is currently pledged to provide for the defense of the Federation of Malaysia (which incorporates the former colonies of Malaya, Sarawak and North Borneo and the island state of Singapore. These two countries, whose combined armies boast only 40,000 men and a handful of aircraft, are threatened by lingering guerrilla activity along the Thai border, by territorial disputes with the Philippines and Indonesia, and by internal racist unrest. Because of their strategic location, and the high potential for conflict, the impending British withdrawal has compelled the United States to contemplate some police role. Since, however, the stability of this area is also considered vital to the security of Australia and New Zealand, the United States will be able to leave primary defense to its Anglo-Saxon allies. Australia and New Zealand will jointly maintain a battalion each at Singapore, with one company on rotation in Malaysia. They will each station a naval vessel in the area at all times, and Australia will keep two squadrons of jet aircraft at Butterworth, near the Thai border. Australia has also promised to supply the Malaysian Air Force with ten Sabre-jet fighters and the necessary maintenance equipment.

While neither Australia nor New Zealand—with armies of 84,000 men and 13,000 men—can be considered major military powers, their role in maintaining the Asian defense perimeter is not insigificant and renders the burden of the United States that much more manageable.

The Fire Brigade. It now appears that upon the conclusion of the war in Vietnam, the United States will remove most of its troops from the mainland of Asia, leaving behind only those communications, supply and intelligence officers and Special Forces personnel necessary for the reliable performance of native armies. (Defense Secretary Laird recently stated that we would maintain several thousand men for advisory and training duty in Vietnam *after* the fighting had ceased.) In previous epochs, this move would have denied a colonial power the ability to intervene quickly when native insurrections threatened the *status quo.* Thanks to the foresight of Robert McNamara, however, the Pentagon now has the capacity to intervene in any future emergency by airlifting its counterinsurgency "fire brigade" from bases in the United States to back-country airfields in Asia. The fire brigade concept, made possible by new advances in aircraft technology, permits the United States to give up the overseas bases usually associated with a large empire, while nevertheless retaining the option of employing its troops whenever it deems intrusion necessary.

In a 1965 message to the Senate Appropriations Committee, Defense Secretary McNamara outlined America's strategic alternatives: "Either we can station large numbers of men and quantities of equipment and supplies overseas near all potential trouble spots, or we can maintain a much smaller force in a central reserve in the United States and deploy it rapidly where needed." Of these two approaches, McNamara argued, "a mobile 'fire brigade' reserve, centrally located . . . and ready for quick deployment to any threatened area in the world, is, basically, a more economical and flexible use of our military forces." Selecting a unit to serve as such a mobile reserve was easy enough (the 82nd Airborne Division was given the job), but McNamara soon discovered that our existing air-lift capability—consisting mainly of propeller-driven C–124 Globemasters and jet-powered C–141 Starlifters—did not have the range, speed or capacity to provide a satisfactory alternative to locally based troops. His solution was to develop the CX–HLS Heavy Logistics Transport—now famous as the C–5A transport aircraft.

The C–5A was the subject of considerable Congressional debate in 1969 because of excessive cost "overruns" (the final procurement program, involving 120 aircraft, would have cost an estimated $6 billion, or $2.6 billion more than originally calculated). In order to overcome mounting Congressional criticism of defense contracting procedures, the Pentagon finally decided in November to limit its purchase to the eighty-one aircraft previously authorized by Congress. Even the curtailed C–5A program will, however, provide the United States with a vastly expanded air-lift capacity. Each super-jet can carry 600 troops and their equipment, or an equivalent combintion of troops, vehicles and artillery. The initial group of fifty-eight C–5As will permit the Pentagon to ship an entire combat division, plus ammunition and supplies, a distance of 5,800 nautical miles (more than enough range to fly from San Francisco to Tokyo) without stopping for fuel. Once arriving in a theatre of combat, the transport's "high flotation" landing gear permits it to land on short, relatively primitive airfields.

Unfortunately, the budgetary aspects of the C–5A debate have had the effect of obscuring the long-run strategic implications of the whole air-lift program. But if there were any doubts concerning the Pentagon's intentions, they were dispelled in mid-March 1969 when the Defense Department staged its first air-lift exercise in the Far East. Some 2,500 soldiers of the 82nd Airborne Division were flown 8,500 miles from their regular quarters in Fort Bragg, N.C., to a training area 40 miles south of Seoul, South Korea. Immediately upon arrival in the test area, the paratroopers joined South Korean troops in simulated counterguerrilla maneuvers. (The whole trip was to have taken thirty-one hours, but a snow storm caused a twenty-five-hour delay in Okinawa.) According to Pentagon press statements, the exercise was designed "to test the rapid reaction capability of the United States-based strike command forces to deploy in the Pacific Command ready for tactical employment." From what has been published concerning the event, the Defense Department was satisfied with the outcome of the exercise.

When the first squadrons of C–5As are stationed at bases in the United States, Robert McNamara's fire brigade concept—best described as garrisons *in absentia*—will have finally come of age.

