

EXTENSIONS OF REMARKS

RELATIONSHIP BETWEEN THE
UNITED STATES AND RED CHINA**HON. STROM THURMOND**

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, May 10, 1971

Mr. THURMOND. Mr. President, of April 16, 1971, the Chicago Tribune contains an important article entitled "After the Ping-Pong Games."

In a short length of time the United States has set aside several restrictions on trade and travel between Red China and the United States. In a country that is tired of war, there is a strong appeal for peaceful relations between the most populous Communist nation and the strongest free country. However, as Editor Clayton Kirkpatrick points out, just because Red China was civil to our table tennis team, that does not mean Red China's basic imperialist plans have been changed. To plunge ahead without regard to Peking's motives would be utter folly.

Before any last improvement can be established between our countries, certain preliminary steps must be started. To this extent, the reception of our table tennis team is heartening. The situation becomes quite different when politics are involved. There is no reason whatsoever for us to believe that Red China has softened its desire to spread Chinese Communist influence throughout Asia and Southeast Asia.

Thus, we must keep a realistic attitude in mind when dealing with Red China, and not be led astray by taking these actions at face value. These relevant comments deserve the consideration of Congress.

Mr. President, I ask unanimous consent, that the article be printed in the Extensions of Remarks.

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

AFTER THE PING-PONG GAMES

If it is possible to plunge headlong toward peace, that is what the United States seems to be doing in its relations with Red China. In a matter of weeks, even days, we have seen one restriction after another discarded, affecting travel, communications, trade and shipping. There is talk of invitations to the Chinese Ping-Pong and soccer teams to visit this country, and Premier Chou En-Lai has spoken wistfully about coming to North America.

In a country fatigued by war abroad and tension at home, as the United States is, there is an understandable and almost irresistible appeal to the thought that if the most powerful nation and the most populous nation on earth can kiss and make up, a new era of peace will dawn. One United States official, asked why he thought China responded so quickly and enthusiastically to President Nixon's earlier overtures, replied that China's motives don't matter; that it is the results that count.

Well, maybe. It is quite true that there can be no durable improvement in relations without preliminary steps such as these. To that extent, the sudden spring thaw in Peking is welcome. But to think that we can plunge ahead without regard to Peking's motives is

to invite disappointment and very likely worse.

One can dream, of course, about how nice it would be if our relations with Red China could always be handled thru dedicated Ping-Pong players who never raised the ugly subject of politics—if our relations with Russia could be turned over to chess players, and with France to wine tasters. But as Russia has demonstrated time and again, every form of activity in a totalitarian regime is an agency of the state. Art is not art, and literature is not literature unless it conforms to the party line. And Russia's form of totalitarianism is mild, at the moment, compared with Peking's.

So when the Chinese speak ingratiatingly of friendship between the "peoples" of the two countries, we mustn't be fooled. When Mao Tse-tung talks of 100 flowers blossoming, he is talking only of differences between Peking and Moscow; within China, there is room for only one flower, and it blooms in the little red book of Chairman Mao's thoughts. The American visitors learned as much the other day when one of them asked about former President Liu Shao-chi. Liu is alive, a Chinese official replied, but his thought is dead. He is being "reeducated."

Things are very different here. The young people on our Ping-Pong team are idealistic and uninhibited, representative of millions more at home. Theirs are qualities which we prize—but which we've learned can often put them at odds with authority, and with authority in Washington in particular. Our Ping-Pong players relate [if we may borrow the contemporary term] much more directly to the people at home than the Chinese players do to their people.

China's first objective, it must therefore be assumed, is to try to widen the gap between Washington and many American people—to create a craving for peace so strong, and perhaps so blind, that cooler and more experienced heads will be unable to prevail when they see our interests and the long-range outlook for peace being threatened.

Because the Bamboo Curtain is more impenetrable even than the Iron Curtain, we can only speculate on Peking's goals. They probably include the displacement of Nationalist China from the United Nations; the assumption by Peking of the Chinese membership in that body; the absorption of Nationalist China into Red China; the expulsion of all western influence [including Russian] from Southeast Asia; and the ultimate establishment of Chinese hegemony over all of East Asia, including Japan.

If these goals are correct—and there is no reason to think Red China has renounced its imperialist plans since it made war on the United Nations forces in Korea [a war which is still technically in progress]—then there are bound to be more confrontations and very likely more wars with countries that are more important to us than Korea or Vietnam, and that we are bound by treaty to defend.

Will it then be too late to protect our interests? The question is worth keeping in mind as we are propelled, with smiles and sweet talk, toward the bar.

SOVIET ARMS ESCALATION IN
AFRICA**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. RARICK. Mr. Speaker, several very illuminating articles on the Soviet

arms escalation in Africa appeared in recent editions of the Aviation Week and Space Technology magazine. If this information is correct, the United States has sunk to a third-rate nation by searching only for peace rather than seeking to perpetuate man's basic motivation to also be free.

Quite tragically, many still do not understand that our defeats in Southeast Asia have but supplied the vacuum for Soviet expansionism and supremacy in Africa.

If our national determination is to retreat from leadership of the free world, the United States should play no role in combating Soviet expansion today in Africa, tomorrow in Europe, or next week in our Fatherland.

The price of peace by concessions to tyranny is always loss of freedom.

I insert the news articles in the RECORD at this point:

[From Aviation Week and Space Technology magazine, Apr. 26, 1971]

STRATEGIC STAKES

The latest Soviet moves in the Mediterranean (AW&ST Apr. 19 p. 14) emphasize again the enormous strategic stakes that are involved in the North African military equation. Egypt is the keystone of Soviet policy in the Middle East and North Africa and they are pouring their very latest air defense systems into that area to keep it secure as a base for their expansion in two directions:

First, along the North African littoral of the Mediterranean until they have naval bases with air cover all the way from Alexandria to Mers el Kebir.

Second, through the Suez Canal to the Red Sea, enabling them to establish a strong naval force in the Indian Ocean.

Both objectives have the economic and political goal of controlling the flow of oil to Europe from its African and Middle Eastern sources. Control of the North African littoral could cut off many of the oil supply valves to Europe from Algeria, Libya and the new Red Sea fields. The Soviet navy in the Indian Ocean could threaten a blockade of the Persian Gulf from which tankers stream to Europe.

It is indeed ironic that tremendous U.S. diplomatic pressure has been exerted on Israel to permit opening of the Suez Canal because this is the major Soviet goal in expanding its naval force into the Indian Ocean. The Soviets have already established skeleton naval bases in Yemen, Eritrea and the British-vacated island of Socotra, but they cannot supply them at full strength by the lengthy round the Cape of Good Hope route from Baltic or Black Sea ports or by the Asiatic route from the maritime provinces of Siberia. Secure passage through the Suez Canal is the only way the Soviets can implement their next goal of basing a significant Indian Ocean fleet on the skeleton bases already established in the area. The U.S. Navy's high command is thoroughly alarmed over this prospect and would prefer maintenance of the status quo. So would the Israelis who are reluctant to exchange a strong defensive line on the east bank of the canal for diplomatic assurances. They also are worried about a Soviet naval presence in the Indian Ocean that could threaten their maritime lifeline to Africa and Asia as much as the Egyptian closing of the Straits of Tiran that precipitated the Six Day War of 1967 and the Sinal campaign of 1956.

Meanwhile, the heavy Soviet deployment of air defense equipment to the Middle East

has revealed some interesting facets of that equipment and also forced a basic new Israeli strategy to counter it. When the An-22 heavy logistic carrier first appeared in the West at a Paris air show some years ago, long before the USAF C-5A had made its first flight, there was considerable derision by western observers over some of its "old fashioned" equipment such as the giant turboprops with contra-rotating propellers. During the past two years it has emerged as a key component of Soviet foreign policy, providing a swift and secure long-range airlift for key military equipment such as Foxbat and MIG-21J fighters, Goa (SA-3) and Ganef (SA-4) and Frog 7 missiles complete with mobile self-propelled launchers. In the meantime, USAF has been struggling to eliminate many of the unnecessarily complex features of the C-5A which contribute little to its basic mission performance and escalate its already swollen costs. As a result, the basic strategic value of this type aircraft is being severely questioned in the U.S. and its production curtailed at the very time the Soviets are providing dramatic demonstrations of how it can be used as a basic instrument of national policy.

The new versions of the MIG-21 and the MIG-23 appearing in Egypt also offer more evidence of how the Soviets work diligently on model improvement of basic designs after they are committed to production. The MIG-21J has substantially improved performance over the C models encountered earlier over Egypt and North Vietnam and a number of prior weak points have been remedied. Equipped with an improved air-to-air missile and the digital data link to its airborne fire control system, it is a formidable air-to-air fighter. When the Foxbat first appeared in Soviet skies it was correctly identified as a long-range bomber-killer equipped with downward looking radar and air-to-air missiles aimed at countering the threat from either the defunct B-70 or the emerging B-1. Now they have come up with a lighter version aimed at an air-superiority role with speed and altitude advantages that could have been matched only by the abandoned USAF YF-12 version of its Mach 3 SR-71 black spy plane.

All of these improvements in both the quantity and quality of the Soviet air defense system in Egypt, beginning with the introduction of the SA-3 and MIG-21J plus Soviet pilots and technicians, have forced the Israelis to adopt a new strategy against the time when it may become necessary to penetrate this defense system to blunt an Arab ground offensive.

The Israelis have now shifted from their sensational aircraft penetration tactics of the Six Day War to a first strike capability based on supersonic drones and stand-off missiles aimed at blasting gaps in the ground belts of radars and anti-aircraft missiles to enable strike aircraft to penetrate to Egyptian artillery, armor and other assault forces. The Israelis are still confident that these tactics will enable them to penetrate eventually. But they concede that the quality and scope of the new Soviet air defense system in Egypt would take a heavier toll of their limited supply of Mirage, Phantom and Skyhawk strike aircraft and their pilots. Even with great gaps blasted in the missile belts, the Israeli air force faces a tougher task than ever in clearing the skies of MIG-21Js and Foxbats before they can turn their undivided attention to the ground battles as they did so decisively on the second day of the Six Day War.

The military and strategic equation in the Middle East has changed significantly during the past six months. Only the test of combat will prove which values remain constant.

[From Aviation Week and Space Technology magazine, Apr. 19, 1971]

ESCALATION IN AFRICA

The Soviet Union has taken another giant stride in establishing military control over North Africa as preparation for exerting political control over the oil sources of Europe. The latest Soviet drive in Africa has moved in two directions:

First, to establish air superiority over its main Egyptian base complex and the Israeli battle lines that threaten it. The Soviets airlifted into Egypt a new generation of interceptors, missiles and communications systems manned by Russian pilots and technicians. This massive airlift of the past six weeks is described in exclusive detail by Edward H. Kolcum, European editor of Aviation Week & Space Technology on page 14 of this issue.

Second to extend the geographic scope of its African-based air and seapower from Egypt through Libya to western Algeria. In a little more than a year, the Soviets have extended their base structure from Alexandria in the eastern Mediterranean to Mers el Kebir in Algeria on the eastern approaches to Gibraltar. They now have maritime reconnaissance Badgers and Ilyshin Il-38s operating out of Egypt and the former USAF base at Wheelus in Libya and will shortly move into Algiers and Oran where squadrons of MIG-23 Foxbat interceptors and Sukhoi Su-7 attack airplanes are already based to protect them.

The scope and pace of the Soviet campaign in North Africa, particularly its latest massive airlift of its own first-line air defense equipment into Egypt, has surprised even the few knowledgeable experts who predicted its general thrust more than two years ago.

The Soviets are apparently giving the air defense of Egypt a priority second only to that of their homeland. The latest airlift has brought in all the elements of the Soviet's first-line home air defense system. Backbone of this system is the Mikoyan Mach 3 twinjet Foxbat interceptor first displayed at the Domodedovo air show near Moscow in the summer of 1967. This is an aircraft that has performance superior not only to anything the Western world has flying but also to the new generation of fighters (F-14 and F-15) and the U.S. Air Force and Navy are now developing.

The Israeli F-4 Phantoms and A-4E Skyhawks are no match for the Foxbat, no matter how skilled or combatwise their pilots may be.

Thus, for the second time in a year, the Soviets have poured their first-line interceptors and Red air force pilots into Egypt in an attempt to wrest air superiority from the Israelis and establish an effective counter to the carrier-based airpower of the U.S. 6th Fleet. Last summer, the Soviets made their first such attempt when they airlifted 100 MIG-21J interceptors and a contingent of Red air force pilots to man them and took over the air defense of Egypt. After some preliminary feinting, the Israeli air force bounced the Soviet pilots and wiped out a patrol of four MIG-21Js over the Suez Canal battle lines.

Stung by this defeat, the Soviets have now countered with their very best equipment. This includes not only the Foxbat interceptor but the SA-4 Ganef, an improved surface-to-air missile mounted on mobile tracked launchers, and a digital data link system that makes it impractical for the Israelis to monitor ground instructions being fed from radar to Russian pilots. This was formerly done by voice, but now the data goes electronically from ground radars to the airborne computers and displays in the Foxbat.

The air defense belt of SA-2 and SA-3 missiles, anti-aircraft artillery and radar tracking and guidance stations that moved in with the MIG-21Js last summer covered only the northern sector of the Suez Canal battle line. It had vulnerable flanks to the north across the Mediterranean and on the south across the Red Sea. The new interceptors and missiles will not only plug these flanks but also beef up the main air defense system designed to cover an Egyptian assault across the Canal.

Extended air cover offered by the new equipment also provides an opportunity for the Egyptian assault to outflank the Bar-Lev fortifications along the Suez Canal and force the Israelis to fight in open desert. The introduction of Russian Frog-7 surface-to-surface missiles last winter also gave the Egyptians the capability of hitting the Israeli supply bases in the desert behind the Bar-Lev line where they are not dug in or hardened.

Few Middle East observers doubt that the Soviets' goal is opening of the Suez Canal to permit its navy to reach the Indian Ocean skeleton bases it already has established in Yemen, Eritrea and on the island of Socotra. The frantic efforts of Washington to arrange some navy limitation pact before this occurs appear doomed to futility just as were the attempts to negotiate the Israelis back from their Suez defense line.

The new Soviet threat over the Mideast goes far beyond tipping the balance of power against Israel. It is but a part of the overall Soviet strategy to turn the southern flank of NATO by controlling the air and sea bases of the African shore to neutralize U.S. power in the Mediterranean and put a Communist fist on the oil valves of the pipelines to Europe (AW&ST Mar. 30, 1970, p. 9).

The Soviets have moved into the former USAF base at Wheelus in Tripoli, where the United Arab Republic is establishing its main training base with Russian MIG-21s and French Mirages, and have built naval bases in Tripoli. Now under a secret pact with Algeria, they are basing submarines at Mers el Kebir and moving Red air force squadrons with Foxbats and Su-7s into Algerian bases. One more step into Morocco and the Soviet military plan will be complete. Then the economic squeeze on European oil sources will accelerate and the political pressure on European governments will begin.

The Israeli military position is deteriorating. It is impossible to repeat the strategy of the Six Day War because most of the elements in that equation for success, including surprise, have vanished. The Six Day War conjured visions of Stonewall Jackson's Shenandoah Valley campaign as a classic of highly mobile, highly motivated, numerically inferior forces defeating a combination of superior forces. But the prospect of fighting an open desert war deep in Sinai with the Bar-Lev fortifications outflanked could be equally reminiscent of Robert E. Lee's vain attempts to hold the Petersburg line against attrition, dwindling logistics and superior technology.

All of this is transpiring against a background of incredible indifference in these United States, where Southeast Asia occupies the spotlight and rends the people into bitter divisive factors blurring both the threats to and the promises of our national future.

[From Aviation Week and Space Technology magazine, Apr. 19, 1971]

SOVIETS SPUR ARMS FLOW TO EGYPT: DEPLOYMENT OF FOXBATS, GANEF SAM'S AND NEW COMMUNICATIONS TO MIDEAST SEEN EFFORT TO GAIN AIR SUPERIORITY OVER ISRAEL

(By Edward H. Kolcum)

Soviets are deploying Foxbat Mach 3 interceptors, Ganef anti-aircraft missiles and

new communications systems to Egypt in a massive arms airlift spurring a new attempt to gain air superiority over the Arab-Israeli battle line from the Mediterranean to the Red Sea.

The new round of Soviet arms shipments also is aimed at plugging an air defense gap along the Suez Canal south of Ismailiya and along the Red Sea shoreline and increasing the strength of the already formidable missile, radar and antiaircraft artillery belt in the northern canal zone opposite the Israeli Bar-Lev line on the west bank.

In an airlift that has taken on the characteristics of a regular shuttle between Russia and Egypt, the Soviets have delivered:

A squadron of Mach 3.2 Foxbat fighters whose performance characteristics have been judged by Israel and the West to demonstrate a clear superiority over aircraft flown by Israelis.

SA-4 Ganef surface-to-air missiles with an effective range up to 80,000 ft.

Swamp, a ground-to-ground voice communications system, which links air defense fighter bases, missile batteries and gun emplacements.

Markham, a ground-to-air digital transmission system, which enables tracking radars to feed data directly to the Foxbat cockpit display panel.

The new system is manned exclusively by Soviet personnel. It complements the heavy concentration of SA-2 Guideline and SA-3 Goa missiles along a 78-mi. band from Ismailiya to the city of Suez (AW&ST Nov. 16, 1970, p. 16).

Independent Israeli, U.S. and British intelligence estimates conclude that the Foxbat has no serious challenger in the Middle East. Below 15,000 ft., the lighter McDonnell Douglas F-4E flown by the Israelis could be a factor. But the judgment is that the Foxbat will never be caught below 15,000 ft.; rather it will rely on its superior dash speed for a tall chase from above.

The Foxbat is the interceptor version as differentiated from the standard MiG-23. The standard MiG-23 has a somewhat longer fuselage—80 ft. compared with 65 ft.—and a heavier gross weight—70,000 lb. compared with the 64,200 lb. of the Foxbat (see box p. 16). Analysts believe that Foxbat is the Soviet air force replacement for the MiG-21J, and the standard MiG-21 has had only limited production.

The new Soviet air defense package in Egypt is aimed at preventing a repetition of the humiliating battering Soviet pilots received last July 30 (AW&ST Nov. 16, 1970, p. 21), in which four MiG-21Js were knocked down in a dog-fight by F-4Es and Dassault Mirage 3CJs.

One factor in the Russian defeat last July was the ability of Israelis to monitor voice transmissions in Egypt—both ground-to-air and air-to-air. Swamp and Markham are extremely secure communications systems. Markham eliminates the need for any ground-to-air voice transmissions.

The Soviet air shuttle to Egypt has been functioning since January, and intelligence observers noted a significant restructuring of southern air defenses about six weeks ago. At least 60 landings have been made in Egypt in the past four months by the giant Antonov An-22 cargo transport. Several hundred sorties have been flown by the older An-12. The mobile Ganef missile is transportable in the An-22. Disassembled Foxbat fighters are also carried in the An-22.

Foxbat made its first flight in Egypt on March 26 from Cairo West Airport. Through last week, a total of seven flights had been made, five of which were observed and analyzed. It is probable that the flights are acceptance checks after the aircraft have been assembled in Egypt.

Following are the performances achieved in the five flights observed between Mar. 26 and Apr. 7:

First flight, Mar. 26—Operation from sea level to 63,000 ft. at speeds averaging Mach 2.0. In a dash at 63,000 ft., the Foxbat reached a speed of Mach 3.2, which converts to 1,660 kt.

Second flight, Apr. 1—Tests ranging from sea level to 73,000 ft. Overall computed speed for this run was 1,100 kt., with top speed of 1,680 kt.

Third flight, Apr. 4—Same figures as Apr. 1.

Fourth flight, Apr. 5—Mock dog-fights held against MiG-21J, with the Foxbat reaching a top speed of 1,100 kt.

Fifth flight, Apr. 7—Top speed of 1,600 kt. attained.

The test flights all follow a triangular path of approximately 500 mi. to the southwest of Cairo.

Meanwhile, on Apr. 6 Egypt issued a notice to airmen (Notam) closing a wide section of airspace to foreign aircraft. The area is along the northern Red Sea shoreline, and it is believed by intelligence sources that the ground environment is being established there for the SA-4 missile and Swamp and Markham communications systems. These same sources believe the Soviet airlift has concentrated exclusively on the new air defense system.

The number of MiG-21Js in Egypt is now about 112 as compared with 100 a year ago (AW&ST May 11, 1970, p. 18). Another dozen Sukhoi Su-7s also are believed to have been delivered to Egypt during the past year.

From the political standpoint, it has become obvious that Russia with its new shipments is digging into Egyptian territory, and the theory persists that the Soviet goal is control of the Suez Canal and the Red Sea approaches.

In addition, the growing Russian military presence in Algeria is viewed as a further step at entrenchment in the North African littoral.

Speculation that the Soviet shipments are a response to the Israeli stand on peace negotiations is discounted by Israeli and most U.S. observers in the Middle East. They point out that the decision to install the new system was taken last August following the visit by a Russian air marshal to Cairo after the four MiG-21Js were shot down.

FOXBATS IN ALGERIA

Soviets have moved approximately 15 MiG-23 fighters and a squadron of 9-18 Sukhoi Su-7 ground attack aircraft into Algeria under terms of a new and hitherto secret military pact between the two countries.

Soviet pilots flying the aircraft have free access to Algerian air fields under the agreement, which basically covers the use of the former French naval base at Mers el Kebir. Two Soviet submarines are based there. The agreement runs through 1988.

The aircraft are being flown to Egypt in Antonov An-22 heavy cargo aircraft prior to being based in Algeria. The MiG-23s are assembled in Egypt by Soviet technicians and flown by Soviet crews on to Algeria.

FOXBAT CHARACTERISTICS OBSERVED

Mikoyan Foxbat MiG-23 fighter now being flown by Soviet pilots in Egypt is thought to have same speed characteristics as Lockheed SR-71 strategic reconnaissance aircraft. It has been observed by Israeli, U.S. and British intelligence flying at a dash speed of Mach 3.2 and a maximum altitude of 73,000 ft.

Based on analyses resulting from these observations, Foxbat has these basic design and performance specifications:

Maximum gross takeoff weight—64,200 lb.
Operating weight empty—34,000 lb.

Useful load—30,200 lb., of which 25,000 lb. is fuel.

Wing span—44 ft.

Wing leading edge sweep—inboard, 42 deg.; outboard, 38 deg.

Wing area—640 sq. ft.

Wing loading—100 psf.

Fuselage length—65 ft.

Fuselage width—9.2 ft.

Fuselage depth—8.7 ft.

Maximum power rating—24,200 lb. sea level static thrust.

Time to climb—sea level to 36,000 ft., with afterburner, 2.5 min.; on full military power, 7.8 min.

Combat radius—610 naut. mi. for a normal mission. The radius actually varies from 400-700 naut. mi. depending on duration of supersonic flight.

Foxbat can be armed with air-to-air missiles, rockets and bombs. Its primary mission in Egypt is air superiority, but it can be adapted for reconnaissance and fighter-bomber roles.

RECONNAISSANCE II-18

Military version of the Ilyushin II-18 commercial transport is being used over the Mediterranean as shipping reconnaissance patrol aircraft.

A flight of these aircraft, code-named May, which carry the designation II-38, is based at Matru field near Cairo.

[From Aviation Week and Space Technology Magazine, Apr. 19, 1971]

THREE BILLION DOLLAR CUT EXPECTED IN DEFENSE REQUESTS

(By Donald C. Winston)

WASHINGTON.—Major attack on the Defense Dept. \$78.7-billion Fiscal 1972 budget request opened in Congress last week, setting the stage for cuts expected to exceed \$3 billion—and possibly reaching double that figure—by the time the legislative process is complete late this year.

As in previous sessions, the conclusive debate will take place in the Senate in mid-summer. But new factors at work in both House and Senate this session have greatly complicated the task of Defense Dept. officials in selling their programs to Congress. As a result, the fate of several major weapon systems at this time is highly uncertain.

The new factors include:

Decline of the Southeast Asia war as a prime political issue, essentially ending the distinction between "hawks" and "doves" in matters concerning the military in general. Strong opposition to a particular major weapon system no longer carries an automatic "dove" label. This truth will become more evident as established "hawks" increasingly question the economics and strategic importance of some of these systems.

Defeat of the supersonic transport last month (AW&ST Mar. 29, p. 14) by a coalition of liberals and conservatives. The political strength demonstrated in that vote will show enough cohesiveness to influence future votes on major military procurement, with liberals opposing the programs because they are defense-oriented and conservatives in opposition because they are expensive.

Continuation of a high level of unemployment against background of inflation. This combination is encouraging anti-defense spending forces to advocate a "shift of priorities" to civilian spending, which they claim will create more jobs while contributing less to inflation.

Evidence of the depth to which the move combination is encouraging anti-defense to chop Defense Dept. spending has moved is seen in the action of Sen. John C. Stennis (D-Miss.), chairman of the Senate Armed Services Committee, who last week ordered

the General Accounting Office to investigate the Navy/Grumman F-14 fighter contract.

The Stennis move followed by a month an order by Rep. George H. Mahon (D-Tex.), chairman of the House Appropriations Committee, for a staff report on relative capabilities of the F-14 and the Air Force/McDonnell Douglas F-15 fighters (AW&ST Mar. 8, p. 188).

The GAO investigation into F-14 was triggered by what Sen. Stennis called "concern over recent reports of cost increases" in the program. He said he is aware of "some contractual implications on cost for varying quantities and abnormal economic variation."

Earlier, Sen. Stennis had served warning on Defense Dept. officials that his committee will examine each proposed weapon system in great detail before approving funds for Fiscal 1972 (AW&ST Mar. 15, p. 15). The committee will concentrate its efforts on aircraft and missiles.

Last session, the House and Senate Armed Services Committees convinced Defense Secretary Melvin R. Laird of the political necessity of reducing the scope of the Safeguard anti-ballistic missile system in order to get it passed by Congress. The same "friends of the Pentagon" in Congress this session are expected to conduct a similar survey of the mood of their colleagues and may recommend even sharper cutbacks, in Safeguard as well as other programs, for the same reasons.

Example of the strategy expected to emerge in coming months on the part of anti-Defense Dept. forces was given by Sen. ———, who last week attacked the Fiscal 1972 program on the premise that because it is too costly it will weaken the U.S. economically and, ultimately, militarily.

The ——— attack was timed for maximum impact, when Congress was out of session and full attention could be gained because there were few other legislators at work. The choice of timing also made reply difficult, with several key committee leaders out of town.

Sen. ———, fresh from his victory as leader of the anti-supersonic transport forces, is a long-time opponent of major Defense Dept. weapon programs. In the past, his attacks have dwelled almost exclusively on waste in defense spending, but this session he has shifted emphasis to military reform.

Sen. ——— declared, "through more prudent policies and through military reform, we can provide a more than adequate defense for the U.S. for far less money. In fact, if we continue to squander our treasure for obsolete or unworkable weapons as we have done in the past, we will weaken ourselves militarily and economically."

He said that \$4 billion could be cut from what he described as an \$18-billion annual expenditure for strategic weapons and still provide by Fiscal 1975 approximately 19 times the nuclear force "needed to inflict an unacceptable level of damage on the Soviet Union or to destroy 30% of her population and 78% of her industry."

Sen. ——— accused the Defense Dept. of spending more money each year than Congress has authorized. The figures he presented, however, included military construction expenditures but not military construction authorizations.

He explained that the unequal comparisons were given to demonstrate that "the Pentagon has suffered only the most minute or marginal cut" in recent years.

U.S. defense planners were also castigated for failure to exercise "some self-restraint" in light of what Sen. ——— declared was a "decision by the Russians not to deploy the SS-9" intercontinental ballistic missile. According to U.S. officials, approximately 240 SS-9 Scarp missiles have been deployed in the Soviet Union, and numerous tests have

been performed with them (AW&ST Mar. 8, p. 27).

Sen. ——— declaration that the Defense Dept. regularly spends more than Congress authorizes, and that the Soviets have not deployed the SS-9, immediately stood out as a warning that the upcoming debate will not be fought squarely on the facts.

Of current major weapon systems, only the Lockheed Poseidon underwater-launched ballistic missile received full endorsement from Sen. ———, who similarly approved further research on the underwater long-range missile system (ULMS), the Poseidon follow-on. Weapons strongly opposed by Sen. Proxmire include:

North American B-1 bomber. "The B-1 cannot be justified by its mission," he declared. "Present aircraft with standoff weapons can adequately perform the same mission."

Airborne Warning and Control System (AWACS). Sen. ——— said that neither the Russians nor the Chinese possess a credible bomber threat, and that the system cannot be justified on the basis of general tactical usefulness. "This system has every appearance of being a major boondoggle," he said.

Attack aircraft carriers. He said that carriers "are sitting ducks for modern missiles" and that the Navy's existing carrier fleet is inefficiently utilized.

Main Battle Tank 70. "We need a new tank. But we don't need this one," Sen. ——— declared.

F-14, F-15 EVALUATED

WASHINGTON.—Recent staff report of the House Appropriations defense subcommittee evaluating the Navy/Grumman F-14 and the Air Force/McDonnell Douglas F-15 air-superiority fighters now under development concludes that neither could effectively engage the Mach 3 Soviet MIG-23 Foxbat variable-geometry fighter.

The report says, in part, that both aircraft "are inferior to the Foxbat—they cannot even get up into the Foxbat environment. The Foxbat can engage at will or retire at will. Neither the F-14 or F-15 can handle the Foxbat threat."

BRITISH REORGANIZE AEROSPACE PROCUREMENT

LONDON.—British Ministry of Aviation Supply will be dissolved May 1 and its military procurement functions returned to the Ministry of Defense. Civil procurement and development funding will be transferred to the Department of Trade and Industry, the former Board of Trade.

In Defense, there will be a single procurement agency responsible to Lord Carrington, Minister of Defense. It will be headed by Derek G. Rayner, who is taking a two-year leave of absence as a director of Marks & Spencer, a large British department store chain.

Rayner headed a special project team on civil and military procurement set up by the Conservative Government last year (AW&ST Oct. 19, 1970, p. 22) to streamline present procurement and costing arrangements.

Rayner will have the title of chief executive. Under him will be three controllers for sea, land and air systems; a controller for guided weapon and electronic systems, and a controller for research and development establishments.

The current minister of aviation supply, Frederick Corfield, will move to Trade and Industry as minister of aerospace, and report to John Davies, the Trade and Industry head.

The government also will form a Ministerial Aerospace Board consisting of the ministers of Defense and Trade and Industry to oversee collaboration between the two departments and give guidance in overall procurement.

The Concorde supersonic transport management team will be transferred to the Department of Trade and Industry.

SILVER ANNIVERSARY OF U.S. ARMY FIELD BAND

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, May 10, 1971

Mr. MATHIAS. Mr. President, it gives me great pleasure to pay tribute to one of our fine military service bands, the U.S. Army Field Band, based in Maryland at Fort George G. Meade. March 21, 1971, marked the silver anniversary of its founding and I would like to congratulate all of its members, past and present, for their unselfish devotion in the performance of their duties with this outstanding organization.

The band celebrated its 25th anniversary with a dinner-dance at the Washingtonian Country Club in Gaithersburg, Md., on March 21. More than 400 active, retired, and former members of the "Kings of the Highway" and their guests attended. It seemed to many a family reunion.

Lt. Col. Chester E. Whiting, retired, the band's first commander, called to mind many events which took place during his years as conductor of the band and summed up his 14 years of wielding the baton when he said:

Yes, you and I share many memories in common because we were a closely knit family that attained success. And the touchstone of our success was loyalty, loyalty to one another, to our mission and to our superiors.

Lt. Col. Hal J. Gibson, present commanding officer, read just a few of the many congratulatory messages which had poured into the bands' headquarters from places as far distant as Germany and Thailand, and from all over the United States. The message from President Nixon read, in part:

It is fitting that fellow citizens everywhere reflect with pride on its quarter-century of service, and express both admiration and gratitude for the high tradition its members have always adhered to.

Here at home, this Band has stirred people's hearts and helped keep alive the patriotic spirit in our communities. Abroad, it has created good will wherever it has performed, and its members have been successful unofficial ambassadors of the best that America stands for.

My congratulations on this occasion, and best wishes for another quarter-century as brilliant as the last.

On behalf of all the men and women of the U.S. Army, Gen. William C. Westmoreland, Army Chief of Staff, wrote:

Throughout the years since its activation in 1946 by General Jacob L. Devers, Commanding General, Army Ground Forces, the band has demonstrated its professional excellence . . . in cities and towns across the Nation and in more than 25 foreign countries. The "Kings of the Highway" have fully earned their distinguished reputation by their outstanding performances on concert tours and in radio and television appearances.

I join with other members of the Army in saluting your achievements and wishing you continued success . . .

The Army's Chief of Information, Maj. Gen. Winant Sidle, addressed the members of the U.S. Army Field Band with—

You should be justly proud of your numerous accomplishments and can rest assured that your musical proficiency and devotion to duty, despite arduous schedules, distances traveled, and separation from family, have not gone unnoticed.

Lt. Col. Robert L. Bierly, retired, the man who succeeded Colonel Whiting some 11 years ago, observed:

I've been proud to be a part of it. This is not the end of 25 years . . . it is the beginning of a new era. This is my hope, this is my prayer, and I wish you well.

Lt. Col. Wilmont N. Trumbull, retired, commanding officer of the band from 1966 to 1968 brought greetings and good wishes to the band.

Many noted men were called to the microphone by Colonel Gibson, including the guest of honor, retired four-star Gen. Jacob L. Devers, the founder of the Army's traveling band. It was General Devers who, on March 21, 1946, issued the order to organize a band "that will carry into the grassroots of our country the story of our magnificent Army, its glorious traditions and achievements; and of that great symbol of American manhood—the ground soldier."

The keynote address was delivered by Lt. Gen. George I. Forsythe, project officer, U.S. Army. He pointed out that the field band "is an example of the youth of today. Where could we send out so many ambassadors to deal with young people than we could with this band?"

At the conclusion of the speeches, the band's sergeant major, Frank Granofsky, proposed a toast and this was followed by the executive officer of the band, Maj. Samuel J. Fricano, cutting the first piece of the nearly 100-pound, five-tiered cake with a gleaming ceremonial sabre. Music for dancing was provided—in a typical example of interservice harmony—by the U.S. Naval Academy Stage Band under the direction of Chief Warrant Officer Oliver.

The people of Maryland owe a special debt to the U.S. Army Field Band because of its many and constant contributions to patriotic events of many kinds. As a Member of Congress, I have had frequent occasions to call upon the band to help in activities in Maryland and have never been refused when it was physically possible for the band to be present.

The band travels thousands of miles each year on concert tours. In its 25-year history, the band has also earned considerable fame outside the United States on tours sponsored by the Department of the Army and the State Department.

Some of the historical highlights of the first 25 years of the band's history include:

1946. The United States Army Ground Forces Band activated 21st of March by order of General Jacob L. Devers. Initial concert performance at the White House for President Truman.

1947. Escorted General Eisenhower at Minnesota State Fair. First concert at the Watergate in Washington, D.C.

1948. First concert on foreign soil in Juarez, Mexico.

1949. First Presidential Inaugural Parade. First military band to present full-dress concert in Carnegie Hall, New York.

1950. Redesignated as the United States Army Field Band, official touring musical

representative of the United States Army. Concerts in Hollywood Bowl and San Francisco Opera House.

1951. Concert for U.S. Secretary of State in Ottawa during first Canadian Tour.

1952. First European Tour. Played at opening of International Music Festival and Military Tattoo at Edinburgh Castle.

1953. Second Presidential Inaugural Parade. Played for King and Queen of Greece in Washington, D.C.

1954. First Rocky Mountain Tour. Band had now appeared in all 48 states.

1955. Presented musical pageant on barge on Susquehanna River at Clearfield, Pa. Featured at 150th anniversary of "The Old Man of the Mountains," New England landmark.

1956. Played for President of Italy and Emperor of Ethiopia during visits to Washington. Featured in "Christmas in Music," first all-musical production in Army's "Big Picture" TV series.

1957. First U.S. Service band to play in Yugoslavia during second European Tour of 12 nations. First major service band to appear in Portugal, Norway, Denmark and Monaco.

1958. First Far East Tour, first all-airborne. Played 45 concerts in 41 days in Hawaii, Japan, Korea and Okinawa.

1959. First Major service band to tour Alaska as a state. Played for the President of Ireland in Washington, D.C.

1960. Featured at 25th Anniversary of Montreal Music Festival. U.S. Army Air Defense Command Tour in Colorado. Chester E. Whiting retired as a Lieutenant Colonel; Major Robert L. Bierly assumed command.

1961. Third Presidential Inaugural Parade.

1962. Appeared at Seattle World's Fair. Guest Band at American Bandmasters Convention, Purdue University, Lafayette, Indiana, and National Music Educators Conference in Chicago.

1963. Featured band at the Festival of States, St. Petersburg, Florida. Played for 100th Anniversary of West Virginia's Statehood in Charleston. Played for President of India in Washington and Philadelphia. West Coast Tour with special appearance at Hollywood Bowl. Soldiers' Chorus featured at National VFW Convention in Seattle.

1964. Appeared at 150th Anniversary of Star Spangled Banner in Baltimore. Northeastern U.S. and Canadian Tour. Performed eight concerts at World's Fair in New York. Played for Presidents of Ireland and Philippines in Washington, D.C.

1965. Fourth Presidential Inaugural Parade. Featured at "Armed Forces Spectacular," Seattle. Played for President of Upper Volta in Washington, D.C. Featured in the Fine Arts Series, University of Connecticut.

1966. Celebrated band's 20th Anniversary. Medal of Honor Ceremony at Ford Auditorium, Detroit. Lieutenant Colonel Bierly retired; Major Wilmont N. Trumbull assumed command. Played for Prime Minister of Burma in Washington, D.C. Played for President Johnson in Baltimore. Dedication of the Plaza of States at the Oklahoma State Fair.

1967. Represented the United States Army in four concerts to 40,000 people at EXPO '67 in Montreal. Standing-room-only concert at Mormon Tabernacle, Salt Lake City, Utah. Performances at the Alaskan Centennial Celebration in Anchorage and Sitka. Performed for Presidents of United States, Mexico, and Prince of Laos in Washington, D.C.

1968. Major Hal J. Gibson assumed command of the United States Army Field Band. Featured at the 125th Anniversary of the Citadel, Charleston, S.C. July 3rd, performed for 325,000 people in Milwaukee. Performed for more than 15,000 people in Montreal, launching the city of Montreal into the National Baseball League.

1969. Fifth Presidential Inaugural Parade.

Featured band at the 20th Annual Northwest Band Clinic in Moorhead, Minn., and 10th Annual Mid-East Band Clinic in Pittsburgh. Eighty-four-day tour of Southern half of United States. Celebrated Commemoration of 25th Anniversary of D-Day in Abilene, Kansas, President Eisenhower's boyhood home. First military band to perform at the new Damrosch Shell in New York City's Lincoln Center and the Merriweather Post Pavilion in Columbia, Maryland. Performed for the 18 governors at the Southern Governor's Conference in Jamestown, Virginia.

1970. First foreign tour in 11 years to seven countries in Latin America, Puerto Rico, the US Virgin Islands and the Canal Zone. The 11th Annual Mid-East Music Conference in Pittsburgh. George Washington Honor Medal awarded to the Band from the Freedoms Foundation. Featured at the 1970 National Cherry Blossom Festival in Washington, D.C. Toured the North Central United States and Canada. Joint concerts with the National Band of the Canadian Armed Forces in the Centennial Hall in Winnipeg, on the occasion of Manitoba's 100th Anniversary as a Province. First cross-country tour by the Studio Band. First summer concert series (5 concerts) at the beautiful Merriweather Post Pavilion of Music in Columbia, MD. Second annual summer tour of the North East states. Fall concert tour of the 10 North Eastern United States. The Meritorious Service Medal presented to LTC Gibson by the Chief of Information. First visit to the Band's Headquarters by its founder, General Jacob L. Devers, (USA ret).

1971. Celebration of the 25th Anniversary of the United States Army Field Band.

Although the Members of the Senate and Members of the House are familiar with the distinguished reputation of this musical organization, I wanted to share with them the silver anniversary ceremonies of the U.S. Army Field Band.

SAIGON POLICY COULD HARM ITS YOUNGEST WAR VICTIMS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DRINAN. Mr. Speaker, I enclose a very moving article from the Boston Globe of April 24, 1971, with regard to the Committee of Responsibility—COR—which has done admirable work in bringing 76 war-wounded Vietnamese children to the United States for treatment during the past 4 years.

This national organization deserves the highest commendation for this impressive humanitarian work.

It is distressing indeed that the South Vietnamese Ministry of Health has rescinded its agreement with this group and that the government in Saigon is refusing to collaborate with COR volunteer doctors in finding war injured children. This touching article follows:

SAIGON POLICY COULD HARM ITS YOUNGEST WAR VICTIMS

(By Christina Robb)

The Committee of Responsibility, which has brought 76 war-wounded Vietnamese children to the United States for treatment since 1967, may be "finished," its New England chairman reports.

"We could have handled 50 children a month," Dr. Emanuel S. Epstein said. "Bu-

we have been severely hampered—largely by the South Vietnamese government and in part by US Agency for International Development," he said.

Now the South Vietnamese Ministry of Health has rescinded its three-year-old memorandum of cooperation with the Washington-based committee. Saigon is now refusing to allow COR volunteer doctors and paramedical personnel into South Vietnamese hospitals to find the war-injured children COR is chartered by the US to treat. Dr. Epstein said at his office in the Children's Cancer Research Foundation Inc.

Tran Van Dung, who was shot in the spine at age nine while sleeping in his village home near Saigon, is one of the 13 children that COR has managed to bring to Boston for treatment. He could be the last.

COR field workers found the boy, half paralyzed and weakened by kidney infection, near death in a Saigon hospital. Three years later, 12-year-old Dung is alive and playing wheelchair baseball with his US foster family in Framingham.

Unless the committee can muster enough congressional support to persuade Saigon to change its recent policy, "for all intents and purposes we're finished," Dr. Epstein said.

COR first learned of the surprise refusal when COR Saigon fieldmen Jerry Berge and John Arnorosa applied "for a completely routine extension of their three-month visas" last September. Mrs. Donna Shor, COR national executive secretary explained.

"The Ministry of Health simply said they weren't extending the visas since they weren't extending the memorandum," Mrs. Shor said.

A spate of cables from COR congressional supporters persuaded the Ministry to extend the visas in November, Mrs. Shor said. "But they still haven't renewed the memorandum," she said.

And the principals for a new agreement laid down by the Saigon Ministry in a December letter are impossible for COR to accept, Mrs. Shor said.

The letter states that COR must not limit its services "only to the sphere of those children injured by war" and suggests that COR concentrate on developing treatment facilities in Vietnam rather than removing children who can only be saved by sophisticated medical treatment available only in the US.

"They didn't say in the letter that they won't let COR men into the hospitals, but they simply don't give them the papers they need to get in," Mrs. Shor said.

Dr. Herbert L. Needleman, COR national chairman, said in his February reply to the Ministry letter that the "small organization relying entirely on private funds" cannot afford to build and staff a hospital in South Vietnam—"with construction costs higher in Saigon than in Philadelphia where I write this letter"—and noted that "by law it is impossible for the committee to accept any cases except those injured in the war."

"We are chartered to treat only war injuries," Dr. Needleman wrote, adding that the committee is interested in "creating some kind of rehabilitation center in South Vietnam."

COR has received no reply from the Saigon Ministry, Mrs. Shor said.

The Ministry of Health also said that COR "cannot distinguish or categorize war casualties" and "absolutely cannot exploit unfortunate children for political purposes" in its December letter.

COR has submitted its assessment of Vietnamese war casualties to two sets of Senate subcommittee hearings on refugees and escapes, including those just completed under Subcommittee Chairman Edward M. Kennedy.

Dr. Epstein, who heads the Jimmy Fund's environmental toxicology and carcinogenesis laboratory, said that COR will remain in

South Vietnam and continue its efforts "to make an accurate assessment of civilian casualties" even if the South Vietnamese continue to deny them access to war-injured children.

COR also wants to establish a Saigon half-way-house for some of the 700 known child paraplegics in South Vietnam, he said.

Mrs. Shor denied that the committee uses the children it treats for political purposes, but admitted the committee's nature makes political involvement difficult.

"The children we treat are war victims," she said. "It's estimated that 40 to 60 percent of the casualties are children. Obviously, if the war were stopped there would be no more casualties. Ergo, we're for peace."

"We bend over backward to be tactful about the children," she continued. "I don't know how we could exploit them less—actually, the stories that are written about them are mostly about the good they've done to the people they've touched."

"COR doesn't have anything to do with exploitation or propaganda," Mrs. Shor concluded, near tears. "It has to do with 76 salvaged human lives."

Mrs. Shor and COR representative Berge will speak at a Vietnamese dinner COR plans to serve at Tufts University's Hodgdon dining room on Saturday, May 1, at 7 p.m. Tickets may be obtained from the New England Regional Office, 1115 Centre st., Newton Centre.

THE NEWMAN NAVY

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Monday, May 10, 1971

Mr. CHURCH. Mr. President, the current issue of "All Hands," a bureau of naval personnel career monthly magazine, contains an inspiring story about a gungho Navy family—the Newman brothers, whose parents, Mr. and Mrs. Kirby Newman, Sr., live in Twin Falls, Idaho.

Six brothers—Eddie, Joe, Weldon, David, Johnny, and George—have recently been joined in naval service by a seventh brother, Raymond. He joined the Navy 1 year after an eighth brother, Kirby, Jr., also Navy, was killed in an aircraft accident. In all, the senior Newmans had 15 children.

The Newmans, of Twin Falls, are to be congratulated for raising these dedicated, patriotic sons. The sons deserve our admiration for their decision to "Go Navy." It is an extraordinary story, and the Navy did well to recognize it by publicizing the Newmans. The next time we see a passing car with a sticker, "We're a Navy Family," we can think of the eight Newman sons, one of whom gave his life while in the service of his country.

Mr. President, I ask unanimous consent to have printed in the extension of the RECORD the article about the Newmans, these well-motivated sons of Idaho.

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

THE NEWMAN NAVY

Seaman recruit Raymond Newman enlisted in the Navy almost a year to the day of his brother Kirby's death on 17 Feb. 1970. Coincidence? Maybe, but Raymond had some

strong motivation to enter the Navy—even with Kirby's death, there were still six other Newman brothers on active duty.

Former Chief of Naval Operations and now Chairman of the Joint Chiefs of Staff Admiral Thomas S. Moorer wrote Kirby Newman's wife immediately after the aircraft accident at El Centro, Calif., which took the 1st class photographer's life. In that letter Admiral Moorer said, "Perhaps the only consolation in the loss of one so close is the knowledge that he was actively engaged in service to his country and lost his life while engaged in that service."

"There is little more than can be said of an American or a patriot."

"In these times of worldwide stress, our nation must continue to call upon its finest citizens to help their country in the preservation of American liberty and freedom as we know it both at home and throughout the world. You may take great pride in the fact that your husband was one of those heroic Americans who unselfishly and unstintingly answered the call."

The newest family Navyman, Raymond, 24, is a son of Mr. and Mrs. Kirby Newman, Sr., of Twin Falls, Idaho. He's one of 15 children.

Of the others, older brother Eddie, 31, a machinery repairman 1st class, is assigned to the destroyer USS Parsons (DDG 33) homeported in San Diego. Brother Joe, 27, a machinist's mate 1st class, is attending a Navy school in Philadelphia, Pa., and will join Eddie in Parsons upon graduation.

And the 1st grows—brother Weldon, 26, a machinery repairman 3rd class, has recently been assigned to another destroyer in San Diego.

David 24, a communications technician 3rd class, and Johnny, 22, a machinery repairman 3rd class—the only single man of the group, are both stationed at Little Creek, Va. The last brother is George, 29, a photographer's mate 1st class assigned to the Naval Air Rework Facility at El Centro, Calif.

Newman's Navy now represents 72 years of service, and if Raymond makes the service his career, too, the family's military longevity will exceed 150 years.

The newest member says, "I worked in different gas stations, and did quite a bit of farming and skipping from one job to another."

Married at 17, he says, "I wanted to be established like my brothers. After looking over the various opportunities available in the different services, I realized that my brothers had made the right decision and I was the one who was missing the boat."

"My wife and I already had one son and I was still jumping from job to job trying to support them. I applied for enlistment but was not immediately accepted because of my dependents. Later, though, my recruiter received a waiver from the Bureau of Naval Personnel and I was on my way."

Now with two sons, Chris, three, and Rick, one, Raymond is the last member of the Newman clan to be in the Navy. His wife, Karen, also from Twin Falls but now making their home in Fountain Valley, Calif., reports she "couldn't be happier."

Kirby Newman, Sr., the father of Newman's Navy, stated that he never served in the military. "I was too young for World War I and I had too many dependents during World War II."

During their careers, the Newman boys took advantage of the education available through the Navy—correspondence courses, United States Armed Forces Institute and Navy schools—to increase the scope of their knowledge and to advance up the ladder. Those who have been in the Navy long enough to make a mark for themselves had done well and were considered to be good leaders, skilled in their jobs and a credit to the service.

Several of the Newman brothers had worked at civilian jobs like Raymond before entering the Navy. With this combination of

education and experience each of them had successfully come through the test battery given to prospective recruits and their General Classification Test results pointed to the diverse Navy fields in which each was interested and for which he was suited.

Raymond says, "My dad is very proud of his Navy sons. Every time Newman's Navy is mentioned in Twin Falls, his chest swells with pride. I wanted him to be proud of me as he is of my brothers.

"Now, with the opportunities I have in the Navy, I know that I can be just as successful as anyone. I felt that I'm beginning to get established."

ALLIED CONFERENCE REPORT

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. SCHMITZ. Mr. Speaker, at this point in the RECORD I would like to insert the "Final Communique," resulting from a conference of allied nations contributing to the joint war effort in Southeast Asia.

This is an important document which has not received the publicity it deserves. Investigative reporter Paul Scott revealed in a recent column why it had not received publicity consonant with its relative importance.

The Scott report and the communique follow:

THE SCOTT REPORT

(By Paul Scott)

WASHINGTON, May 3.—An illustrative example of the shocking suppression of the "good news" about Vietnam occurred here during the week-end of the massive April 24 anti-war protest.

The news suppression is worth reporting so the American people can make a judgment on what is going on both in Vietnam and the nation's Capital.

While the major Washington newspapers and the New York Times gave banner coverage to the anti-war demonstration, none of these big dailies printed a single line concerning a six-page communique issued here by the Foreign Ministers of the nations contributing troops to the Vietnam fighting. Neither did the major TV-Radio networks carry reports covering the Foreign Ministers' communique.

The highly important and newsworthy document was issued by the Foreign Ministers of Australia, South Korea, New Zealand, Thailand, South Vietnam, and the U.S. following an all day meeting at the State Department on Friday, April 23.

The unreported pronouncement of the Foreign Ministers was significant for several reasons. They noted that "over 90 percent of the Vietnamese people now reside in localities under secure or relatively secure government control, whereas only two-tenths of one percent still reside in VC (communist) controlled hamlets."

The Foreign Ministers, including Secretary of State William Rogers, agreed that "all nations which are making available armed forces to help defend the Republic of Vietnam must participate in the settlement of the conflict."

All out backing was given by the Foreign Ministers to the present governments of Republic of Vietnam (South Vietnam), the Khmer Republic (Cambodia), and Republic of Korea (South Korea), which is still being threatened by Communist North Korea, and Laos.

In discussing the security situation throughout Asia, the Foreign Ministers noted "with concern that a state of tension continued to prevail over the Korean peninsula." Their communique stressed that the tension was being caused by the avowed policy of the North Korean communists to bring the whole of Korea under communist rule by all means, including military aggression.

The Vietnam Picture.—The report of the Foreign Ministers also included details of a briefing given them on the Vietnam situation by H. E. Tran Van Lam, the Foreign Minister of South Vietnam.

He hailed the recent U.S.-supported South Vietnamese military operations in Laos and Cambodia as major successes. As a result of these attacks, he pointed out, the security of South Vietnam had improved tremendously since they took place. The military actions, he claimed, paves the way for the continued withdrawal of American forces.

Rural security was so improved in South Vietnam, he reported, that regular South Vietnamese troops used to protect small hamlets were being freed for offensive operations against the remaining North Vietnamese forces still in the country.

The Foreign Minister detailed the extension of government control and services of all kinds to the population of South Vietnam. For example, he stressed that the land-to-the-tiller program had helped 160,000 former tenants to become land owners in the past year. He reported that more than 200,000 hectares of rice land were distributed under it.

The Foreign Ministers announced that they would hold their next meeting in South Korea. They also agreed that representatives of the troop contributing countries would meet in Saigon later in the year—a sign of the improved security in that strife-torn country.

A very disturbing factor about the suppression of the Foreign Ministers' communique was the backstage role that State Department officials played in the whole sordid affair.

After word got around that the Foreign Ministers were to meet here, the Department's press spokesman announced that there would be no communique from the meeting. When the Foreign Ministers later issued their six-page single spaced document, State Department officials did little or nothing to bring it to the attention of the Press.

Secretary of State Rogers didn't help the situation any by holding a press conference to discuss his peace mission to the Middle East and London on the same day that the Foreign Ministers met.

Brainwashing Operation?—The strange timing of the Foreign Ministers' meeting caused several participants to wonder what the State Department's real purpose was in calling it.

As one of the Asian diplomats, wise in the ways of the State Department, put it:

"By timing the meeting to come on the same week-end as the big anti-war rally, one wonders if the State Department was trying to give us a message."

Another participant in the conference reported that he was asked by a State Department official if he was planning to cable a report to his government "about the massive anti-war demonstration."

"When I said no," stated the Asian diplomat, "the American official seemed to be very disappointed. He even encouraged me to do so."

Although Secretary of State Rogers discussed the new American policy toward Peking with the Foreign Ministers, they made no mention of this policy in their communique. The reason: their governments disagree with the policy. Several of the Foreign Ministers even warned Secretary Rogers that it will bring disaster to the area.

FINAL COMMUNIQUE—CONFERENCE OF TROOP CONTRIBUTING COUNTRIES, WASHINGTON, APR. 23, 1971

1. The Foreign Minister of Australia, the Honorable Leslie H. Bury; the Minister of Foreign Affairs of the Republic of Korea, H. E. Kyu Hah Choi; the Ambassador of New Zealand, H. E. Frank Corner; the Minister of Foreign Affairs of Thailand, H. E. Thanat Khoman; the Secretary of State of the United States, the Honorable William P. Rogers; and the Minister of Foreign Affairs of the Republic of Viet-Nam, H. E. Tran Van Lam met in Washington on April 23, 1971, at the invitation of the Government of the United States.

2. The representatives agreed that since their last meeting notable progress had been made in the Republic of Viet-Nam toward the goal of bringing an end to the aggression of North Viet-Nam against the people and territory of the Republic of Viet-Nam. They noted the success of the Government of the Republic of Viet-Nam in extending control over and bringing its services to an ever growing percentage of the population. They also noted the increasing participation by the Vietnamese people in the processes of government at all levels. Recognizing the increasing significance of economic problems confronting the Republic of Viet-Nam, the representatives observed with satisfaction the promising measures which had been taken in the last year to promote economic stability. They noted with regret that the considerable progress in all other areas was not accompanied by progress in achieving a negotiated end to the war. The failure so far to reach a negotiated settlement continues to be attributable to the refusal of the North Vietnamese representatives to enter serious negotiations. The representatives reaffirmed their previous agreement that all nations which are making available armed forces to help defend the Republic of Viet-Nam must participate in the Settlement of the conflict.

3. The Foreign Minister of the Republic of Viet-Nam reported in detail on the current situation in Viet-Nam. He described the achievements of the operations of the Vietnamese forces, with Allied support, against the sanctuaries and base areas in the Khmer Republic and in the Kingdom of Laos from which the enemy forces conducted their aggression against the Republic of Viet-Nam. The Minister also cited operations against the few remaining major enemy base areas within the territory of the Republic, notably the dry-season campaign in the U-Minh Forest and other areas in the Mekong Delta. The Minister commented that by reason of vigorous campaigns by Vietnamese forces, the enemy was no longer secure in what had earlier been his sanctuaries. Rural security has been greatly enhanced, because of the increasing ability of the Regional Forces, Popular Forces and the People's Self-Defense Forces to assure the security of their own localities, thereby freeing the regular forces for offensive operations against the enemy's main force. The Foreign Minister discussed the progressive extension of government control and services of all kinds to the population. He noted that over 90% of the Vietnamese people resided in localities under secure or relatively secure government control, whereas only two-tenths of 1% still reside in VC controlled hamlets. The Land-to-the-Tiller program which had been launched just over a year ago will make it possible for large numbers of people formerly tenants, to become owners of the land which they cultivated. So far 160,000 titles have been issued under this program. The program met its goal for the first year of distributing 200,000 hectares of rice-land.

4. The Foreign Minister of the Republic of Viet-Nam stated that with the decrease in military activity, the enhancement of security of the population, and the extension of government control, economic problems were

confronting to be the most significant issues confronting his Government. One of the major problems was to obtain through Viet-Nam's own efforts and the assistance of its friends, the resources to defray the increased costs deriving from the assumption by the Republic of Viet-Nam of a larger share of responsibility for its own defense. Another problem was to find means to control inflation arising largely from this increased war effort. Finally, his Government needed to plan for the nation's Post-war economic development.

To solve these problems the government had enacted a series of measures to stabilize the economy and increase revenues in October 1970 and again in March 1971. As a result of these reforms, the rate of inflation has been reduced considerably as compared to the earlier rate of inflation which had been about 30% annually in recent years. The Minister cited other indicators of the improving economic situation in the Republic of Viet-Nam, but did not minimize the problems that would continue so long as the Republic of Viet-Nam was forced to continue to resist North Vietnamese aggression.

5. The representatives noted with satisfaction the description by the Vietnamese Foreign Minister of progress made in the military situation, as well as in the other areas as described by the Foreign Minister. The representatives expressed their earnest hope that the various measures taken by the Government of the Republic of Vietnam would help to mitigate the adverse economic and social effects of the war, and to provide the basis for action to promote and facilitate future long-range development of the country. They expressed the hope that the steady improvement in the military situation, accompanied by political and economic stability in the Republic of Viet-Nam might serve to persuade the rulers of North Viet-nam that they could not reverse this progress by military means; and hence that they must agree to serious negotiations. The representatives re-emphasized that all Allied proposals remained fully negotiable, except with regard to the right of self-determination of the Vietnamese people. In this regard they called attention to the proposals made public by the President of the Republic of Viet-Nam on October 8, 1970.

6. The representatives agreed that the progress within the last year had made it possible and desirable for them to re-examine the future combat role of the troop contributing countries. They noted that the steady assumption of responsibility for its self-defense by the Republic of Viet-Nam had made it possible for the troop contributing countries to begin progressive withdrawal of some of their combat forces. They also agreed that as their combat forces were withdrawn at a measured pace, the troop contributing countries should strive to provide for a further period, as desired by the Government of the Republic of Viet-Nam, and according to their respective military and economic capabilities military support forces capable of providing training, engineer construction, medical, advisory, and other forms of assistance. They noted that steps in this direction have already been taken by the Government of Australia and the Government of New Zealand (both of which have recently replaced portions of their combat forces with military training detachments) and that combat force withdrawal planning in conjunction with the Government of the Republic of Viet-Nam is being carried out by all troop-contributing countries. Reviewing past accomplishments, the representatives noted that circumstances had already permitted a reduction of 265,000 in the number of US troops in South Viet-Nam by May 1, 1971. It was noted that the United States Government had just recently announced plans for further withdrawals. The representatives

also took note of statements which had been made by the governments of Thailand, Australia and New Zealand regarding withdrawal plans. The Foreign Minister of the Republic of Korea stated that, as the first phase measure of an overall plan for gradual reductions of its troops in the Republic of Viet-Nam, the Government of Korea planned to withdraw one division strength of its troops from Viet-Nam. The period of this withdrawal would be made known through consultations presently under way between the Governments of the Republic of Korea and the Republic of Viet-Nam.

7. They agreed that the nations which have assisted the Republic of Viet-Nam militarily should seek to help the Vietnamese people in the equally important endeavors of peace, thus continuing the close coordination and cooperation which had been developed in conducting their common struggle against aggression. In this continuing stage of their cooperation, which would emphasize security and economic measures, the representatives reaffirmed their determination to continue to help the South Vietnamese people to restore their national strength. With its people free from want, as well as enjoying improved security, the Republic of Viet-Nam can better play its role in Southeast Asia. Further, they expressed the hope that other nations will join in this effort.

8. The United States Secretary of State reaffirmed his Government's fundamental policy of continuing to strengthen the forces of the Republic of Viet-Nam while withdrawing United States troops. This policy will result in the continued redeployment of United States forces from the Republic of Viet-Nam. He reported his Government's satisfaction with the growing capabilities of the Vietnamese forces which continue to carry an increasing part of the burden of the defense of the Republic of Viet-Nam. At the same time, the United States has not altered its dedication to the achievement of a negotiated end to the war. The Secretary of State reviewed the initiatives taken by the United States to try to elicit serious negotiations on the part of the other side in the Paris talks. He cited the concrete proposals made by President Nixon on October 7, 1970.

9. The representatives expressed special concern about the enemy's inhumanity with regard to prisoners of war they have captured in North Viet-Nam, South Viet Nam, the Kingdom of Laos, and the Khmer Republic. They noted that the Governments of the United States and the Republic of Viet-Nam have sought repeatedly for humanitarian reasons to open productive talks on prisoners of war in the Paris meetings, but that the other side had rebuffed all such efforts. They expressed their support for the Republic of Viet-Nam's initiative in undertaking to repatriate sick and wounded prisoners of war to North Viet-Nam. They condemned the enemy's continued refusal to identify all prisoners of war, to allow them all to correspond regularly with their families, and to allow impartial inspection of prisoner of war facilities, as required by the Geneva Prisoner of War Convention on 1949, to which North Viet-Nam is a party. The representatives renewed the undertakings of their governments to ensure full compliance by their forces with the Geneva Conventions.

10. The representatives noted that the North Vietnamese armed forces were continuing their aggression, not only against South Viet-Nam, but that an even larger total number of North Vietnamese troops were deployed also within the sovereign territories of the Kingdom of Laos and the Khmer Republic, inflicting untold death and destruction on the peoples of those neutral nations. They noted the declared intentions of North Viet-Nam to overthrow the legiti-

mate Government of the Khmer Republic. On the other hand the representatives expressed admiration for the courage and determination of the peoples of the Kingdom of Laos and the Khmer Republic in resisting North Vietnamese aggression.

11. The representatives called upon the participants in the 1954 Geneva Agreements to ensure the independence, neutrality, and territorial integrity of the Khmer Republic. They also urged that all signatories comply with their obligations to respect the sovereignty, independence, neutrality, unity and territorial integrity of the Kingdom of Laos which they had pledged at Geneva on July 23, 1962.

12. The representatives exchanged their views on the security situation in Asia as a whole. In particular, they noted with concern that a state of tension continued to prevail over the Korean peninsula. The Minister of Foreign Affairs of the Republic of Korea pointed out that the avowed policy of the north Korean communists to bring the whole of Korea under communist rule by all means, including military aggression, and their continuing acts of provocation constituted the main cause of this tension. The representatives welcomed the statement by the President of the Republic of Korea on August 15, 1970 calling upon the north Korean communists to renounce the use of force and to undertake constructive efforts toward a peaceful solution of the Korean question, and noted with regret that it was rejected outright by the north Korean communists. They commended the efforts of the Republic of Korea to defend itself against the aggressive acts of the north Korean communists on the one hand and to develop its economy, at a rapid growth rate, on the other. The representatives reaffirmed their support for the Republic of Korea in resisting the aggressive acts of the north Korean communists.

13. It was agreed that the Foreign Ministers would meet again, as required, to coordinate their efforts in the common endeavor, and they received with gratitude an invitation from the Foreign Minister of the Republic of Korea to host the next such meeting. It was also agreed that representatives of the troop contributing countries would meet with the Foreign Minister of the Republic of Viet-Nam in Saigon later in the year.

ADDRESS BY MRS. HENRY STEWART JONES TO CONTINENTAL CONGRESS OF DAUGHTERS OF THE AMERICAN REVOLUTION

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, May 10, 1971

Mr. THURMOND. Mr. President, it is reassuring in these troubled times to bring to the attention of the Senate and all Americans the views expressed by Mrs. Henry Stewart Jones, first vice president general and national defense committee chairman of the Daughters of the American Revolution. Mrs. Jones addressed the recent Continental Congress of the Daughters of the American Revolution, DAR, in Washington, D.C.

While the protesters demonstrated in Washington, it was heartening to know that another group of Americans, who expressed the opposite view, was also in town. The theme expounded by the DAR at their convention was for a strong America.

Mr. President, I shall quote one part of the address given by Mrs. Jones as an answer to the protesters:

The cry is for peace on every side. But what kind of a peace will it be if a recent proposal is approved which would require the President to withdraw all military forces from Vietnam by December 31, 1971? Would not this reinforce Hanoi's conviction that the war in Vietnam need not be won on the battlefield, but can be won on the campuses and streets of America?

Mr. President, I ask unanimous consent that the address given by Mrs. Henry Stewart Jones on April 20, 1971, to the Continental Congress of the DAR be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE WILL TO BE FREE

(An address given by Mrs. Henry Stewart Jones, First Vice President General and National Defense Committee Chairman, at the Continental Congress, Daughters of the American Revolution, April 20, 1971.)

It is my privilege tonight to bring greetings to you all on this occasion of our annual National Defense Program. In particular, we wish to extend warmest greetings to those members of Congress who are with us tonight. You have greatly honored the National Society, Daughters of the American Revolution by your presence here. Yours is a great responsibility in these troubled days. We, therefore, take this opportunity to express our faith in your stewardship.

However, the Congress of the United States, like an army, can be no stronger than the people behind it. Thus, the Daughters of the American Revolution acknowledge that the responsibility for the future of our Country is not yours alone. We recognize that the preservation of freedom and of our Constitutional Republic is the joint responsibility of the American people and their leaders.

To this end, and in the words of our Bylaws, the DAR seeks to "cherish, maintain and extend the institutions of American freedom." No DAR has ever conceded that patriotism is old-fashioned. It is our continuing purpose to preserve the moral and spiritual and constitutional values on which our freedoms are based. We intend to do all in our power to keep America a bastion of freedom.

Most of us think of national defense in terms of a strong military posture, capable of defending us against all enemies. It is that, of course. But national defense also has a deeper meaning. It is a thing of the spirit as well as of the military. Character is the heart and core of national defense.

To remain free, a people must have the will to be free and self-discipline. In a Republic, which we foolishly describe as a democracy, self-government cannot work if everyone is looking for a handout from government and thereby enlarging its powers. There is an old saying: As the State swells, the people shrink.

There are other ingredients necessary for freedom, national sovereignty and national solvency. Without national sovereignty, Americans would no longer have the freedoms thus far secured by the Constitution. Continuing Government deficits can only lead to more inflation and ultimate bankruptcy. The surest and easiest way to destroy freedom is to debase the currency.

Moreover, if we insist on expanding welfare payments at the expense of this Nation's military power, in the end we will have neither freedom nor welfare. The April 5 issue of *U.S. News & World Report* performed a great public service by publishing a hard hitting report on the state of the Nation's

defenses. The article bore the blunt title, "U.S. Superiority Ends."

Calling attention to this Nation's dwindling military superiority and the Soviet Union's drive for supremacy, the article stated: "American preserved world order is now distinguished as doubts arise as to our will and strength to preserve it. There is reason to believe that the Soviet Union envisions a new era which it will dominate, employing superior military power and the threat of its use to achieve long cherished political, economic and even military objectives."

The dramatic shift in the balance of power has gone largely unnoticed by the public. Must we sit idly by until we become a second-rate power threatened with A-bombs to awake to our peril? The answer should be a thousand times "no."

Let us pray God that this Nation is never obligated to say, "Better Red than Dead." Meanwhile, isn't it time that we understood that the road to peace and continued freedom has never been through appeasement, unilateral disarmament or negotiations from weakness? The entire recorded history of mankind is precisely the contrary. Among the great nations, only the strong survive. Weakness of the United States—of its military capability and its will—could be the gravest threat to the peace of the world—and to national survival.

Never in our history was it more important that we retain a strong military posture, capable of defending us against all enemies. The need to recover our former unchallengeable strength comes at a time when the American people are weary of no-win wars. We are tired of seeing our boys thrown into the agony of war without hope of victory. The cry is for peace on every side. But what kind of peace will it be if a recent proposal is approved which would require the President to withdraw all military forces from Vietnam by December 31, 1971? Would not this reinforce Hanoi's conviction that the war in Vietnam need not be won on the battlefield, but can be won on the campuses and streets of America? Would not this, in the words of David Lawrence, be "notification to the enemy that it would then be free to continue its aggression in Indochina"? Is Mr. Lawrence right in describing such an action as "aid and comfort to the enemy"? Is this what we want for America?

As we ponder the answer to these questions, one can only wonder by what strange quirk of fate this moment in history was chosen to resurrect the Genocide Convention or Treaty. Twenty years ago the American people fought this Treaty to a standstill in the belief that it would diminish national sovereignty and open up a new concept of international law by converting what hitherto have been considered "domestic" crimes into international crimes.

It took the tragic case of Lieutenant Calley to awaken the American people to another aspect of the Convention, which has been little discussed in the past.

It is now feared more than ever that if the United States were a party to the Treaty, it could be used to raise the charges of genocide against United States forces in Vietnam, including American prisoners of war held in Hanoi. Critics of the Treaty charge that it also could be used as a basis for accusing American officials of committing genocide.

Furthermore, radical groups are standing in line to charge the United States with genocide. The atmosphere is quite different from 1949, when the word "genocide" was rarely heard except in the context of Hitler's Germany. But today, the term is thrown around recklessly in all directions like a flaming torch. We hear it in the course of criminal prosecutions, campus demonstrations and antiwar protests. Nothing that is said or done against any person could be immunized against the charge of genocide, if this emo-

tionally charged Treaty becomes the "supreme law of the land." Shall we now bow to a mythical "world opinion"? Shall we place this fearful and unconstitutional weapon in the hands of our enemies abroad and in the hands of the revolutionaries within our borders?

America is already a Nation in trouble. The revolutionaries in our midst raise the cry of genocide freely. Our people are weary of war, inflation and turmoil. In this atmosphere, we are in danger of falling easy prey to the revolutionaries, forgetting that we, as a people, have been rarely blessed. The greatest disaster which could befall this land would be our failure to accept joint responsibility for defending all that is great and good in America.

If we lack the will to be free, if we lack a willingness to defend our freedom at home and abroad, our military strength will avail us little. America can be destroyed from within as well as by A-bombs. The revolutionary forces at work within our borders are as much a threat to our survival as a free Nation as all the bombs the Soviet Union or any other nation can muster.

Here, we must ask ourselves whether we have the faith, the courage, the necessary self-discipline to preserve our God-given liberty. Can we match the zeal of the revolutionaries and the communists who are bent on our destruction? And where do we begin?

We must begin with ourselves, of course. Every American must accept some responsibility for the fact that we have allowed the moral, the financial and the military strength of this Nation to be seriously weakened. Moreover, we have failed to enlist the help of idealistic youth in the great task of preserving freedom.

We in the DAR can be proud of the youth programs we sponsor, of the schools we support, of the leadership provided the Children of the American Revolution, and of our Junior American Citizens program. But nothing that we do, nothing that any other devoted American does will be enough until our young people are imbued with a dedication that exceeds that of the enemy.

The future of this or any other nation lies in the hands of its children. But, we have raised a generation of economic and constitutional illiterates. We can never survive as a free people unless our young people understand and appreciate the American system which has provided more freedom and more of the good things in life than any other system in the world. Character must become important in this Country again. The old essentials of honesty, integrity, self-respect, self-discipline, loyalty, support for law and order, MUST be taught the younger generation—and here is where we have failed them most dismally.

Nevertheless, there are millions of young people who are seeking something to believe in, a cause to win. These young Americans can be made to understand that communism pollutes the atmosphere of freedom with its attacks upon all that we hold dear—our Flag, our Country, our homes, our institutions and our traditions. Isn't it time we challenged the enemy within our gates who wishes to destroy constitutional government, make a mockery of justice, insure domestic anarchy, disregard the general welfare and repress the general liberty?

For more than 10 years a hodgepodge of downgraders of America has tried to persuade us that everything we believe in, everything we have done in the past, and everything we plan to do in the future is wrong. Their violent actions on college campuses, their desecration of public buildings, their despoliation of our cities—mostly unhindered and unchecked—are paraded before us in newspapers and magazines and on TV as though these people were the harbingers of some glorious future instead of the destroyers of public institutions, private property and freedom.

Has not the time come to challenge these violent actions and assaults on all that we believe in? What is the matter with America? Nothing is the matter with America that a renewed faith in Almighty God and in this great Nation could not undo. Nothing is the matter with us that cannot be cured and corrected if the so-called "silent majority" will throw off its apathy, speak out, stand up and be counted in defense of all that is great and good in America. The revolutionaries could be stopped in their tracks if we jointly undertook to revive the flame of the Republic.

Today, we are engaged in a war that is no less fateful than the Revolution of 1776. I do not speak of the war in Vietnam but rather of the battle for the minds of men, including our children. It is a battle against the dialectic materialism of atheistic communism. It is a battle for our God-given liberty. History will not hold us guiltless if we lose this war.

With courage and God's help we can rebuild the fabric of the Republic and the fiber of national life if we have the will to be free. We dare not fail, for if the lights of freedom ever go out in this Country, they will go out all over the world. There will be no one to help us. If we do not act now to preserve the American heritage of freedom, tomorrow's children will have neither freedom nor the opportunity to protect it.

Thus, this is a plea to all Americans. Let us take action—in politics, in our schools, in our newspapers, yes, even in our churches, or wherever the need is felt. Let us also put on the armor of faith. Let us, as our forebears have done before us, put our trust in Divine Providence and resolve to win the battle for freedom. It is a continuing fight and one in which we cannot afford to grow weary. As we gird for action, as we take our stand for freedom, let us never forget to sing:

"Our Father's God, to Thee
Author of liberty,
To Thee, we sing,
Long may our Land be bright
With freedom's holy light,
Protect us by Thy Might
Great God, our King."

RUMANIA'S INDEPENDENCE DAY

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. BYRNE of Pennsylvania. Mr. Speaker, today, May 10, is the most significant date in the calendar of the nation and people of Rumania—a holiday which will not be celebrated within the Communist-dominated country.

May 10 has a triple significance in Rumanian history. On May 10, 1866, Prince Charles of Hohenzollern-Sigmaringen was proclaimed Prince of Rumania—putting an end to internal rivalries.

On May 10, 1877, taking advantage of the Russo-Turkish War, the Principality of Rumania declared its independence from the Ottoman Empire and joined Russia in the battlefield as an ally.

The Congress of Berlin confirmed Rumania's independence in 1878.

On May 10, 1881, the Rumanian people declared their nation a kingdom and Charles I was crowned as King.

On the occasion of Rumanian Independence Day we extend our best wishes to the Rumanian people.

NOTES ON THE MINERAL INDUSTRY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. JOHNSON of California. Mr. Speaker, in the preliminary stages of consideration by the U.S. Forest Service is a proposal to incorporate in the National Wilderness System the Salmon-Trinity Alps Primitive Area.

Much has been said about the various aspects of this proposal, but I feel that one voice which has not been heard, as well as others, is that representing the minerals industry.

Accordingly, I would like to share with you the statements submitted to the Forest Service hearings held recently in Redding, Calif., by Mr. Oris Mahan, of Redding, president of the Western Mining Council, Inc.:

The statements follow:

My name is Oris Mahan, 2416 Vandiver Lane, Redding, California. I am speaking as National President of Western Mining Council, Inc., a nonprofit California Corporation.

It is recognized and understood by Western Mining Council, Inc. that there is a need for wilderness type areas where man may find solitude or a primitive and unconfined type of recreation. This, we agree may be found within the present boundaries of what is known as the Salmon-Trinity Alps Primitive Area.

It is further understood that entry under the Statute Mining Laws of 1872 is a lawful procedure under the defacto classification of Primitive Area, even though mechanized ingress and egress restrictions are presently enforced without Statute Authority.

In order to evaluate this matter and bring it into proper perspective, we must examine the broad picture of the Public Interest.

The strength of this Nation has been this Nation's ability to produce goods and services for the needs of the people. With vigor and initiative, the people of this land, combined with the good agriculture lands, have produced food, fiber, timber and forage. This same vigor and initiative combined with the good deposits of minerals in the land, have produced the minerals that formed the base for the advancement of our society as we know it today. These minerals form a part of every phase of our lives, be it transportation, communications, buildings, tools, foods or the clothes we wear. The productive capacity of the people of this Nation, combined with the God-given natural resources have met the demands of this Nation and have made it a strong, healthy, productive and a wealthy Nation.

Minerals and agriculture products are the New Wealth that feed the blood streams of the economy. This Nation will remain healthy as long as we continue to produce domestic minerals and agriculture products.

All of these natural resources are the basis by which this Nation became strong and powerful. Our man-power produced New Wealth from the land. Much of this New Wealth was from public lands. The lands were open and available to the people without much restriction and being thus, this Nation grew. This land also produced strong men and women who could meet her challenge.

What has this to do with the small segment of land under discussion today?

We, of Western Mining Council, Inc. contend that there is a greater Public Interest involved here than that of Solitude and unconfined types of recreation.

The dictionary describes a resource as "something that lies ready for use or can be drawn upon for aid; a supply of something to take care of a need."

The people of this Nation have a need. This need is now. This need will continue for a number of years. The need is gainful and meaningful employment and disciplined money.

The ever increasing birth rate is demanding more land to accommodate the ever increasing population. The ever increasing pressure of the Federal Government displacing Rural America from private lands as well as the Public lands is forcing these people into the asphalt jungles where welfare breeds poverty and crime.