At this point, my review of U.S. military strategy in the Pacific-Indian Ocean area would be substantially complete if it were not for the fact that southern Asia harbors some of the most rugged terrain to be found on the face of the earth. Men and equipment that can be counted on to perform respectably in temperate regions—and even elite units like the 82nd Airborne—can be defeated by harsh and unfamiliar environments. While many extreme terrain conditions can be found in South Asia, two are of particular concern to the military: the tropical rain forest and high-mountain environments. The geological, biological and climatic conditions which characterize these regions have become the subject of what the Pentagon calls research on "environmental extremes." A number of little known Army agencies participate in these studies, among them the U.S. Army Institute of Environmental Medicine, and the Cold Regions Research and Engineering Laboratories. Much of this research appears to be relatively innocuous; the function of the former, for instance, is to conduct "basic and applied research to determine how heat, cold, high terrestrial altitude, and work affect the soldier's life processes, his performance, and his health. The goal is to understand . . . the techniques, equipment, and procedures best calculated to make the soldier operationally effective to the optimal degree." Nevertheless, an awareness of this research enables one to anticipate some of the Pentagon's incursions into new areas. Thus if in 1962 we had known what kinds of studies were being undertaken at the Army Tropic Test Center in the Panama Canal Zone and at the Thai-U.S. Military Research and Development Center in Bangkok (e.g., engineering studies of vehicle movement in the "swamp forest environment"), the subsequent build-up of U.S. troops in Vietnam would have been somewhat less surprising. With this experience as background, a final word must be said about the Army's program of research on "high terrestrial altitude."

Between July 29 and August 26, 1966, some 200 soldiers of the 3rd Special Forces Group participated in an unprecedented troop exercise in the vicinity of Mt. Evans, Colo. According to Army spokesmen, these Green Berets staged "the first field maneuver conducted by the U.S. Army above the critical 10,000-foot terrestrial elevation level." Mt. Evans was chosen for the exercise because it "provided the desired terrain at 11,500 to 13,500 feet, the minimal elevation considered essential to evaluate effects of 'thin atmosphere' on performance and health." These maneuvers, identified as a part of the "High Terrestrial Altitude Research Program," were sponsored by the U.S. Army Institute of Environmental Medicine and the Pentagon's Advanced Research Projects Agency. The program was designed, according to Army statements, "to insure a functional U.S. soldier properly adjusted, trained, equipped and supported to engage in combat at high elevations." A year later, the Army established "the world's highest research station" at the 17,600-foot level of Mt. Logan in the Yukon Territory of Canada. The Mt. Logan project was sponsored by the Cold Regions Laboratories and other Army agencies, and conducted by the Arctic Institute of North America. Like the Mt. Evans exercise, this project was designed to increase "U.S. Army knowledge of physiological factors associated with operations in a high-mountain environment."

Why is the Army so concerned with "physiological factors" occurring above the "critical 10,000-foot-level"? The answer can be found in a close reading of Army research reports. In a paper on "The Military Significance of Mountain Environment Studies," appearing in the May 1967 issue of *Army Research and Development,* a Pentagon scientist explains that mountainous terrain "occupies the whole southern frontier of Communist power from Central Europe to Vietnam." Since "mountains in many strategic areas will be barred to us for study purposes . . . it will often be necessary to find an accessible mountain range in which the environment seems quite similar, and study the nature of such [physiological] stresses there." With this advice in mind, one notes that the Mt. Logan project was intended to investigate "factors generally associated with activities in similar high altitudes in other parts of the world, *such as the Himalayan Mountains in India.*" [Emphasis added.] The Himalayan Mountains constitute the western flank of the Asian defense perimeter, now being vacated by Great Britain.

The army says of the Mt. Evans maneuvers that "in view of the likelihood that the enemy may be fully acclimatized" to high elevations, the United States must be able to overcome the environmental effects of such regions on troop performance. Since the only

"enemy" likely to be acclimatized to 10,000-foot-plus elevations are the inhabitants of the Himalayan region, it is becoming ominously clear that the U.S. counterinsurgency intervention in South Asia may some day stretch from the beaches of Danang to the furthest reaches of Nepal and Tibet.

UNITED STATES DONATES $600,000 FOR RADICAL UNITS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. ASHBROOK. Mr. Speaker, the March 20 issue of the Chicago Tribune carried an account of how more Federal funds have been used to finance the activities of subversive and militant organizations. Based on the testimony of Sgt. Robert Thoms of the Los Angeles Police Department, the story provides further depressing evidence of how funds emanating from Washington are used to forment disruption in other parts of the Nation, in this case in Los Angeles. It seems the best that the involved Federal agencies can do in the way of corrective action is to cut off the funds—after the funds have been spent and the damage done. Perhaps if more of the people in the Federal agencies responsible for these abuses were fired, a marked decline in this area would result.

I include the above-mentioned article by Ron Koziol of the Chicago Tribune in the RECORD at this point:

UNITED STATES DONATES $600,000 FOR RADICAL UNITS

(By Ronald Koziol)

Federal funds totaling more than $600,000 have been given to subversive and militant organizations and individuals in the last two years, Senate investigators have discovered.

The story of taxpayers' money being used to finance known radicals and militant groups, many committed to bringing about a revolution in this country, is contained in formerly secret testimony released today by the Senate subcommittee on internal security.

It includes detailed evidence that the government gave a $2,000 scholarship to at least one identified Communist, and other scholarships to 42 militants who have participated in disorders on the west coast.

FINANCE RADICAL PROGRAM

Taxpayers also financed a student leadership program in which participants were instructed in methods of making demands and carrying out disruptive measures.