The Federal Government is attempting to do for people what people can better do for themselves.

The disciplining role of gold and silver upon this Nation's monetary affairs is both Constitutional and Historical. No thinking member of our Nation should consider this matter lightly. The facts show that hard money is the best deterrent to the ever increasing pressures of inflation. Even the International Monetary Fund has warned the United States of these facts.

Those among us who have upset the ecological balance between human needs and our environment are enjoying the fruits of their labors. The people of this Nation are lacking in gainful and meaningful employment. Sound money has given way to fiat money. The health of the people is deteriorating for lack of productive exercise in the natural resources. Flood control is harvesting willows, rushes, dead fish and polluted water supplies.

The Public Land Law Review Commission states on page 27 of their report to the President and the Congress, "The Federal Government in the last 175 years, has granted or sold over one billion acres of public land, land which now constitutes a major portion of the productive base of the United States."

This productive base became the tax base for the Local Governments and States involved.

The records show that the land under discussion today contains large and small deposits of such minerals as chromite, ilmenite, rutile, manganite, hematite, magnetite, copper ores, gold, silver, platinum, platinum group metals, gallium, germanium and many other ores and minerals. The record shows that less than 10% of the minerals have been extracted from our mineral-bearing lands. The record further shows that timber and forage are present in this area.

All of this forms a productive base which will serve that Greater Public Interest as it helps supply the needs of the people of this Nation and meets the needs of the people who shall be gainfully employed in the productive process.

A CONSTRUCTIVE LEGISLATIVE PROGRAM FOR PUERTO RICANS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 1971

Mr. RANGEL. Mr. Speaker, I wish to comment on the remarks of my distinguished colleague from New York (Mr. BADILLO) who so eloquently described an innovative four point program to cope with Puerto Rican problems.

Mr. BADILLO proposed that first, all American citizens in Puerto Rico be included in legislation the same way

American citizens in the mainland are included; second, that an economic development plan similar to the Appalachian Regional Development Act be developed for Puerto Rico; third, that Puerto Rican development programs such as bilingual educational and economic development be funded separately and directly by the Federal Government; and fourth, that a comprehensive manufacturing and service trades training program in Puerto Rico be established to help those who are forced to migrate to the mainland for economic reasons.

The need for this innovative program is obvious. Every year a larger number of able-bodied people enter the labor market than the Puerto Rican economy can accommodate. This has forced hundreds of thousands of Puerto Ricans to migrate to the mainland annually. Once they reach the mainland, their aspirations become shattered. They are not able to obtain employment. Their English is poor. Their training is limited. That means job opportunities are open only for the most menial of jobs.

Even if they were to return to the island there would be little hope. The per capita income there is half that of Mississippi. The average pay for industrial workers there is half that of industrial workers on the mainland. Over 80 percent of the island residents have family incomes under \$3,000 a year. Unemployment is several times as high as that here.

I suggest the time is late for ending legislative discrimination against Puerto Ricans. As the proposals of Mr. BADILLO take form and move through their respective committees I urge my colleagues to adopt Mr. BADILLO's attitude and respond with nonpartisan zest so that dreams and good intentions will not remain dreams and good intentions but will ripen into law.

SEX DISCRIMINATION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. HUNGATE. Mr. Speaker, since the question of equal rights amendment, House Joint Resolution 208, may soon be before the Congress again, I thought the following article in the April 1971 Harvard Law Review entitled, "Sex Discrimination and Equal Protection: Do we need a Constitutional Amendment?" would be of interest:

SEX DISCRIMINATION AND EQUAL PROTECTION: DO WE NEED A CONSTITUTIONAL AMENDMENT?

(NOTE.—Footnotes will appear in a subsequent installment.)

"A woman cannot be herself in modern society. It is an exclusively male society, with laws made by men and with prosecutors and judges who assess female conduct from a male standpoint."—Henrik Ibsen¹

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."—Proposed Amendment to the Constitution of the United States²

Since Ibsen wrote at the turn of the century, traditional conceptions of women's role in society have been seriously shaken. The increased sensitivity of many women to sexual discrimination³ and the debunking of myths concerning feminine physical capabilities and moral sensitivities have eliminated many exclusive male bastions in both social and professional life.⁴ Not surprisingly, laws which use sex as a distinguishing characteristic have also come under attack. Activity on the legal front reached a peak in the 91st Congress when the House of Representatives passed, and over forty Senators cosponsored, a proposed equal rights amendment designed to end legal sex discrimination. After extensive hearings before the Senate Judiciary,⁵ however, the amendment was defeated on the Senate floor.⁶

The amendment's defeat was apparently the result of serious objections raised in the committee hearings. Although almost everyone who testified acknowledged that some statutory restraints on women are both archaic and unnecessary,⁷ there was much disagreement as to whether a constitutional amendment is the proper vehicle for reform. Opposition seemed to stem from the belief that sexual distinctions make up such a significant part of the country's legal mosaic⁸ that the blunderbuss of a constitutional amendment would shatter a delicate pattern, some parts of which may be worthy of preservation.⁹

Most people would probably agree that many sex-distinguishing statutes should be eliminated. There are, for example, some statutes whose only apparent purpose is to raise ancient chivalric notions to the level of state protection; in some jurisdictions it is a criminal offense for a male to use obscene language in the presence of a female, but not an offense for a female to do so in the presence of a male.¹⁰ Other statutes may simply codify a double standard as to the relative freedom of males and females to depart from conventional morals; in some jurisdictions, for example, a statutory defense is available to the husband who murders his wife's paramour but not to the wife who kills her husband's mistress.¹¹ Still other sex distinctions are vestiges of the old common law doctrine of coverture, which treated husband and wife as a single legal entity; thus, a married woman's domicile, with all its legal ramifications,¹² is generally determined by her husband's, even though they may live miles apart.¹³

Nevertheless, many people would disagree as to the merit of eliminating statutes which "protect" women¹⁴ or are based on some alleged difference in physiology or ability. Some sex distinctions are designed to "protect" women from certain burdens of citizenship and social life. Some jurisdictions, for example, make jury duty a mandatory obligation for men but make service for women conditional on their affirmative request to serve.¹⁵ Many states have maximum hour and minimum wage laws applicable to women only.¹⁶ Some states deny women the freedom to engage in certain occupations, ranging from professional wrestler¹⁷ to liquor store salesman.¹⁸ Other laws distinguishing the sexes seem to reflect a legislative judgment about the relative capacities of men and women to care for children. Illinois, for example, requires a legal guardian for an illegitimate child when only his natural father is alive, but not if the surviving parent is his mother.¹⁹ Similarly, an Idaho statute, which gives an absolute preference to males over females in estate administration contests when two contenders for the job are otherwise equally qualified,²⁰ may reflect a legislative judgment that males are more competent in managing financial and business affairs. Examples of laws which distinguish the sexes could be multiplied endlessly.

The procedure chosen for reworking this legal mosaic will have much to do with the

scope of substantive reform achieved. Three possibilities have emerged from the congressional forum, where most current public discussion has been focused. First, Congress could take no further action, leaving the problem of evaluating sex distinctions to current statutory remedies²¹ and future constitutional doctrines developed by the judiciary. Second, Congress could pass additional legislation, within the limits of its constitutional powers, to eliminate specific instances of sex discrimination in federal, state, and private action. Finally, Congress could embody a proscription of sex discrimination in a constitutional amendment which would serve as a basis for judicial decision and might also augment congressional power to pass remedial legislation in the field. While the differences between proponents and opponents of a constitutional amendment have been cast primarily in terms of these procedural alternatives for change, each alternative carries with it a certain substantive bias. Assuming the need for some reform, analysis can expose the strengths and weaknesses of each approach and indicate the substantive results each is likely to bring about.

I. THE NO FURTHER ACTION ALTERNATIVE—LEAVING THE PROBLEM TO THE COURTS

A. Historical background—Permissive review

"Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. The constitution of the family organization, which is founded in the divine ordinance, as well as in the nature of things, indicates the domestic sphere as that which properly belongs to the domain and functions of womanhood."—Bradwell v. Illinois.²²

While no Justice today would author an opinion containing such undisguised male bias,²³ the Supreme Court has not yet held that a sex distinction has violated the equal protection clause of the fourteenth amendment.²⁴ Recent decisions of the Court have upheld against equal protection challenge statutes which prohibit most women from engaging in the occupation of bartender²⁵ and statutes which exempt them from jury duty unless they specifically request to serve.²⁶ The Court's failure to eliminate legal sex discrimination has been the major motivating force behind the concerted campaign to secure congressional approval of a constitutional amendment.²⁷

The cases and commentary surrounding the equal protection clause²⁸ have articulated two primary standards of review to determine the validity of singling out one group of people for special legal treatment. The first standard, permissive review, generally defers to legislative judgment and upholds a distinction so long as the distinction can be reasonably construed as consistent with any legitimate governmental goal.²⁹ Permissive review thus places a great burden on a party challenging the constitutionality of a distinction. The second standard, active review, scrutinizes the distinction more closely and places a heavy burden on the state purpose.³⁰ Active review is triggered either by statutes which affect certain "fundamental interests" (such as voting³¹ and procreation³²) or by statutes which use "suspect classifications" (such as race³³ or national ancestry³⁴) to distinguish among individuals.

The Supreme Court has not yet found statutory classification by sex to be a suspect classification. Accordingly, unless a statute affects a fundamental interest, the Court utilizes the permissive standard to review sex distinctions. Using this standard in the bartender case, *Goesaert v. Cleary*,³⁵ the Court ignored the obvious effect of the statute, monopolization of the profession for men. It sustained the law as having a rational relation to the legitimate, but far more subtle aim of avoiding the "moral and social problems" surrounding the employment of

women in bars.³⁰ Yet it felt no need to articulate the nature of those problems nor the magnitude of the harms ensuing from them. It was sufficient that the legislature might have addressed itself to these difficulties and might have found them sufficiently compelling to require the statute. If statutes affecting an interest as important as the capacity of an individual to choose his calling elicit such uncritical analysis, one can expect little more under present doctrine when other sex-distinguishing laws are challenged. The passive review principle exemplified by *Goesaert* is, in short, almost a rule that sex distinctions can never violate the equal protection clause.³⁷ And, despite a significant shift in attitudes toward sex discrimination, *Goesaert* has not been overruled.

Some of the reasons for passive review of sex distinctions lie in an accident of history. In the earlier part of this century, the Court, utilizing now discredited standards of substantive due process,³⁸ invalidated maximum hour laws on the ground that they interfered with the liberty of contract of the employer and employee.³⁹ Several states later enacted maximum hour laws limited to women, perhaps hoping that such statutes would better withstand constitutional challenge and believing that protecting some workers was better than protecting none at all.⁴⁰ If this was the theory behind the legislation, it succeeded.

In *Muller v. Oregon*,⁴¹ the Court, sustaining such a law against due process attack, combined arguments based on the physical capabilities of women⁴² and historical patterns of male dominance⁴³ to produce its grand conclusion: "she [woman] is properly placed in a class by herself"⁴⁴ as a subject for legislation. That conclusion, never reexamined nor limited in scope by a later opinion,⁴⁵ has been used by courts to preserve many different kinds of sex-distinguishing statutes against equal protection attack.⁴⁶ Frequently, these statutes, unlike maximum hour legislation which arguably benefits women, restricted the opportunities of women or denied them an equal share of the benefits and burdens of citizenship. Once a liberal force in constitutional jurisprudence, *Muller* has changed its form and become the basis for the present uncritical permissive review of sexual distinctions.

The Court's continued use of permissive review for sex distinctions may be based as much on institutional calculations as on historical considerations. The Court might be reluctant to undertake on its own initiative so potentially large, difficult, and politically explosive a task as the reexamination of the legal doctrines surrounding sex roles in society.⁴⁷ Such reluctance might be reinforced by the fact that women are a majority of the population and, unlike racial minorities, can at least theoretically use the vote to protect their interests. However, the proposition that constitutional protection should depend on judicial assessment of a group's political power is, at best, of doubtful validity.⁴⁸ Nonetheless, such practical calculations, combined with the historical background of *Muller*, may explain why the Court has not yet reexamined the constitutional status of sex discrimination under the equal protection clause.

B. The possibility of a stricter standard of review

Opponents of a new constitutional amendment for "equal rights" argue that the Court can be persuaded to eliminate irrational sex distinctions through the equal protection clause.⁴⁹ The growing public awareness of and opposition to sexual discrimination, and the evidence of congressional support for reform embodied in Title VII,⁵⁰ might well convince the Court that it is time to reexamine its permissive review standard.⁵¹

One possibility for a more active standard of review might lie in the fundamental in-

terest doctrine. Statutes classifying by sex, like statutes classifying by any other trait, are subject to a strict standard of equal protection scrutiny when fundamental interests are impinged.⁵² For example, several recent decisions, which invalidated sentencing discriminations on the basis of sex,⁵³ can be rationalized in terms of equal protection doctrine by arguing that the statutes involved abridged the fundamental interest in freedom from incarceration without sufficient justification.

However, the utility of such an approach depends on the willingness of the courts to expand the concept of "fundamental interest"; recent judicial treatment of the fundamental interest doctrine casts doubt on its usefulness for eradicating sex discriminations. In *Dandridge v. Williams*,⁵⁴ the Court specifically excluded from strict scrutiny under the fundamental interest doctrine "state regulations in the social and economic field, not affecting freedoms guaranteed by the Bill of Rights."⁵⁵ Although the parameters of fundamental interest described by *Dandridge* are far from clear, the Court cited *Goesaert v. Cleary*⁵⁶ as an example of excluded economic and social regulation,⁵⁷ indicating that one of the most important areas of sex discrimination, employment, is presumptively immune from attack under a fundamental interest theory. Even if *Dandridge* were not a roadblock to establishing a "fundamental interest" in employment, the doctrine would not be a particularly reliable tool to reach a wide variety of sex discriminations due to the Court's rather ad hoc articulation of fundamental interests.⁵⁸ Finding a fundamental interest in one area, such as employment, would in no way guarantee a similar finding in such unrelated areas as property and inheritance law.

In view of these difficulties, the suspect classification approach would seem more promising as the basis for the kind of sweeping attack on sex discrimination which even the opponents of an amendment agree is necessary. Although the primary concern of the framers of the fourteenth amendment was to eliminate racial discrimination,⁵⁹ the Court has applied to legal classifications made on the basis of national origin or lineage a standard of equal protection review substantially equivalent to that given racial distinctions.⁶⁰ While judicial standards for determining which classifications are "suspect" have not as yet been clearly articulated, the Court would be justified in applying to sex classifications the same standard it now applies to racial classifications if the similarities between the two were compelling.

The similarities between race and sex discrimination are indeed striking.⁶¹ Both classifications create large, natural classes, membership in which is beyond the individual's control;⁶² both are highly visible characteristics on which legislators have found it easy to draw gross, stereotypical distinctions. Historically, the legal position of black slaves was justified by analogy to the legal status of women.⁶³ Both slaves and wives were once subject to the all-encompassing paternalistic power of the male head of the house.⁶⁴ Arguments justifying different treatment for the sexes on the grounds of female inferiority, need for male protection, and happiness in their assigned roles bear a striking resemblance to the half-truths surrounding the myth of the "happy slave."⁶⁵ The historical patterns of race and sex discrimination have, in many instances, produced similar present day results. Women and blacks, for example, hold the lowest paying jobs in industry, with black men doing slightly better than white women.⁶⁶ After an examination of such evidence, Gunnar Myrdal concluded:⁶⁷

"In the final analysis, women are still hindered in their competition by the function of procreation; Negroes are laboring under the yoke of the doctrine of unassimilability which has remained although slavery is abol-

ished. The second barrier is actually much stronger than the first in America today. But the first is more eternally inexorable."

The factual similarities between race and sex discrimination are reinforced by broader concerns. Through a process of social evolution, racial distinctions have become unacceptable. The old social consensus that race was a clear indication of inferiority has yielded to the notion that race is unrelated to ability or performance. Even allegedly rational attempts at racial classification are now generally rejected outright. The burden of showing that these attempts are based on something other than prejudice is enormous.

There are indications that sex classifications may be undergoing a similar metamorphosis in the public mind. Once thought normal, proper, and ordained in the "very nature of things," sex discrimination may soon be seen as a sham, not unlike that perpetrated in the name of racial superiority. Whatever differences may exist between the sexes, legislative judgments have frequently been based on inaccurate stereotypes of the capacities and sensibilities of women. In view of the damage that has been inflicted on individuals in the name of these "differences," any continuing distinctions should, like race, bear a heavy burden of proof. One function of the fourteenth amendment ought to be to put such broad-ranging concerns into the fundamental law of the land.⁶⁸

There does exist then, a factual and moral base from which the Court could conclude that race and sex discrimination should receive substantially similar equal protection treatment. Yet the analogy has its limits, and sex discrimination, if it is to be constitutionally attacked, must be treated as a problem in its own right. In particular, women may differ from men in ways which might rationally be reflected in statutes. For example, women appear to live longer on the average and exclusively possess the procreative function.⁶⁹ Some alleged differences⁷⁰ may turn out, on further investigation, to be products of environment and training rather than of immutable physiology. Until further studies are made, however, the possibility that the apparent differences are real must be acknowledged. Laws classifying on the basis of such apparent differences between the sexes might be upheld, even though if similar physiological differences were found to exist between the races,⁷¹ the historical background of the fourteenth amendment, concerned as it is with the special stigma of slavery, would probably not permit these differences to be taken into account for purposes of legal classification. Whatever the differences between race and sex discrimination, however, racial precedents, with their highly articulated jurisprudence, do provide a good starting point for analysis of sex distinctions.

If the Court decides to adopt an active review standard for sex, the state will be required to make a substantial showing that a sexual distinction is justified by some important state interest. Under such a standard, laws based on unsupported contentions about women's proper role in society should fall.⁷² In two easily identifiable areas, however, the state will often be able to make a colorable showing which will require detailed judicial analysis. First, the state may argue that some legislation is based on aggregate statistical differences between men and women. Statistically, for example, women live longer than men, perhaps justifying lower life insurance premiums for women in a state-supported insurance program; similarly, laws which aim to protect women by prohibiting their employment in jobs requiring the lifting of heavy weights⁷³ may be based on an aggregate statistical judgment that women are physically weaker than men. Second, some laws, such as those requiring separate bathrooms and dormitories, may re-

flect deeply ingrained notions of personal bodily privacy.⁷⁴

The difficulty with statutes based on aggregate statistical judgments, of course, is that, while they may provide greater administrative efficiency and may benefit many members of the class, they may also cause substantial harm to individuals who differ from the statistical norm. One way of analyzing the problem of aggregate legislation is to ask whether the characteristics of the class important to the determined purposes of the statute match the characteristics of the class designed by the statute.⁷⁵ Consider a hypothetical statute prohibiting women from drinking alcohol, whose purpose is determined to be the prevention of public drunkenness.⁷⁶ Unless the state can show that all women who drink become public drunks, the characteristics of the class important to the purpose of the statute (public drunks) do not match perfectly the characteristics of the class actually designated by the statute (women who drink).

The question for the Court, then, is what degree of mismatch between the important class and the designated class it will tolerate. Some commentators can be interpreted as urging that no degree of mismatch be tolerated, because all laws can be rewritten asexually.⁷⁷ Thus, a maximum weight-lifting restriction, to be valid, would have to refer to the muscular capacity of an individual, as measured in some scientific way. Such a position has generally been called "functional analysis" because it emphasizes the function or purpose for which the statute was allegedly passed; the "function" of a weight-lifting restriction is protecting those workers who would be injured by more than a given amount of exertion.⁷⁸

The requirement that all statutes be written asexually is attractive because it eliminates the difficulties of evaluating sophisticated medical, sociological, and actuarial theories of aggregate differences between the sexes.⁷⁹ It is also attractive because it would represent the highest degree of societal commitment to the ideal of legal sexual equality.⁸⁰

It can be argued, however, that a principle which permits no deviation from a perfect match would impose unreasonable administrative costs in some cases.⁸¹ The logical outcome of such a view is to urge a balancing test, allowing a less-than-perfect match when administrative inconvenience outweighs the individual interests invaded.⁸² While administrative cost may seem a plausible reason for allowing certain types of sex-distinguishing statutes to be maintained, the balancing process is, in fact, fraught with difficulty.

The problems with the balancing approach can be seen by analyzing an analogous racial situation. In *Korematsu v. United States*,⁸³ the Court upheld the wartime exclusion of all Japanese-Americans from certain areas of the western United States because of a supposed threat of espionage by some Japanese-Americans. In that case the important class—those who presented a threat of espionage—obviously did not match the designated class—all Japanese-Americans. However, in light of the presumed threat of imminent foreign invasion, the time-consuming process of individual examination might have thwarted the purported national security purpose of the exclusions.⁸⁴

Korematsu demonstrates the pitfalls of attempting to balance important personal rights against administrative costs. It is often difficult for courts to investigate adequately the alleged administrative difficulties in identifying members of the important class. Many people now feel, for example, that the asserted administrative difficulty of ferreting out those Japanese-Americans who were

a threat to national security was grossly exaggerated by the government and could not justify such a gross mismatch.⁸⁵

Korematsu also demonstrates the extreme difficulty of knowing what weight should be given to administrative costs, even when convincingly shown, when balanced against important individual rights. There may be a temptation in the heat of the alleged "administrative crisis" to give less easily dramatized personal rights short shrift. Thus, in retrospect, *Korematsu* involved an unfortunate discounting of personal rights, leading to unnecessary human suffering and substantial political embarrassment after the "emergency" had passed. While not as dramatic as *Korematsu*, it may be just as difficult to strike a satisfactory balance between administrative costs and personal deprivation in sex discrimination cases.

It is impossible within the scope of this Note to survey every category of sex-distinguishing statute for which administrative costs might be offered as justification. But in making the choice between a balancing test and a perfect match requirement, two factors peculiar to sex-distinguishing laws should be taken into account. First, few of the administrative efficiency goals which sex-distinguishing statutes are designed to reach would be seriously compromised if sex could not be used as a basis for classification. Many laws justified by the alleged efficiency of a sexual test could be replaced by non-sexual tests which would create a perfect match at little or no additional cost. For example, statutes which place weight-lifting restrictions solely on women seem designed to protect physically weak workers. A visual survey of job applicants, male and female, would appear to be just as useful in distinguishing those who are too fragile for the employment involved. Second, many of the laws which have at best a questionable efficiency rationale impinge on important individual rights such as employment and jury service. Thus, the Court might well conclude that because the bulk of sex-distinguishing laws have dubious administrative justifications and because they often impinge on important individual rights, a "perfect match" standard, permitting no administrative justification for ill-fitting sex classifications, is called for.

The finding of a mismatch, however, need not always mean that the statute must fall; a court might simply extend the coverage of the statute to the excluded sex, thereby eliminating the suspect classification which triggered active review. For example, the coverage of the weight-lifting statute previously mentioned might be extended from women to all workers, whether male or female.⁸⁶

In choosing between extension or elimination of the statute, a court must weigh the general interest in retaining some statutory provision against a judicial reluctance to extend coverage without legislation.⁸⁷ The court's reluctance might be eased by considering the historical reasons which limited many early wage and hour laws to women. As noted earlier,⁸⁸ many protective laws were enacted against the background of now discredited standards of due process which invalidated such protections for men. It is, therefore, a reasonable inference that the enacting legislature, in some cases, would have extended the protection to men had its constitutional power not been limited.⁸⁹

Of course, extension of these laws rather than elimination in toto might bring about economic dislocations.⁹⁰ In some cases, as, for example, when a statute prohibits women from engaging in a certain occupation, extension would be ludicrous because it would have the effect of eliminating the occupation. In other cases, the pay of workers who depend on substantial amounts of overtime

might be drastically lowered if the working hours of male laborers were suddenly limited by abolishing compulsory overtime. Similarly, across-the-board extension to men of minimum wage laws now limited to women might drive some producers out of business or cause some male laborers to lose their jobs to automation. In evaluating the remedial alternatives of extension or elimination, a court must consider whether the legislature is better equipped to deal with the ramifications of extension. Courts may prefer simply to eliminate these laws rather than extend them. An alternative would be for courts to eliminate the laws but delay relief for a reasonable period⁹¹ to allow legislatures to redefine legal relationships.⁹²

In addition to the problem of aggregate legislation, a second area of concern involves those statutes which appear to have been enacted to protect notions of personal privacy surrounding the sexual organs or exposure of the body.⁹³ State action, for example, may mandate sexually separate dormitories at a public university or restrooms in public buildings. Such statutes might be protected from the sweep of active review by resurrecting the constitutional cadaver of "separate but equal."⁹⁴ In such cases, the law might be upheld if the facilities provided for one sex were tangibly and intangibly equal to those provided for the other.⁹⁵ *Brown v. Board of Education*⁹⁶ does not preclude such a doctrine in the sexual privacy area. *Brown* seems to have been based on the idea that separate was inherently unequal because it was a sign to all concerned that one race was socially inferior to the other.⁹⁷ Separation of facilities indicated that whites did not want to associate with blacks. In contrast, there has never been any indication that men have wished to avoid intimate contact with women on a daily basis. Therefore, the separation of restrooms and the like by sex, unlike separation by race, has no automatic implication of inferiority.⁹⁸

Incorporating the principle of "separate but equal" as an exception to active review would permit the state to retain the sexually segregated restrooms and dormitory facilities associated with notions of personal bodily privacy. Its rationale, however, would be strictly limited to those facilities which involve potential exposure of intimate parts of the body. No such potential exists in schools,⁹⁹ state-run public accommodations, or other facilities where sexual segregation may be traditional but is not motivated by notions of bodily privacy.

Even in those facilities to which "separate but equal" would apply, it should remain open to plaintiffs of either sex to establish that the separate facilities are not "equal" or that some harm of substantial magnitude results from the segregation itself. Courts would have to make such determinations on a case-by-case basis. If inequality of facilities were established, a court could order either equalization or integration. If harm from the very fact of segregation were shown, a state might be required to provide sexually integrated facilities for those who want them (as by rearranging existing dormitory space so that students could freely choose between all-male, all-female, and mixed housing) or be forbidden from distinguishing facilities by sex at all.

While there is strong justification for the Court to adopt an active standard of review for sex distinctions, precedent, the difficulties of the task, and the political dangers involved may discourage such a bold judicial initiative.¹⁰⁰ Congress might therefore conclude that legislative action is needed to eliminate sex discrimination.

This is all of part 1.

The remainder will be inserted later.

OUR LAW ENFORCEMENT OFFICERS
DESERVE OUR APPRECIATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. RARICK. Mr. Speaker, I rise to express praise of our police for their handling of the Hanoi agents who invaded the Capitol yesterday.

I was present and observed the unfortunate invasion personally. It is a tribute to the law enforcement officers that they so calmly accepted the abuse, insults, and indignation hurled at them and still conducted themselves as law enforcement officers worthy of the title of guardians of law, order, and decorum on the Hill.

Then, last evening I listened to the sob stories of the poor little mistreated youth who were abused by the big bad officers. I wondered if they were referring to the same incident I had earlier observed. Certainly the American people will not overlook the news media complicity for having encouraged the demonstrations.

True, having been abandoned by their leaders, the kids played the affair as if it were a game. I think they call it cops and revolution. But charges of repression coming from radical extremists, who while marching on the U.S. Capitol under the banner of the Vietcong and giving the clenched fist salute—recognized symbol of international communism—strikes me as lacking relevance. They did not seek an end to war, rather a Communist victory over their own country.

Repression. They were the aggressors and always had the freedom to leave, to go home—even to bathe. Why should they complain of their own doing?

Since their banners, slogans, and expressions were so favorable to Red China, Russia, and international communism, one wonders how long they could sit on the steps of the Kremlin in Moscow before being arrested—or if they would have regarded arrests in Communist countries as a joke or a game.

My conclusions were that the more youthful demonstrators should not have been arrested; rather they should have been detained and their parents forced to claim them and explain the lack of parental supervision. I disapprove of having police officers utilized as babysitters and then falsely accused of roughly treating the children.

Our police officers are the frontline of defense in the battle against crime, anarchy, and insurrection. Their magnificent performance in maintaining law and order under difficult conditions is a tribute to Chief Wilson and the Metropolitan Police Department as well as to the FBI and all other supporting law enforcement officers.

I know that all who appreciate the wonderful freedoms we enjoy, unite with me in thanking our police officers for an arduous job well done.

FARM DAY

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1971

Mr. McKAY. Mr. Speaker, I see by the news reports that President Nixon is spending \$100,000 of the taxpayers' money on a "Salute to Agriculture" to be held at the White House. The farmers in my district expect more from their Government than punch and cookies on the White House lawn.

Problems farmers face are severe. There are, for instance, 2.8 million fewer farms than there were in 1950; farm population has dropped in this period from 23 million to 9.7 million. The declining numbers of people in our rural areas present special problems. Adequate medical and other services become uneconomical or cease to exist entirely, children leave home because farming no longer appears to offer opportunity, and the farm communities have no other source for employment. Many of these communities are becoming more isolated as they dwindle. Utah is a particular case in point. Our population is concentrated in four counties on the Wasatch front, and these counties continue to grow at the expense of rural areas. The farmer faces a continual rise in the prices he must pay for his goods and services—a 59.6-percent rise since 1947-49. In addition, he operates on land overvalued by speculation, a fact reflected in his taxes.

These increases have occurred without commensurate increases in farm income.

References to these problems are often made, even though solutions proposed have not proved entirely satisfactory.

I should like to point out some other concerns of farmers which are not so frequently recognized, but are nonetheless important, particularly to the people in my State.

For instance, the Agriculture Committee of the Rocky Mountain Federation of States is meeting in Billings, Mont., this weekend and its primary concern will be the report of the Public Land Law Review Commission as it relates to the ownership, rental, and management of public lands.

Also of interest to Utah agricultural people is soil conservation. Not only must we focus our attention on the abuses to which soil is subjected, we should also be concerned about land use policies which will preserve productive farmland for the growing of crops. We can no longer afford the luxury of taking these lands promiscuously for roads, industrial development, and other nonfarm uses.

A third item of particular importance in Utah is the need for agricultural weather service. Our fruit growers and stockmen can protect themselves from some of the adverse effects of bad weather if they have adequate warning. The weather bureau has proposed a national plan for an agricultural weather service, but no funds have been appro-

priated for agricultural weather forecasting since 1966. In Utah, certain fruit crops vary by as much as 50 percent from year to year because of weather conditions.

Of interest to Utah stockmen are ways to eliminate the weed halogetin. Recently, you may recall, 1,200 sheep died in Utah as a result of consuming halogetin. Most authorities agree that we will only rid ourselves of this weed by developing hearty plants to supplant it on our ranges and by proper range management. Range management and shrub research, particularly on public lands, are matters with which the Congress can deal.

Mr. Speaker, in dealing with farm problems of major and immediate impact, we should not lose sight of our responsibilities in many of these other areas I have mentioned.

DIRECT FEDERAL PAYMENT OF
DEMONSTRATION COSTS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. FAUNTROY. Mr. Speaker, I would like to share with my colleagues a statement which I issued today calling for a direct Federal payment of the costs of the recent demonstrations here in Washington, D.C.:

FAUNTROY ASKS DIRECT FEDERAL PAYMENT OF
DEMONSTRATION COSTS

District of Columbia Delegate Walter E. Fauntroy today called for a direct payment by the Federal Government to cover the cost of the recent demonstrations. "Because of the presence of the Federal Government, the citizens of Washington, D.C. are forced to bear the inordinate expenses generated by citizens' expressions of opinion over policies of the national government. In 1970, three demonstrations—May 9 (following Kent State incident), July 4 (Honor America Day), and October 3 (March for Victory)—cost this city over a million dollars in police overtime, highway and traffic costs, and sanitary facilities. The city government should no longer be burdened with these costs."

Mr. Fauntroy defended the right of demonstrators to engage in acts of civil disobedience "when they are non-violent and when demonstrators willingly accept the consequences of their actions as a moral witness. Anyone who came to Washington to protest violence in Southeast Asia but engaged in violent acts in demonstrating was a traitor to the cause."

Mr. Fauntroy deplored the summary arrest procedures and the passing over the Delegate's office and the local government. "I hold the Justice Department and the Administration responsible for much of what happened. While meticulous arrangements were made to drive the demonstrators from the park and to arrest them in dragnet fashion without filling out proper arrest records, no preparations were made to assure proper shelter, sanitary facilities, and food for those arrested. I personally visited those detained in a field at RFK Stadium and at the Washington Coliseum and I received a number of complaints at my office. The conditions at the RFK Stadium were deplorable. Sitting

In Judge Green's court on Tuesday night, it was clearly evident to me that the majority of people held could not be brought to trial because of the faulty arrest procedures.

"The only solution which I can see to these problems is genuine self-government for the District of Columbia. So long as city officials cannot act on their own, we will face such problems again and again. Certainly it is the Department of Justice and the Administration and not the local government which must bear the responsibility for the errors which were made. So long as public officials owe their allegiance to the Administration and not to the people, we, the citizens of Washington can expect this kind of disrespect."

SMALL BUSINESS ADMINISTRATION CLOSING

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. BEGICH. Mr. Speaker, our economic system works on the principle of free enterprise. The Small Business Administration is one Government agency which provides immeasurable assistance to those individuals who wish to become entrepreneurs.

Recently, the Small Business Administration announced that it will close its Juneau office. The citizens of southeastern Alaska would suffer needless delays and difficulties if this closing is to be carried out. Southeastern Alaska is in such dire need of new business to aid its struggling economy. All legal obstacles that would prevent economic growth should be removed. I believe it is a serious mistake to close the Small Business Administration office in Juneau.

The State Legislature of Alaska has perceived this problem and has passed the following resolution:

SENATE JOINT RESOLUTION NO. 35, ALASKA
STATE LEGISLATURE

Relating to the closing of the Small Business Administration office in Juneau

Be it resolved by the Legislature of the State of Alaska:

Whereas federal officials have recently made public the decision of the Small Business Administration to close its Juneau office; and

Whereas, if this action is carried out, it would mean that all the citizens of Southeastern Alaska would suffer needless delays, aggravation, and countless other difficulties in attempting to carry on business transactions with the Small Business Administration; and

Whereas one of the reasons given for the removal of the Juneau office was that certain legal actions were delaying an expected economic expansion, not only in Juneau, but in all of Southeastern Alaska; and

Whereas in recent days a federal court has largely removed the legal obstacles which the Small Business Administration has alluded to; and

Whereas the citizens of Southeastern Alaska cannot be adequately served by Small Business Administration personnel making periodic sojourns to Juneau;

Be it resolved by the Alaska Legislature that it expresses its strong protest against the closing of the Small Business Administration office in Juneau and urgently requests the Small Business Administration to recon-

sider and rescind its decision to close its Juneau office.

Copies of this Resolution shall be sent to the Honorable Thomas S. Kleppe, Administrator, Small Business Administration; the Honorable Frank Cox, Director of the Small Business Administration in Alaska; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Nick Begich, U.S. Representative, members of the Alaska delegation in Congress.

POLLUTION CONTROL BY INDUSTRY

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. MOLLOHAN. Mr. Speaker, in our justified concern over control of pollution we often overlook the fine work done by industry in achieving this goal. Too often many of us may speak with an indignation which neglects the pollution control efforts of many of our conscientious industries.

The need to protect our environment has often grown into a desperate rage without concrete suggestions on how, from a practical basis, we can make pollution control more economically feasible for our industries.

It is my belief that if we are to check pollution, research must be stimulated to aid industries.

Let us not forget that our best ally in controlling pollution is the conscientious industry, and to further develop this alliance, all of us must begin to treat industry as an ally, and not as a foe.

The following editorial shows the kind of wisdom I am talking about. It points out what one industry in my district, the Weirton Steel Division of National Steel, is doing:

[From the Wheeling (W. Va.) News-Register,
May 4, 1971]

INDUSTRY NOT ALL BAD

Admittedly we have done our fair share of lamenting the condition of the environment, viewing with alarm the pollution of our air and water, and bemoaning the errant ways of industry in contributing to the worry of ecologists.

But it is important, we believe, that we keep our concern for these things in proper perspective. True, there is a need for major repair of the environment and the development of new techniques to deal with pollution abatement and waste disposal. However, in most instances it is industry itself that must in the end provide the solutions. And the record shows that in many instances industry already is leading the way. Currently American industry is spending over three billion dollars a year to clean up the environment and additional billions to develop products that will keep it clean.

A case in point was the recent opening of a full-scale metal can recycling program at Weirton. Details of the program were unveiled last week at a press conference at Weirton sponsored by the Carbonated Beverage Container Manufacturers Association and Weirton Steel Division of National Steel Corporation.

Two collection centers for all discarded cans were opened in Weirton and will receive bulk quantities of empty cans from individual consumers or local groups for compaction and recycling in steelmaking. Weirton Steel,

a major supplier of can-making material, is cooperating fully in the program and will recycle the scrap cans into primary steel.

This new effort has a two-fold purpose: reduction of litter and conservation of natural resources. The can companies and Weirton Steel stressed that they anticipate no profit from the recycling program, but are making their services available to demonstrate their interest in reduction of litter and conservation of natural resources. The recycling program is now operating in many other states and will ultimately be a nationwide endeavor to return empty cans to the recycling streams.

Here then is a positive program providing a practical approach to re-using waste materials and reducing the amount of solid waste to be handled by communities. It is an industry initiated and sponsored effort. It was on June 8, 1970, Weirton Steel Company remelted 500,000 compacted beer cans into useable product at the basic oxygen furnace shop in the "Steel Mill of the Future." The test proved the feasibility of scrap can recycling and tests continued throughout the year.

In summing up we believe the remarks of President J. G. Redline of Weirton Steel Division of National Steel Corporation are most pertinent.

He said, "It is obvious that people have different degrees of concern about the environment. We believe they all are sincere in their concern, regardless of degree, and would ask only that they try to understand that technological miracles cannot be wrought overnight. We cannot wave a magic wand with one hand and at the same time wave goodbye to all of our environment problems with the other. No one, to my knowledge, has found a way to solve a problem to which a solution does not yet exist."

"The point is that we are working toward solutions, and the program . . . (can recycling) is aimed at helping to solve one of the major environment problems . . . litter."

The can project is only one of many similar programs launched by industry today in a sincere effort to find the answer to the many ills suffered by our environment. These efforts must go forward without unnecessary interference from the "Disaster Lobby" that continually warns that the end is near.

NATIONAL HOLIDAY OF THE RUMANIAN PEOPLE

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. KING. Mr. Speaker, it is my honor to call the attention of my colleagues to the national holiday of the Rumanian people. May 10 marks the historic anniversary of three great events of Rumanian history.

On May 10, 1866, the Rumanian dynasty was founded. Eleven years later, in 1877, Rumania acquired independence from the Ottoman Empire. Four years later, on May 10, 1881, Charles I was crowned King of Rumania.

We American friends of the Rumanian people know what good friends they have been over the years and how they have expressed that friendship to the people of the United States.

As American citizens, we must renew our hope that our concepts of freedom and liberty be extended to the Rumanian people.

GOOD NEWS ON FINE PROGRESS OF
PEOPLE OF SOUTH VIETNAM

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement by Hon. Robert H. Nooter, Assistant Administrator for Vietnam Agency for International Development:

STATEMENT OF HON. ROBERT H. NOOTER,
MAY 6, 1971

Mr. Chairman, Members of the Committee, I appreciate this opportunity to appear before this Committee today to present the FY 1972 economic supporting assistance program for Vietnam of \$565 million.

OBJECTIVES

The principal objective of this program is to provide economic support so that the Government of Vietnam can take over the military burden of the war in that country. In addition, economic assistance will be used to maintain price stability; to assist the Government of Vietnam in caring for refugees, civilian war casualties, and other war victims; to provide support for the pacification program; and to move the South Vietnamese economy toward longer term economic development and eventual self-sufficiency.

Some of our programs support more than one of these objectives. For example, commercial imports help to provide the commodities necessary to make up for the loss of production resulting from the mobilization of Vietnam's 1.1 million man military force. At the same time, these imports help to maintain price stability, and play an important role in providing the raw materials necessary for domestic production and the capital goods needed to expand productive output.

As security is restored, the problem of caring for refugees and war victims has been eased somewhat, and restored security in the countryside has facilitated pacification and rural development. As these trends continue, we will place greater emphasis on longer range economic development goals during FY 1972.

PROGRESS IN 1970

There was substantial progress across the board in the A.I.D.-supported programs in Vietnam during the past year.

Stabilization. First, after a period of rapid inflation from mid-1969 to mid-1970 when prices rose about 50 percent, the Government of Vietnam instituted a series of economic reforms which created a parallel exchange market for personal conversions and certain other transactions, increased various import taxes, raised interest rates on savings and loans, and required heavy advance deposits on imports. These measures were successful in restoring price stability, and the Saigon retail price index is now only 2 percent higher than it was in July 1970. There is no guarantee that this degree of stability will continue, since the inflationary pressures caused by an expanded military budget and substantial future costs for land reform and veterans' benefits remain. However, the reforms which the Government undertook last year demonstrated its ability to take the difficult measures which are necessary to contain prices, and we are encouraged to believe that they will continue to do so.

Land Reform. Also, the Government passed into law and proceeded to implement the Land-to-the-Tiller land reform program. Over 500,000 acres of land have been distrib-

uted to more than 150,000 farm families during the first year of the program, a pace which exceeded our expectations for this highly complicated and difficult program. Another two years will be required to complete the implementation, and much work remains to be done, particularly with regard to payments to former landowners which are proceeding slowly. However, on the whole, the Vietnamese Government has made an excellent record during the first year of this very important program.

Rice Production. Vietnam is now producing enough rice to meet its internal needs. This has been brought about by increased security in the countryside, the introduction of high-yielding rice varieties, and substantial increase in fertilizer usage. We cannot be certain that future crops will be as good as the present one, but we expect that the trend will continue upward, barring some unforeseen setback. Also, production of poultry and swine continues to increase at the rate of 10 to 15 percent per year, and some progress was made in the introduction of sorghum and corn, which are not traditional Vietnamese crops but which hold great promise for the future.

Capital Investment. As a result of both improved security and the recent price stability, there have been encouraging signs of interest in new investment by both domestic and foreign entrepreneurs. An existing plywood plant is being modernized and a second plant is in the planning stage. Fishing boats are being motorized and much larger and more modern trawlers have been ordered. A number of U.S. firms have expressed interest in direct investments—mostly on a joint venture basis—in such fields as glass, fertilizers, cigarettes, and petroleum. Several Japanese entrepreneurs are constructing manufacturing facilities in Vietnam, and others are actively seeking new opportunities for investment.

Pacification. There has been progress in political development resulting in increasing participation on the part of the people in the political process. Building a sense of national unity and cohesion requires, in part, the relaxation of power at the center and the transfer of responsibility to lower echelons of government. This process was started two years ago with local elections for village and hamlet representatives. It was later extended to include Province and Municipal Councils. Elections of local officials were held last year in over 1,000 villages and nearly 4,000 hamlets, with a very high level of voter turn-out and a full slate of competing candidates for virtually all vacancies. At the Province level the elections for Province Councils saw 2,000 candidates vie for 554 seats. About 98 percent of all hamlets and villages now have elected officials.

Government control over the rural population has continued to expand during the past year. The Government now claims to have effective control over 94 percent of all of the people in Vietnam, and is continuing to extend its control to the remote areas which are still considered to be under Communist domination.

War Victims. The Government of Vietnam has assumed the major burden of assisting war victims, and on the whole it has performed well. The Ministry of Social Welfare handled virtually the entire reception and care for 210,000 ethnic Vietnamese from Cambodia with great competence. Over 155,000 of these are already integrated into Vietnamese society and are no longer considered in refugee status. At the same time, problems still continue with regard to the care and provisioning of the Montagnard population in Central Vietnam, where there have been instances of inadequate handling. The Vietnamese Government has responded to the needs of those who have suffered from the war by passing legislation providing for pensions and other benefits for

discharged veterans and widows, children and parents of soldiers killed in action. Approximately 500,000 people are already receiving benefits under this law, which was passed in July, 1970.

Medical Care. The plan for joint utilization of military hospitals for the treatment of civilian war casualties has been extremely effective in providing better health care to the Vietnamese population. This plan added over 2,000 trained medical personnel to the hospital staff of the Ministry of Health, and made it possible to continue the gradual reduction of U.S. doctors and nurses. Also, A.I.D.-assisted medical training schools graduated over 200 Vietnamese doctors and 700 nurses during the past year.

FISCAL YEAR 1972 AID LEVEL

The principles of Vietnamization are being applied to the economic assistance program as well as to our military assistance. That is, we are turning over responsibility for jointly funded projects to the Vietnamese as rapidly as possible. The substantial inputs made over the years to create Vietnamese institutions and to train Vietnamese are now paying off as they take over more and more operational responsibility for these projects. Funding for the project program will decline from a high of \$285 million in FY 1967 to \$90 million in FY 1972. Direct hire U.S. employees in the economic assistance program in Vietnam will decline from 2,381 in 1968 to 1,360 by the end of FY 1972. Our funding request for the project program represents the minimum level which we believe is necessary to carry on these programs during FY 1972. However, we will continue to phase down the level of U.S. support as rapidly as possible in future years.

At the same time, our request for funds to finance general imports to sustain the economy is substantially increased, principally because of the reduction in U.S. military expenditures in Vietnam. Over the years the Defense Department has purchased plasters from the Government of Vietnam in order to pay the local costs of operating military bases and for the purchase of goods and services in support of our military forces there. The dollars used to purchase these plasters were in turn used by the Government of Vietnam to finance the import of goods necessary to support the economy and the war effort, and were additional to the goods imported under the economic assistance program. Defense Department in country expenditures are expected to continue to decline in FY 1972, and additional economic assistance funds will be needed to provide the support which had been accruing indirectly from this source.

The increased economic assistance will be used for two principal purposes:

(1) To permit the Vietnamese to bear an increasing military responsibility while maintaining a reasonable degree of price stability.

(2) To support Vietnamese economic policies aimed at moving the country toward economic reconstruction and longer term development.

The increase which we are requesting for these purposes in FY 1972 is approximately the same as the estimated decline in Defense Department plaster purchases, so that, while the Government of Vietnam will be receiving these funds from a different source, it will not really be receiving more in terms of total economic assistance.

It is essential that the total amount of U.S. foreign exchange support provided the Vietnamese not be reduced despite the sharp reductions now taking place in Defense Department plaster purchases. Vietnam is a small, relatively underdeveloped country and simply does not have the economic resources required to assume a greatly expanded share of the present counterinsurgency burden without a continua-

tion of at least the present total level of U.S. foreign exchange support.

There are a number of advantages in shifting this support from the military to the economic category. In the past, the purchase of plasters at the official exchange rate has had an inhibiting and undesirable effect on exchange rate adjustments. Under the new arrangement, these inhibitions will be greatly reduced. Second, it will permit economic aid to be more closely related to Vietnamese economic policies, so that those policies can be directed toward the development goals which must be attained if Vietnam is eventually to achieve economic self-sufficiency.

In order to meet this increased requirement, we propose to increase the Commercial Import Program (CIP) from \$270 million in FY 1971 to \$300 million in FY 1972, which is the maximum level possible given the limitations on the kinds and sources of commodities which can be financed under this program. The CIP, as in prior years, will be used to finance essential imports such as fertilizer, industrial raw materials, and capital equipment from the United States and from certain less developed countries. The CIP will continue to play an important role in meeting Vietnam's resource requirements and in holding inflation in check.

We also propose to use PL-480 Title I resources to the maximum extent possible considering Vietnamese requirements for agricultural commodities available under this program. However, these requirements will decline in absolute terms from FY 1971 levels (from \$115 million in FY 1971 to \$70 million in FY 1972) since PL-480 rice should no longer be required.

CIP and PL-480 alone will not provide sufficient U.S. support for the economy and the war in view of the rapid decline estimated for Defense Department expenditures in FY 1972. Therefore, we propose to establish an Economic Support Fund designed to provide a level of foreign exchange adequate to meet Vietnam's resource requirements. We are requesting \$150 million for this Fund for FY 1972, which is approximately equivalent to the estimated decline in Defense Department plaster purchases during that period.

Releases from the Economic Support Fund will be determined by the level of resources which the Government of Vietnam must devote to maintain its security, the rate of decline in Defense Department plaster purchases, and the level of foreign exchange needed to assure progress in implementing Vietnam's economic reform and stabilization program. Periodic reviews will be made of Vietnamese economic policies, since U.S. assistance can only be effective if these policies are sound. The funds will be made available in monthly or quarterly tranches for the untied purchases of imported commodities, which is the same way in which Defense Department dollars received by the Government of Vietnam through the sale of plasters are used.

We expect Defense Department plaster purchases to be reduced again in FY 1973, and therefore U.S. economic support requirements will probably increase further. However, as the Vietnamese economy is restored to normal and as economic development accelerates, we can anticipate a gradual reduction in U.S. assistance, with the rate dependent upon the rate of Vietnamese economic growth and the level of assistance forthcoming from other nations and institutions.

FY 1972 PROJECT PROGRAM

In the Project Program, we will continue to put emphasis on increased *Agricultural Production* by continuing our programs in animal and crops production, credit and cooperatives. We will help the Government of Vietnam to develop policies and programs

to encourage *Industrial Development*, with particular emphasis on the encouragement of private enterprise. In the field of *Education*, emphasis will be placed on higher education now that the elementary school system is able to accommodate about 85 percent of the elementary school population. We will continue to provide technical assistance for the *Land Reform* program in addition to a \$15 million request for funds to be utilized to finance imports needed to absorb the inflationary impact of plaster compensation payments to former landowners. We will continue our assistance in *Public Administration* in support of local government, fiscal administration, statistical services, economic development planning, and in-service training for civil servants. We will continue all FY 1971 activities in the field of *Public Health*, but at somewhat reduced levels.

In *Logistics*, FY 1972 will see the completion of our assistance to the operation of the ports, as well as major reductions in our support to warehousing and internal distribution of commodities. In the field of *Public Works*, we will continue to provide help in developing water supplies, improving provincial roads, telecommunications, electric power, and for construction in provincial and village self-help programs. A.I.D. will continue to contribute personnel and commodities to the Civil Operations and Rural Development Support (CORDS) program, at a somewhat reduced level. Support under the *Public Safety* program will be continued to the National Police and the Vietnamese correctional system. A.I.D. support for the *Refugee Program* will decline slightly in view of the decrease in the refugee population, as will the level of *Technical Support* which provides personnel and common use commodities for all USAID and CORDS personnel.

PUBLIC HEALTH PROGRAM

I would like to say a few words about U.S. assistance in the medical and public health field, since we have received numerous Congressional and private inquiries questioning the reduction in U.S. assistance in this area.

First, the concern expressed in these inquiries for the people of a nation beset by war over the past 30 years is understandable, and fully shared by us. However, the reduction in funding of about 15 percent annually over the last several years is made possible by the substantial inputs made into this program in previous years, and by the greatly increased Vietnamese staffs which are now manning the hospitals and health clinics in that country.

We have financed the construction of 8 new Provincial hospitals and the reconstruction of 11 others, and have provided 29 modern hospital surgical units. We have financed the construction of a 54-bed plastic and reconstructive surgery center, and have assisted in setting up 4 clinics for fitting and producing prosthetic devices. We and the Defense Department have shared the financing of medical supplies at an average annual cost of \$12 million for the past 4 years, as well as providing hundreds of civilian and military doctors and nurses for service in that country. We have also financed the travel and expenses for over 800 U.S. doctors who have served in Vietnam on a volunteer basis, and have provided assistance to the Saigon University Faculty of Medicine, which now graduates approximately 200 Vietnamese doctors each year.

The Vietnamese are now taking over these programs, at the same time that civilian war casualties are declining. The Vietnamese now have some 20,000 personnel operating their national hospital system compared with 7,000 in 1966.

We will continue to provide assistance to this program as long as it is necessary to do so, assuming that the Congress makes funds available. However, it is our considered judgment after a close inspection of the

individual projects that reduction in funding and manpower can continue without a reduction in delivered medical care.

CORRECTION CENTER PROGRAM

We have also received numerous comments and suggestions that the United States should withdraw the assistance which we have been providing to the Vietnamese prison system. The U.S. financial support for this program is small, but I would like to comment on it since it has received such wide public attention.

It is tempting, indeed, to contemplate withdrawal from a program which has received such wide public criticism. Our role is advisory and not operational, and, no doubt, the prison system still leaves much room for improvement. However, there are several reasons why I believe that we should continue to support this program for a few more years.

First, there is no doubt in my mind that South Vietnamese prisons are better operated and provide more humane treatment of prisoners than would be the case if our program had not existed. We have helped finance construction which has relieved crowding conditions in the prisons. We have provided training for Vietnamese personnel, and our advisers have worked with them in a constructive way. The Vietnamese have not always operated their prisons in the way we would, but they have shown a willingness to work with us and have accepted our advice in most cases.

Also, while individual instances of inhumane treatment exist, the overall system is far less onerous than the impression conveyed in press stories during the past year. Specifically, the monthly death rate in Vietnamese prisons from all causes in 1970 was .03 percent per month, which is better than the death rate for the country as a whole. This is less than one-fourth of the .14 percent per month death rate in 1967, when our assistance started, and is an extremely low rate by any absolute or relative standard.

I do not believe that we should walk away from this problem simply because it is a difficult one, as long as the Vietnamese continue to demonstrate their willingness to work with our advisers and to make improvements. We will, of course, phase out these activities as soon as we believe that the objectives of this program have been attained, but our assessment now is that this will take several more years.

PROGRAM MANAGEMENT

During the rapid build up of the Vietnam program in 1965 and 1966, it was difficult to control the sudden influx of commodities, which exceeded the Port of Saigon's ability to handle and process them. Also, the turmoil caused by the instability of the political and security situation made sound program management very difficult. Over the last several years most of these problems have been overcome as procedures have been established and facilities have been constructed. During the last several years losses under the Commercial Import Program have been estimated to be less than 1/2 of 1 percent. Normal auditing procedures have been re-established, which is helping to provide the inspection and control which is necessary in any program. We will continue to emphasize sound management and close control over the program, and will, where necessary, pull back our assistance if improvements cannot be achieved.

During the past year we became aware that some portions of the PL-480 Title II Grant Program were not being adequately managed. This program, which provides surplus agricultural commodities on a grant basis to refugees and other needy people throughout Vietnam, grew to a large size in response to the real needs of the recipients. However, it was also extremely difficult to monitor in view of the large geographic area and sizeable numbers of people involved. When the

Mission management became aware of the shortcomings of the program, it began gradually to insist on tighter control. When all else failed, the Mission halted distribution of foodstuffs in a portion of the country, and will now limit these commodities primarily to institutions rather than for individual distribution. As a result, the Title II Program will be reduced from \$27 million in FY 1971 to \$15 million in FY 1972.

ASSISTANCE FROM OTHER NATIONS

The Vietnamese have been seeking assistance from other donor nations and multilateral institutions, and we have been encouraging them to do so. Some additional financing is now beginning to come forward. The Japanese have recently agreed to finance power generating equipment, a 1,500-bed hospital, and the reconstruction of a hydroelectric plant damaged by the war. The Asian Development Bank has agreed to provide the first multilateral loan ever made to Vietnam—\$2.5 million for expansion of the fishing industry. Germany is financing a slaughterhouse, cold storage and fish meal facilities. In addition, a number of nations continue to make humanitarian contributions in the form of medical personnel, supplies and equipment. Total non-U.S. assistance is estimated to be about \$35 million in 1971.

All of this is modest compared to the size of the U.S. support provided to Vietnam. However, it does represent an increase from prior years, and is a trend which we hope will continue as security is restored. Substantial contributions for economic development from other sources will be necessary in future years, and we will do our best to bring about the conditions which will make these contributions possible.

APPENDIX A

Program summary

The total FY 1972 request will, when administrative costs are added, total \$565 million. This compares with the two previous years as follows:

[In millions of dollars]

Economic supporting assistance	Fiscal year—		
	1970 actual	1971 estimated	1972 proposed
Commercial import program.....	238	270	300
Economic support fund.....			150
Land reform.....		15	15
Project program.....	116	101	90
Administrative costs.....	5	4	4
Program support costs.....	7	6	6
Total.....	366	396	565

MISSION SAN GABRIEL ARCANGEL—200TH ANNIVERSARY

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DANIELSON. Mr. Speaker, in a few days the city of San Gabriel, Calif., located in my congressional district, will hold a 3-day celebration commemorating the 200th anniversary of the founding of the Mission San Gabriel Arcangel by Father Junipero Serra in 1771.

San Gabriel is one of California's most historic communities, and the festivities taking place from May 20-22 will be widely attended.

The mission was the fourth established in the chain which extends from San Diego on up through the State of California. The San Gabriel Post Office was the third post office in California—established in 1854.

I know that my colleagues will find the following historical items, which elaborate on the background of San Gabriel and the San Gabriel Mission, to be of interest:

EXCERPTS FROM A HISTORY OF SAN GABRIEL

(By Thomas Workman Temple II)

Mission San Gabriel Archangel was the fourth of the Franciscan missions established in upper California under the administration of Fray Junipero Serra. Padres Pedro Cambon and Angel dela Somera founded the Christian outpost on September 8, 1771 in the wilderness of San Gabriel Valley at a point near what is now the intersection of Rosemead Boulevard and San Gabriel Boulevard.

Untold hardships and want marked the first lean years of the Mission's existence but perseverance and faith in a beneficent God eventually wrested the wide valley from the wilderness. Captain Don Pedro Fages, an early Spanish Governor of Mexico, once wrote that "the conquest of California was due in no small part to the aid contributed by the San Gabriel Mission."

In November, 1775, the Mission was re-established at its present location and the construction of adobe buildings began. In January of 1776 while Americans on the eastern border of our United States were contemplating the "Declaration of Independence" the San Francisco colony of 200 men, women and children under Captain Anza arrived at San Gabriel. They had crossed the tortuous terrain from Sonora, Mexico and San Gabriel was the "promised land" of these eager but weary pioneers who had just completed one of the outstanding migrations of people in the whole history of our nation.

In 1781 the Rivera Expedition from Sinaloa and Sonora, Mexico arrived at the Mission. This expedition contained the "pobladores" or settlers for the proposed Pueblo de Nuestra Senora La Reina de los Angeles de Porciuncula. On September 4, 1781 the chosen settlers departed from the sheltering walls of the Mission to found their pueblo which is today the great City of Los Angeles.

The first American citizen to come overland to San Gabriel was Jedediah S. Smith who led a group of trappers down from the Great Salt Lake. He was hospitably received at the Mission by Padre Jose Sanchez in November of 1826. The first organized wagon train captained by William Workman and John Rowland arrived at the Mission in November of 1841.

In 1852 after the American occupation San Gabriel became one of the first townships in the County of Los Angeles and in the 1860 census of the township, 586 persons were enumerated.

At the turn of the 20th century, San Gabriel was gradually awakening from its "adobe days" and experienced its first growing pains. As an aroused citizenry awoke to the potential of private enterprise, San Gabriel was ready to strive for incorporation. Although we of today enjoy the benefits of a modern city spiritually, culturally, and educationally, we cherish and respect the sacrifice and devotion of past generations that have made our 200th anniversary possible.

SAN GABRIEL: FROM MISSION SAN GABRIEL ARCANGEL TO MISSION APOLLO

When the Indians saw the brown-robed monks come trudging through the valley that day in 1771, they didn't know that the

Padres were the first hint of Western civilization. The priests were emissaries of Fr. Junipero Serra, charged with the duty of bringing Christianity to California. The priests had made three earlier stops along the road they call El Camino Real—and where they stopped, Missions were built. At this stop, it was to be Mission San Gabriel Arcangel. So the monks and the Indians toiled in the California sun. And when their toil was finished, the adobe walls of the Mission marked the beginning of a trend that is still continuing. The Padres didn't stop with Mission San Gabriel. Before they were through, 21 Missions stood in California between San Diego and San Francisco. But Mission San Gabriel was known as the "Queen of the Missions," and the name came from its wealth. By 1832, it was said that 88,000 Indians were working for the priests, and their labors almost overshadowed the small colony nine miles to the south, the sleepy town named Los Angeles.

San Gabriel Mission gave its name to a mountain range, a valley and a river. The adobe bricks and tile roof of the Mission stood in the shade of Valencia orange trees, planted by Spanish settlers who clustered around the Mission.

In 1833, the ruling Mexican government confiscated all Mission properties and sent civil administrators to manage them. As a result, the Mission lost its worldly wealth and was threatened with sale to a private owner in the 1850's by Governor Pio Pico. But this was prevented by the United States government which returned the Mission to the control of the Catholic Church in 1862.

U.S. citizens had a stake in San Gabriel dating back to 1841, when the first American wagon train rumbled into the San Gabriel Valley. The Americans stayed and prospered, like Benjamin Wilson, known to the community as "Don Benito." He was one of the key developers of the San Gabriel Valley, where his cattle and sheep grazed on the rich turf. By 1854, Don Benito was able to write an Eastern friend, saying the area produced "every species of grain and fruits in greatest abundance."

Don Benito may have posted that letter at the San Gabriel Post Office, built in 1854 on the east side of San Marino Ave. south of Broadway. It was the third largest post office in California. San Gabriel's riches were based on agriculture until 1880, when the railroad invaded the land, bringing steam, cinders and people to the community. Where there are people, there are children, and where there are children, there are schools. The first one, built in 1854, was now too small. Other schools were built, and in 1888, Washington School won an award as the finest architecturally designed school in the nation. The California land boom, begun in the 1880's, continued under the early 1900's, when San Gabriel was bursting at the seams.

In 1912, the San Gabriel Improvement Association was formed, defining street widths and urging Los Angeles County to widen and pave the streets. Also in that year, a theatrical premiere dramatized a pageant of the history of California. The Mission Play, written by John Steven McGroarty, illustrated the Mission's history from 1769 through 1847. From that play came the Mission Playhouse, now known as the San Gabriel Civic Auditorium.

In 1913, San Gabriel incorporated and became a city. It has snowballed since then, until now it is the hub of the San Gabriel Valley. Where once Indians stared at the dusty monks, factories sit, building aerospace components destined for use in the Mission Apollo Space Program, taking man to the moon less than two hundred years after the founding of Mission San Gabriel Arcangel.

THE COMMUNIST GOVERNMENT OF
CUBA ENACTS A NEW DRAFT LAW

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. ICHORD. Mr. Speaker, the Communist Government of Cuba recently enacted a new draft law—to authorize the drafting of all loafers into the labor force of Fidel Castro's "workers' paradise".

The law became effective at the end of January and at May Day ceremonies in Havana last Saturday, Cuban Minister of Labor Jorge Risquet announced that the antiloafers draft law had netted 101,000 Cubans, forcing them to go to work. Risquet added that the government believed those rounded up so far represented only one-third of the total number of loafers in the country.

What type of work will these erstwhile loafers perform? Castro says most of them will be moved out of the cities into the countryside to cut sugarcane. The sugar crop this year is in critical trouble due to heavy rains at harvest time. Fidel told a May 1 audience that the crop would be 800,000 tons less than his predicted goal of seven and a half million tons.

Last year and again this spring in open hearings before our Committee on Internal Security we heard the testimony of witnesses from the Soviet Union, Czechoslovakia, East Germany, Latvia, Red China, and Cuba. All of them spoke of Communist laws that make work a firm duty, not a right. All of them testified that in a Communist state unions are merely instruments of government, created to carry out directives to the workers—not representatives of the workers and workers' interests to the government which is the sole employer.

Any able-bodied man who fails to work in the Soviet Union, for example, loses his ration cards, his status in the community and any claim to state assistance. He is subject to arrest and imprisonment and his punishment in prison involves hard labor.

For the benefit of Members of Congress who may be interested in seeing what a draft against loafers involves, I insert the general provisions of the new Cuban law, as published in Castro's official Spanish/English newspaper Granma, in the RECORD. This law should be of interest to everyone who believes in the spirit of free trade unionism. It appears that in Communist Cuba workers have no rights, not even the right to decline to work.

The article follows:

NEW DRAFT LAW OF COMMUNIST GOVERNMENT
OF CUBA

Whereas: the Revolution, upon rescuing the national resources, breaking down the semicolonial structure, abolishing exploitation of man by man and starting the construction of socialism, created in the city and in the countryside, for both men and women, full opportunities for employment, and self-improvement, eradicating chronic unemployment, the "dead season," prostitution, the humiliating lot of domestic servants and begging as a means of subsistence contradictory to human dignity;

Whereas: in the new society, work is a social duty for all able-bodied men and women;

Whereas: our people are engaged in a great productive effort to overcome the underdevelopment to which they were subjected during imperialist domination availing themselves of their precious right to create with their own hands the cultural and material goods needed, without foreign appropriation of the product of their work;

Whereas: in contrast to the upright attitude of the vast majority of our workers, there is a numerically small social stratum that, intent on living as parasites, without working, exhibits antisocial behavior and provides a bad example for the new generations;

Whereas: loafing may take different forms, running from those persons who have no work connections whatsoever and are dedicated to a life of idleness and crime, to those who try to disguise their lazy ways with occasional work, quitting one job after another, or even to those who, while having an official work center, are repeatedly absent from their jobs and on whom all disciplinary measures adopted by the labor councils have no effect;

Whereas: the working class condemns all forms of loafing as crimes similar to robbery, unanimously repudiates the negative behavior of the loafers and demands that severe and effective measures be taken against those who, every day, round the clock, steal the social and material goods created through the efforts of the working people;

Whereas: it is necessary to provide our workers and bodies of labor justice with the means to determine and combat the antisocial conduct covered by this law; and

Whereas: in response to the people, it is the duty of the Revolutionary Government to denounce and fight against such manifestations inherited from the old society—and, consequently, adopt measures leading to the eradication of loafing and parasitism.

ON THE SOCIAL DUTY TO WORK

Article 1: All citizens who are physically and mentally fit have the social duty to work.

Article 2: All men from 17 through 60 and all women from 17 through 55 are presumably physically and mentally fit to work.

CHAPTER I. ON THE CRIME OF LOAFING

Article 3: All male citizens of working age who are fit to work and are not attending any of the schools in our national system of education but who are completely divorced from any work center are guilty of the crime of loafing.

CHAPTER II. ON THE PRECRIMINAL STATE OF LOAFING

Article 4: All male citizens of working age who are fit to work and who,

(a) connected with a work center, have abandoned the said work center for more than 15 days without any justification

(b) connected with a work center, have been punished by a labor council two or more times for unjustified absence from work, without any improvement in their behavior are considered to be in the precriminal stage of loafing.

CHAPTER III. ON PUNISHMENT AND SECURITY MEASURES

Article 5: In such cases as those included in Article 3 of this law, the following punishment may be applied.

(1) The guilty party will be sent to a rehabilitation center for a period of from 6 months to two years, during which time he will do productive work.

(2) The guilty party will be sent to a rehabilitation center for a period of from 6 months to two years, during which time, while working outside the center, it will be his duty to spend the night at the said center.

Article 6: In such cases as those included in Article 4 of this law, the following security measures will be applied:

(1) The guilty party will be sent to a rehabilitation center for a period of no more than one year, during which time he will do productive work.

(2) The guilty party will be sent to a rehabilitation center for a period of no more than one year, during which time, while doing productive work outside the center during working hours, he will spend the night in the said center.

(3) The guilty party, while living at home, will be charged with the duty to work, subject to surveillance by the workers in his work center and the mass organizations in his neighborhood for a period of no more than one year.

Article 7: The court in charge of passing sentence will take into consideration the following points at the moment of passing sentence or implementing security measures:

- (1) age of the guilty party,
- (2) civil status and number of his dependents,
- (3) personal work record,
- (4) time spent without working,
- (5) means of self-support employed by the guilty party,
- (6) family or personal problems that may have a bearing on his not working, and
- (7) any other details relevant to the case.

CHAPTER IV. ON THE REMISSION AND CONDITIONAL SUSPENSION OF THE PUNISHMENT OR SECURITY MEASURE

Article 8: The court in charge of passing sentences or dictating the measure of security may suspend the implementation of the same at any time, in keeping with the behavior of the party being punished or sent to a rehabilitation center.

Article 9: The pertinent court, whenever it deems it convenient, may suspend the implementation of the security measure or the part of the sentence still pending, at the request or indication of the authorities of the rehabilitation center or of the revolutionary organizations, together with the administration of the work center to which the party has been sent.

CHAPTER V. ON THE ACCUSATION

Article 10: The crime of loafing or the pre-criminal state outlined in this law may be reported by any person or mass organization to a unit of the Department of Public Order or other competent authorities.

In cases of abandonment of work center, the administration is obliged to make the corresponding accusation to a labor justice Regional Appellate Council.

Article 11: If the accused person claims physical or mental disability, he will be examined by a medical commission designated for this purpose, and the commission will decide on his labor capacity.

CHAPTER VI. ON JURISDICTION

Article 12: The labor justice Regional Appellate Councils will have jurisdiction over all cases of loafing outlined in Article 3 of this law.

Article 13: The labor justice Regional Appellate Councils can order the arrest of the person in question on a temporary basis while he is under indictment if there is reason to believe he might try evading the law.

Article 14: The labor justice Regional Appellate Councils will also have jurisdiction over cases of abandonment of work centers outlined in section (a) of Article 4 of this law.

Article 15: the National Review Council will hear all appeals on sentences imposed by the Regional Appellate Councils. In cases covered by Articles 12 and 14 of this law, its decisions will not be subject to appeal, whether administrative or judicial.

Article 16: The cases of habitual absenteeism cited in section (b) of Article 4 of

this law will be heard by the labor councils, which will suggest the security measures to be taken to the general assembly of the work center.

This can only be done in cases in which the labor councils have already applied the disciplinary measures called for by Law 1166 on at least two occasions.

Article 17: The general assembly of workers, after hearing a report on the labor background of the accused and other factors, can ratify, reject or modify the proposed security measure. The labor council must issue the corresponding resolution, and the accused can appeal to the labor justice Regional Appellate Council, whose decision will not be subject to appeal, whether administrative or judicial.

FINAL MEASURES

First: The Ministers of Labor and the Interior are authorized to take all necessary measures to guarantee the fulfillment of this law.

Second: All legal measures which, in whole or in part, block the fulfillment of this law are declared null and void. The law will go into effect as soon as it is published in the Gazette of the Republic.

CANYONLANDS: BEAUTY NOBODY KNOWS ABOUT

HON. SHERMAN P. LLOYD

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. LLOYD. Mr. Speaker, the canyonlands in southern Utah are among the world's most amazing, colorful, and breathtaking sights. They have been incorporated into a new national park. As yet, a relatively few persons have seen these natural wonders, but their availability under national park status is now being gradually recognized. I recommend to my colleagues and their families the following article published in the Washington Post on Sunday, May 9:

CANYONLANDS: BEAUTY NOBODY KNOWS ABOUT
(By Richard Joseph)

MOAB, UTAH.—Careful, chappies, here come the superlatives!

For more than three months now, I've been sticking to my New Year's resolutions to lay off the exclamation points.

Then I fell upon Canyonlands National Park near here, and I must say that it is the greatest, biggest, most colossal, most colorful, most sensational . . .

I've done most of the Western oldtimers, like Yellowstone, Yosemite, the Grand Canyon and the Grand Tetons, but this one I'd barely heard of though it was established in 1964. It has all the grandeur of the Grand Canyon, plus many attractions of its own—and without the crowds.

Crowds? There is nobody here, yet; like myself, few people seem to have heard of Canyonlands, and within its 275,640 acres are great spaces as yet unsullied by crowds.

Flying over it is easy, but to open up some of the more remote canyons you have to be part human-fly. But the Indians seem to have made it; every time somebody does succeed in pushing through to a new area he finds Indian ruins scattered around and petroglyphs painted on rocks.

Some of this area was Zane Grey's Robber's Roost, the land of Butch Cassidy and the Sundance Kid, and they shot a good deal of the film hereabouts.

It's fruitless to try to describe scenery anywhere, and here the scenery is indescribable—so I'll try to describe it. Back a few

eons ago, this whole area was covered by an inland sea, and the weight of the water pressed the sandy soil into soft red sandstone.

Then rivers cut great canyons, and wind erosion—aided by extreme temperatures—cut the stone into fantastic shapes.

Some of the forms look like the red sandstone fortresses of Fatehpur Sikri in India, others like medieval castles and cathedrals. Still others resemble the ruined Mayan temples of Yucatan; other strange forms look like pregnant elephants lying on their backs and Renaissance saints carved by impressionist sculptors; and if you half-close your eyes while flying over some areas you get the illusion of passing over the skyscrapers of a modern city.

The colors lie in the time of the beholding: at dawn deep purple, then orange red, brightening to sandy yellow by midday, then in later afternoon back to fiery red—and to dark purple just before the sun lets go of the scene.

Much of Canyonlands National Park has the look of the Grand Canyon, which isn't surprising, since the Grand Canyon is formed by the same twisting Colorado River a few hundred miles downstream.

But the park is far from being the whole of the Canyonlands scene. Utah very cagily has reserved one of the very best lookout spots for itself at Dead Horse Point State Park, right next to the park, from which you peer down into the Colorado River below, then out over the buttes and mesas of Canyonlands to the distant Blue Mountains.

All this up to the southwest of Moab, gateway to the whole area. Five miles on the other side of Moab, to the northwest, is the Arches National Monument.

Some monument! Fifty-three square miles of some of the strangest shapes seen anywhere since Minsky got out of the burlesque business. The 88 arches were formed by great holes cut into the rock by the winds after the soft sandstones had been weakened by ice formations.

A few years ago I might have described all this as a lunar landscape, but after watching the movements of Armstrong, Aldrin, Conrad, Bean, Shepard and Mitchell on TV, I know that the moon is pale in comparison.

Recently my 11-year-old namesake (on school vacation) and I at the Moab airport met a local character by the name of Ole Tex McClatchey. "Ole," Tex must be all of 35, but he hides his comparative youth behind a bushy black beard, and he enhances his character role by wearing yachting and Bulgarian army forage caps.

Behind the bushy facade, we found a sharp, knowledgeable and enthusiastic tour operator. Ole Tex is the triple-threat man of the Colorado River country: he'll explore the river with you by boat, jeep or plane.

We took off from the Moab airport about mid-morning in a Volkswagen Microbus that Ole Tex had fitted out with fat dune buggy tires on the rear wheels.

We lunched around a campfire on the flat rocks near Dead Horse Point, overlooking a bend in the Colorado, almost half a mile straight down, then drove down to the canyon floor along the narrow, twisting Shafer Trail—the scariest expedition available since they closed the giant skyride at Luna Park in Coney Island.

We did the Arches in the purpling dusk to end a day that must rank with a trip through the white marble Taroko Gorge in Taiwan as our most memorable single piece of sightseeing.

The next morning we flew over all of the park with Dick Smith, a young giant who looks like the other one of the black-bearded Smith Bros. and operates Canyonlands Aviation out of Monticello Airport, a few miles south of here.

Letters addressed to Ole Tex at Moab or Dick Smith at Monticello will get you more

information, but if you're in the neighborhood, maybe they'll be in touch with you.

You see, the highway police have a cute stunt around here. When things get too quiet, they'll stop a passing car—preferably with out-of-state license plates and packed with kids—and scare the driver by telling him he'll have to come with them. Then they invite him to be the guests of the Moab Travelodge overnight and of Old Tex for next day on the river. Everything on the cuff.

HOW WINTER WHEAT MADE KANSAS AND THE UNITED STATES THE BREADBASKET OF THE WORLD

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. SEBELIUS. Mr. Speaker, on March 9, my colleague and good friend from Kansas, GARNER SHRIVER and I introduced a resolution to provide for a 1974 centennial celebration in Kansas to commemorate the introduction of hard red winter wheat into the United States.

Several weeks later, the editor of the Hutchinson News, Mr. Stuart Awbrey, wrote an excellent article regarding the story behind this important chapter in our history. For those who do not know the pioneering background of winter wheat and how it came to make Kansas, and in turn the United States, the breadbasket of the world, I would like to share this article written by Mr. Awbrey with my colleagues and commend it to their attention:

FROM THE SEA OF AZOV

A group of wheat state Congressmen, including Messrs. Sebelius and Shriver, have introduced legislation for a 1974 centennial to commemorate the introduction of hard red winter wheat into the United States.

Specifically, into Central Kansas in 1874, in the vicinity of Hillsboro.

That's fitting. Not only because of the impact of hard winter wheat on the nation and world, but also because behind that first seed planted here 100 years ago is one of the great, moving epics of modern history.

A story, moreover, which has peculiar overtones to our own time. Because this story was born out of a controversial war, and it brought conscientious objection, mistrust of long hairs, persecution and repression of those who felt differently from the Establishment.

The story began more than 400 years ago, about the time Coronado poked gingerly into these plains, when a priest named Menno Simons reorganized the scattered remnants of his religious followers in Holland.

The next chapter came in 1783. Catherine II, a German princess and empress of Russia, invited the Mennonites of Holland to forsake the persecution which Phillip II of Spain was inflicting upon them and to make their homes in her southern province of Taurida. She granted them religious freedom, immunity from military service, and local administration—for 100 years.

These Mennonites developed a fabulous agriculture community. Their wheat governed the price of that staple in the world market, their homes were in many cases mansions, and their peace seemed secure, for at least 80 years. But their exclusiveness led to their downfall.

The Franco-German war of 1870-71 gave the Russian government its ammunition to

move against these rich farmers. In a deal with Germany's Chancellor Bismarck, Russia remained neutral providing the German government withdrew its political guardianship of the Mennonites.

Bismarck accepted, with one counter-condition: that the colonists be allowed 10 years to emigrate.

Thus began one of history's great exoduses. Thus, too, began the development of the Hutchinson territory as a breadbasket.

Here enters the Santa Fe railroad. The American Homestead Law, passed in 1862 to give 160 acres of land to pioneers who settled on it, was the lever the Santa Fe used to pry loose some 15,000 Mennonites from southern Russia and transport them, boatloads at a time, to Central Kansas.

C. B. Schmidt, a big bespectacled man with a Garfield beard and an eye for a thrifty farmer, was the immigration commissioner for the expanding A.T.&S.F. He set sail for Russia just as the Mennonites were aroused to the peril of their position.