Government agencies involved in the grants are the office of economic opportunity [OEO], the department of health, education, and welfare [HEW], and the department of housing and urban development [HUD].

The testimony was given to the subcommittee, headed by Sen. James O. Eastland [D., Miss.], by Sgt. Robert Thoms of the Los Angeles police department.

Thoms' testimony was based on an eight-month investigation of militant and subversive funding in the Los Angeles area. He later told THE TRIBUNE that he has received information that the government funding of known militants is prevalent throughout the country.

THE TRIBUNE disclosed in December that the Student Health organization, which openly has supported the Communist party, received more than one million dollars in federal funds in the last two years. The disclosure led to congressional demands of an investigation which has been ordered by Robert Finch, secretary of HEW.

In 1968, the Senate permanent investigations subcommittee heard testimony concerning one million dollars in OEO funds which were channeled to leaders of the Blackstone Rangers street gang, and used to aid and abet criminal activity. The charges led to the OEO dropping further funding of the south side program.

In his testimony, Thoms said that $250,000 was funded by HEW for an educational project at California State College of Los Angeles for 124 students. Scholarships from $2,000 each were given to the individual students for the one-year program.

Thoms said that David Mares, who has been identified as a member of the Communist party, was one of the recipients of the money. Another 42 were members of militant groups, many of whom participated in high school demonstrations and later were indicted by a county grand jury.

A $50,000 grant made by HEW for a student leadership program at the University of California in Los Angeles also was explained by Thoms. Among the lecturers of the one-month course were several militant figures, including Sal Castro, the leader of a series of high school disruptions.

The alleged purpose of the program was to take hard-core students with radical views and teach them there are means of accomplishing their goals without resorting to violence, said Thoms.

However, Thoms testified, an informant said the students were taught methods of making demands and carrying out disruptive tactics.

According to Thoms, when the proposal was submitted to HEW, certain films and books were listed as training aids. Among the films were, "The Chicago Riot," "No Vietnamese Ever Called Me a Nigger," "Off the Pig," "Mexican American Student Revolt," "Malcolm X," and the "Battle of Algiers."

The books listed were, "The Rebel," "Mao's Red Book," "Black Power" by Stokeley Carmichael, and "Essays on Liberation," by Herbert Marcuse, a controversial teacher at San Diego State college. Marcuse also served as a lecturer for the course.

Thoms also cited the Venice Community Improvement union in Los Angeles which is funded thru an OEO grant of $183,000.

"Its chairman, Robert Castile, is one of the most militant anti-police figures in Venice," said Thoms. "The funds are alleged to have been used to finance the legal defense of persons arrested in the Venice community, and to purchase property."

According to Thoms, the property purchased by the group follows the proposed boundaries of a Federal Housing administration site for low income housing project to be financed thru the FHA, and includes 20 locations.

THE PUBLIC TRUST REQUIRES FINANCIAL DISCLOSURE

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. ULLMAN. Mr. Speaker, the ethical standard of elected and appointed Government officials is a critical issue in the Nation today. Public concern that minimum standards of official conduct should be raised is reflected in the searching inquiry of recent weeks in the Senate as it has reviewed nominations to the Supreme Court. The Senate has probed more deeply than perhaps ever before to enlighten itself and the public of the ethical standards of the Court nominees. Its investigation has included a demand for full financial disclosures.

These high standards should apply for all branches of Government. Certainly Members of Congress should be accountable for any possible conflict between the public interest and their private financial holdings.

Regulations under House Resolution 1099 passed by the 90th Congress already require House Members to disclose certain financial interests. These include income from ownership or management in corporations doing business with the Federal Government, and remuneration for official services in any professional organization. Hearings were held last month by the House Committee on Standards of Official Conduct to consider a proposal designed to strengthen this disclosure system.

Because of justifiable public concern about this problem, I submit for publication in the RECORD the following statement of my current financial affairs:

Annual statement of income and investments, December 31, 1969, Congressman Al Ullman

INCOME, 1969

Salary	$39,375
Dividends/interest	2,473
Rentals	1,220
Capital gains/losses	Net loss
Honorariums	1,750

INVESTMENTS

	Current value
Stocks and bonds:	
U.S. Government notes	$13,000
	Assessed value
Real estate:	
1 acre unimproved—California	$1,050
47 acres farmland—Virginia	15,560
10 acres unimproved—Baker, Oreg.	7,300
2 lots unimproved—Baker, Oreg	600
Accounts/notes receivable:	
Real estate contract—Baker, Oreg.	6,997
Accounts/notes payable:	
Real estate mortgage—National Permanent Savings & Loan	32,000

ST. CLAIR SHORES, MICH., "ROADRUNNERS" DEFEND NATIONAL PEE WEE HOCKEY LEAGUE TITLE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. O'HARA. Mr. Speaker, I am proud to report that the St. Clair Shores, Mich., "Roadrunners," defending national Pee Wee Hockey League champions have again won the Michigan State title and this coming weekend will defend their national championship in Portland, Oreg.

These 15 youngsters—all 11 and 12 years old—led by Capt. Keith Zoldak are exemplary athletes and fine young Americans.

They are recognized as such by the community of St. Clair Shores, Macomb County, and the State of Michigan, which are now joined in an effort to raise the funds required to send the team to the national championships.

I want to take this opportunity to call the team's achievement to the attention of my colleagues and to endorse the efforts of the community to assist them in their trip to Portland.

POTENTIAL HAZARD OF THERMAL POLLUTION

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. WOLFF. Mr. Speaker, I have been most concerned with the potential impact upon the environment of nuclear powerplants. In light of the importance of this matter, I would like to extend my remarks to include a recent editorial from the distinguished Long Island newspaper, Newsday. This editorial which deals with the problem of thermal pollution is a most informative and well-written editorial, and one which I feel we all can benefit from. It follows:

ATOMS ON THE SOUND

"Pollution is not within our jurisdiction," a spokesman for the Atomic Energy Commission told Newsday a few weeks ago. Neither, when the licensing of atomic power plants is at issue, are land use, or ecological balance, or any of the many other considerations that ought to go into a decision on construction of any power generating station. AEC has contended for years that nuclear issues are the only ones it can legitimately concern itself with. There is considerable question how even-handedly it has been concerned with these. It has scattered 19 nuclear plants around the country over the past 13 years. Many of these have proved white elephants, producing little or no power. All have proved expensive when compared with power from coal or hydroelectric generation. There is also the question of safety. Two noted experts from AEC's own Lawrence Radiation Laboratory at Livermore, Calif., have stirred a storm into the atomic community by insisting that AEC's standards for radiation exposure by the public are *10 times* too high. AEC managed for months to avoid acting on the warnings of its own experts, and has finally agreed to examine its standards only after being asked to do so by Robert Finch, the secretary of Health, Education and Welfare. Whatever the relationship of the present radiation standards to power reactors, we can find little confidence in the circumstance that an agency so reluctant to examine the one is responsible for assuring the safety of the other.

Conflict of interest is built into AEC's charter. It is charged both with promoting the development of atomic energy, and with regulating its allies in the promotion effort.

And this is the agency which will decide whether Long Island Sound should become the atomic generation center of the United States. The prospect is for at least three reactors percolating along on the Long Island shore alone, and another four in Connecticut. This must, we feel, not be permitted to happen without the kind of fact-finding AEC has never yet provided on any previously authorized power reactor.

The immediate issue is the Shoreham plant, between Shoreham and Wading River, where the Long Island Lighting Co. proposes to generate 829,000 kilowatts of electricity. It is some indication of AEC's approach to the atomic power question that, after two years of work by LILCO, much of it in close cooperation with the commission, AEC gave opponents of the reactor 30 days to prepare a case against the plant. AEC has now postponed its hearing, at the request of the Lloyd Harbor Study Group, until May 25, thus providing almost three months for the preparation of an opposition case. This is a very short time indeed to pull together the relevant material, especially when the majority of experts who might provide technical assistance have direct or indirect financial relationships with AEC or interested corporations.

We do not mean to say that the atomic power issue is settled and that the country should forget about nuclear generation. The United States is going to have to find ways to satisfy its gargantuan electrical appetites and nuclear plants may, over the long run, prove the best mechanisms for doing this job. The problem is that the issue now is virtually settled *in favor of* atomic power, despite a poor performance record and the intimidating potentialities inherent in nuclear powerplants.

LEONARD CARRIERE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. DERWINSKI. Mr. Speaker, Leonard Carriere is a columnist for the Blue Island, Ill., Star and an outstanding attorney. Therefore his commentary on the complications in the nomination of Judge Carswell as well as the performance of Attorney Kunstler is extremely penetrating coming as it does from a man highly respected in the legal profession:

IN PASSING

(By Leonard Carriere)

We have indeed reached a sad state of affairs to have mediocrity proclaimed as virtue. It is this "asset" that has been ascribed to Judge Carswell, most recent appointee to the U.S. Supreme Court.

I fully realize that over the years there have been at most a couple of hundred U.S. Supreme Court Justices, most of whom would be categorized as having average ability for the position, and only a few of whom turned out to be outstanding. This is in the nature of things. Most of us, in all walks of life are but average. Society is structured for the average man, and when performing at an average level one is doing the job expected of him.

"Average" is at least a much better designation than "mediocre". Somehow, his adherents, in using the terminology, demean the man. He certainly cannot feel too flattered. Now, it must be understood that they are talking about the man's intellectual and academic background, which, even if mediocre, would not preclude him from performing at a satisfactory level if a member of the Court.

Nixon has had more than his share of trouble with his Court appointments. While Carswell may not be blocked, it will get him off to a poor start. It's unfortunate that the Court, because of recent difficulties, has come under a cloud.

The legal profession has been in the limelight in various ways of late, none of them flattering. Time was when the advocacy took place at the bar, now both sides take it to the streets. Kunstler has been on the lecture-tour, ostensibly to raise money. The government doesn't have that excuse.

Somehow none of this seems right to me, whatever their reasons may be—for either of them.

SCHWENGEL COMMENDS IOWA COUNTY DRUG EDUCATION PROGRAM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. SCHWENGEL. Mr. Speaker, recently when speaking to constituents in Iowa County, they informed me of a program they have launched to combat drug abuse. Because I feel this kind of local effort should be encouraged, I want to briefly outline the program which is presently being organized in Iowa County.

The effort in Iowa County was spurred by the sheriff, William Spurrier, who called a meeting of interested people last November to discuss the drug abuse problem.