Many already were on the way to join their brothers in Pennsylvania, Maryland and Canada. But Schmidt, who had the backing of some Mennonites in Marion county plus the eyewitness account of Cornelius Jansen, Prussian consul who had toured the Santa Fe's territory, easily persuaded the emigrants to try their luck in Kansas.

Four months after Schmidt's arrival in Russia, a Red Star steamer carried a full cargo of household goods, farm implements, wagons, and 400 Mennonite families from Berdiansk to Philadelphia. Traveling all the way at the expense of the railroad, they arrived at Newton simultaneously with the grasshoppers, and the two invasions were distinctive. The 'hoppers brought near ruin; the Mennonites brought \$2½ million in gold and purchased and/or settled 60,000 acres in Reno, Marion, McPherson and Harvey counties. By 1883, the Mennonites on Santa Fe lands numbered 15,000.

It is a far cry from the Sea of Azov to the plains of Kansas, but the farmers understood the soil. In analysis, it was turkey red wheat, hand-picked and stowed in the baggage of each family, that unlocked the Kansas land for the newcomers.

Drought and rust-resistant, hardy and with a ready adaptability to the trinity of soil and mill and bakery, turkey red made its name by 1879. Within 10 years, other Kansas farmers were buying seed from the Mennonites and importing bushels of grain from Russia.

The year before the Mennonites arrived, wheat production in Reno county totaled 44 bushels. By 1884, a million-bushel crop was reported, most of it turkey red.

And what about persecution? The Mennonites must answer that, but they did secure a measure of immunity from military service, their own schools and churches, and religious liberty which started the whole story.

CONFERENCE ON PROPERTY TAX REFORM

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. ROSENTHAL. Mr. Speaker, on December 12, 1970, Ralph Nader and his public interest research group, sponsored a conference on property tax reform.

We are all painfully aware of the rising property taxes in most jurisdictions around the country. This increasing tax burden stems, in part, from the growing

demand for more and better governmental services at the local level. But it also stems from certain inequities in the way in which the property tax laws are promulgated and administered.

It is these inequities which the Nader conference examined. There has been made available to me a transcript of the speeches delivered at the conference.

I am including in the RECORD at this point, the speeches of: Ralph Nader; Senator EDMUND MUSKIE; Gov. Milton Shapp, of Pennsylvania; Mason Gaffney; and Prof. Ferdinand Schoettle:

REMARKS BY RALPH NADER BEFORE THE CONFERENCE ON PROPERTY TAX REFORM WASHINGTON, D.C., DECEMBER 12, 1970

I. INTRODUCTION

Mr. Simon, Ladies and Gentlemen. The remarks I'm going to make this morning deal with the property tax. Only, however, with the administration of the property tax and some of the more blatant outrages. Beyond the actual inequities in the property tax are issues very close to the local communities and very much related to the quality of life in the total community in terms of what its municipal services can provide its citizens. In that respect, the property tax is a system and manifestation of much deeper problems in the local communities and the local power structures. I think it represents, perhaps more than any other economic governmental relationship at the local level, a corruption of the political process that in recent days has been given a great degree of treatment around the country.

Of all the taxes levied by governments upon their citizens the property tax is one of the oldest, it is probably the most controversial, and it is clearly one of the most important. It has been and still is the financial lifeblood of local city and county governments. Revenues collected from the property tax have grown sevenfold since 1945 and now amount to over \$33 billion a year. This represents close to 80 percent of all local revenues. City, county and some state services are financed almost entirely from the ad valorem tax. Fire protection, police protection, water and sewage services, maintenance of streets and parks are all services financed in part or in their entirety through the property tax. Of course, the local educational systems in our country are almost universally financed through levies upon property.

Despite its importance, that the property tax has been subjected to a great deal of theoretical discussion over the years that transcends its administrative inequities. There is, of course, among fiscal specialists a profound difference over the validity of the tax itself and whether there is a more equitable way to exact levies from the local communities. What I'd like to speak about this morning is more the actual operation of the tax, how it is administered, rather than the basic philosophy of the overall concept of the personal and real property taxation which will be discussed by others later in the conference.

The quality of the administration of the property tax is notoriously poor. That could be considered in itself an understatement. It could be called notoriously illegal in many communities. The results are clear. Financially starved cities are losing billions of dollars a year. Taxes on residential property are increasing to a point where the average citizen can no longer afford to own a house, especially in the cities. Entire school systems are considering closing down because of the unwillingness of overburdened property owners to subject themselves to even higher taxes. Senior citizens are literally being forced out of their homes. Many of these elderly citizens are now paying taxes on their homes that are higher than the monthly payments they made to purchase them.

Land use patterns throughout the country are being disturbed and are having an adverse effect on the environment and ecology of many areas.

There are, of course, other factors that contribute to these problems. The costs of city services are increasing rapidly. But these costs are being borne disproportionately by the homeowner and small businessman because of the inequalities in the administration of the tax system. If all taxpayers were to bear their proper share of the property tax burden, taxes on residential and small business property could be decreased as much as 25 percent while increasing revenues for the local governments.

There is nothing new in saying that there are gross inequalities in the administration of the property tax. Inequality has been an issue in property taxation for over a hundred years and citizens have been calling for an end to discriminatory administration for equally as long. For example, E.R.A. Seligman in the late 1800's described a property tax that must have been much the same as the one known by most citizens today. He said:

The general property tax as actually administered is beyond all doubt one of the worst taxes known in the civilized world . . . It puts a premium on dishonesty and debauches the public conscience; it reduces deception to a system, and makes a science of knavery; it presses hardest on those least able to pay; it imposes double taxation on one man and grants immunity to the next. In short, the general property tax is so flagrantly inequitable, that its retention can be explained only through ignorance or inertia. It is the cause of such crying injustice that its alteration or its abolition must become the battle cry of every statesman and reformer. (Essays on Taxation, 10th Ed., 1928, p. 62).

Seligman's call to battle against inequities in the property tax has largely been ignored. The fact is that up until recently little or nothing has been done to correct inequitable administration. Effective action to end abuses can be accomplished only if there is a clear and accurate understanding on the part of all citizens of the source and cause of inequitable administration as well as the means by which they may obtain reform. A clear understanding of these factors has been hidden by a brace of myths that have developed and which need to be replaced with facts. It's also important, I might add, to know the mechanism by which this inequity is perpetuated; that is probably beyond the scope of the conference today. But the partial return of windfalls to large property owners in inequitable assessment is often shared proportionately with the political party machine. This has, for example, been illustrated in the Chicago area. And that's the kind of binders that corrupts the process—in a sense, it ensures its own perpetuation and does probably more to undermine the integrity of local government and county government than the procurement of government services and goods would.

There is a belief that is widely held among those who deal with property taxation that underassessment and undertaxation applies equally to all types of property and in equal amounts. Many of these people insist that if any property is overtaxed it is commercial and industrial property. The logic of their argument is that since large industrial and commercial property is easy for the assessor to spot and since the owner is a non-voting corporate entity, there is a tendency to assess or tax them more than other property in the jurisdiction.

Not only is the belief that commercial, industrial and mineral property is overtaxed a myth, it verges on being hyperbolically ridiculous. There are a number of factors that have led to this belief, but whatever the basis for this widespread myth, it is, with perhaps a few exceptions, factually just plain wrong. Underevaluation, underassessment,

and consequently undertaxation of large commercial, industrial and mineral property is of epidemic proportions across the entire country. Studies conducted by my staff, by interested citizens and professional organizations have documented case after case of undertaxation of these large economic interests. A few examples may be cited: in Chicago, a city not known for a lack of official abuses, nearly every major building in the city is grossly underassessed. The twin Marina Towers, the Merchandise Mart, the John Hancock Building—all multi-million dollar structures—are undertaxed by as much as 50 percent. Ah, but the critics reply, you can't count Chicago—we all know that Cook County is the exception. Look, then, at Houston, Texas. A recent study done by law students at the University of Texas Law School revealed that commercial property was being assessed at a rate that is approximately one-half that used for residential property.

If these two cities are not sufficiently provocative, then look at Allegheny County, Pennsylvania or Gary, Indiana or Anmoore, West Virginia. In each of these locations some of the industrial giants of our country devote a substantial amount of time and resources to deliberately avoid the payment of property taxes. United States Steel, for example, refuses to open its records to city or county officials in order to facilitate an accurate appraisal of their property. They even defy the law by refusing to take out building permits whenever they construct additional facilities on their property. The results of these tactics are easy to see. In Pennsylvania, one of U.S. Steel's plants is underassessed by at least \$100 million. Over a five-year period, the company added over \$350 million in capital improvements, while their property tax assessment increased only \$3 million. In Gary, Indiana, U.S. Steel's taxes went down this year while the taxes for all other taxpayers increased—Gary, Indiana being one of the largest company towns in the U.S.A.

Another example is the Union Camp Company in Savannah, Georgia. Union Camp is the largest manufacturer of bags and cartons in the country. It produces 35 million paper bags that you see in supermarkets every day. Yet they have a special tax rate that is less than one-half the tax rate which other taxpayers must pay. In addition to avoiding taxes on their plant property, Union Camp held property that was assessed at \$10 to \$15 per acre but which they sold for over \$2,000 per acre. Still another example is Union Carbide, whose plant and facilities in Anmoore, West Virginia* are assessed at 20 percent below residential property.

Undertaxation of mineral and timber property is equally as widespread. Oil properties in east and west Texas, the largest oil-producing state in the union, were shown in two recent studies, again by law students at the University of Texas, to be underassessed by more than 50 percent when compared to assessments on residential property. In a ten-county area in east Texas, the same study showed that over \$600,000 a year in tax revenues were lost due to undertaxation of timberlands. Coal properties in Kentucky,

* In tiny Anmoore, West Virginia (population 960), the town council last week repealed a loophole in a local ordinance which allowed the mighty Union Carbide Corporation to pay sales taxes at one-fifth the rate paid by Anmoore's small businesses. The new influx of revenue will allow the town to pave its streets, install a sewage system for the first time, build parks and recreational facilities—in short, to escape the syndrome of bleak Appalachian poverty which Union Carbide's colonial rule has inflicted upon them. The dollar amount involved was small—a few hundred thousand dollars in the next three years—but the implications are far-reaching for other similar company situations around the country.

West Virginia and other Appalachian states escape taxation almost completely.

Railroads, which are now before Congress asking for special legislation to protect them from alleged overtaxation, also receive fantastic tax breaks. An example is the B. & O. Railroad in Maryland. In Baltimore city they pay \$50,000 in lieu of taxes on over 640 acres of prime land. Moreover, they also receive a special tax rate on their intangible property—a reduction of 75 percent in their rate compared to that of other public utility property.

Commercial and industrial property are not the only types that receive special tax breaks. The homes and playgrounds of the wealthy who control these large economic and corporate interests also receive favorable tax treatment. A study done this summer of country clubs in the Virginia and Maryland suburbs of Washington, D.C. (which we hope to release shortly) showed that, because of special legislation and some double accounting, country clubs are undertaxed. It was determined, in fact, that the average homeowner in these areas subsidizes these clubs to the tune of \$25 to \$45 per member—members such as Vice President Agnew.

It is these examples and others that demonstrate a clear trend that is in no way related to the common belief—or the myth—that all property is equally underassessed and that commercial, industrial and mineral property is overtaxed.

There are also myths about why there are inequities. The myth of commercial and industrial overtaxation is a result of even more myths about the reasons for inequitable taxation.

Myth #1: That large economic interests are overtaxed because they are easy targets for the assessor because they don't have the "vote".

Fact: This assertion demonstrates a profound naivete. Economic power and therefore political power is far more important within community power structures in determining who is to receive favorable tax treatment than the possession of one or even one hundred votes. In a political system that depends on expensive media coverage for successful campaigning, the winner is the candidate with the best source of funds very often. In Chicago, for example, to receive favorable tax treatment one must contribute to the local political machine, to the campaign of the assessor, or purchase land in certain development companies. It is the offer of campaign funds that is the *quid pro quo* for lower property tax assessments. Anybody who wonders what the power of the Mayor is in Chicago and what cement connects the political machine to the economic power systems of that city would do well to study this property tax administration. In a recent election the Mayor exerted fantastic efforts to re-elect the assessor against the challenger who had disclosed many of these illegalities and inequities. I'm reminded of an article in a Chicago paper which observed the scene of election eve when one of the precinct captains came rushing in with great exuberance, saying that he had come in with 360 votes to nothing in favor of the incumbent, whereupon he was rebuked by his superiors and urged to go back and get at least four votes in the negative so that they're not investigated.

Economic strength is perhaps the most important factor in achieving favorable tax treatment. Industrial units with a national financial base are totally insensitive to the financial needs of the local communities in which they are situated. They are constantly threatening the city with: "If you raise our taxes, we will leave or move." It is simply another example of irresponsible use of corporate economic power and demonstrates a total disregard for the responsibilities of industrial citizenship. Too often, moreover, companies in company towns drain the area of tax revenues and then contribute a frac-

tion of their windfall toward some charitable activity to further their hold on the community.

Myth #2. Another myth contributing to the under-assessment of large commercial and industrial property is the belief that it is impossible to accurately appraise industrial property. The extremely difficult job of industrial assessment is used as an excuse to justify a negotiated settlement between the local government and the particular industry.

The facts, however, are that there are generally accepted methods of industrial appraisal that, if competently used, provide defensible figures for assessment of the industrial plant. There are a large number of professional appraisers who could be retained by a community if in-house appraisal expertise is missing. The extra expenses involved in hiring an outside appraiser will be more than offset by the additional revenue received from the industrial and commercial giants. This, incidentally, does not mean to disregard the possible risks in delegating the appraisal function to a private contractor. We found that in west Texas, for example, the Permian Basin, that the local taxing districts hired out an appraisal firm which did everything except put the stamp on the envelope containing the bill to the taxpayer. And there are additional safeguards that have to be developed if this delegation of the appraisal function is to be made to private contractors.

The appraisal of industrial property is by no means precise. There are myriad factors that must be considered. But the basics of the appraisal process are well known and there are generally accepted principles that can be applied. Appraisal of any property involves applying three methods of assessment to determine a rational fair market value from the basis of the figures arrived at from each method. The first method is the use of values from sales of the same or similar property. That's obvious. The second method is to determine the reproduction cost of the plants and then subtract depreciation. The third method is what is called the "capitalized income" approach. Under this method, the projected income from the plant is determined and discounted to present value. I might say, this is the one that is subjected to the easiest type of manipulation, particularly with the refusal of corporate management to release accurate projections.

For the purpose of appraising industrial property, the sales method is especially inadequate because of the lack of relevant sales data. The other two methods, however, can be used with a fairly high degree of exactness—of course, depending on the cooperation of the subject taxpayer. The problem has not been with inexactness of the procedures for appraisal, but with the recalcitrant corporation which refuses to cooperate with the local taxing authority. U.S. Steel is a leading example. The corporation's management here refuses to divulge any cost information from which the assessor as an independent appraiser could determine the reproduction cost of the plant. Similarly, U.S. Steel—as well as other companies, such as Union Carbide—refuse to divulge income information in order to facilitate an appraisal by the income approach.

Myth #3. That tax shelters must be offered to industry in order to attract them. Opposition to industrial tax-shelters is allegedly "anti-industrial."

The facts are that there is simply no evidence that the existence of a property tax shelter is a decisive or significant factor in the process involved in deciding where to relocate a major plant. The other factors of production, labor, entrepreneurship, capital, transportation, are all far more important to an industry in determining where to locate than property taxes are.

The existence of these shelters cause more difficulties than they can possibly be worth. This is especially true where suburban com-

munities provide tax-sheltered greenbelts for the purpose of attracting industry out of large urban centers. At the same time, these communities restrict, through zoning laws, the living space within the communities so that the workers still live within the city. The result is an enhancement of the power of an already powerful industry. They now have the leverage—which they use—to threaten urban centers with relocation if their taxes are not lowered. In other words, suburban industrial park tax shelters tend to bring the level of taxation of industry within the entire area down to that level. It is an endless cycle enuring only to the benefit of the industry at the expense of the community and the schools.

There is another fallacy involved in the tax shelter. It is implicit when a tax shelter is offered that the citizens of the community believe that the industry will impose less costs on the community than other property owners. But that is simply not true. No doubt, additional employment is created when a new plant is built. At the same time, the community costs for schools, roads and the like increase. Moreover, the industry poses a serious pollution threat frequently. A relevant example is Augusta, Georgia. An illegal tax shelter was offered to a plant that was involved in reprocessing paper for pulp. The plant moved to Augusta and within a short period of time ruined a new sewage system with its waste products. This was a \$14 million sewage system that the citizens had just purchased and installed through their property taxes. The industry did not help pay for it—nor will it help pay for the repair because of the tax shelter.

There is no doubt that the inequities in the property tax are outrageous and that they are caused in large part by political and economic power of large economic interests. The real issue is what can be done to bring about reform of the system. Here again a number of myths have developed that act as deterrents to positive action for reform.

The first one is that many respected authorities on state and local finance claim that it is impossible to have a well administered property tax, and therefore efforts toward reform should be aimed in other directions. Now there are obviously different and alternate taxes that have to be considered here. That, however, is a different subject—not necessarily a displaced concern. We must pay attention to the existing administration of the property tax if only because it's there. And it's likely to be there for a long time—it has very deep political roots. And while there has to be consideration of other taxes—perhaps with a more progressive impact and a more direct relation to the uses to which tax revenues are put, we still have to face the problem of the administration of the local property tax.

High quality administration is, in fact, possible if certain basic reforms are instituted. Most of these reforms will require basic legislative reform in most states. The efficacy of political and economic influence can be substantially reduced if the assessment positions are taken out of the political spectrum. A majority of the assessing officials in this country today are either elected officials or are political appointees. As a result, assessing officials are frequently not qualified. They are also willing to bend to the influence of the politically and economically powerful in order to assure their continuance in office.

The assessor himself is not the only one to be blamed. He is perhaps the most underpaid of all public officials. In many states the assessor is a part-time position and salaries range as low as \$1800. It is foolish to expect any sort of quality from this type of administration, but it doesn't mean that there cannot be improvement. Appointed full-time assessors who are paid salaries commensurate with their educational re-

quirements would be a significant step toward preventing inequitable assessments.

Professional assessors who are adequately paid in an office equipped with the latest in data processing equipment, would comprise significant steps towards eliminating inequities. There are additional specific reforms that can be taken by the state legislatures and other legislative bodies that will also avoid many of the inequities in administration. These reforms have been called for as far back as 1963 by the Advisory Commission on Intergovernmental Relations and as recently as last May by a panel of 40 experts in the assessment field. Both these groups claimed that the property tax system can be made to work within reasonably acceptable cost-benefit limitations and in an equitable manner.

The second myth, of course, is the one that has indented citizens throughout history, namely, You can't fight city hall, or, I might add, You can't fight General Motors. (There's getting to be very little difference now between city hall and General Motors, between government power and corporate power.) The old adage that the average citizen is helpless to work against entrenched political and economic power is perhaps the most frequent reason given for why definite reforms have not been adopted. By the way, the old point about You can't fight city hall is a delightful rationalization for spending millions of hours watching TV soap operas, chatting on the telephone, and playing bridge. So it has a nice correlation with human apathy and laziness.

Fact: There is concrete evidence that hard and courageous work on the part of the average citizen within a community can result in dramatic improvement. In Annoore, West Virginia the city council, led by Mayor Buck Gladden, a \$3.00 an hour laborer, voted to increase the taxes on a Union Carbide plant that had not paid its fair share of the property tax for over 20 years. That increase, which was voted last week, amounted to over 400 percent.

What Annoore has demonstrated, and what is going on in other communities around the country, is that effective action can be taken by organized citizen efforts with the help and backing of a national organization. This conference, the Property Tax Newsletter, and technical aid and support from our Public Interest Research Group, combined with citizens who are determined and who have the courage to stand up to the frequently abusive tactics of those receiving favorable tax treatment, can achieve positive results.

Anyone working for reform within his community should, in fact, be prepared for the worst. The tactics that special economic interests will resort to are virtually unlimited. There are cases where business and personal affairs of those working towards reform have been severely damaged. In Augusta, Georgia, for example, a group of 40 citizens, including an employee of the assessor's office, began a campaign to eliminate illegal tax breaks offered under the auspices of a "Committee of 100." Within a period of a year the size of the group had been effectively whittled down to six and the employee in the assessor's office had been stripped of all official duties. That, of course correlates with an observation of mine that the speed of exit of a civil servant is directly proportional to the quality of the performance.

The group finally prevailed. Their perseverance resulted in a court action that barred the illegal activity. Yet even to achieve this small victory, the group had to go to another county to find a judge willing to hear the issue. This phenomenon is common place: attorneys are unwilling to represent taxpayers for fear that their reputation or financial interests within the community will be hampered; and judges are unwilling to

hear the issues or offer outrageous excuses for finding against taxpayers.

Clearly it is not an easy road. There is, for example, no property taxpayer haven in the country the way there is a corporate haven in Delaware. But Annoore, West Virginia is a shining example of what can be achieved if citizens organize. What happened in Annoore will be happening in every city and every county in the country. It is time that the myth of corporate responsibility be exposed at the local level and that the facts of corporate irresponsibility be acknowledged. The double ethical standards that have been applied to corporations and to individuals should be remedied at once. Union Carbide, U.S. Steel, Union Camp, General Motors and all the other corporate giants, as well as the large economic interests within the communities, are citizens—presumably—and must exercise the responsibilities of citizenship that are expected of all citizens.

In conclusion, some problems cannot be solved by citizen action in only one jurisdiction. For example, the movement of industry from one state or city cannot be presented by its citizens when another state or city offers outrageous tax shelters. Inequities in administration are so widespread that, like pollution—which is simply another manifestation of the corporate abuse of power—the problem is national as well as local.

The combined force of courageous citizens in every locality, together with efforts by national organizations and authorities, will rapidly lead to a much more equitable property tax system, with all that means for city and county services, education, small property holders, land use, the elderly and a more honest political structure.

It should not be misinterpreted that a reform of the property tax administration is necessarily going to reduce everybody's property tax at all. It will, of course, provide added revenues which will be absorbed by many desperately needed municipal services. In addition, there is, of course, a greater response on the part of people to the needs of the community if there is a lessening of the gross illegalities and inequities which breed disrespect for the whole process of property taxation.

It can be expected that this conference, with its sincere and knowledgeable participants and speakers, will launch to a new stage of action the quest for tax justice and corporate responsibility.

Thank you very much.

REMARKS BY SENATOR EDMUND S. MUSKIE BEFORE THE CONFERENCE ON PROPERTY TAX REFORM, GEORGE WASHINGTON UNIVERSITY, DEC. 12, 1970

Mr. Nader, Mr. Shapp, Ladies and Gentlemen, I'm glad to be here. We're here to talk about tax reform—property tax reform.

This conference with Ralph Nader and this assembly represents not simply the gathering of some people, but it represents, I think, the development of a program on his part to stimulate the initiation of reform in the property tax area. It's a step forward in that direction. This is an issue which, although it involves local tax policy, undoubtedly, deserves a searching national inquiry. We know these facts, for example:

Property taxes provide at least 40% of all state and local government revenues;

They are assessed by some seventy thousand local governmental units;

They generate more than \$33 billion a year in government revenues.

This income-producing mechanism is second only to the Federal Income and Social Security Taxes in importance. It is the basic revenue source of two-thirds of our cities' expenditures. It finances 54% of local government cost for education; 41% of their costs for health care and 30% of their costs for welfare.

It is the basic tax we levy on our entire housing stock in this country.

Its very magnitude would be reason enough for a periodic examination of this tax and its reliability.

But the wide variations throughout the country in terms of taxable wealth, administrative performance, fiscal requirements have all contributed up to now to make property taxes a matter of local, rather than national, interest.

That attitude is no longer satisfactory.

Taxpayers across the nation are beginning to ask the same fundamental questions:

Are property taxes fair?

Are they equitable?

Are they sound?

These questions should be answered—thoroughly, and without evasion. Congress should seek the answers, not only for the purpose of educating the public—but also for the purpose of determining how property taxes affect national programs and policies.

For example, major federal expenditures for rehabilitation of urban housing will have little impact if property tax assessments at the local level are increased to the extent that they make any new investments prohibitive. Aside from its effect on current programs, the level of property taxes is directly related to the financial aid which state and local governments are presently requesting.

In all likelihood, the 92nd Congress will be asked to expand federal grants-in-aid and to initiate a planned revenue sharing.

Are we fully prepared to do either until we understand both the limitations and the potential of the property tax, until we adequately consider the need for reforms in the property tax structure?

It has been estimated, for example, that the inequalities in local property tax assessments are resulting in a shortage of 20 to 50% of potential property tax revenues. Mr. Nader has estimated that a fair assessment of business properties in America would increase state and local tax revenues by at least \$6 billion a year. Monies then could be used to improve health care facilities, a greater housing supply, better elementary and secondary schools, more effective law enforcement, and cleaner air and water. This is not to suggest that property taxes are the only answer to the financial survival of our states and cities, or that they should not be lowered where possible. But it is to suggest that property taxes could substantially ease the financial burden of many localities if they were simply levied in an equitable manner on all property owners.

The question of equality would be, I think, central to this inquiry. Equities between business property and residential property; between houses and apartment units; between land which is improved and land which is unimproved. Is it wise, for example, to offer a low property tax assessment as an inducement to new industry or business concern? After all, the introduction of a new industry would necessarily place a new strain on available services of water and sewage, for capacities of schools—services which localities must find money to support. If they cannot find the money at home, by raising taxes of everyone else in town, then local governments will seek relief from state and federal government. And as a result, many taxpayers have already been placed in the curious position of unwittingly subsidizing a new business in another town.

With unequal assessments across the country, residential housing, the utilities, and small businessmen end up paying the lion's share of the bill on community services.

The case of Anmoore, West Virginia is very instructive. Here, two members of Mr. Nader's Task Force on Union Carbide, succeeded in convincing the town to tax the plant on its whole assessed value with an expected

revenue gain of about \$380,000 by 1973. Moreover, once a property tax inducement is offered and accepted, it is likely to become institutionalized, as it did in Anmoore, West Virginia and has happened in so many small towns in my own region of northern New England. It continues to be a drain on public resources, for private advantage.

Are there, in fact, any rational alternatives to this haphazard method of allocating our resources?

If so, should Congress help bring them to light?

We must also ask whether it is fair that our Federal tax laws which permit homeowners to deduct property tax payments from their income; provide no relief at all to apartment dwellers, whose rent is increased by their landlords as a result of those same property taxes?

More than 3.5 million Americans—many of them elderly, many of them sick—live in apartments where taxes account for 20% or more of their rent.

Should they bear a special burden of paying for schools and for welfare?

Do many of them, in fact, need increased Social Security benefits because of rising property taxes?

There is still another more basic question: Whether any property taxes should be levied against buildings and improvements or whether they should be levied completely, or primarily, on land value itself.

The argument has been made:

That it is socially undesirable for the land speculator to pay substantially less property taxes than the person who builds improvements on his land.

That cities are decaying precisely because the property tax structure discourages modernization and rehabilitation and replacement of existing buildings.

That absence of sensible land use planning is due in large measure to property tax structures which stimulate land speculation at the expense of coordinated land development.

What is wrong is the all too familiar pattern of irregular growth, disorderly expansion, scattered development of subdivisions, shopping areas and industrial centers often far removed from the center of urban activity and equally far removed from needed municipal services such as water, transportation and other utilities.

Americans have borne the final cost incurred through travelling longer distances to work and to shop and higher costs for gasoline and over clogged roads—in constant need of being widened—to accommodate yet the next wave of suburbanites.

Their water systems, often so small as to be virtually uneconomic to operate and then at rates for services which are far out of proportion to their needs. They've experienced and they continue to experience the inconvenience of gas and electric utilities expansions at substantially higher costs.

On the other hand, would a land tax alone have the effect of promoting the kind of vertical development, of high density living, which is the most undesirable alternative in terms of our environment?

These are fundamental questions that involve not only the local communities which create this property tax, but also the Congress. So the Congress has an undeniable role to play in resolving these arguments, and we must not avoid asking the hard questions.

Do property taxes necessarily have to control a higher fraction of the income of poor families than of families who are not poor?

Must certain industries such as railroads, other mass transit systems, be placed at a price disadvantage because their competition has significantly less property tax to pay?

Can we begin to design methods of uniform property tax assessments which are more real than imaginary?

Are there more sensible ways for local gov-

ernments to levy taxes by joining together on a regional basis?

If these questions seem complicated it is only because they are. The answers will be neither easy nor quick. Those of us in the Congress shall need your experience, your knowledge, and your insistence that we begin the task.

It has been written that:

"If any tax could be eliminated by adverse criticism, the general property tax should have been eliminated long ago . . ."

This, of course, can be said of any tax, I suppose, in a very real sense. If I may summarize what I've been trying to say, let me put it this way.

We are in the midst of a move into a society which increasingly will be populated heavily and more complex, more industrialized. We are concerned about centralization, government responsibility, and increasingly it is necessary to formulate solutions to the problems which must cross over local jurisdictional lines. Is there a middle: I've been convinced after several years of study in the intergovernmental field, that every live urban area in this country has within its borders the resources to deal with the problems of the people within those borders. The real question is the ability of those regions to apply those resources.

What we're talking about this morning, although the subject is property tax reform, is really not just property tax reform. Because in order to adjust the property tax to the realities of the American of today or tomorrow, we must also get involved in the structure of our public and non-public institutions.

That's an enormous task. Acquiring a kind of understanding of the total structure we have never fully developed in this country. It involves a focusing of the public spotlight on the real friction points which generate the conflict among our people and then finding the wisdom, the organizational change, which will make it possible for us to change the structure and thus, is resolvance. We have in this country as the focus of our Gross National Product and other evidences of the extent of our resources, a great impact, greatest tenacity for dealing effectively with the problems of our people than has ever been assembled heretofore in a single nation. Yet we have some of the most grievous problems of injustice to our own people that any nation has ever faced before. So what we must do, is to close the gap between potential, promise and reality.

I think that Ralph Nader, to a greater extent than anyone else I know, has opened the property tax problem as a significant key to the door in that future. So I compliment him upon undertaking this effort, stimulating and prodding it in the only way that Ralph Nader can. I know, because he's prodded me into the area of property tax reform and I'm sure he's going to prod me into others in the future, so I'm glad to be here this morning to participate in this discussion.

REMARKS BY HONORABLE MILTON J. SHAPP, GOVERNOR OF PENNSYLVANIA BEFORE THE CONFERENCE ON PROPERTY TAX REFORM, GEORGE WASHINGTON UNIVERSITY, DECEMBER 12, 1970

Mr. Nader, it is a pleasure to be here with you this morning to talk on the problems of taxation. I am always introduced these days as Governor-Elect Shapp: the newspapers seem to be full of Governor-Elect Shapp. I never realized the impact this would have on the young mind until a few days ago when a woman came up to me and told me that her five year old daughter had come to her and said: "What kind of first name is 'Elect'?"

Ralph, I was also wondering about the size of this audience. I understand the only

reason you are able to obtain a large place like this for the Conference and have it free of charge is that you are using a tax-exempt building.

Property tax valuation, of course, is quite an art. That is spelled with a capital "A" and a small "a". It was once described as valuation not on the basis of what you own but who you know. As Mr. Nader said a few moments ago, politically, it is who you own and not what you own.

I am afraid this is a basic problem, this whole reliance on the property tax as a major part of the income of our nation. As many of you know, I was elected Governor of Pennsylvania on November 3rd. That election automatically made me one of the nation's most concerned citizens in the area of taxes.

In the past six weeks since I've been elected, it has become more and more clear to me that my state faces perhaps the most critical fiscal crisis of any state in the nation. Of course, during the campaign I had sufficient information available to me to indicate that Pennsylvania was headed into the red ink during the current fiscal year to the tune of several hundred million dollars.

But today I feel much like President Kennedy felt after he took office. You will recall he said then that he was shocked to find out that all the charges he made about his opposition during the campaign were actually true. In my case, the facts are even more true than I thought they were. This is a reversal of the usual political process. Ordinarily, candidates are supposed to exaggerate the problem of the opposition and then have an easier time of it when they, as victors, take office.

All during the campaign I thought that Pennsylvania was only \$300 million in debt for the current fiscal year. But now it has become apparent that the actual figure may go above the half billion mark. If you add in the projected budget for the next fiscal year, Pennsylvania must find more than 1.2 billion dollars—perhaps as much as 1.5 billion dollars—in the next 18 months just to stand still. I intend to streamline the operation of the government in Pennsylvania to cut costs, but it is obvious to everybody that unless we are to slash vital services, the huge deficit we face can be overcome only by additional state taxes or by the federal government assuming a greater share of the load, either through federal tax sharing programs or by the assumption of total welfare load or by other means.

Of course, to add to our crisis, Pennsylvania, like most states, has a constitutional requirement of a balanced budget for each fiscal year. Therefore, we must find the funds to balance the budget for this year's operations prior to June 30, 1971. I might add, in this connection, that after the discussion several Governors had at the White House yesterday with the President it is clear that the Federal government is the only one which has the power to resort to deficit spending in order to resolve these problems. The states and cities cannot do so. And this is one reason why the Federal Government must resort to tax-sharing and begin to assume the cost of welfare programs for the cities and states.

Just thinking about all these problems makes me realize what my wife meant during the campaign when she looked up to me and said: "Milt, what happens if we win?"

I don't want to dig into these various problems in any depth today. I just want to mention them so that you can get a picture of the gravity of this whole fiscal situation in Pennsylvania and the nation. For, while we deliberate in Pennsylvania on the state taxes, the National League of Cities met this past week in Atlanta. One report from that conference describes the problems facing the cities as the worst since the depression.

The cities and the states all around the nation face revenue shortages. For example, Newark, New Jersey is in a tight squeeze, described by both the Mayor of the city and the Governor of the state, and the problems of her urban areas are going to pull the vise even tighter. The financial affairs of New York City and New York State are desperate and under existing conditions, Rockefeller may have to dip into his personal funds to rescue his state. Even the smaller states are faced with the need to hike taxes upon taxes.

To put the national picture into clear focus, all cities and states must either slash services to the people or raise taxes at a time when we are experiencing a citizens tax rebellion and a citizens demand for an increase in services to be supplied by government.

Make no mistake about the tax rebellion—rebellion it is, but I think that it is faulty reasoning to say that our citizens are merely rebelling against the idea of taxes. Obviously, with a few exceptions, they are not rebelling against the services the taxes provide because no one really wants to close down schools, or hospitals, or stop building highways, or public transit facilities, or to make the poor and aged starve. Everybody wants to clean up our air and water. People are rebelling against the waste of tax dollars due to politics and inefficiency in government and people are rebelling against the idea that somewhere somebody else is not paying his fair share of taxes and that the rest of the community has to pick up his share of the tax burden.

On other occasions, on other platforms, I shall speak about the necessity for and means of cutting costs of government. Today, my subject is taxes.

Most citizens are convinced that tax inequities exist, even though they do not have proof. But you people today know that such inequities do exist, and in many cases you have been and will be presented proof that such special breaks, incentives and advantages are enjoyed by some to the detriment of others.

Essentially, property taxation, although a necessity, is a bad tax in our present system. It is an outmoded tax, but I don't see any way it can be avoided in the foreseeable future even though it is also recognized to be a regressive tax. Certainly, as we draw further and further away from the old land-based economy which existed when our country was founded, the idea of a property tax as the primary method of financing education and municipal services makes less and less sense, but all our communities and school systems are locked into it. Nonetheless, in the long run, if we are to resolve our problems, the idea of the property tax as a principal tax will become as outmoded as the gold standard—and for the same reason.

When our community was founded, there was an unlimited supply of land and there was a plentiful supply of gold. The only limitation of their usage as the coin of the realm was their development or mining. Today, however, the supply of gold cannot keep pace with the need for coin, so we exist on a paper currency worldwide. The price of gold is controlled artificially. So it will soon be with the price of land when the United States runs out of developable land. Then, real estate value as a taxable commodity will diminish.

We can see this happening already in Pennsylvania. A recent study by the Pennsylvania Economy League shows that the growth in market value of land in the Commonwealth of Pennsylvania is being far outstripped by the growth in per capita income. Between 1948 and 1968, the market value of Pennsylvania's taxable real estate increased 93 per cent. But the value of real estate per person increased only 69 per cent and, more importantly, the value of the state's real

estate per dollar of personal income declined by 29 per cent. In other words, the personal income of the state's residents has increased at such a rapid rate that the value of the Commonwealth's real estate has no relationship to it.

The Pennsylvania Economy League concluded, then, that real estate is becoming a less valid measure of trends of total wealth. Sooner or later, we must face reality. If we are to have a system of taxation that is fair and also enables to finance the needs of our citizens, it is wealth that should be taxed. This is simply another aspect of placing heavy reliance upon property taxation. Taxing property is taxation without relationship. Our forefathers ignited a revolution over the issue of taxation without representation.

One of the flames under the current kettle of rebellion is the fact that the value of real estate has no bearing—no relationship—on, for instance the cost of educating a school child. There is no relationship between the value of a gas station located across the street from William Penn High School in Harrisburg, and the cost of educating a pupil there. There is no relationship whatsoever between the value of the home of a 69 year old retiree living on social security and a small pension in the Strawberry Mansion section of Philadelphia and the cost of educating a school child in that economically-depressed section of the city.

For the senior citizen, particularly, and widows and other persons on fixed incomes, the rising burden of property taxes which can and does force many out of the ownership of their homes is an inequity. It becomes especially inequitable when they believe—and rightly so—that somebody somewhere else in their city—is getting a big break on his real estate tax bill through a low assessment of value. It becomes inequitable when they believe—and rightly so—that special tax breaks have been written into the law for railroads and pipeline companies and other public utilities. We have tax breaks for industry, particularly for railroads.

It becomes especially inequitable in a city like Harrisburg where 30 per cent of the land and buildings are tax exempt because they are owned by the state. The existence of these buildings, the cost of providing police and fire protection, highways, and other services for the people. The traffic generated by people working in Harrisburg increases city taxes—but the state of Pennsylvania makes no effort to help out the city in these costs.

It becomes especially inequitable in a Borough like State College in Centre County, where some 60 per cent of the real estate is tax exempt because it is occupied by an institution of higher learning which—like any other industry—forces increases in the need for municipal services.

And there are other inequities less obvious but equally noted by taxpayers. One is the hodge-podge methods used to value real estate. In Pennsylvania as in most states, real estate tax rates are based on a percentage of the market value of a piece of property. But the percentage varies wildly across the state—from a low of 20 per cent in rural Elk County to 69 per cent of market value in Philadelphia, the state's largest county.

In fact, a recent court decision in Washington County, Pennsylvania, noted that property there was assessed at anywhere between 1 per cent and 150 per cent of market value. It has been loudly rumored for years that in many Pennsylvania counties the assessed value of property varies depending upon whether its owner is registered as a "D" or "R" and that this situation is so partisan in nature that the high or low valuation for "R's" and "D's" varies from county to county depending upon which party is strongly in the saddle.