By February 1970, a decision was made to set up a formal organization. Larry Gile, of the Iowa County Department of Special Education along with students Guy Wendler and Howard Dietrich of Amana, Rich Gerard and Larry Hurd of Millersburg, and Loren Wilkinson of Marengo were responsible for drawing the organizational plans. With minor changes, the plans were approved at a March meeting.

Student cochairmen of the Iowa County Committee on Drug Abuse elected are Joe Fraker of Victor and Howard Dietrich of Amana. Larry Gile, staff psychologist of the Iowa County Special Education Department was selected to serve as the adult chairman.

The objectives of the Iowa County Committee on Drug Abuse are clear.

First. To inform the community of the possible hazards of drug abuse.

Second. To establish a continuing dialog between parent and student, student and student, parent and parent, young and old.

Third. To determine and work toward the alleviation of the causality of drug abuse and related symptoms.

The committee's "main body" will consist of 35 members; these students from each school district, one adult from each school district, one community leader from each school district, county attorney, county sheriff, school psychologist, a physician, and a minister. The main body plans to meet quarterly with the meetings open to the public.

The main body will provide overall coordination of programs and efforts. It will share specific concerns, provide advice and disseminate information and it will mobilize countywide support and concern for the purpose of the group.

The main body will elect from its own membership a guidance council consisting of 12 people, one student, and one

adult from each school district. The guidance council will direct and assign specific activities to six subcommittees and will be responsible for the ongoing functions of the Iowa County Committee on Drug Abuse.

As noted earlier, there will be six subcommittees. A school district subcommittee will work directly with each school district to develop activities within each one relating to drug education. The subcommittee will keep the guidance council and main body informed as to activities in each of the schools.

A publicity subcommittee will attempt to keep the public informed as to the Iowa County committee activities in each of the schools and the communities.

A school education program subcommittee will work on developing effective special programs and on making any changes in the curriculum which would enhance the chances of meeting objectives of the county committee.

An adult education program subcommittee will develop, organize, and carry out educational programs aimed at the adult population in Iowa County.

A resources subcommittee will act as a gathering agency for sample resources from throughout the county. It will establish a central library of available resources and will develop resources for use by county schools and other groups and organizations.

A liaison subcommittee will act as a contact for the county committee with other organizations throughout the State, county, and country in an effort to share ideas and activities.

The effort undertaken in Iowa County is to be commended. While no serious drug abuse problem exists there today, it is apparent people in Iowa County are determined to see that it does not occur.

The primary effort in Iowa County for rest of this school year will be to develop their organization. Next year, they hope to be in full operation.

Mr. Speaker, I believe what the people in Iowa County have done can be a model for other areas. I will be sending information on the Iowa County program to the Department of Health, Education, and Welfare, the Department of Justice, and the White House. I commend the program to the attention of all Members of the House.

CANTON, OHIO, LETTER CARRIERS VOTE TO STAY ON JOB

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BOW. Mr. Speaker, the letter carriers of Canton, Ohio, voted on Saturday to continue on the job despite the very real temptation to follow the lead of less responsible persons in some of the major cities. I applaud that decision and wish to include with my remarks the text of a telegram I have sent to Mr. Karl Shank, the new president of the Canton letter carriers who assumed office Saturday night; Mr. Nick Amantides who was the letter carriers' president up to and including their meeting earlier on Saturday and whose leadership helped to prevent a work stoppage in Canton, and to Hanley Wheeler, president of the Canton clerks who voted to follow the example of the carriers. The telegram follows:

I want you to know that I approve and am deeply gratified by your decisions to remain on the job, thus placing the welfare of postal patrons above self-interest, and that I will do all in my power to bring about necessary wage adjustments to give your members equity. The majority party leadership could have brought such a package to the House for passage at any time and can still do so. President Nixon has difficult job of keeping vital services operating, but the President has no authority to raise wages. Only Congress has responsibility and authority to enact legislation to satisfy your demands and Congress should do so at once. Your patience and support are appreciated. In return I will support your legislation as I have always done.

FRANK T. BOW,
Member of Congress.

Mr. Speaker, I have watched the television programs and listened to the radio reports over the weekend, and I am beginning to be dismayed by the emphasis on "who struck John" and whose political ox is being gored. I have been hearing how the President inhibited any legislation that could have prevented this walkout. I deplore the interjection of politics in this serious situation, but I must speak out at this time for the President.

The President has endeavored sincerely and openly for the past 13 months to bring about postal reform and improved working conditions. His proposals have been the subject of endless hearings and executive meetings in both Houses of the Congress while the problem grew, frustration increased and post office employees remained in uncertainty about the future of their jobs and whether or not any wage increase would be forthcoming. The leadership in this body could have brought a reasonable pay and reform package to the floor any time since May of last year. The other body could have done the same. Either body can do so tomorrow.

The President has the grave responsibility of keeping postal service in operation. He is doing his best to discharge his duty, repugnant as it must be for him to call troops into service in this way. But no matter what is said, in the last analysis it is not the President who can negotiate these issues and it is not the Secretary of Labor nor the Postmaster General who can negotiate the issues. It is the Congress of the United States that must take action now to enact proper and suitable legislation. There can be no doubt in anyone's mind about the issue. We do have to negotiate to identify the grievances. We only need to act on the basis of the volumes of testimony that have been available to us for the past year and more.

I want to state at this time that I support fully the President's determination to provide mail service despite this illegal walkout. I want to state further that I would like to be able to vote tomorrow on a postal package that would pay these men adequately and give them fair working conditions and provide the postal reform that is necessary to keep these working conditions abreast of the rest of society while at the same time reorganizing the service so that we can give the kind of postal service the people are paying for and to which they are entitled. I have supported fair postal wages in the past and I will do so again.

RESULTS OF PUBLIC OPINION POLL IN FOURTH DISTRICT OF TENNESSEE ANNOUNCED

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. EVINS of Tennessee. Mr. Speaker, I wanted to make available to my colleagues and to the American people the results of a public opinion poll which I conducted in the Fourth Congressional District on important national issues and matters before the Congress.

The response to the poll was excellent, as 12,589 responses were received.

My news release on the results of the poll follows:

REPRESENTATIVE EVINS ANNOUNCES RESULTS OF PUBLIC OPINION POLL

Representative Joe L. Evins (D-Tenn.) today announced the results of a public opinion poll he conducted in the 21 counties of the Fourth Congressional District of Tennessee.

"I am pleased by the response," Evins said, "and I am gratified by the interest and participation in the poll."

Evins said hundreds of citizens wrote letters in addition to their responses to the questions, outlining in detail their concerns and views on current public issues.

"Some 12,589 responses have been received to date," the Fourth District Congressman said, "an impressive percentage return and display of expression of public opinion."

Results of the poll showed the following of those responding:

80 percent (10,071) favored the President's plan of gradual withdrawal of American troops from South Vietnam with the South Vietnamese assuming an increasingly greater share of combat responsibility while 13 percent (1,637) were opposed and 7 percent (881) expressed no opinion.

69 percent (8,686) were opposed to immediate withdrawal from Vietnam while 17 percent (2,140) were in favor and 14 percent (1,763) listed no opinion.

60 percent (7,554) were opposed to continuing the policy of high interest rates and sharp reductions in domestic programs such as aid to education, health and welfare, and rural water district programs, among others, as a means of controlling inflation while 24 percent (3,021) favored the present policy and 16 percent (2,014) gave no opinion.

66 percent (8,309) were in favor of price and wage controls in the battle against inflation with 23 percent (2,895) against and 11 percent (1,385) giving no opinion.

77 percent (9,694) favored a system of revenue sharing of Federal funds with the states with a certain percentage of each year's Federal income being returned to the states to be distributed by the state governments to municipalities and counties with 13 percent (1,637) opposed and 10 percent (1,258) with no opinion.

56 percent (7,050) favored setting requirements to assure that revenue sharing funds would be expended for worthwhile programs and projects while 36 percent (4,532) were in favor of turning over the Federal funds to the states with no Federal standards for their use.

47 percent (5,917) were in favor of a professional volunteer army and the complete elimination of the Selective Service System with 41 percent (5,161) opposed and 12 percent (1,511) with no opinion.

44 percent (5,539) were in favor of further reforms of the Selective Service System, eliminating deferments based on college enrollment and hardship situations while 43 percent (5,413) were against and 13 percent (1,637) gave no opinion.

56 percent (7,050) were opposed to changing the postal system with the operation of the Post Office taken out of the hands of the United States Post Office Department and the Congress and placed under the jurisdiction of a private corporation while 39 percent (4,910) were in favor and 5 percent (629) gave no opinion.

89 percent (11,204) were in favor of increased Federal expeditures to control steadily increasing pollution of our environment such as air and water pollution with 9 percent (1,133) opposed and 2 percent (252) giving no opinion.

66 percent (8,309) were in favor of legislation providing for tax credits to business and industry for locating or expanding plants in rural areas and small towns while 28 percent (3,525) were opposed and 6 percent (755) gave no opinion.

54 percent (6,798) were in favor of substantial reductions in the space program while 38 percent (4,783) favored the continuation of the space program at present levels.

85 percent (10,701) were in favor of increased Federal appropriations to strentghen state and local law enforcement agencies and reduce the crime rate in the country with 10 percent (1,259) against and 5 percent (629) giving no opinion.

72 percent (9,064) were opposed to changing the welfare system with a minimum income of $1,600 guaranteed to all families at an increased cost to the Federal Government of $5 billion per year while 21 percent (2,644) favored the plan and 7 percent (881) gave no opinion.

74 percent (9,316) were in favor of automatic increases in Social Security tied to the cost of living index with 21 percent (2,644) opposed and 5 percent (629) giving no opinion.

59 percent (7,428) were opposed to continuing the Foreign Aid program while 28 percent (3,525) were in favor and 13 percent (1,636) gave no opinion.

The poll indicated as the greatest areas of concern the matter of curbing pollution, the Vietnam conflict and increased Social Security benefits, Representative Evins said.

Counties comprising the Fourth Congressional District are:

Anderson, Campbell, Cannon, Clay, Coffee, Cumberland, DeKalb, Fentress, Grundy, Jackson, Morgan, Overton, Pickett, Putnam, Roane, Scott, Smith, Van Buren, Warren, White, Wilson.

SCRAP THE CONSTITUTION?

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. GROSS. Mr. Speaker, an editorial in the March 17 issue of the Waterloo, Iowa, Daily Courier sets forth clearly and without loss of words the case against the enactment of a Federal statute, rather than an amendment to the Constitution, to provide for the lowering of the voting age from 21 to 18 years.