The question of assessments in Pennsylvania, and I would guess it is similar in most

other states, is left up to elected assessors or political appointees. In either case, the door is open for wheeling and dealing and politics. As long as the property tax forms a major base for financing our governments, there is obviously need for (1.) professional assessment, and (2.) a uniform base for assessment.

It was proposed, and wisely so, during the recently ended session of Pennsylvania's General Assembly, that the assessment of land be made uniform statewide and that both professional assessment and the uniform base be adopted. The legislation, proposed by a special committee of the State House of Representatives called for assessment at 100 per cent of market value—to be updated regularly. This last reform would have a double benefit; it would make it easy for the homeowner to determine if his property were being assessed fairly, and it would make it easy for the homeowner to determine if his property were being assessed fairly, and it would cut down on costs of assessment by cutting down appeals.

There would be another savings too. It costs the state more than a half million dollars annually merely to operate a tax equalization board whose only job is to equalize the various rates of assessment and rates of taxation among the 67 counties and 51 cities into a formula to provide a comparable base on which to compute the state aid to local school districts.

The House Committee made some other valid proposals for reform as has the Pennsylvania Economy League. The Committee suggests that the owners of tax exempt property such as school and lodges and fraternal organizations be required to pay a public safety charge—a pro rated share of the municipalities fire and police costs. The precedent is already established in Pennsylvania in the form of a requirement that nonprofit institutions pay their own pro rated shares of the cost of sewer and water facilities.

The Committee also suggests that the state be required to make payments to municipalities in lieu of taxes to help alleviate the burdens their facilities place on communities like the State Capitol City. In addition, I support the proposals for real estate exemptions for senior citizens living on fixed incomes to alleviate one form of injustice of the property tax as a measure of wealth.

None of these proposals, however, attack the problem of the special tax breaks awarded to big business. Almost all of these tax breaks—in Pennsylvania and elsewhere—are justified on the basis that low taxes will attract industry and create jobs. Yet, in Pennsylvania, some of these tax breaks are guaranteed by decisions of the State Supreme Court for certain industries and not others.

One such tax break is that granted to public utilities. Last year in Pennsylvania, the state finally succeeded in taxing part of the real estate owned by public utilities, but the major portion of it still goes exempted as does all of the operating land and facilities of railroads outside Philadelphia and Pittsburgh. Pipeline companies are similarly exempted.

The defensibility of these tax breaks is fast waning as the activities of public utilities become more and more akin to manufacturing and production and less aligned with their original franchises as public service companies. Let me explain. In Pennsylvania we tax coal mines as real estate. Ten and twenty years ago, the produce of these mines was hauled cross the country hundreds and thousands of miles to coal-fired electric generating stations, where the electricity was manufactured for local needs. Today, new generating stations are located at the very mouth of the coal mines and the electricity is manufactured there and shipped via wire

across the nation and even into Canada. Electrical generators, through the nation's system of interconnections between utility companies, no longer service localities, but are part of a regional and perhaps soon-to-be nationwide system of shipment of power-by-wire.

I am not saying that I am against the building of generating stations at the mouths of mines. Nor am I against the development of atomic power-generating plants in Pennsylvania if they can be shown to be safe and create no danger to the public. What I am saying, it that these generating plants are a form of manufacturing and, therefore, should be subject to fair taxation in the state.

If we were to follow the precept that generators manufacturing electric power are public utilities because they service a public need, then the steel mills of Pittsburgh and Johnstown are public utilities too, because they serve a public need. So we need equitable taxation of the real estate owned by public utilities—to be fair to the other industries as well as to be fair to the taxpayer homeowner.

But some industries—the steel industry to name one specific type—are also protected from certain kinds of real estate taxation in Pennsylvania by court decree. This situation arises because Pennsylvania is one of only four states to exempt tangible personal property from taxation. In the case of industry, "personal property" means machinery.

But the Supreme Court of the State of Pennsylvania has gone a step further where the steel mills are concerned. The court has stated that the heavy foundations of buildings which support furnaces are exempt from taxation because they would not be needed were it not that steel was being manufactured. The courts have ruled that ore yard facilities, slag pits, blast furnace stock bins and even the roof supports to which cranes are attached, are part of the production machinery and are not part of the real estate.

Because of the specific nature of the court decisions—down to the point of naming such facilities used in steel manufacturing—other manufacturing firms do not enjoy such tax breaks. Is it any wonder overburdened citizens and even small businesses think that they are bearing someone else's tax burdens?

The answer to tax breaks for big businesses is not an easy one. Even without court decisions, there are the under-evaluations of property owned by manufacturing firms. One reason is that it is difficult to determine the fair market value of a blast furnace or a machine shop or a drop forge which has never been on the market, and probably never will be. The Special House Tax Committee I referred to had one recommendation in this area—allow tax assessors to use replacement cost as a determination of market value.

But so long as there is interstate competition for industrial development, there will be the temptation to give new plants special breaks on real estate taxes. And this practice, I believe, is detrimental to the tax system in the long run because it encourages the belief that a tax system can be inequitable in some ways as long as it serves some long range public good. I think the nation would be better served by an end to this kind of business incentive. This is why I think that we should shift emphasis and a greater bulk of our taxes should be collected at the national level and distributed locally. Only the federal government can levy a tax that will be equal and uniform on all classes of people and corporations in the nation.

I think we will see more and more of this trend as the demand grows—not for a drastic reduction in taxes and a concurrent reduction in government services—but for greater equity in taxation. It was James Madison who wrote in the Federalist papers that the

inequities in the distribution of property was one of the principal causes of factionalism in history. Nothing has happened since the American colonial period to contradict President Madison's maxim. But I think we can safely add the corollary that inequities in the rates of taxation on property only adds to discord. At a time when democratic institutions everywhere are being attacked, it is necessary to strengthen them by erasing undemocratic injustices which exist in their structures in order to make them work better.

It will take a long time to change the nature of America's tax structure. We are so deeply committed to the personal property tax and so many of America's communities are so deeply locked to this form of taxation that it would create an upheaval to make drastic changes too quickly, but we should start moving in the direction that logic tells us to go. For only by developing a logical and equitable system of taxation can government continue to meet the increased demands for services from our citizens and end the growing trend toward tax rebellion.

WHAT IS PROPERTY TAX REFORM?

(By M. Mason Gaffney)

You people are so different, you remind me of the son who worried his dad by becoming a campus militant. The dad tried to pal up to the boy in the old fashioned way by talking sports. It being that season, he opened the sporting news one night and asked "Son, what do you think about the Indianapolis 500?" Son: "They're all innocent!"

As I say, you're different. You are in the most hopeful and constructive movement of our times, and I salute you. You are becoming, I hope, the answer to Norman Cousins' question "Who Speaks for Man?" While others were losing their heads you kept yours. Now the tumult and the shouting dies, you are center stage. It's your turn. You may not feel ready, but the world is suddenly quiet and listening—for you.

Today the subject is property tax reform. You want to represent the unrepresented. How can property tax reform help them?

The answer is pretty obvious, and it is not property tax relief. Property is owned by people of property—the rich. Ownership of this rich tax base is concentrated in a few hands, much more so than income. The top 10% of income receivers in the U.S. receive something like 30% of the income, and we call that concentrated. But a high share of that 30% is property income, while lower bracket income is more composed of wages. Most property income receives privileged tax treatment of various kinds, so the effective income tax rate applied to property income is much lower than that on labor earnings, and official definitions of income are so sloppy that much property income isn't even included in the data, much less taxed.

As to concentration of property, about half the people own none, they are tenants. So we begin the top 50% of families owning 100% of the property. They are not an underprivileged class, but some are more equal than others.

Among property owners I estimate the top 10%—that's 5% of all families—own around 60%. I find no overall data relevant to the property tax base, but here are some items.

The top 2.3% of farmers had 43% of the farm land as long ago as 1950. I pulled that figure from my Ph.D dissertation, which also showed that if the Census measured farm land by value instead of area the concentration would not have been any less, and if you want to check me out, it's available on microfilm from the University of California Library.

Since 1950 the rate of engrossment has not slackened, so today control is even tighter. Federal subsidies lavished on these favored few in proportion to their landholdings are

legendary. The effective rate of rural property tax is about 1%.

Urban concentration is less well documented. I analyzed the assessed value of real estate on the west side of the Milwaukee C.B.D. in 1969. The top 10% have 53% of the assessed value there, and more elsewhere. I feel confident that if I knew the names lurking behind the disguised ownerships the top 10% would have a good deal more.

The largest owner in the small study area is the William Plankinton Trust, at \$6 million. That is the value of 1,200 slum dwelling units at \$5,000 each (many in Milwaukee go for less than that). Think about that the next time someone speaks of the poor man's stake in property tax relief.

The Schlitz Company is on the rolls for \$3 million in the small study area. This omits the brewery that made Milwaukee famous; it omits the family's (their name is Uihlein) 200 acre "farm" on the choicest residential site in the County, by the lake in posh Bay-side where land goes for \$20,000 an acre (200 x \$20,000 equals \$4 million); it omits the Polo grounds on the speculative north-west side, and who knows what else?—the larger the ownership in one area the more likely is the owner to hold land outside it, often around the country and the world.

On the East Side of Milwaukee's C.B.D., I found the top 10% to have 60% of the value.

I ranked Milwaukee's industrial firms by assessed value and found the top 10% to have 89%—yes, 89%—of the assessed value of industrial land and buildings. In this study I also found evidence that assessment of industrial land (I do not know about buildings) is regressive, indicating the top 10% have a yet higher share of the true value of property—but that's another story. 89% is high enough. You get the point. Taxable property is highly concentrated in the hands of a few, even in Milwaukee which is notable for diversification. Imagine what you find in Seattle, Dearborn, and Gary.

It's also interesting that these big fellows with 89% or more of the property employed only 69% of the workers. It's the small shops that hire more men in proportion to their assets. Next time they dwell on the importance of big employers to fight unemployment you might think on that, too.

Turning to expenditures, much of the tax money raised from this progressive base is used redistributively, to pay for schools and welfare.

The property tax is the traditional means in American law whereby the poor assert their equity as citizens in the property to which the rich hold title. It is as good a claim as the other, the one we call 'property' in fee simple. The public claim in fact is prior in law—taxes are senior to mortgages, for example. The public claim is not limited. The fee holders' right to retain what is left after taxes (and debt service) is not a contract between him and the state, it is a matter of legislation and common law. Like eminent domain, taxation of real estate expresses the ultimate sovereignty of the state. I speak not as a revolutionary but a believer in law and order in a nation whose laws are radical enough to let the poor accomplish more than any revolution, if they only will learn how.

The property tax base is big and strong. The national levy on property now is around \$35 billions. There is gnashing of teeth and rending of garments. The pain of the wealthy is loud and they never lack sympathy. And yet the market value of this tax base keeps rising, rising in the teeth of higher tax rates and higher interest rates, the latter at 8% making most tax rates (about 2%) look small. Allen Manvel estimated the value of taxable real estate in 1967 at \$1.4 trillions, double the 1957 value; and to that you may add minerals, timber, water rights, and a great variety of miscellaneous forms of property of unknown but high values. The own-

ers of nearly \$2 trillions of real estate value are not a collective welfare case. They just sound that way—it's one of their special skills. That is not so funny when you look at the punitive and destructive way we treat many real welfare cases.

"Property tax relief" for the orphaned blind widow in the ivy-covered cottage is a popular theme, but that means sloughing the social obligation of property onto others—how? Sales taxes hit the poor. What we fondly call the income tax has degenerated into a payroll tax primarily, because property has learned to duck it, in a thousand clever ways. "Social security" is a slick name for another payroll tax, the most regressive one going. The corporation income tax can't touch unincorporated property and is full of loopholes that corporations can use by misallocating their resources.

Naturally property owners resist sharing with the propertyless. But the struggle of the poor in America has been fought before, and won. It is a repetitive theme in our history. Each generation of poor must fight the battle anew, must rediscover the levers of power that our system avails them. The Nation survives because the establishment has some give, and is attuned to accommodate—however grudging—some of the demands of the poor.

That requires pressure from the poor, and this we have. There are plenty of excitable ready to march, confront, agitate and demonstrate. It also requires know-how, so far not much in evidence. Pressure alone is not enough. If the poor could rout the police and loot at will they would enjoy only a one-shot gain, with nothing to loot tomorrow. But know-how! There is a permanent revolution built right into the system we already have, with the police coming down on the side of the poor.

The method is taxation, which is tempered looting according to rules that can be quite constructive and provide a permanent support for welfare, education, and many other things.

Why don't the poor know how? It's not that no one tells them, and it's not that they never listen. The problem is so many are telling the poor so many and complex and confusing things they don't know whom or what to believe, and their energy is lost charging down blind alleys following delusions. Property's spokesman ask for tax relief—and the sales tax. They defend regressivity in the rhetoric of progressivity. But ev'rybody talkin' 'bout Heaven ain't gwine dere.

The defense of property is to generate negative information to clog the channels of communication. This is the problem. And you are the solution, because you are dedicated to finding and publicizing positive information—some call it truth.

Negative information on the property tax now circulating makes a long scroll. But high on the list is the refrain that it is regressive. A high powered organized well-oiled campaign has been mounted to persuade us that we can help the poor by shifting taxes off property onto the Federal Payroll Tax—usually called the income tax for P.R. purposes.

To make the property tax look as though it socks the poor when most property is so closely held calls for some fancy sophisms. I have in my security blanket here—this large briefcase—a list of seventeen fallacies in basic studies alleging the property tax to be regressive, and a copy is yours on request. The main argument has to be that the tax is shifted. Indeed some go so far they seem to say that big owners shift it and only widows and orphans really get stuck with it. I exaggerate, but not much.

To the extent there is any truth in the shifting thesis, and there is some, it can be stopped by reforming the property tax. That is my theme this morning.

Reform Priority No. 1 is the assessment of

land. That is Step One, and as the day is too short for the next 29, I will dwell only on it. A quarter of what is wrong with the property tax can be remedied by upgrading land assessment, so it is a big Step One, sufficient alone to benefit us greatly and necessary to most other steps.

I have seven reasons why land assessment is Priority No. 1.

1. Taxing land encourages good use; taxing buildings doesn't.
2. Land is more underassessed than buildings.
3. Land is a large share of real estate value.
4. Land ownership is more concentrated.
5. Regressive assessment is most evident with respect to land.
6. Citizen involvement is most feasible with respect to land.
7. Correct land assessment is necessary to close loopholes of the income tax.

1. TAXING BUILDINGS IS OFTEN COUNTER-PRODUCTIVE

A critic of the pork barrel once defined an engineer as a man who tells you the very best way to do something that shouldn't be done at all. The same might be said for the art of assessing buildings. My city of Milwaukee illustrates the tragedy of good assessment applied to the wrong bases. For years Tax Commissioner Thomas Byrne was one of the best: honest and true, capable and respected. And did Milwaukee then flourish? The record shows that it did little but grow older under this exemplary regime. A heavy tax on capital is not much more attractive to investors by virtue of being levied accurately.

To when you demand higher taxes on buildings you meet a counterargument that you may stifle renewal. Newark, Boston, and in lesser measure Milwaukee, each with real tax rates over 4%, serve as cases in point.

Now I don't advise you to cave in before every counterargument, but this one makes some sense. When buildings are taxed, the tax on a parcel of real estate depends on the use to which the owner puts it. If the tax is high enough to matter it biases owners against the heavier taxed use. It biases them against supplying new floor space and shelter, and in favor of billboards, gas stations, junkyards, open storage, parking lots, baronial estates, obsolescence, speculation, and dilapidation. In general it favors old over new and ranks high among factors that retard urban renewal. It tends to restrict supply and maintain rents paid by the poor, thus shifting some tax to the poor and putting what regressive element there may be in the property tax.

Taxing buildings raises the spectre of interurban competition and puts a ceiling on feasible property tax rates, limiting the revenues it can raise. Capital has loose feet. Land, on the other hand, has only square feet; you can tax the very all out of land and not one square foot will get up and walk out of town—not one.

So to help the unrepresented, it makes more sense to raise land than building assessments.

2. LAND IS MORE UNDERASSESSED

Every study of assessment discrimination finds land to be the most underassessed class of property. The most comprehensive study is the 1967 Census of Governments, Vol. II. On p. 42 we find a summary for the whole U.S. The Census compared assessed values to sale prices of parcels of real estate sold over a period, and arranged the results by classes of property. For "all types" the assessment to sales ratio is 31%. That is a measure of fractional assessment conventionally practiced. Let's call it "parity." Any class assessed at 31% is assessed at 100% of parity; 15½% is 50% of parity; and so on.

The lowest assessment to sales ratio is for the class called "Acreage and Farms," at

19%. That's 61% of parity. Next is "Vacant Lots" at 24%, which is 77% of parity. "Residential" is at 35%, or 113% of parity; and "Commerce and Industry" at 36%, or 116% of parity. So you see that interclass discrimination of a gross order is the rule nationwide.

Interclass discrimination like that is not reflected in the Census statistic assessors usually cite to evaluate their work. This statistic is the "Coefficient of Dispersion." It is a kind of average of the deviation of assessment ratios from 100% parity. Coefficients under 20% are considered passing—sort of like a D grade in school—and under 10% pretty good. Many assessors flunk.

But those who earn high grades (low coefficients) and wave them around are not necessarily doing a good job. "The" Coefficient of Dispersion is really only "a" Coefficient of Dispersion, a partial score. It is computed from one class of property only—single family residences. An assessor can enter land at zero and still get good marks on his Coefficient.

Let's look at Maryland. It gets the best marks for a low Coefficient of Dispersion, and enjoys the highest reputation for good assessment. Yet its interclass bias is bad. On p. 44 we find that assessment parity in Maryland is 43%. "Acreage and farms" show an assessment to sales ratio of 18%—that's only 42% of parity. Vacant lots are at 29%, 67% of parity. But residential gets soaked for 117% of parity. Comparing classes directly, that means residential is assessed nearly 3 times too high compared to acreage and farms. Three times too high! That's not just one deviant; that's a systematic bias between classes. And that's not a chamber of horrors case from Arkansas, Mississippi, or Alabama. That's shining Maryland, a beacon light in the assessment jungle.

The truth is even sadder than the Census shows. Census Table 9 which I have been citing doesn't dig the worse abuses. The Census omits that class of land most underassessed: unsubdivided acreage inside SMSAs. Its class called "Acreage and Farms" is only outside SMSAs; and "Vacant Lots" means subdivided, improved lots. But a large share of all land inside SMSAs, maybe half or more, is unsubdivided acreage. This is the stuff assessors can't see, and the Census hasn't touched it.

Let's look at Michigan. The Census gives Michigan fair marks on interclass bias; parity is 29%; acreage and farms are at 25%—not bad by Maryland standards. But Professor Dan Fufeld of the University of Michigan studied Michigan assessments independently in 1969. He zeroed in on the neglected class—acreage inside SMSAs. He pronounced it a "scandal" of underassessment. One Michigan city, Southfield, wrought a modern economic miracle by electing itself a mayor in 1962 who had acreage assessed at value. He—James Clarkson—and his assessor, Ted Gwartney, tell me that this meant multiplying previous land assessments severalfold.

This jibes with my findings in Milwaukee. The Census says that parity in Wisconsin is 49%; acreage and farms are at 35%; and vacant lots at 23%; or 47% of parity. That sounds bad, and it is. But I found worse. After extended study and data collection and map analysis I estimated Milwaukee land values to be \$2.3 billions. The assessor's values, when equalized, tote up to \$700 million detail in a new book edited by Daniel Hollions—that's 30% of parity. You'll find the detail in a new book edited by Daniel Holland, *The Assessment of Land Value*, University of Wisconsin Press, 1970.

Don't think it's easy to get such facts publicized. Perry Prentice of Time, Inc. managed to get some press for the Milwaukee findings in the *Nations Cities* Magazine for May, 1970, and you may be interested in what happened next. The Milwaukee *Journal*, which feuds with the Mayor, changed its

spots and rallied to his defense. It ran a front page editorial demanding an apology. *Nations Cities* ran a long, rambling screed from Milwaukee's Tax Commissioner. Neither would run my reply, although *Nations Cities* had it in galleys before Editor Pat Healy zapped it. Make of these facts what you will. "Establishment cop-out" is, I believe, the new idiom. I have spare copies of the reply here for you who like facts and figures.

Then we could open the chamber of horrors and look at Edgartown, Massachusetts, where some land was not even on the tax rolls until 1969 when they started finding it on aerial photographs; Sonoma County, California, where the state paid 62 times the assessed value for Salt Point Ranch; Jasper County, Missouri, where an assessor was forced out after using a University soils expert to help reassess farm land; Texas, where Nader's Raiders have documented systematic underassessment of oil and timber lands; but enough! You get the point. Land is No. 1 reform priority because assessors are favoring it scandalously.

3. LAND IS A LARGE SHARE OF REAL ESTATE VALUE

Most people have no notion of how high a share of real estate value is land value. Returning to Milwaukee, the present land assessment is only 23% of the whole. My calculations triple the land figure. That does not triple the land share because it also raises the total, and I don't know by how much because some of the increase represents simply a reallocation of value from building to land while some is a net gain—the detail gets complex. But I'm sure land is over half the total, when land is rigorously assessed by comparison with current sales of adjacent land.

The District of Columbia enjoys superior assessment. Assessor John Rackham worked over land values a few years back and brought them up to 43% of the total. I suspect my approach would put them higher yet, but one new broom can only sweep so clean in a complex institutional setting.

In California, Ron Welch of the State Board of Equalization estimated land values at 43% of real estate. That was a few years back. Ron and I have a friendly disagreement about the use of maps to infer and interpolate land values between sales data points, and if he says 43% my methods would probably yield a higher figure. More recently Bob Gustafson, a whiz-bang young statistician who works with Ron, set the figure at \$70 billions. That's as much as anyone would admit the whole U.S. was worth a few decades ago, which gives you an idea.

These figures apply only to land in an orthodox limited definition. They do not include many natural resources held by license or other exotic legal-administrative form. Reform of land assessment should include the project of getting these penumbra properties classified as taxable real estate.

For example, the California figures I cited do not include the value of hydroelectric power drops controlled by PG&E and SCE. There is no market in waterfalls, so they give up and call the value minute, which is nonsense. Big western stockmen graze their herds on our Federal land at nominal rents. These rights are worth millions, maybe billions, but they are not directly taxable. Broadcast licensees enjoy virtual tenure of a nondepreciable frequency band—tax free. And so on. Get these assets in the property tax base and the widow in her ivied cottage could truly find tax relief.

4. LAND OWNERSHIP IS MORE CONCENTRATED

Reforming land assessment is Priority No. 1 because the rich are heavy on land relative to buildings.

Wednesday night I tuned in the Nader Report and heard about the underassessment of Union Camp Corp. in Savannah. I was glad to hear them mention UCC's Savannah landholdings. They might also have men-

tioned 1,600,000 acres of other land UCC owns in the southeastern states. This is mostly just timberland, but several new interchanges are on UCC land. A recent inventory by UCC disclosed 40,000 acres they held worth more than \$400 per acre. 40,000 x \$400 comes to \$16 millions, and that is much less than the total value of this fraction of their land.

Continental Can, another Savannah firm, has 1,300,000 acres of land in 7 southeastern states.

It was not by chance that the Savannah Raiders stumbled on landowning corporations. The corporate form of organization originated as a landholding device, and it still is that above all. For a collection of information on this I again refer you to my chapter in Dan Holland's book *The Assessment of Land Value*.

There is a tendency for larger corporations to go heavier on land. Ranking corporations by value of assets, 6 of the top 11 are mineral-based: U.S. Steel and 5 oil companies. And it's not just minerals. There are 324,000 gas stations in the U.S., mostly in cities on hot corners, the land toting up to \$16 billions or more as an educated guess. Professor David Martin of Indiana University has shown that larger mineral corporations tend to hold more land reserves in relation to output.

Turning to residential, the share of land in residential real estate value rises steadily with total value. If you doubt it, check me in the Kaiser Commission Report, Technical Studies, Vol. II, p. 351. Or see the study by Professor Harold Brodsky of the University of Maryland on the District of Columbia. He ranked Washington Census Tracts by median income and found the land share in real estate to rise with income. His method was multiple regression analysis, but all you really have to do is tour Foxhall Drive and use your eyes.

At the bottom of the heap, 23% of the families in Milwaukee cover 3% of the residential area. These are the slums, where you pay a base price for a roof over your head regardless of the neighborhood. The poor use little land area per person, and the land is cheap because of the neighborhood. Several studies show that the poor think shelter while the rich think neighborhood—that is, land value. And the super-rich? 1,000 acres of front yard is nothing in the upper crust, and several estates scattered around the Jet-age world. They have lain field to field until there be no place, that they may be alone in the midst of the land—in the words of Isaiah, a prophet who foretold more than Christmas day.

Turning to commerce, I've told you I ranked the holdings of the Milwaukee C.B.D. by value. Then I figured the share of land in each decile—that is 10% of the holdings. The share rises with size of holding. The trend is less steady than I would like, but I think that is because of the small numbers and some technical data problems I'll be glad to discuss with interested people.

As to industry, I ran a study of 626 industrial firms in Milwaukee. Here my data were better—I had a way of estimating market value of land from my map, rather than relying on assessed values. For the top 10% the land share is 35%; and they reported much additional land held for expansion.

For the smallest 10% the land share is very low—under 5%. You must understand that these smallest industrial firms are often little more than old garages converted to tool and die shops.

So I have the data to say that the land share rises with value of real-estate holdings. Theory also predicts this, but we can skip that. Raising land assessments therefore will make the property tax bear heavier on larger owners than it does now, and be more progressive.

5. REGRESSIVE ASSESSMENT OF LAND

It is the custom to assess large industrial tracts at less per acre simply because they are larger. Assessors defend this on the grounds that large tracts sell for less per acre. You'd think no one ever heard of subdivision. Yet at the same time, the City of Milwaukee land bank is stockpiling large industrial tracts as bait for giant industries that allegedly put a premium on large, unsubdivided tracts. Fascinating!

These attitudes obviously lead to regressive assessment of land. I never dreamed how far this went, however, until I ran my study of the 626 industrial firms. Since I had my own estimate of market value of land to compare with assessed values, I could figure assessment to market value ratios for each firm and then compare the treatment given the large and the small. The findings bowled me over. The top 10% had their land assessed at 20% of parity; the bottom 10% had their land assessed at 200% of parity—10 times too high compared to the biggest firms.

I cannot believe it's really that bad. Probably there is some compensatory underassessment of the buildings of the small firms. But I have no way of checking that. All I know for sure is that the assessment of industrial land in Milwaukee is regressive beyond the wildest accusation I ever heard.

A key factor in this pattern is the bias against subdivision. The smaller the parcel, the higher unit value the assessor gives it. That is no secret—assessors actually rationalize and defend the practice. Another angle is that raw acreage is left at farm valuation until subdivided. Then they raise the value—not just by the cost of subdivision but by all the pure unearned increment that has accrued over 30 years. So the big owner—no matter whether you call him a farmer, speculator, investor, or orphan—the big owner gets the low assessment, and the 50 small fellows he sells to get high ones. That is not just an industrial pattern, it is universal. The result is regressive land assessment.

Since most residential land is subdivided and most industrial land is not, this is also a bias against homeowners relative to industry.

I know of no comparable pattern leading to regressive building assessment. Land assessment is reform priority No. 1 because that's where assessment is demonstrably regressive and reform is demonstrably easy: use a map and apply standard unit values regardless of parcel size.

6. CITIZENS INVOLVEMENT

It is more feasible for average citizens to check on land than building assessments. Anyone can read a map, and anyone can use known values to estimate unknown values nearby. That's how I, an amateur, could estimate industrial land values. I inferred them from sales of all land round about. God did not label His product "industrial," or "residential." Land is versatile, and all uses compete for it. So residential land values, which everyone knows, tell a lot about industrial land values. House values on the other hand tell little about overhead cranes, warehouses, pulp mills, and breweries.

The assessor who wants citizens to get involved can publish city land value maps. It doesn't cost that much, and it's been done before. Milwaukee did it in the early thirties, and I have a collection of land value maps from Budapest, Copenhagen, Chicago, Vancouver, Sydney, etc. They make good conversation pieces, along with aerial photographs.

Assessors really don't know much about valuing big industrial complexes, and they say as much. How could they?—the stuff never sells. There's no objective reference

point. How can the citizen inquire intelligently into a subjective judgment?

With land there is a foolproof test of good assessment. Theory and common sense tell us that you demolish a building to salvage the land underneath. That means the bare land is worth more than the land with old building together; and this means the old building has no value. In fact it has a minus value—the cost of demolition.

So to test the assessor, check on the eve of demolition. The land share should be 100% or more—the building worth zilch. It is that simple. Most assessors flunk cold on this one, which gives the timid inquiring citizen the confidence he needs to ask more questions—pretty soon he's an expert!

In Milwaukee I checked 2500 demolitions and the assessor was generally allotting half or more of the value to the old junkers, less than half to the land. That gives you an idea of what to expect.

I hasten to add you may generally expect friendly treatment from assessors, even when you're critical. They are pleasant human beings—how else could they survive in that job? They take a lot of flack from the ignorant and neurotic, so give them a chance to discover you're different. Then you'll get through, unless they're crooked, but I've never met that. The problems are philosophical, not motivational.

7. LAND AND THE INCOME TAX

Last, land assessment is Priority No. 1 to close a huge loophole in the income tax. You probably know that landlords can depreciate buildings but not land to reduce their taxable income. When they buy an old building they can depreciate it all over again—outrageous, but true. They can depreciate their cost—what they paid—less the value allotted to land. They then allot as little to land as possible. Now what happens if they're audited and challenged? They cite their friendly local assessor's land valuation, that's what. The income tax instructions invite them to—that is virtually conclusive. The result: they depreciate land, not just once but several times. They depreciate it even though it is actually rising. They sell out and pay only capital gains rates on the book profit. They sell for a higher price because the buyer can depreciate the land again—and sell to repeat the cycle again, again and gain. This tax shelter depends entirely on understating land value.

So your friendly assessor is under great pressure from local influentials to under-assess land, even if that means overassessing buildings, so they can pay less income tax so you and I may have more withheld from our paychecks to cover their share. There's more, but that's enough. If we want to make property a taxpayer instead of a tax shelter, we have to reform land assessment.

In conclusion, there are seven reasons why reform of land assessment is Priority No. 1:

1. Taxing land encourages good use; taxing buildings doesn't.
2. Land is more underassessed than buildings.
3. Land is a large share of real estate value.
4. Land ownership is more concentrated.
5. Regressive assessment is most evident with respect to land.
6. Citizen involvement is most feasible with respect to land.
7. Correct land assessment is necessary to close loopholes of the income tax.

Let's get on with it.

REMARKS BY PERRY I. PRENTICE BEFORE THE CONFERENCE ON PROPERTY TAX REFORM, WASHINGTON, D.C., DECEMBER 12, 1970

I don't know anything that could be more important to the cause of property tax reform than getting Mr. Nader to turn his people loose on the subject. I've been working on this problem for at least ten years and I'm already learning things from Mr.

Nader, although I would not object that Mr. Nader still has things he's got to learn from me before he gets through.

Now, the most important event in the history of the United States, of the history of America, is the Columbus discovery. But the most interesting thing about Columbus discovering America is that he died without having any idea he discovered it. He thought that he found India, and he thought the principal importance of what he found was that it would be cheaper to get spices to Europe because they could bring it home from the west instead of bringing it home around Africa. Actually the discovery of America turned out to be a great deal more important than that.

The single most important event in the history of the United States probably was that in 1607 some white men came to live here. Once again, the white men who came here had no idea what they had found; and the first afternoon they got off the boat they all rushed out into the James River and started panning the the James River for gold. And when they didn't find any gold, why a lot of them began thinking they might as well go back to England because there was no gold there. Between you and me and the lamp post, the United States was much more important than any amount of gold that they could have found in the James River. I don't think they have found any there yet.

Now I want to say something nice. I've just come from the most interesting session where your local groups were exchanging information on their local problems. This was fascinating, because all of a sudden I think a lot of your local groups were finding out that somebody else was working on the same problems and finding just about the same kind of scandal that you've been finding in your operation. Misery loves company.

I think all of you will be able to operate more effectively at the local level because you've found out that other people are working on the same problems and they're going to be developing answers to it.

What I want to tell you, though, about this assessment scandal is that the most important reason for correcting what's wrong with assessments is that you can't correct what's wrong with the property tax itself until you correct what's wrong with assessments. What can you do to correct the property tax when this man is assessed at three percent of the value of his property and this man is assessed at 80% of the value of his property?

Property tax reform has to start with providing a sensible base from which you can start property tax reform. But the principal importance of assessment reform is that once you have good assessments, then you can go after what is fundamentally wrong with the property tax. What is fundamentally wrong with the property tax is that people fail to understand that the property tax is not one tax; the property tax combines and confuses two completely different taxes. The results of those two different taxes fused and confused in the property tax couldn't possibly be more different.

Now, the common expression is to say that property tax is a combination of tax on land and a tax on the improvement. But, more precisely, the land component is defined as the unimproved value of the land; or, in other words, the value of land in its location without the improvement. Still more precisely, this component is what land in this location would be worth if the owners of the land had never done anything, never spent anything to improve it. I want to repeat that again. It is what land in its location would be worth if the past and present owners of that location had never done anything, or spent anything to improve it. In other words, it is the tax on the value which is entirely—I'm getting too old to use an extreme, so I'll say—it's a tax on the value which is 99.44% created not by what the

owner has done or spent, but by an enormous investment of other people's money and other taxpayer's money to make land in its location accessible, livable and richly salable. And let's talk about how big that investment from other people's money is.

The Regional Planning Association in New York published a breakdown a couple of years ago that showed the investment of other taxpayers' money required to make accessible the land for one more residence in the nine-county New York metropolitan area added up to \$16,750. That was in 1965. The Chairman of the Regional Planning Association says that now the other taxpayers in New York have to put up more than \$20,000 to make the location for one more residence in the New York metropolitan area accessible.

In southern California a research council associated with a large California university arrived at a figure only about \$1,000 less than what it cost the taxpayers in New York to make the land for one more residence in Los Angeles livable and salable. Gentlemen, this does not include the private investment of other people's money that is required to make that land valuable. But just taking the other taxpayers' investment, this comes out to a subsidy for land in the New York metropolitan area of, say, \$20,000 to enable the owner of that land to sell the land for, say, \$8,000. A \$20,000 tax subsidy put up by other taxpayers to enable the landowner to get \$8,000 for his lot is one hell of a subsidy.

Unless I'm very much mistaken, this is a subsidy which adds up to substantially more across the country than the farm subsidy that we hear so much about. It is my speculation that this land subsidy is costing the taxpayers more than the federal subsidies for agriculture and costing the taxpayers of this country more than the federal appropriations for foreign aid.

This, in case you're curious, is how Marshall Fields made his money—everybody thinks he made his fortune in the department stores, but this isn't true. He got the start of his money in department stores and then took to land speculation, and that's where he made his money. Marshall Fields said, "I would not call holding land a good way of making money. I would not call holding land the best way of making money. I would call buying land the only way to make money." What he meant was that it's the only way to make money because other people and other taxpayers have to put up the money to make your land valuable before you sell the land. You are the only person who is in a position to cash in on this enormous investment of other people's money and other taxpayers' money.

Now, at this truly fascinating session of community action groups upstairs, you heard it spelled out over and over and over again how under-used land is assessed at only a very small fraction of what land that is put to good use is assessed at. One reason for this is, no doubt, skulduggery. But the other reason for this is that assessors tend to confuse the property tax with the income tax and if land isn't being used to bring in an income, why the assessors figure that you can't collect a big tax—you know, you can't get blood out of a stone and you can't get taxes out of land that's being held off the market and not producing any revenue.

The end result of it is that the land, sure enough, is grossly undertaxed. Land is under-assessed and undertaxed almost in direct proportion to how completely it is under-used. Conversely, if you start putting it to good use, then all of a sudden the taxes go up.

Now, the other half of the property tax is the tax on the improvement, which is another way of saying the other half of the property tax is a tax on what the owners

have done or spent their own money to do. This is a tax on their investment. Now I'll quote from a round table that I arranged with the National League of Cities, a round table on urban finance, which says: "It should be obvious to anyone that heavy taxes on improvements will discourage, inhibit, and in many cases prevent these improvements from being made." On the other hand, the round table said: "Heavy taxes on location values obviously cannot prevent the creation of those locations." God did that, you know, before John Smith came to America. On the contrary, heavy taxes on location values would put heavy pressure on the owners of that land to put that land to good use or sell it to somebody who would.

To the best of my knowledge and belief, heavy taxation of land is the only kind of taxation that actually results in increasing the available supply. You put heavy taxes on production and you discourage production. But you put heavy taxation on land and the land comes out of cold storage.

Please don't underestimate for a minute the millions of acres that are being held off the market in this country right now in anticipation of the enormous investment of other people's money and other taxpayers' money. This investment of others' money in nearby land, combined with inflation, will multiply its price. The tax structure on land, the undertaxation of land values, is such that it is not very far from standard that one can hold a million dollars' worth of land off the market for a year at a net tax cost as low as \$5,000, while inflation of this investment and investment of other people's money to develop the community around it is increasing its value of \$60,000, \$70,000 or \$80,000.

This ends up being one of the biggest reasons why we have a housing shortage in this country, and one of the biggest reasons why—to quote the chairman of Urban America—"America has failed to develop even one really good city." I'll quote the chairman of the Center of the Study of Democratic Institutions: "Today's property tax subsidizes and encourages almost every bad public policy possible. It subsidizes slum formation, urban decay, premature subdivision and sprawl. By undertaxation it penalizes, discourages and prevents improvement and good land use."

You can't have good property taxation unless and until you have good assessments, but please don't overlook the fact that the goal of assessment reform is property tax reform. Without property tax reform, you're never going to meet the need for good housing in this country.

This is a good point for me to ask you the basic question: Why is it that private enterprise and the profit motive, which has given this country such an abundance of almost everything else—so much food that the government feels it has to pay farmers to raise less food, so many cars that the government can't build new roads fast enough to keep the cars moving, so much of practically everything else that just getting rid of what we throw away is creating a new multi-billion dollar problem for local government—why has private enterprise and the profit motive been unable to come anywhere near the meeting our needs in housing? Let's face it—we may be a two-car society, but we have only nine housing units for every ten families that have to be housed. Every tenth family has to live in a pigpen because we haven't been able to provide enough decent housing to provide even one decent home for each family. Once again, why hasn't private enterprise, which has given us so much of everything else been able to give us one decent city?

I think the answer to that is another \$64,000 question. How can you expect private enterprise and the profit motive to give us enough housing and to give us good cities

when we harness the profit motive backwards and make it more profitable to let property decay than to put it to good use?

Now, there's one thing that came up this morning that really alarms me and that was the Governor of Pennsylvania indicating that he thought that the property tax was just a no-good tax and should be abolished. I would like to tell you a story. Back in 1962, I organized a group of about 62 leaders of the housing industry and took them to Europe for three weeks to see what the housing industry in America could learn from the housing industry in Europe. There was a good deal they could have learned. For example, we are eight years late and we're only beginning to hear a terrific amount of talk about borrowing the European system of modular construction. My party could have seen that in Europe. There are a lot of things they could have seen. But they didn't learn anything. And the reason they didn't learn anything was that they were appalled by how little you get for your money when you buy housing in Europe. They just sat around for an hour and a half every evening over their cocktails patting themselves on the back on how much better value we were giving home buyers in this country than they're giving in Europe. The fundamental reason that housing in Europe is so much more expensive than housing in this country is that for all practical purposes they don't tax property in Europe. Most particularly, they don't tax land as land in Europe.