I agree completely with the argument set forth in the editorial which follows:

The U.S. Constitution would at long last become a worthless piece of paper if Congress succeeds in reducing the voting age for federal officials from 21 to 18 by statute instead of by Constitutional amendment.

The Constitution says flatly that those who vote for U.S. representative and U.S. senator "shall have the qualifications requisite for electors of the most numerous branch of the state legislatures." The Constitution also gives to states the authority to determine how presidential electors are selected.

This State authority has been affirmed in several Supreme Court decisions, including Minor v. Happersett, 1874; Lassiter v. Northampton Election Board, 1959; Carrington v. Rash, 1965; and Karmer v. Union Free School District, 1969.

True, under the "equal protection" clause of the 14th Amendment the court has outlawed such things as property qualifications for voting and payment of a poll tax as a prerequisite.

But the Senate has passed a voting rights law which includes a provision for voting by 18-year-olds. Sen. Mike Mansfield, Democratic leader in the Senate, declares that he will insist on adoption of this provision in conference committee even if it is rejected in the House.

But, Rep. Emanuel Celler, chairman of the House Judiciary Committee, says he will fight to the end to prevent the reduction in the voting age by statute.

We should think that other liberals, including the United World Federalists and others who promote world government, would also fight to preserve a written constitution. For what chance is there of enforcing world law under a limited world government if the great American experiment in limiting federal powers by a written constitution has proved a failure? Certainly Americans would be cynical about limiting the power of a world government to interfere in domestic affairs if the American Constitution so rapidly became worthless.

Those who vote for this provision are literally violating their oath of office.

UTAH'S TEACHER OF THE YEAR

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. BURTON of Utah. Mr. Speaker, on December 12, 1969, Mrs. Eleanor Roberts, a fourth-grade teacher at Delta Elementary School, Delta, Utah, was named Utah's Teacher of the Year. Her teaching philosophy is summed up in a story about her in the January 1970 issue of UEA Action, the official publication of the Utah Education Association. I believe Mrs. Roberts' comments will be of interest to other educators and to parents generally, and therefore take this means of bringing her ideas to their attention:

FOR AWHILE, THE LAW WOULDN'T LET HER TEACH

Back in 1935, a young lady from Sutherland, Utah, received an associate degree after studying to become a first-grade teacher.

She later taught in kindergarten, second, third, fourth, fifth, and sixth grades—but not the first. Nevertheless, the 25 years she has spent in classrooms since then produced what Mrs. Eleanor Roberts calls some "exciting, happy moments."

One of her latest "exicting, happy moments" came December 12, when she was named Utah's Teacher of the Year.

The two runners-up for Utah Teacher of the Year honors are Miss Loye Painter, Logan Junior High School physical education teacher; and Mrs. Leona White Bradford, kindergarten teacher at Peteetneet Elementary School in Nebo School District.

Mrs. Roberts, a fourth-grade teacher at Delta Elementary School, will compete for National Teacher of the Year in a program sponsored by *Look* Magazine.

Judges will find that she has a definite philosophy about teaching.

"I'm a pragmatist," she said. "I think every child should have the right to develop in his own unique way, but I don't think adults should sit by and let a child do anything he pleases if we can see he's headed toward disaster."

Her 25 years before the blackboard have not only given her a definite philosophy, they've convinced her that sometimes she should laugh at herself.

Mrs. Roberts confessed that sometimes she gets riled in the classroom. "Once, I slapped my knee with a ruler and it started a run in my stocking," she recalled.

Another time she had to smile at herself was when KUED was broadcasting a program that she showed her class. Mrs. Roberts herself was the star of that show, but she didn't tell her pupils.

When it ended, a little girl said:

"That looks just like your twin sister, only older."

When Mrs. Roberts, who doesn't have a twin sister, was younger, things were considerably different in the profession.

She began teaching at Cedar City in 1935, after receiving an associate degree from the Branch Agricultural College there. Her first principal was L. C. Miles, Sr.

"He never did come in my classroom to observe," she remembered. "But he kept his bulletin board eraser in my room, and he was *always* popping in to get the eraser."

Two years later, Mrs. Roberts had to leave the profession. She married Brose H. Roberts from Sutherland, a small community seven miles from Delta. Utah then had a law which said if a female teacher married, she couldn't teach.

That ended with the World War manpower shortage, though. Mrs. Roberts went back to the classroom in 1956, earned her bachelor's degree, then went on to win a master's degree. Over the years she's been teaching, Mrs. Roberts picked up a technique that works well for her on just about every occasion she uses it.

It's the way she greets parents when they come to school unexpectedly.

"Do we have a problem?" she asks.

"This question establishes, irrevocably, the fact that we are both on the same side—the child's side. I have found, too, that honesty about his child is what the parent wants to hear.

"He wants it 'laid on the line' in a conference, but he wants to be told with understanding, kindness and compassion."

Mrs. Roberts also gave her view of how the teacher's role has changed over the years.

"The traditional teacher was . . . the authoritative source of all information and he had to maintain his position if his personal security remained stable," she said.

"In today's classroom . . . the teacher is a counselor, a diagnostic, a prescriber, a friend and confidante, a director of learning."

The Teacher of the Year told of an incident which shows she fits her own description of today's teacher.