In England, for example, they have what you call a "rate". So long as you use your land for fox hunting and it doesn't produce any income, you don't pay any taxes on it. But if you put your land to good use, you pay an income tax on your land. But just so long as you use it for fox hunting or for admiring the view or for anything you like, no tax. I can't be specific about what they do in Europe. I can only tell you that I've heard a housing official in France speak and he says one of the nice things about it is that there are no property taxes at all. I can tell you that my mother-in-law in Switzerland owns what I call a one-and-a-half bedroom house (I call it that because there is one full-sized bedroom and one bedroom so small that if you get out of bed there is hardly any place to stand)—but she turned down \$85,000 for that one-and-a-half bedroom house. My roommate at Yale has retired and had a house in Switzerland, but he wanted to move and sell his house and move to an apartment.

And he asked me, "You're a rent housing expert—what do you think I should be able to get for my house?" For once in my life I had sense enough to keep my mouth shut and said, "Well, you're more familiar with local conditions than I am." He said he was asking \$150,000. My jaw dropped, because if I'd answered him I'd have said, "Oh, you might get \$35,000 for it." He actually sold it for \$135,000. I've got a Swiss nephew who has four acres and he tells me that he could sell his place for one million dollars. I just gasped at this. But this is what happens when you don't tax land.

I will not swear by the accuracy of the figures I'm about to give you, but last year there was a group sent over by the French government to study housing in this country and I had lunch with them. I thought I would impress them with the fact that I knew something about European housing conditions by saying, "Well, of course, your conditions are different from our conditions here. My impression is that 50% of all homes in France are public housing units built by the government." But I didn't impress them at all. They all looked at me as if I had given them a wonderful demonstration of my ignorance. I forget whether they told me that 80% of all the housing in France has to be built by the government because private

enterprise can't do it, or whether the figure they gave me was 90% of all new housing in France has to be built by the government because private enterprise can't provide housing at a price that anybody can afford.

You'll find that condition all over Europe, including Sweden, where they have the screwiest system of subsidy that you ever heard of. Some construction over there has five different kinds of mortgages piled one on top of the other, each with a different amount of government subsidy for that particular level of housing. Don't kid yourself that housing is good in Sweden. You see these pictures of beautiful apartment houses out in the park and you say, "My, isn't that nice." But you go inside and then all of a sudden you find out that you have to have two children before you can get a government priority to get a one-bedroom apartment. And this, incidentally, is one reason for the high rate of illegitimacy in Sweden, because you have to have two illegitimate children before you can get an apartment. So please don't let anybody tell you that conditions in this country would be improved if we abolished the property tax. Sure enough, what we ought to do is abolish, or almost abolish, the tax on improvements. Don't underestimate the weight of that tax.

NOTES ON THE PROPERTY TAX AND LEGAL REMEDIES

(By Prof. Ferdinand P. Schoettle, Law School, University of Minnesota, Minneapolis, Minnesota)

The following notes have been prepared for use in connection with an afternoon workshop concerning reform of the property tax. Source materials have been grouped under headings so that participants in the workshop can be spared the chore of taking notes.

I. PROBLEMS OF VALUATION

Most state statutes specify that property shall be valued for purposes of taxation at "market value", "fair market value", "true value", or use similar language.

Whatever the statutory language, value is a necessary element in any property tax assessment. The courts normally define market value as the price at which the property to be valued would be sold by an owner willing but not compelled to sell to a buyer willing but not compelled to purchase. The following materials explicate some of the difficulties presented in proving the price which would have been paid in this hypothetical sale.

1. J. C. Bonbright, "The Valuation of Real Estate for Tax Purposes," 34 Columbia L. Rev. 1397 (1934). In addition Professor Bonbright's two volume treatise, *The Valuation of Property* (1937), is still the most comprehensive and lucid exposition of problems of valuation.

2. Assessed value not equivalent to price received in recent sale. *Bliss Hotel v. Thompson*, 378 P. 2d 319 (Okla. 1962) (actual sale accepted as "substantial evidence of value"). *Great Plains Supply Co. v. County of Goodhue*, 268 Minn. 407, 129 N.W. 2d 335 (1964).

3. The relevance of reproduction cost. *Florida East Coast Railway Company*, 178 S. 2d 355 (Fla. 1965) (held not to have been given undue weight). *People v. Miller*, 38 NE 2d 465 (N.Y. 1941) (reproduction value less depreciation as a ceiling). *Joseph E. Seagram & Sons, Inc. v. Tax Commissioner*, 231 N.Y. Supp. 2d 228 (1963), affirmed, 251 N.Y. Supp. 2d 460 (1964) (building which had recently been built at a cost of \$36 million was assessed at \$20.5 and \$21 million for the years involved. The owner argued that an income approach dictated a valuation of \$17.8 million).

4. Special uses. *C. C. Anderson Stores Co. v. State Tax Commission*, 337 (Idaho 1967) (garage adjacent to department store). *Peo-*

ple ex rel. New York Stock Exchange Bldg. v. Cantor, 223 NY Supp. 64 (1927) (court approves use of reproduction cost minus depreciation).

II. ADMINISTRATION OF THE TAX ON REAL PROPERTY

Unlike the income tax and sales tax which are self administered, the real property tax is administered by the state which places a value on the property through its assessment procedure. Although almost all states require that property be assessed by full value, the invariant "practice" of assessors seems to have been to assess property at some figure less than fair market value.

One of the problems which arises in connection with the tax is to determine the quality of the job being performed by local assessors. Even if assessors were diligent in once valuing every property at some figure approximating fair market value, inflation, alterations in the property, changes in the neighborhood and changing patterns of demand make it likely that the fair market value once established would not remain constant. The relationship between the fair market value and the assessed value is known as the "assessment ratio" and is typically determined by dividing the assessed value by the fair market value. Thus a house which had a fair market value of \$10,000 and was assessed at \$4,000 would be said to have an assessment ratio of 40%.

In order to determine whether real property tax assessments are being fairly administered it is necessary to determine relative assessment ratios. For example, if a \$20,000 house were valued at \$6,000 and a \$10,000 house at \$3,000 we might find that because both houses had the same 30% assessment ratio there was no inequity in the tax system; as the relative tax burdens between the owners of the two houses remained the same.* If though the \$20,000 house were valued at \$6,000 and the \$10,000 house at \$6,000 there would be an obvious inequity; the owner of the less expensive house has been unfairly overassessed.

There are a number of studies which attempt through statistical means to present a picture of what sort of a job the assessor is doing. Typically such statistical studies use words and concepts with which the lawyer is not ordinarily familiar. Unfortunately, a fairly good grasp of these materials may be essential if the lawyer is to convince a court that administration of the real property tax system may be so bad that the court should grant extraordinary relief. Furthermore, proof of an assessment ratio is an important element of most modern cases involving the property tax.

The essential truth of the modern real property tax system is that it is being unfairly administered. Owners of inexpensive houses are paying too much tax relative to other homeowners. Furthermore, because the system is not well administered taxpayers are able to enjoy special advantages pursuant to

*Even when assessment ratios are the same though relative burdens may be shifted, for example, an exemption stated in absolute terms may have more relevant importance when applied against a lower assessment ratio. For example, suppose the law were to state that every homeowner was entitled to a \$4,000 "homestead exemption". If a \$30,000 house were assessed at a 40% assessment ratio and had an assessed value of \$12,000, the homestead exemption would seemingly relieve the homeowner of about 33% of his taxes rather than the 13% which would have been the case had the property been assessed at its fair market value. The net effect of under assessment with such a flat exemption can be to extend benefits to higher income groups at the expense of lower income groups which the legislature intended to benefit.

"private" understandings with public officials. The materials which follow illustrate the current picture concerning administration of the tax on real property.

1. *Baldwin Construction Co. v. Essex County Board of Taxation*, 16 N.J. 329, 108 A.2d 598 (1954); *Dalton Realty, Inc. v. State*, 270 Minn. 1, 132 N.W.2d 394 (1965).

2. U.S., Bureau of the Census, 1967 Census of Governments, Vol. 2, *Taxable Property Values* (1968).

3. F. L. Bird, *The General Property Tax: Findings of the 1957 Census of Governments* (1960) (explains the census figures. The theoretical explanations are applicable to the 1967 Census).

4. O. Oldman and H. Aaron, "Assessment-Sales Ratios Under the Boston Property Tax," 18 National Tax Jour. 36 (1965) (an excellent study of Boston).

5. U.S. Department of Commerce, State and Local Government Special Studies No. 52 *Property Assessment Ratio Studies*, (1969) (reviews procedures and gives a bibliography of state studies of assessment ratios).

6. A. D. Lynn, Jr. (ed.), *The Property Tax and Its Administration* (1969).

7. H. F. McClelland, "Property Tax Assessment" in *The American Property Tax: Its History, Administration and Economic Impact* (1965).

III. PROOF OF ASSESSMENT RATIOS IN COURT

One of the serious problems confronting a taxpayer attempting to show overvaluation is proof of the assessment ratio or ratios which may prevail for the relevant taxing jurisdiction. A number of options confront the litigant. One approach is for the litigant to introduce evidence he has developed for the purpose of providing the relevant assessment ratios. Proof of such ratios may entail substantial expense. Furthermore, unless care is taken the court may reject the entire procedure adopted by the litigant.

A second approach is for the taxpayer to attempt to introduce into evidence assessment ratios which have been developed by various government bodies. Most states make equalizing payments to school districts. One purpose of such payments is to help those school districts which have a lower than average tax base. As we have seen, assessed value will not ordinarily give a true picture of a school district's wealth for one does not know whether the property has been assessed at 10% or 100% of market value. Thus for purposes of distributing state equalization payments to school districts it is necessary for the state to develop an equalization ratio which will allow the state to convert assessed value to market value. For the litigating taxpayer such ratios, if accepted by the court as proof of assessment ratios, can be quite useful. Finally, some states have provided by statute for the proof of assessment ratios.

A. Proof of assessment ratios by the taxpayer

1. *Deitch Company v. Board of Property Assessment*, 417 Pa. 213, 209 A.2d 397 (1965).

2. *In re Brooks Building*, 391 Pa. 94, 137 A.2d 273 (1958) (taxpayer held to have satisfied burden of proof by evidence of assessment ratios of 3 or 4 similar buildings.)

3. *Atlantic Richfield Company v. Warren Independent School District* 453 S.W. 2d 190 (Texas 1970) (it is not unusual to lose in the lower court).

4. *In Re Shope*, 214 Pa. Super. 315, 257 A.2d 635 (Pa. Super. 1969)

B. Introduction into evidence of equalization ratios

1. *Schenley Land Company v. Board of Property Assessment* 205 Pa. Super. 577, 211 A.2d 79 (Pa. Super. 1965)

2. *In re Appeals of Kents 2124 Atlantic Avenue, Inc.*, 34 N.J. 21, 166 A.2d 763 (1961).

C. Statutes concerning assessment ratios

1. Oregon Revised Statutes, Chapter 309 (requires the assessor to make a publicly available statistical study of assessment ratios).

2. New York, Real Property Tax Law Section 720 (as amended) (provides for selection of properties by the litigants).

3. Rosett, "Inequity in the Real Property Tax of New York State and the Aggravating Effects of Litigation", 23 Nat'l Tax Jour. 66 (1970) (This volume of the National Tax Journal contains a valuable symposium on Problems of State and Local Government Finance.)

4. Minnesota Statutes Section 273.11 provides as follows:

"Each assessing officer responsible for the determination of adjusted market value shall annually file with the county auditor the ratio which he has used of adjusted market value to market value of all the taxable personal and real property within the taxing district, except property which by law custom or practice is valued by the commissioner of taxation."

IV. LEGAL ENTITLEMENT TO A PARTICULAR ASSESSMENT RATIO

Once the litigant has somehow presented the facts concerning existing assessment practices, there still remains the problem of determining to what assessment ratio taxpayers are entitled. Suppose, for example, that assessment ratios are almost randomly distributed from 60% to 10% of fair market value. To what assessment ratio is a taxpayer entitled? Should the taxpayer be entitled to have an assessment at the mean (average), median (the middle item of a series), mode (that point about which the most assessments are clustered) or at some other point? The courts have not resolved this question. Justice Roberts opinion in *Deitch Company v. Board of Property Assessment*, 417 Pa. 213, 209 A. 2d 397 (1965), presents some of the possibilities. After indicating that the taxpayer was entitled to have his assessment set at the "common level" the Justice went on to say:

"Of course, the question arises as to the definition of the term 'common level.' Where the evidence shows that the assessors have applied a fixed ratio of assessed to market value throughout the taxing district, then that ratio would constitute the common level. However, where the evidence indicates that no such fixed ratio has been applied and that ratios vary widely in the district, the average of such ratios may be considered the 'common level' . . . Furthermore, it may be that the evidence will show some percentage of assessed to market value about which the bulk of individual assessment tends to cluster, in which event such percentage might be acceptable as the common level."

Other cases are no more helpful. However, the following materials will at least provide some enlightenment, if not answers.

1. Cheng, "The Common Level of Assessment in Property Taxation," 23 Nat'l Tax Jour. 50 (1970)

2. *In re Dulton Realty, Inc.*, 270 Minn. 1, 132 N.W. 2d 394 (1964)

3. The Supreme Court provides no clear guidance for making such interstitial choices:

Sunday Lake Iron Co. v. Township of Wakefield, 247 U.S. 350 (1918)

Sioux City Bridge Company v. Dakota County, 260 U.S. 441 (1923)

Cumberland Coal Co. v. Board of Revision of Tax Assessments, 284 U.S. 23 (1931)

Nashville, Chattanooga & St. Louis Ry. v. Browning, 310 U.S. 362 (1940)

Township of Hillsborough v. Cromwell, 326 U.S. 620 (1946)

V. CHOICE OF AN ACTION

The citizens group contemplating property tax reform may find that state laws concerning "standing" determine litigation strategy. If the law does not permit a taxpayer to complain about the particular assessments of others it may still be possible to bring an action seeking reform of the entire system. Such matters vary from state to state; the statutes of some states specifically accord standing to all taxpayers, in others standing to complain about an assessment has been held to be limited to the complainant's property.

The trend of the decisions over the past decade, or so, has been toward more active judicial review of the decisions of taxing authorities. In a number of cases, the courts have considered and granted petitions that assessors be compelled to perform their statutory duties. The following materials may be helpful.

1. Annotation, "Who May Complain of Underassessment or Nonassessment of Property for Taxation," 5 A.L.R. 2d 576 (1949).

2. In the following cases taxpayers sought and were granted a remedy to compel taxing officials to improve their assessment practices. *Pierce v. Green*, 229 Iowa 22, 294 N.W. 237 (1940); *Bettingale v. Assessors of Springfield*, 343 Mass. 223, 178 N.E. 2d 10 (1961); *Russman v. Luckett*, 391 S.W.2d 694 (Ky. 1965).

3. New Jersey started the property tax revolution. *Baldwin Construction Co. v. Essex County Board of Taxation*, 16 N.J. 329, 108 A.2d 598 (1954); *Switz v. Township of Middletown*, 23 N.J. 580, 130 A.2d 15 (1957); *Village of Ridgefield Park v. Bergen County Board of Taxation*, 31 N.J. 420, 157 A.2d 829 (1960).

4. Note, "Inequality in Property Tax Assessments: New Cures for an Old Ill," 75 Harv. L. Rev. 1374 (1962).

RUMANIAN INDEPENDENCE DAY

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DELANEY. Mr. Speaker, today is Independence Day for one of Europe's oldest peoples, one whose lineage traces back to the early Roman Empire. I speak of Rumania, whose people achieved a millenium-long ambition for self-determination on this date in 1877.

Throughout ancient and medieval times, Moldavia and Wallachia, which comprise modern Rumania, were ruled by a succession of invaders from Europe and Asia. But always they maintained and fought for their own identity, succeeding at last in breaking free from the Ottoman Turks during the Russo-Turkish War. Independence was not achieved by a legislative act nor by a regal pronouncement. Just as our own Nation, Rumania won its independence on the battlefield, where its young armies helped its Russian ally defeat the Turks.

On March 3, 1878, the treaty of San Stefano, ending the Russo-Turkish War, affirmed this independence and international recognition to the new nation was given by the Congress of Berlin in June 1878.

Four years after asserting their independence, the Rumanians raised the

status of their nation from a principality to a kingdom. Charles of Hohenzollern-Sigmaringen, who had served as Prince of Rumania since 1866, was crowned by the will of his people as Charles I. As his elevation to prince had been in 1866, Charles' coronation occurred on May 10, thus giving a triple significance to this day so dear to all Rumanians.

With the closing days of World War II, the Russians, who had taken Bessarabia from Rumania 70 years before, completed their domination of this land of brave people. Communists were placed in key positions, King Michael was forced to appoint a Communist-front government. A Soviet-style election in November 1946 consolidated the Reds' power, which became absolute with the forced abdication of Michael in December 1947.

Ruthless foreign rule again prevails in this long-oppressed nation. But no alien oppression can ever still the hopes and prayers beating in all Rumanian hearts. Let us hope and pray with them on their nation's birthday that their faith and courage will be rewarded with the bright dawn of new times, when freedom shall again prevail in Rumania.

RUMANIAN INDEPENDENCE

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. BROOMFIELD. Mr. Speaker, this Monday, May 10, 1971, marks the 94th anniversary of Rumanian Independence Day.

This day is celebrated as a national holiday by Rumanian people throughout the world.

Throughout history, Rumania has been the crossroads between East and West. Rumania is a divided territory, parceled out among her neighbors for nearly 400 years. During these centuries, Rumania was part of the Ottoman Empire and was ruled by agents representing the sultans.

In 1877, when the Russians and the Turks were engaged in a war in the Balkans, the courageous people of Rumania cast off the Ottoman yoke and proclaimed their national independence on May 10. Four years later, on May 10, 1881, Prince Charles became Charles I, King of Rumania.

In 1945, the independence of the Rumanians came to an end when the Soviet Union by the presence of its Red army forced the Rumanians to establish a Communist government that would be a satellite regime to the Kremlin. In recent years, the Rumanian Government has made limited efforts to reassert its national sovereignty and independence from Moscow.

However, reflections of the brutal invasion of Czechoslovakia by Warsaw Pact troops have dimmed the hopes of any such nationalistic movement.

It is my sincere hope that the brave people of Rumania will maintain their

eternal hope for freedom and independence. We must continue to support their aims for freedom.

AMERICAN TRAILS—
REDISCOVERED

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. ROBISON of New York. Mr. Speaker, I feel confident that all of our colleagues are interested in the outdoors and the program administered by the Department of the Interior's Bureau of Outdoor Recreation. I have just seen a very interesting publication from the Bureau of Outdoor Recreation having to do with one facet of their extensive program to build outdoor recreation facilities throughout the country for the enjoyment of all Americans. One part of the program has to do with the building of trails throughout America for the enjoyment and pleasure of our constituents. The publication is entitled, "American Trails—Rediscovered," and was written by Mr. G. Douglas Hofe, Jr., Director of the Bureau of Outdoor Recreation.

Mr. Speaker, I believe Mr. Hofe's statement as contained in the publication will be of great interest to all Members of the House and I commend it to my colleagues.

The article follows:

AMERICAN TRAILS—REDISCOVERED

(By G. Douglas Hofe, Jr.)

The story of the American trail starts with the story of America itself. No outdoor resource is more imbedded in this nation's heritage and history. First there were the animal trails. Then came the Indian trails. Finally, the trails which carried the explorer, the pioneer, and the adventurer clear across a continent—forging from a frontier links which united a nation; literally, from sea to shining sea.

Until recent years, most Americans looked upon our trails with a mixture of historical awe and nostalgia. The city dweller and the suburbanite rarely identified himself with this outdoor asset.

Most Americans knew that trails were out there—somewhere. And that they were being used, they reasoned—by someone. And they were nice to have—they supposed. But how trails translated into the recreation and renewal plans for the urban American eluded them.

Today, the American trail has been rediscovered—almost with a vengeance.

Once again, the trail molds and meanders in the destinies of America's outdoor traditions. It is no longer the sole possession of the hiker, backpacker, camper, fisherman, camera buff, or birdwatcher.

This newfound awareness of the American trail has been caused, in part, by "The Leisure Explosion"—shorter work days, shorter work weeks, longer vacation periods, and more spendable income. And too, as more and more of us move into bigger and bigger cities and suburbs, there grows a need for something which almost borders on the spiritual. The pessimist would say we need to "get away from it all." At the Bureau of Outdoor Recreation, we prefer to think of it as a need for personal involvement, enrichment, and renewal.

TRAILS FOR EVERYONE

By its nature, the trail takes its traveler from one place to another. And what things there are to see and do along the way!

In a matter of minutes the casual walker can often leave behind his office worries—incubated by the impersonal suffocations of the city's concrete canyons. In minutes he can rediscover how nature fashions its intricate weavings in tapestries of trees and vegetation. In minutes the jangling of a telephone is forgotten as the walker "tunes in" to the warble of a bird or the serenade of a cricket. He can touch a leaf and trace its veins and patterns. What is more, the trail walker can share his experiences with a few others. Or he can be alone.

To walk or ride a trail requires no particular skill or stamina. For the walker, a comfortable and scuffable pair of shoes and some casual clothing are all that is necessary; for a bike trail—just a bike and some legwork.

More exotic and specialized trails, of course, do exist and are increasing. In the Virgin Islands and elsewhere swimmers can explore undersea trails. There are more opportunities for the handicapped person to share outdoor experiences with his family, thanks to trails which are graded for wheelchair use. And, while the sightless American cannot "see" the wonders found along a trail, he can hear, smell, and touch them along a growing network of "Braille Trails."

NATIONAL RECREATION TRAILS

The new National Recreation Trail concept of bringing trails closer to people is highly significant. The concept is being turned into reality through Public Law 90-543, the Act which established the National Trails System.

The first federally administered trail to bear the designation "National Recreation Trail" came into being last summer in Angeles National Forest near Pasadena, California, when a representative of the Department of Agriculture snipped a ribbon opening up the 28-mile-long Gabrielino National Recreation Trail.

Only a few weeks later, in September 1970, an enthusiastic crowd gathered a few hundred miles up the California coast in the hills which command a sweeping overlook of the East San Francisco Bay area. There, a personal representative of the Secretary of the Interior addressed the crowd and presented a special document. The document was a certificate declaring the East Bay Skyline Trail, administered by the East Bay Regional Park District of Oakland, to be the first non-federal National Recreation Trail in the nation.

Thus, a 14-mile trail administered under criteria prescribed by the National Trails System Act and the Department of the Interior was dedicated and plans are underway to extend the trail 25 miles to further enhance the varied recreation opportunities of the East Bay area.

URBAN TRAILS

In addition to their designations as National Recreation Trails, the East Bay Skyline and Gabrielino Trails share something else in common. They serve large urban areas.

And here lies the most challenging aspect of all who are concerned with America's outdoor recreation destinies: bringing the outdoors closer to the frontdoors of urban Americans.

High on the list of priorities at the Bureau of Outdoor Recreation is a creative and innovative determination to provide an "escape mechanism" for our metropolitan dwellers; many of whom are virtually captives of the city.

Not only are they demanding outlets to fill their increasing leisure hours, but their quest includes "breaking the ranks" from contemporary regimentation. Millions of our citizens who feel regimented at their offices or factories must fight the regimentation of traffic, only to end the day in crowded and regimented housing patterns.

At present, the city dweller is often dependent on the automobile to get from his home to a place where he can commune with nature, walk, hike, ride horseback, or pedal

along a bike trail. But many city dwellers do not have cars. In fact, it is estimated that some 50 million of us of driving age do not have automobiles. This is especially true of many inner-city inhabitants. The very people who most need outdoor experiences and exercise stand the least chance of getting it.

IN SEARCH OF SPACE

A film produced recently by the Bureau of Outdoor Recreation and National Educational Television graphically probes into the problems of urban open space needs.

The film's title, "In Search of Space," quickly summarizes its thrust and character. Its message tells us that outdoor space in and near our large cities is there—if we look for it.

Unused or ill-used rights-of-way can be found in almost every urban area; often complete with built-in and welcome green space. These include abandoned railroad lines, canal banks, and utility rights-of-way. Flood plains also offer an exciting recreation resource.

Because of their straight-line characteristics, these rights-of-way can become links and extensions—tying together parks, leading into existing trails, or bringing together a city's cultural facilities. Additionally, these rights-of-way can sometimes form greenbelts which encircle a city, or that wind serpentine throughout a city.

The potential recreation use of abandoned railroad rights-of-way and similar trail opportunities in and near our cities is receiving full attention from the Bureau of Outdoor Recreation. A report which includes an inventory of railroad abandonments over the past 10 years—with emphasis on those near or within large cities—is to be released soon. Criteria for determining the range of recreation potential of these abandonments—especially trails—will be included also.

The report suggests that it is the responsibility of the public—interested individuals, trail clubs, private recreation associations—to maintain a running balance sheet of recreation opportunities in their states and communities. They will have to evaluate rights-of-way; pursue the legal aspects; promote community interest; deal with, persuade, and generally pester state and local officials to acquire these rights-of-way.

If we want more and better trails in our cities—some of which may eventually become National Recreation Trails—it is necessary to pinpoint trail opportunities and ignite citizen-official action.

SUCCESS STORIES

It is encouraging to note that many city dwellers are taking the initiative and pushing ahead on their own to establish recreation trails.

Such perseverance of determination are paying off.

More than 300 members of the nonprofit Buckeye Trail Association are working diligently to extend the Buckeye hiking trail from Cincinnati to Toledo, including side trails.

In Seattle, more than 100 persons turned out last year for a "Citizen's Walk-In"—dramatizing the need to acquire a railroad right-of-way for recreation trail use. The route was being considered for abandonment.

In New York State, the residents of cities and villages who cooperated in the establishment and initial maintenance of the Old Groton Trailway are to be commended. This urban trail extends 26 miles from New York City to Grotonville. The title for this trail passed to the state in 1968.

Everyone was pleased when President Nixon signed into law the bill to preserve and enhance the C&O Canal by making the canal and its adjacent trails an addition to our national park system.

But possibly overlooked was another excellent illustration of urban cooperation among federal agencies, local governments, and a private organization to establish a

recreation trail in the Washington, D.C., area. In this case the Bureau of Outdoor Recreation and the National Park Service teamed with the American Youth Hostels organization. Various local governmental agencies representing the District of Columbia, Maryland, and Virginia also gave their support. One of their plans is the creation of an area-wide, loop-type system of biking and hiking trails—along which will be situated overnight hostels. The same team is looking into the possibilities for bicycle commuter trails.

THE TRAILS ACT

The National Trails System Act of 1968 stresses the importance of the establishment of three types of trails: (1) Trails in or near urban areas—particularly National Recreation Trails; (2) connecting and side trails; and (3) a system of National Scenic Trails.

Urban oriented National Recreation Trails are designated by the Secretary of the Interior (or the Secretary of Agriculture, on lands administered by his agency), but only Congress can establish National Scenic Trails.

Recreation and Scenic Trails may offer a wide range of trail-type activities, or, they may be restricted to a single use, such as walking.

Motorized recreation vehicles, such as snowmobiles and trail scooters, may be allowed on some National Recreation Trails although they are barred from long-distance National Scenic Trails.

NATIONAL SCENIC TRAILS

The first National Scenic Trails established by Congress under the National Trails System were the Appalachian Trail and the Pacific Crest Trail. Since passage of the Trails Act, work has progressed steadily to select rights-of-way and to develop procedures and guidelines for the operation of these two splendid trails.

The proposed route of each has been remapped—in the case of the Appalachian Trail, by the overall federal administrator, the National Park Service, with significant and welcome assistance from the Appalachian Trail Conference; and the Pacific Crest Trail by its administrator, the Forest Service. As required by law, route selections were given public exposure through publication in the *Federal Register*.

Both trails receive protection through cooperation of the states involved—primarily by use of various land acquisition methods, notably scenic easements which do not require landowners to give up their property. Under the terms of the Act, though, land acquisition cannot take place immediately.

And, both trails have the advantage of advisory councils to assist in formulating trail policies. Their membership is drawn from public and private sectors. One of the first actions of both councils was the adoption of a distinctive symbol representing each trail on the uniform marker of the National Trails System.

POTENTIAL NATIONAL SCENIC TRAILS

Bestowing national status upon the Appalachian and Pacific Crest Trails is a sound beginning—but merely that—a beginning.

The Trails Act lists 14 routes for consideration as National Scenic Trails. Five of these studies are underway, directed by the Bureau of Outdoor Recreation. They are El Camino Real, Mormon, and Mormon Battalion Trails, the North Country Trail, and the Oregon Trail. Of these five, only the El Camino Real is less than 100 miles long, most are thousands of miles.

Bureau studies of the Continental Divide and the Potomac Heritage Trails are nearing completion and will be submitted to the Secretary of the Interior for review.

At various intervals during the next three years, studies of the seven remaining trails will be started: Alaska's Gold Rush Trails, the Chisholm Trail, Lewis and Clark, Long, Natchez Trace, Santa Fe, and Kitanning Trails.

During such studies, every effort is made to secure the views of interested parties, both government and private. Their ideas and perspectives play a prominent role in the decision-making process of each report. A healthy cross section of opinions is generated through personal contacts, public meetings, letters, telephone calls, and the media.

OTHER TRAIL ACTIVITIES

Recreation trails are included as integral elements of other studies conducted by the Bureau.

Another federal agency, the Department of Housing and Urban Development, is considering incorporating trails in its model cities program in the hope of satisfying some of the recreation needs of those they serve.

States, too, are playing a more active role in recognizing the recreation potential of trails. Last year, the State of Washington passed legislation establishing a state trails system. And other states are considering similar measures.

California is trails conscious. That state recommended that trails be established within the California State Park System and elsewhere to serve its growing urban population. To coordinate this, the governor appointed a California Recreational Trails Committee.

California law now bans construction of state highways which could destroy or cut through existing trails unless a reasonable alternate route is provided for the trail users. Thanks to the same law, designers of freeways on the state highway system must now incorporate pedestrian paths and bicycle accommodations.

And, new trail associations, such as are found in Florida, Tennessee, and Virginia are also making their presence felt.

THE PRIVATE SECTOR

Private industry is very much on the trails scene. Bicycle manufacturers and other related private organizations, for example, have long worked cooperatively toward establishment of new bike trail systems.

Bicycle manufacturers' sales charts reflect growing sales and profits. And with the mounting sales of bikes must come a call for more bike trails.

Since the 1962 comeback of bicycling as a popular adult pastime, it is estimated that more than 10,000 bicycle trails have been established. Furthermore, the Bicycle Institute of America reports that the demand for new trails keeps growing. The Institute offers advice and planning assistance to those interested in community bikeways.

One dramatic concept—shared by federal agencies, city governments, and the Bicycle Institute—is the possibility of bicycle commuter trails as a partial answer to car-clogged freeways.

THE FUTURE: PLANS, ACTION, MONEY

The three ingredients: plans, action, and money are essential to the success of any trails program.

With this very much in mind, a National Trails Symposium is scheduled for June 2, 3, and 4 in Washington, D.C. Hosting this vital meeting will be the Departments of the Interior and Agriculture, and Open Lands Project, a Chicago-based private conservation organization.

A broad range of individuals and groups, both governmental and private, will be contributing to the symposium. Their common interest will be an enthusiasm for trails and a determination for more and better trails.

As envisioned, the symposium will side-step pep talks in favor of head-on confrontations about problems, legalisms, and those ingredients which have translated themselves into success stories.

The federal role must evolve along these lines:

1. Working with private groups to bring together clubs, groups, and individuals into compact, influence-wielding confederations;

2. Serving as a clearinghouse for the latest in trail-planning information, with more ambitious contributions of their trail expertise to citizens groups;

3. Financial assistance for establishing trails, including acquisition and development costs.

The Bureau of Outdoor Recreation administers the Land and Water Conservation Fund, through which states and communities—on a 50-50 cost-sharing basis—can be assisted in acquiring and developing lands for trails.

The Open Space Land Program of the Department of Housing and Urban Development provides grants of up to 50 percent to state and local public bodies to assist in acquiring and providing basic development of lands for park, recreation, and open space purposes. Trails on lands purchased for these purposes are an eligible project cost.

WHERE TO WRITE FOR INFORMATION

Since many may have questions concerning the National Trails System, a 30-page booklet entitled "National Scenic and Recreation Trails," which answers some of the more common questions asked about the program, is free by writing to: TRAILS, Bureau of Outdoor Recreation, U.S. Department of the Interior, Washington, D.C. 20240.

Further questions concerning the System or trails in general may be directed to the six regional offices of the Bureau of Outdoor Recreation at the following addresses:

Northeast—Pa., Maine, Vermont, N.H., Mass., N.Y., R.I., Dist. of Col., Conn., N.J., Md., W. Va., and Del.: Regional Director, Bureau of Outdoor Recreation, Federal Building, 7th Floor, 1421 Cherry Street, Philadelphia, Pa. 19102, Phone: 215-597-7989.

Southeast—Ga., Va., Ala., Tenn., N.C., S.C., Ark., La., Miss., Fla., Puerto Rico, and Virgin Islands: Regional Director, Bureau of Outdoor Recreation, 810 New Walton Bldg., Atlanta, Ga. 30303, Phone: 404-528-6377.

Lake Central—Mich., Minn., Wis., Iowa, Ill., Ind., Ohio, Mo., and Ky.: Regional Director, Bureau of Outdoor Recreation, 3853 Research Park Drive, Ann Arbor, Mich. 48104, Phone: 313-769-7481.

Mid-Continent—Colo., N.D., S.D., Wyo., Neb., Kan., N. Mex., Okla., and Texas: Regional Director, Bureau of Outdoor Recreation, Building 41, Denver Federal Center, Denver, Colo. 80225, Phone: 303-233-8831, 303-233-6765.

Pacific Southwest—Calif., Nev., Utah, Ariz., Hawaii, American Samoa, and Guam: Regional Director, Bureau of Outdoor Recreation, Box 36062, 450 Golden Gate Avenue, San Francisco, Calif. 94102, Phone: 415-556-0182.

Pacific Northwest—Wash., Idaho, Oreg., Mont., and Alaska: Regional Director, Bureau of Outdoor Recreation, 1000 2nd Avenue, Seattle, Wash. 98104, Phone: 206-583-4706.

For information regarding the Appalachian National Scenic Trail, write: National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

For information regarding the Pacific Crest National Scenic Trail, write: Forest Service, U.S. Department of Agriculture, Washington, D.C. 20250.

For group and VIP motion picture screenings, consider the Bureau of Outdoor Recreation film, *The American Trail*. A multi-award winner, its latest accolade is the Golden Sun Medallion (Grand Prize) at the II International Touristic Film Festival last November in Lisbon, Portugal. Fully narrated in 16mm color, *The American Trail* is also cleared for public service time on local television and runs 28 minutes. Write (well in advance): Modern Talking Picture Service, 1212 Avenue of the Americas, New York, N.Y. 10036.

NATIONAL TRAILS SYMPOSIUM

June 2, 3, and 4, 1971, Washington, D.C. Hosts: The Department of the Interior, The Department of Agriculture, Open Lands Project.

WHAT YOUR STATE IS DOING ABOUT TRAILS

State	Approximate number ¹ of miles of existing trails	State trails system considered in SCORP ²	State trails act drafted	State trails legislation enacted	Implemented	Trails planned for by the State	Who to write for State trails information
Alabama	456					173 miles for 1969-74	Director, department of conservation.
Alaska ³	1,200	Yes		Act establishing wilderness trails.	No	144 miles for 1970-75	Theodore G. Smith, director, division of parks.
Arizona	3,104	Yes					Roger Gruenewald, outdoor recreation coordinating commission.
Arkansas	45					16 miles for 1970-74	Frank A. Patalano, executive director, Arkansas Planning Commission.
California	12,234	Yes		(1) 1969 Recreational Trails Act encourages establishment of trails. (2) Pleasure riding tax law provides for establishment of public riding and hiking trails by taxing owners of pleasure riding animals. 1969. (3) Act prohibits destruction of existing trails by State freeway construction unless alternate routes provided. 1970.	Yes		William Penn Mott, Jr., director, department of parks and recreation.
Colorado	7,126	Yes	Yes				Harry K. Woodward, director, division of game, fish, and parks, department of natural resources.
Connecticut	390		Yes				Joseph N. Gill, commissioner, department of agriculture and natural resources.
Delaware	48						David R. Keifer, director, State planning office.
Florida	247	Yes				176 miles by	Ney C. Landrum, director, division of recreation and parks, department of natural resources.
Georgia	158	Yes. Also recommends State legislation to protect Appalachian Nature Study Trail.				68 miles in 1971	Tom Linder, State planning and community affairs officer, bureau of State planning and community affairs.
Hawaii	471						Shelly M. Mark, director, department of planning and economic development.
Idaho	10,817	Yes					Wilhelm M. Beckert, director, Idaho Department of Parks.
Illinois	700					Acquisition by 1973 of a river trail of 8,000 acres inclusive of land and water acreage.	Henry N. Barkhausen, director, department of conservation.
Indiana	928	Yes				28 miles for 1971-75	John R. Lloyd, director, department of natural resources.
Iowa	182		Trails provided for under existing legislation.				E. B. Speaker, assistant to the director State conservation commission.
Kansas	33						Lynn Burris, Jr., director, State park and resources authority.
Kentucky	717	Yes					Frank J. Groschelle, special assistant to the Governor.
Louisiana	214	Yes				45 miles for 1970-75	Lamar Gibson, director, State parks and recreation commission.
Maine	2,935	Yes		Act to regulate snowmobiles. Act set \$10 registration fee, \$1 of which goes toward providing trails. 1969.			Lawrence Stuart, director, State parks and recreation commission.
Maryland	818	Yes		Trails provided for under existing legislation.		450 miles for 1971-75	Spencer P. Ellis, director, Department of forests and parks.
Massachusetts	2,513	Yes		(1) Act authorizing State to acquire land for Appalachian National Scenic Trail. 1969. (2) Act authorizing State trails inventory. 1969.	(1) Will start acquiring land this year (1971). (2) Inventory completed 1970.		Arthur Brownell, commissioner, department of natural resources.
Michigan	10,526	Yes		Public Law 225, 1964, authorizes studies for State trails system.	No		Ralph A. MacMullan, director, Michigan Department of Natural Resources.
Minnesota	2,673	Yes		(1) Act to regulate snowmobiles provides funds for trail development. 1967. (2) Act designating Casey Jones Trail. 1967. (3) Act designating Minnesota Valley Trails. 1969. (4) Act authorizes State Forestry Department to acquire easements for trail purposes. 1969.	Yes	Approximately 200 miles for 1971-75.	Robert Herbst, commissioner, department of conservation.
Mississippi	9					284 miles for 1971-74	Spencer E. Medlin, comptroller, Mississippi Park System.