Years ago, she heard a classroom door slam,

saw a boy hurrying down the hall, and intercepted him.

The boy was upset.

"He doubled up his fists," Mrs. Roberts recalled. "He was as big as I, and it frightened me. But I didn't dare flinch. A few long seconds passed. His hands went slowly down to his sides and the crisis was over."

It turned out that the boy had troubles the teacher hadn't suspected. Soon they were friends, and years later the boy returned to thank her for being kind to him.

Mrs. Roberts has long been a champion of individualization, and did research work in cooperation with the Rocky Mountain Educational Laboratory in developing a program of individualized science teaching.

She is also a keen observer of student behavior.

Once her school got new desks, and had to dispose of the old ones. So the faculty decided to let the pupils tear them up in the schoolyard.

"It was interesting that the youngsters who went at their work with the most enthusiasm were the one who caused the most disturbances," she said.

Mrs. Roberts has some definite ideas on the outlook of children, too. She said:

"Children's sophistication demands that we 'tell it like it is' and I am not borrowing the modern cliche to make a point. Children can tell fact from fancy and they'll reject both the fabrication and the person who tries to enforce it. They want reasons based on logic.

"Their actions also are indicative of their freedom to choose an alternate behavior. We are seeing this clearly in the adult youth, but in the elementary schools, too, the change in attitude is evident."

The Teacher of the Year comes from a family of teachers. Three of her sisters are teachers and so are four sisters-in-law.

Mrs. Roberts taught both her children at Sutherland Elementary School, and both—Barrett H. Roberts and Mrs. Calvin Kunz—became teachers.

Professional activity has also kept Mrs. Roberts busy. She once served on the UEA Salary Committee, as president of Millard County Teachers Association, a member of the Legislative Council of the DCT, and is currently president of her association's credit union.

When she was teaching principal of Sutherland Elementary School, she was president and secretary of Millard Principals Association.

The classroom, she said, has changed considerably since she started teaching in 1935.

"I just had a chalkboard then," she said. "Now in my classroom I have a piano, a TV, phonograph, tape recorder, overhead projector, film strips and slides, movie projector and a huge supply of films."

Salaries have increased somewhat, she said. A starting teacher received $660 a year then—ten checks for $66.

"And Iron County had one of the higher paying districts then," Mrs. Roberts recalled.

SENATE—*Tuesday, March 24, 1970*

The Senate, in executive session, met at 10 o'clock a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Reverend Dr. Berthold Jacksteit, minister, Central Schwenkfelder Church, Worcester, Pa., offered the following prayer:

Father of us all, we who have so much pray for a compassion which will reach out in helpfulness to all who have so little; we who are so strong pray for a generosity of spirit which will respect and value all who are so weak and seek to reassure and strengthen them; we who wield such power pray for a humility which will temper this power with mercy so that it may heal and bless and not destroy; we who have the responsibility of making such awesome decisions pray for a wisdom which will keep the weight of our influence at the forefront of everything that blesses mankind and furthers the cause of justice and righteousness, of peace and brotherhood throughout the earth. For Thy mercy's sake we pray. Amen.

ORDER OF BUSINESS

Mr. HOLLINGS obtained the floor.

Mr. SCHWEIKER. Mr. President, will the Senator from South Carolina yield?

Mr. HOLLINGS. I yield.

THE PRAYER

Mr. SCHWEIKER. Mr. President, I was very much pleased this morning to have the opportunity to hear the minister from my church of Worcester, Pa., give the opening invocation.

I want to say, since I come from a rather small denomination, that this is probably the first time a member of my faith has had the opportunity to present the opening prayer in either the House or Senate.

I deeply extend my appreciation to the Senate's Chaplain for his kind courtesy in bringing about this honor and thank the Senator from South Carolina for yielding to me.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. HOLLINGS. Mr. President, I ask unanimous consent, notwithstanding the previous order, that the Senate, as in legislative session, conduct routine morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. HOLLINGS. Mr. President, I ask unanimous consent to limit statements to 3 minutes in relation to routine morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, March 23, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. HOLLINGS. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CARSWELL AND MEDIOCRITY

Mr. EAGLETON. Mr. President, I will vote not to confirm the nomination of Judge Carswell to the Supreme Court of the United States.

My opposition to Judge Carswell is not derived from the fact that he is classified as a "judicial conservative." Chief Justice Burger was widely hailed as a "judicial conservative" and I voted in favor of his nomination.

I oppose Judge Carswell because a very careful examination of his record as a Federal trial and appellate judge indicates that he is a jurist of the most pedestrian and distressingly mediocre talents and with a remarkable proclivity for being reversed by higher courts.

About the best that could be furnished in affirmative support of Judge Carswell's judicial and intellectual capacity was the testimony of one law professor who thought Judge Carswell had "growth potential."

Numerous individuals and groups—including some of the most prestigious legal scholars of the country—have voiced opposition to Judge Carswell because of his obviously meager judicial record.

Here are some of their observations:

With all deference, I am impelled to conclude that the nominee presents more slender credentials than any nominee for the Supreme Court put forth this century.—Louis Pollak, dean, Yale Law School.

A level of competence well below the high standards that one would presumably consider appropriate and necessary for service on the court.—Derek Bok, dean, Harvard Law School.

That he is an undistinguished member of his profession, lacking claim to intellectual