Footnotes at end of table.

WHAT YOUR STATE IS DOING ABOUT TRAILS—Continued

State	Approximate number of miles of existing trails	State trails system considered in SCORP ²	State trails act drafted	State trails legislation enacted	Implemented	Trails planned for by the State	Who to write for State trails information
Missouri	1,818	Yes				Approximately 280 acres for 1971-74.	Robert L. Dunkeson, executive secretary, Inter-agency council for outdoor recreation.
Montana	9,496						Robert F. Cooney, assistant chief, recreation and parks division, department of fish and game.
Nebraska	67	Yes				20 trails for 1971-75.	Willard R. Barbee, director, game and parks commission.
Nevada	503						Elmo J. De Ricco, director, department of conservation and natural resources.
New Hampshire	1,262	Recommends State legislation to protect the Appalachian National Scenic Trail. Bill in preparation.					George Gilman, commissioner, department of resources and economic development.
New Jersey	3,772	Yes	Yes			150 miles for 1971-75.	Richard J. Sullivan, commissioner, department of environmental protection.
New Mexico	3,648						State planning officer, State planning office.
New York ²	4,548	Yes				180 miles for 1971-75.	Sal J. Prezioso, commissioner, office of parks and recreation.
North Carolina	1,884						William L. Turner, director, department of administration.
North Dakota	590					2,409 miles recommended for development during 1971-75.	John Greenslit, coordinator, State outdoor recreation agency.
Ohio	2,331	Yes		Resolution passed recognizing Buckeye Trail.	Yes	78 miles for 1971-75.	William B. Nye, director, department of natural resources.
Oklahoma	307						Director, industrial development and park department.
Oregon	8,963	Yes	Yes				R. L. Porter, State highway engineer, State highway department.
Pennsylvania	6,172	Yes					Irving Hand, executive director, State planning board.
Rhode Island	60	Yes				30 miles for 1971-75.	John L. Rego, director, department of natural resources.
South Carolina	68	Yes				30 miles for 1971-72.	Bob Hickman, director, department of parks, recreation, and tourism.
South Dakota	1,252					3 trails are planned for acquisition and development for 1971-74.	Robert Hodgins, director, department of game, fish, and parks.
Tennessee	708	Yes	Yes				William L. Jenkins, commissioner, department of conservation.
Texas	750	Yes	Yes			65 miles for 1971-73.	Paul Schlimper, assistant director of park services, department of parks and wildlife.
Utah	5,348	Yes					Gordon E. Harmston, executive director, department of natural resources.
Vermont	7,438						Forrest E. Orr, planning director, agency of environmental conservation.
Virginia	913	Yes	Yes			1,000 miles for 1971-75.	Ben Bolen, commissioner of parks.
Washington	8,356	Yes		Yes (1970)	Underway		Lewis A. Bell, chairman, interagency committee for outdoor recreation.
West Virginia	776	Yes				208 miles for 1971-75.	William H. Loy, acting director, Federal-State relations.
Wisconsin	433	Yes		(1) Snowmobile Act provides for development of trails on public lands. 1969. (2) Motorcycle Outdoor Recreation Act provides for trail development. 1969.	Yes	50 miles for 1971-73.	John A. Beale, deputy secretary, department of natural resources.
Wyoming	6,318	Yes				4 trails for 1971-72.	Paul H. Westedt, director, Wyoming Recreation Commission.

¹ Compiled from Federal and state sources.
² Statewide Comprehensive Outdoor Recreation Plan.

³ Number of trails identified by the State for potential inclusion in the national trails system—Alaska, 12; New York, 4.

VALOR UNHERALDED

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DERWINSKI. Mr. Speaker, the concentration of interest in the critics of the Vietnam war has led to a situation which is obvious; namely that the wonderful service to the country of the men who have been assigned to Vietnam has in fact been consistently overlooked. Yet

at last, in the San Diego Union of Friday, April 30, editorial recognition is given to thousands of unheralded young Americans who served honorably and properly in the uniform of our Armed Forces in Southeast Asia. The editorial follows:

PUBLIC WRANGLING DROWNS CHEERS—VALOR OF THOUSANDS UNHERALDED

As the withdrawal of U.S. combat troops from Vietnam proceeds, we find a troubled chapter in our history coming to a close with a notable void. Few can identify the heroes of the Vietnam War.

Was this truly a "war without heroes," as

an author has called it? Or have we simply failed to recognize and applaud those men whose behavior in Vietnam has measured up in every way to the standards of American fighting men in the past?

Certainly this has not been a war without heroic conduct. It has been detailed in the citations for some 170 Medals of Honor awarded since 1964 and it lies behind countless other decorations for gallantry under fire. It is demonstrated as well in the fact that all but a miniscule few of the 2.5 million men who have served in Vietnam have done so with skill, steadiness and pride. We cannot speak of a war without heroes when 45,000 men have given their lives in its cause,

and tens of thousands more will bear the scars of its combat for the rest of their days.

Yet the names of our most decorated heroes fade quickly from mind. The Vietnam veteran hangs up his uniform and slips back into civilian life with little demonstration of gratitude or welcome. He comes home to find a populace more interested in withdrawal dates than in the fact that his own service and sacrifice are what have made our honorable withdrawal from that conflict possible. He finds the air filled not with cheers but with public wrangling over whether the struggle to which he gave a significant portion of his life is really worthwhile.

It is not enough to regret that our men were not followed to Vietnam by many like Ernie Pyle, who during World War II gave the American people a vivid appreciation of the day-to-day duress of frontline duty. It is fair to ask whether the reporting of the Vietnam War, which so often has seemed to focus in the wrong direction, was not simply a reflection of the preoccupation of the American people themselves with the political implication of that struggle, both at home and abroad.

The result may be that we have failed as a nation to identify ourselves with the human commitment which our men have fulfilled so unselfishly in Vietnam—the same commitment that carried our fighting men through every war the United States of America has fought in this century, producing a galaxy of national heroes.

It will be tragic if uncertainties and misunderstanding over the issues of policy that took our troops to Vietnam should blind the American people to the pages of heroism written there. It would compound that tragedy if the exhibitionism of a few veterans throwing medals over a fence in Washington should detract in any way from the dignity, the respect and the honor that hundreds of thousands of fine Americans have earned by their service in Vietnam.

MUSKIE CONTINUES TO LEAD NIXON

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. PUCINSKI. Mr. Speaker, the Chicago Tribune today carried the latest results of the Harris survey, which show that Senator MUSKIE continues to be the most serious challenger to President Nixon in 1972.

This survey gives us our best answer why the administration has given orders to all of its field marshals to "get MUSKIE."

We have watched with interest the attacks being leveled against Senator MUSKIE by such GOP stalwarts as the Vice President, the minority leader in the House, and the chairman of the Republican National Committee himself.

It is obvious the White House strategists realize that the only man who can topple President Nixon in 1972 is Senator EDMUND MUSKIE, and that is why they are concentrating their guns on him.

The Harris survey follows:
THE HARRIS SURVEY—MUSKIE WIDENS MARGIN

(By Louis Harris)

In the latest Harris Survey, Sen. Edmund Muskie [D., Me.] has widened his lead over

President Nixon to a 47 to 39 per cent margin, with Gov. George Wallace, an independent, receiving 11 per cent. Last February, Muskie led the President by a margin of 44 to 39 per cent.

Here is the trend of the Presidential trial heats between Nixon and Muskie conducted by the Harris Survey during the last two years. As before, this latest cross section of 1,619 likely voters, including 18-20 year olds, across the nation was asked:

"Suppose the 1972 election for President were being held today and you had to choose right now—would you vote for Richard Nixon, the Republican, Sen. Edmund Muskie for the Democrats or George Wallace, the Independent?" and "[if not sure] would you lean toward Nixon, Muskie, or Wallace?"

NIXON-HUMPHREY-WALLACE

[In percent]

	1971 test	1968 results
Nixon.....	42	43
Humphrey.....	41	43
Wallace.....	13	14
Not sure.....	4	

Confirming the basic set of this survey are the results of another pairing taken just between Muskie and Nixon with Wallace out of the race:

NIXON-MUSKIE ALONE

[In percent]

	Nixon	Muskie	Not sure
1971:			
April.....	44	50	6
February.....	42	48	10
January.....	46	49	5

Muskie continues to hold onto the six-point lead he had back in February when the 1972 election was cast as a two-way contest. The significance of these results is that it has now become clear that it is something of a myth to assume that the bulk of George Wallace's vote normally would go to Richard Nixon. Wallace voters are essentially against the "in" establishment, and this includes the occupant of the White House, regardless of party.

Perhaps as good a measure of where President Nixon stands politically today can be obtained in the results of another test when he is pitted against his 1968 opponent, Sen. Hubert Humphrey [D., Minn.]

NIXON-MUSKIE-WALLACE TREND

[In percent]

	Nixon	Muskie	Wallace	Not sure
1971:				
April.....	39	47	11	3
February.....	39	44	12	5
January.....	40	43	11	6
1970:				
November.....	40	46	10	4
1969:				
November.....	49	35	11	5
May.....	51	33	11	5

Against Humphrey, Nixon is precisely where he was back in 1968. Today, such a repeat contest with George Wallace as a third party candidate would produce the identical result. This represents something of a comeback for Humphrey, but still places him well back of Muskie as the strongest Democratic nominee at this time.

Nor should the 8-point Muskie lead over the President be taken to mean that Nixon

is incapable of opening up a sizable lead over other potential Democratic contenders. In this latest Harris Survey, the President was also pitted against Sen. George McGovern [D., S.D.], the only announced Democrat aspirant:

NIXON-McGOVERN-WALLACE

[In percent]

	April	February
Nixon.....	46	45
McGovern.....	36	34
Wallace.....	13	12
Not sure.....	5	9

AN EROSION OF SPIRIT

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DICKINSON. Mr. Speaker, I would like to take this opportunity to share the following editorial by William Randolph Hearst, Jr., on the SST with my colleagues:

AN EROSION OF SPIRIT

(By William Randolph Hearst, Jr.)

NEW YORK.—The refusal by both houses of our new Congress to continue test development of an American SuperSonic Transport plane strikes me as a most serious and shameful milestone in the nation's history.

Without getting overly dramatic, I must say that killing the SST has raised some rather frightening thoughts in my mind.

What they add up to is a spectre—the dark vision of an America whose elected representatives, at least, are lacking in the adventurous spirit of pioneer leadership which made this country great.

It is impossible to say how widespread the same loss may be true of the general public. But it is a distressing fact that the lawmakers who decided to give up in the field of superjet development are supposed to reflect the vitality and opinions of the electorate—and generally do.

So something very serious indeed has happened. And it is shameful because it demonstrates how vastly different in outlook and motivation so many present-day Americans have become when contrasted with our early settlers and explorers.

We speak English today because the most venturesome, the hardest and the most tenacious were English. Beginning with the settlement at Jamestown in 1607 and the Mayflower landing at Plymouth Rock in 1620, theirs was a saga of go, go, go—always forward in blazing trails through the unknowns of their world.

This spirit inspired and drove the country for approximately 300 years, as it continued to prevail in the first half of this century. Yet in recent years a kind of erosion has set in—and the death of the SST could well mark a turning point in our Nation's philosophy.

At the very least, the refusal of Congress to continue test work on a United States possible rival to Supersonic Transports already being flown by the Russians, British and French will—I am confident—go down as an indelible stain on its record.

This is the first Congress I have ever known that has refused to have a look at the future.

It is the first Congress I have ever known to spurn the kind of progressive, exploratory thinking that makes for a great, youthful and curious nation.

It is the first Congress I have ever known

to adopt a policy of "go back" rather than "go ahead"—to deliberately surrender world leadership in a tremendously important field.

The 92d Congress, in a word, has disgraced itself.

In suggesting that this Nation may have turned a sad corner—possibly a 180-degree turn from its proud past—I am motivated more as an indignant citizen than an aviation buff.

It certainly is true that I have always been a real bug on the subject. There is an old photograph of me grasping the wheel of one of those ancient Wright Brothers-type plane which flew and captivated me at the Panama-Pacific International Exposition in San Francisco in 1915. I first flew solo still in my teens, and ever since have been handling every kind of plane anybody would let me.

Speaking as an aviation fan, I say quite frankly that I don't think the U.S. needs any fleet of the SST at this time.

In addition to its highly doubtful economic practicality, the SST still has a lot of unsolved problems. Its sonic booms, for example, might or might not be capable of being solved.

But this nation most certainly should have gone ahead with research and development of any potentially vital tool for the future. The fact that this particular tool happens to be a special kind of aircraft is only incidental.

What I am saying is that it is a sorry day when America decides it has gone far enough, or high enough, or fast enough, or deep enough in any field where its leadership is being challenged.

When the word "stop" takes over from the word "go" in our nation—as it did with the SST—it will mark the passing of the peak of America's greatness.

Killing the SST test development reflects not only a terribly serious sickness in our national soul, it wasn't even logical.

To be consistent, Congress also must now cut off any further funds for developing SuperSonic military planes—another field where our leadership is challenged by the Russians, among others.

The next logical step if we are going to get out of the big leagues would be to cut out going to the moon and leave space exploration to more venturesome nations.

Logic demands, if ecology is to be the determining factor in our national existence, that we must shut down our factories—those terrible polluters—and return to an agricultural society.

Logic and consistency require also the banning of all airplanes. And, of course, all automobiles.

Logic and ecology require, in sum, that all of use return to the horse and buggy age.

Such is a logical extension of the illogical and shameful action by Congress in turning its back on the future.

The words of the French lady being trampled to the guillotine—as quoted by Macaulay, the famous British essayist—come to mind:

"Oh Liberty! How many crimes are committed in thy name!"

Progressive-minded, forward-looking Americans might well ask themselves a question something like this, *"Ecology! Environment! How many crimes will be committed in their names?"*

LAW DAY

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. ROYBAL. Mr. Speaker, in commemoration of Law Day, I would like to

offer my support to those efforts currently underway to make the laws of this land more comprehensible to the non-English speaking members of our society. Since it is essential that all residents of this country have as complete an understanding of the American legal process as possible, any attempt to translate our legal codes into foreign tongues deserves our praise. One such laudable program has been undertaken by the American Bar Association. In an attempt to expand the Spanish-speaking community's knowledge of our laws, the American Bar Association has printed a pamphlet in Spanish which commemorates Law Day and explains the rights of each citizen guaranteed under the Constitution.

My district is also fortunate to have the local Committee of the International Association of Women Lawyers which has undertaken to widely disseminate the pamphlet to my Spanish-speaking constituents. In addition, Law Day is being celebrated with the appearance of judges and lawyers on local Spanish language television and radio stations. In order to familiarize my colleagues with the notable work currently being done by the American Bar Association and its local Committees in this area, I include the contents of their Spanish language pamphlet commemorating Law Day, 1971:

SUS DERECHOS DE CIUDADANO

Todo ciudadano norteamericano goza de ciertos derechos promulgados en la Constitución y protegidos por la ley. Estas libertades individuales distinguen a nuestra sociedad de los sistemas totalitarios.

Sus derechos amparados por la ley incluyen:

El derecho a una igual protección por las leyes y a una ecuanimidad de justicia en las cortes.

El derecho a verse libre de registros o arrestos arbitrarios.

El derecho a una igual oportunidad educacional y económica.

El derecho a escoger a los funcionarios públicos en elecciones libres.

El derecho a tener propiedades.

El derecho de libre expresión, prensa y asamblea.

El derecho de atender a la iglesia de su elección.

El derecho a tener la asistencia legal de su elección, y un juicio inmediato si se le acusa de un crimen.

POR QUÉ CELEBRAMOS EL DÍA DE LA LEY

El día de la ley, celebrado anualmente el 1º de mayo, es una fecha educacional y patriótica establecida por el Congreso y por una proclamación oficial del Presidente de los Estados Unidos. El tema de el día de la ley en 1971 es: Reforma encaminada por la Ley y la Razón. Se propone recalcar la urgencia e importancia de resolver las injusticias y disparidades por medios legales y ordenados, a través de las cortes, los cuerpos legislativos y el Congreso de la nación, y no por tácticas de militancia, desorden y destrucción. La Resolución Unánime adoptada por el 87º Congreso, llama a los norteamericanos a reafirmar su lealtad hacia los Estados Unidos, y a dedicarse renovadamente a "los ideales de igualdad y justicia bajo la ley, en sus relaciones entre sí." Con este fin, en vísperas o el 1º de mayo, numerosos programas se llevarán a cabo en toda la nación: en las escuelas, tribunales, iglesias, y ante organizaciones de toda clase.

Los objetivos de EL DÍA DE LA LEY son:

1. Promover la igualdad y justicia remitiéndose a la ley.

2. Alentar a los ciudadanos a que respeten las leyes y soporten el cumplimiento de las mismas.

3. Fomentar respeto hacia la ley, y una comprensión de su lugar esencial en la vida norteamericana.

SUS DEBERES DE CIUDADANO

Conjuntamente con sus derechos de ciudadano van sus responsabilidades individuales. Todos los norteamericanos las comparten.

Sus deberes de ciudadano incluyen:

El deber de obedecer las leyes.

El deber de respetar los derechos de otros.

El deber de mantenerse informado sobre asuntos gubernamentales y de bienestar de la comunidad.

El deber de votar en las elecciones.

El deber de servir en los jurados, si se le solicita.

El deber de servir y defender a su patria.

El deber de asistir a las agencias encargadas de preservar la ley.

El deber de practicar y enseñar en su hogar los principios de una sólida ciudadanía.

MINNESOTA PRIZE WINNER
CHALLENGES SUBURBIA

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. NELSEN. Mr. Speaker, I have long felt that the tiny minority of destructive voices in our midst tend to receive a good deal more attention than the constructive voices whose views can help in practical fashion to solve some of the problems besetting our Nation. So I am delighted to share with my colleagues a crackerjack of an essay on a very timely subject written by a young constituent in my district who herself represents the finest of young America.

Its authoress is Miss Pat Barke, daughter of Mr. and Mrs. Richard Barke of rural Fairmont, Minn. A junior at Fairmont Senior High School, Miss Barke is a leader in a number of school and community activities, including 4-H, and was recently selected to spend 3 months abroad this summer in a student exchange program sponsored by the American Field Service.

In a statewide contest this spring sponsored by the State of Minnesota Conservation Department, Miss Barke was awarded first prize for an essay entitled "Is Suburbia Benefited by Soil and Water Conservation?" It might be added that Miss Barke's composition was considered so superior, she was invited to deliver it at the State legislature and she read it over one of our State's leading radio stations.

I am, therefore, most pleased to call Miss Barke's composition to the attention of my colleagues in Congress and insert it at this point in the Record:

IS SUBURBIA BENEFITED BY SOIL AND WATER CONSERVATION?

(By Pat Barke)

Wake up, suburban America! Join in the fight to save our soil and water and help fight pollution!

It's your world, too!
What men do to their world affects everyone in it—farmer or suburbanite, ardent conservationist or casual consumer. Everyone has to breathe the air, drink the water, eat

the food, throw away his trash and share living room with his neighbors.

It is almost impossible to listen to the radio, pick up a magazine, read a newspaper, or watch TV without finding new accounts of actual or threatened danger to our surroundings.

Yes, suburbia is definitely benefited by soil and water conservation! All living things are inter-related and interacting.

In this day and age, what we do affects everybody! We are all custodians of nature. But, shame on us, we have raped the land, the water, and the air!

As they say about our rivers today—they are too thick to drink, and too thin to plow.

The farmer and the people of agriculture have done more than any other segment of our society to improve our environment.

Agriculture quietly pioneered this country's war against pollution beginning some 30 years ago.

Pollution cuts ugly scars into the land while streams are being contaminated with silt from soil erosion. Careless suburban building, lets much good rich soil run-off with heavy rains, and makes rivers unlivable for fish and increases water treatment costs.

Farmers have dramatically reduced the silt run-off from farmlands. Terraces, contour and strip-planting help keep soil, rainfall and chemicals from washing away.

Silt flow is also checked by grassy waterways, diversion ponds and farm lakes created by damming erodible ravines.

If American farmers had not been following good conservation rules, today every public reservoir in the United States would be filled to capacity—with sediment instead of water.

Farmers have helped reduce air pollution, too. To protect blowable soil areas with windbreaks, they've planted millions of trees and miles of flowering hedges, which also accommodate birds and small game.

Environment-wise, even on the farm, there is still much to be done. But nowhere else has so much already been done—with such beautiful results.

Most city-dwelling Americans take a steady and sufficient supply of water for granted. Country folk who rely on wells for drinking water, streams or ponds to water their stock, and rain to nourish their crops, are constantly concerned about their water supply.

There is a world-wide water shortage! But water can be conserved in many ways. These range from repairing leaky faucets to slowing the flow of rivers to the sea by building dams.

And we must stop erosion, whether we live on the farm, or in suburban America. Keep topsoil from being washed away, and allow precipitation to sink slowly and replenish ground water.

Oh, yes, man has intelligence. With his intelligence, modern man has created technology. This gives him powers to make great changes in nature.

Technology also makes humans able to use huge amounts of the Earth's resources. Because we can use so many resources, we create huge amounts of wastes—too many wastes for nature to reuse. When these wastes make the water, and soil unfit for use, or unhealthy, we say they are polluted.

Pollution leads to water that fish can't live in, soil plants can't grow in, air that kills crops. It is a limiting factor that nature didn't plan for. So man, the smartest animal, can also be the most dangerous one!

Arsenic is beginning to appear in river waters. The suspected carriers are the detergents we use in our washing machines. These so-called "washday miracles" are turning our nation's lakes and streams into reservoirs of stinking slime.

Our planet belongs to every living person! We ALL must care for and nurture our planet,

Our very lives depend on it. If we destroy it, we destroy ourselves and our loved ones. The polluted clouds of selfishness have been with us long enough. The earth is limited!

The problems are complex. It will take everyone to solve them.

At the last meeting of our legislature, there were 80 bills for defense, and only two bills to clean up our environment.

But all of our water and soil management solutions are strictly theory until we as citizens become personally involved.

What can we do?? 1. We can put pressure on our legislators for stricter controls. 2. We can start at home.

Let's not underestimate ourselves—we can do something about soil and water conservation, and pollution!

Pollution threatens man's survival.

Is suburbia benefited by soil and water conservation? OH, yes, for our very life comes from the soil and water. EVERYONE has to breathe the air, drink the water, eat the food, throw away his trash and share living room with his neighbors.

Life depends upon the soil and water! We must keep the water pure, and the soil rich and uncontaminated.

We can, we shall, we must!

THE NUCLEAR SWORD OF DAMOCLES

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. CARTER. Mr. Speaker, I recently read with interest and trepidation, as far as our nuclear program is concerned, this article by Mrs. Lenore Marshall. Continued nuclear testing and unrestricted use of nuclear reactors may well constitute a serious danger not only to our environment but to the continued existence of all forms of life. I submit this article for your perusal:

THE NUCLEAR SWORD OF DAMOCLES

(By Lenore Marshall)

(NOTE.—The author wishes to express her appreciation for Miss Egan O'Connor's valuable assistance in research.)

A short while ago another nuclear accident occurred. An underground weapons test, supposedly self-contained, produced a radioactive cloud that traveled at least 450 miles, with fallout at its site that affected hundreds of people who had to be evacuated and decontaminated, and for whom ultimate damage cannot yet be ascertained.

During the years since Hiroshima—the short years previous to the newest atomic accident (which was the 17th underground test that has leaked, according to Atomic Energy Commission announcements)—we have recognized to our sorrow and terror that our entire planet has joined the wilderness in its struggle for survival; not only the wilderness but the whole world is in peril. Nothing, no matter how remote, is immune. Great tracts of fertile land, plant life and animal life in forests, plains, oceans, rivers, and lakes have been joined by human life in the danger of extinction. The greatest threat to the continuance of animal, vegetable, and human existence comes from the nuclear sword of Damocles that hangs over our heads.

By great good luck, despite the minor accidents, there has not yet been a massive release. However, since sources of nuclear contamination are proliferating, the chances of a major disaster are also increasing; such a disaster could devastate a number of states

and cause thousands more cases of cancer and genetic defects and deaths. There is a fundamental difference between radioactive pollutants and other pollutants such as DDT, NTA, oil, and automobile exhaust. All the latter are stable compounds, and there are possibilities of eliminating them or of rendering them harmless. But radioactive atoms are deranged atoms whose high-energy emissions from the nucleus cannot be stopped or, presto, made innocent by a lawsuit or a wave of a wand; they taper off at their own rate—240,000 years for radioactive plutonium 239, which happens to be a basic element in both the military and peaceful application of nuclear energy.

Cockroaches are said to withstand the effects of radiation quite nicely. Other animals, wild or otherwise, fare worse.

Since there is no way to turn off radioactivity, nuclear pollution is in a class by itself. Therefore, to whatever extent is possible, we must prevent any more of it from occurring.

We are already bearing the legacy of some earlier activities—radium from uranium mine wastes eroding into the Colorado and into other rivers, plutonium 238 in the atmosphere from a misfired navigational satellite (1964), and fallout from the atmospheric nuclear bomb tests. They are all, of course, still with us. For instance some of the radioactive cesium 137 will still be around 300 years from now and radioactive carbon 14 another 57,000 years. The strontium 90 fallout created by atmospheric tests was enough to work its way into the bones of almost every child tested for it in the Northern Hemisphere, according to Anthony Smith (*The Body*). Since all radiation exposure is assumed to be harmful, whether it comes from bombs, medical X-rays, nuclear power plants, rocks, or the stars, what counts is the amount we accumulate and which we can still limit. The only hopeful thing to be said about this peril is that it is still possible to control it, keeping doses of radiation to safer permissible levels.

The biggest radioactive burial ground in the world lies in Nevada only 75 miles from Las Vegas, and consists of 250 square miles of contaminated desert surface pocketed with deadly plutonium 239. Under the surface, as well, lie hundreds of pools of radioactivity; some radioactive tritium is contained in the waters beneath the surface. This no-man's land is mentioned in a paragraph within a report of the Atomic Energy Commission to the President's Council on Environmental Quality. If an earthquake or some other disaster, man-made or natural, were to strike this land, there is no knowing how vast would be the damage.

This is only one of many instances of pollutant destruction related to A.E.C. blasts and experiments. There is no way of estimating how much radioactivity is being released to the environment from all sources; however, what is known is that the amount of radioactivity and the damage from it are adding up. Since 1957 the A.E.C. to date has conducted over 200 tests in Nevada, plus two in Mississippi and two in Alaska. During 1970, through October 14, the United States detonated 23 underground bombs, the Russians six. An estimated 33 per cent of the underground explosions vent some radioactivity into the air and, probably, gases seep to the surface eventually from all of them. Regarding Alaska, an A.E.C. contractor has calculated that the Milrow test in October 1969 could start discharging radioactive hydrogen into the ocean in six years and continue discharging for the subsequent 66 years. In 1966 ecologist G. G. Polykarpov warned that the oceans already have all the radioactivity that they can tolerate and that fish embryos show damage. Nonetheless new underground tests, the largest we have ever held, are being planned for Alaska, and in an active earthquake zone.

From sources other than nuclear bomb tests the danger and the damage proliferate. There are about 20 experimental nuclear power plants in operation in the United States now; the A.E.C. expects to license 450 to 650 more in the next 30 years. Each plant accumulates in one year as much long-lived radioactivity as in several hundred Hiroshima bombs. Construction and active preparations are presently occurring in 28 states and in Puerto Rico. Peaceful "Plowshare" underground bomb tests, proposed by the hundreds, would create contaminated gas, oil, and possibly copper for nationwide distribution. Pilot projects have been blasted in Arizona and Colorado; Wyoming is probably next. Nine "Plowshare" excavation bomb experiments for building canals and harbors have produced contaminants; a recent one produced radioactive air as far from the Nevada test site as Boise, Idaho. Thus the "peaceful atom," a kindly-sounding benefactor, may require a bit more assessment.

Radioactive material is being more and more widely used in industry, raising problems of disposal. In Florida, the country's first commercial nuclear sewage disposal plant is using radioactive cobalt. Storage of radioactive wastes is a mammoth problem. Altogether, there are over 100 million gallons of high-level radioactive waste stored in tanks in South Carolina, Idaho, Washington, and New York state. Storage tanks tend to disintegrate under the intense radioactive bombardment and heat; so far, 60,000 gallons have leaked from such tanks into the ground. The A.E.C. is working on techniques for solidifying the waste, but the process is so expensive that the A.E.C. hopes to dump millions of gallons of *unsolidified* waste into underground excavations along the Savannah River. At the A.E.C.'s Hanford installation, there are open "dribble trenches" for so-called "low level" wastes. In March 1970, ducks drinking from these trenches were found to be so radioactive that eating them would give a person five times the annual "permissible" dose of radiation. And oysters at the mouth of the Columbia River are concentrating radioactive zinc released far upstream at Hanford. In New Mexico, radioactive waste is pumped into deep wells, stored, and allowed to seep into desert soil. Monitoring has sometimes been casual. At one commercial plant in West Valley, New York, after official denials of hazard, a group of citizens found radioactive levels in a creek to be 30,000 to 100,000 times higher than levels permitted by the A.E.C. During a test of the nuclear space rockets in Nevada in 1965, levels of air contamination on U.S. highway 95 between Reno and Las Vegas rose temporarily to 200,000 times their normal level.

When plutonium 233 falls on the test site in Nevada, the land is fenced off and posted. The problem is how to confine that plutonium to that fenced-off place, against wind and oxidation, for the next 240,000 years—when it will no longer be able to hurt us. Near Denver, Colorado, local scientists have proven that significant amounts of plutonium have escaped from the Rocky Flats plant where warheads are manufactured. After denying the possibility, the A.E.C. has confirmed the findings.

A recent medical report in the *Journal of the American Medical Association* states that among the young people of Rongelap Atoll in the Pacific who were accidentally exposed to fallout during the 1954 tests, the majority have developed thyroid abnormalities, many of them malignant.

Today's environmental crisis proves that much modern technology now actually functions to the detriment of society. It has become disoriented from society. Science and scientists are not omniscient; in fact many scientists are attached to special interests in government and industry. As

Doctors John W. Gofman and Arthur R. Tamplin¹ say of science and technology: "They offer credibility to the proposed ABM system and thereby offer thinkability to a nuclear war; they create the illusion that if we really get into trouble with our environment, science and technology will be able to rescue us; and they divert the scientific manpower away from more meaningful programs." Thus, within the fact that there are seismic, tidal wave, and radioactive hazards from nuclear weapons-testing underground, there lies the greater danger that weapons-testing is part of a general framework of thinking that war is thinkable.

Doctors Gofman and Tamplin continue: "Science in itself is not bad or good; that is why it has no ethics. Without application, science is meaningless. But most of science in this country is meant to be applied, and hence the government, hand in glove with industry, rules over science by controlling the purse strings. . . . Quite obviously we need a mechanism for effectively criticizing present day science and technology, and for articulating a new set of priorities that would lead science and technology to fulfilling the needs of society. . . . They must offer alternative programs that represent routes to the solution of the needs of society." Doctors Gofman and Tamplin propose an Adversary Center to consist of a group of distinguished scientists who would criticize any new application of science until it has been impartially scrutinized. In terms of the human condition, an Adversary Center would assist technology, and would base its rationale on the continuance of life of the human species. It would take up arms against the concept of the obliteration of man and of his beautiful earth, his wilderness and his cities, and of the civilization he has built.

It is argued that the country's increased need for electrical power necessitates nuclear plants and that defense needs necessitate further weapons development. As for the latter, since we already have means for overkill beyond that of any other country, and since the continuance of the arms race leads to a deadly tit-for-tat psychology that can only end in catastrophe, the sooner a moratorium on development and accumulation of nuclear weapons is called the safer we shall be. If the world aims at universal disarmament, perhaps elephants and seals and eagles and sparrows and pine trees and fish and roses and children will survive. A moratorium on the burgeoning nuclear reactor business must similarly be called.

What are some of the alternatives? Without nuclear energy would there be brown-outs? Would a million sparklers around advertisements be cut in half? Would the electric carving knife not cut? The answer is that we can obtain the power we need. The lights will not go out. Even if this were the case, one must ask which is more important: more lights or life itself? Moreover there are safer alternatives to nuclear electricity. There is the further development of fossil fuel, which may be better utilized and made "clean" by means of new processes. There should be investigation of magnetohydrodynamics (MHD) and work on fusion and geothermal energies. Promising work is being done to develop the use of solar energy; it is said that the sun's heat falling on Death Valley alone could solve a multitude of power needs. Certainly, much electric energy that is wasted today could be conserved.

The public is entitled to demand information from the government and to say, Stop! to nuclear danger until plans are submitted for impartial scrutiny. There are a

¹"A Proposal to Establish an Adversary System of Scientific Inquiry," in *Environmental Action Bulletin*, January 2, 1971.

number of citizen groups which are fighting for safety from nuclear pollution. Two new committees have recently been launched, one to act as a clearing house and action center to bring about safeguards, the other as an information and educational center. They are, respectively, Task Force Against Nuclear Pollution and Citizens Committee for Nuclear Responsibility. They may be reached through Suite 1200, 111 East 58th Street, New York.

The marvel of our mass society, of our intricate civilization, of our establishments and vast impersonal structures, is that the individual can always do something. The individual has always performed miracles, and he still can. He can save his wilderness, he can save animal and vegetable life, he can save himself. He can understand his predicament, and if he has the will to do so he can take steps to save what he loves; one man—one woman—can start to build a bridge whereon others may walk. Will individuals tackle this new proliferating danger before it is too late?

AMTRAK FALLS SHORT OF GOAL

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. KEATING. Mr. Speaker, I am troubled by the widespread discontinuance of rail passenger service across the Nation, and especially in the Greater Cincinnati area. I am sure that there is agreement among Members of this body that the entire Amtrak situation has fallen considerably short of the intent of Congress in enacting the Rail Passenger Service Act of 1970. While I remain a strong supporter of the Amtrak concept, I cannot help but feel that the basic system put into effect by Amtrak will be counterproductive in fulfilling the basic aims of the legislation.

In view of the fact that legislators of the 91st Congress perceived the need for more efficient and modern rail passenger service—service which would allow the American traveler a greater measure of freedom to choose his mode of travel—I find it rather difficult to understand why many of the routes in the basic system were selected.

Those citizens in the Greater Cincinnati area are assured of passenger service only to Chicago, Washington, D.C., and Norfolk. Cincinnati travelers who desire rail transportation to New York, St. Louis, or Miami are faced with the choice of either longer train rides, with increased delays due to necessary changeovers, or else to opt for another mode of travel.

It seems to me that this will tend to discourage rather than encourage more frequent use of rail passenger service. In short, the citizens of Cincinnati had much more feasible travel options available to them under the old rail passenger service system than they do under the system currently operated by Amtrak.

At present, there is strong interest in the revitalization of rail passenger service throughout the Cincinnati area. Cincinnati city officials have traveled personally to Washington, D.C., to discuss

their interest with Amtrak officials. Every day, I receive letters and resolutions from local government units urging that adequate service be provided. If the limited Amtrak routes, as presently planned, are the only ones available to the Cincinnati area, widespread disillusionment with Amtrak may prevent future appropriations.

These problems are complicated further by the poor service being provided by those railroad companies absorbed by Amtrak. Passenger cars which are wholly unclean, inefficient passenger ticket counters, and inadequate onboard service are just a few of the problems afflicting the system operated by Amtrak. Unless these and other areas are greatly improved upon, I believe we can fully expect the use of rail passenger service to decrease even more, rather than increase.

For instance, overnight passengers traveling from Cincinnati, Ohio to Washington, D.C., who choose to ride in a pullman must get up at approximately 5:30 a.m. and transfer to a coach car in Charlottesville, Va., and then ride the remaining 2½ hours to Washington, D.C., without provisions for breakfast.

It is my understanding that Amtrak is planning a multimillion-dollar campaign advertising to get people back to the rails. Before millions are spent on publicity, I strongly urge that the present service be upgraded; that eating facilities be modernized, that rate structures be lowered to be more competitive, and essential items such as cleanliness and convenience to be attended to.

Mr. William Mathewson, staff reporter for the Wall Street Journal, has written an excellent article on this subject, in which he depicts many of the problems encountered by rail passengers riding under the current Amtrak system. The article appeared in the Wall Street Journal on Friday, May 7, 1971, and I insert the text in the RECORD:

DERIDING THE RAILS: A JOURNEY OF AMTRAK SHOWS RAILROADS NEED MORE THAN A NEW NAME

(By William Mathewson)

The event was a historic first, but the atmosphere was far from festive.

"When are they going to clean the window?" asked one participant. "They're so dirty you can't even take pictures."

The disgruntled photographer was aboard the dome car of the California Zephyr as that train sped westward earlier this week on its maiden run under the aegis of the National Rail Passenger Corp., the quasi-governmental company that was born as Railpax and that now calls itself Amtrak. The consensus among passengers seemed clear: it will take more than a new name to transform the nation's passenger railroad system.

To be sure, Amtrak began with no illusions of instant metamorphosis. "We know . . . changes which are vital to upgrading rail service cannot be accomplished overnight," states David W. Kendall, Amtrak's chairman, in a preface to the new Amtrak timetable. He adds, however, that "we think the Amtrak system will become increasingly attractive to those who travel for business and pleasure, young people and older people, families and travel groups."

The first part of his statement, at least, proved to be oh so right, judging from my experience this week in taking one of the first Amtrak trains from coast to coast.

"BE PATIENT, PLEASE"

In the beginning, all was total confusion. "You know you're the first guy to buy one of these cross-country tickets under this new system," said the clerk at New York's Pennsylvania Station. That was April 27, four days prior to Amtrak's debut. I had called earlier to make reservations, but that didn't seem to help. "Be patient please," the clerk said. "We still haven't figured this thing out."

My patience was rewarded 53 minutes later. Another clerk, a supervisor and an adding machine produced my \$250.91 ticket entitling me to occupy a Broadway Limited roomette for 907 miles of track from New York to Chicago and, following a change of trains to the California Zephyr, for 2,420 miles from Chicago to Oakland. (It takes approximately two minutes to buy a coast-to-coast airplane ticket.)

Amtrak Day, May 1, saw Penn Station decorated with new Amtrak banners. Workers sported new Amtrak buttons. But the Broadway Limited, pulling out on time at 4:55 p.m., was apparently little changed, at least in appearance, from April 30, when it was owned by the fabled Penn Central.

The Broadway, however, is much changed from years past—for the worse. "It isn't like it used to be," says Mack McGreevy, a Chicago jewelry manufacturers representative who has been riding the rails since January 1920. "They used to have cocktail parties and singing here in the lounge—now look at it, it's empty."

"WE DON'T KNOW WHAT'S GOING ON"

The lounge, indeed, is sparsely occupied—as are the rest of the Broadway's cars. Statistics aren't available ("I'm sorry, this is the first day and we don't know what's going on," a conductor says, but a stroll through deserted coaches and a solitary meal in the dining car indicates the Broadway isn't exactly operating at capacity.)

Nevertheless, the cars, if faded and empty, are clean. And the service is cheerful, although many of the train's workers claim to be bewildered by Amtrak. "They don't tell us anything," says a porter. "We don't know what's expected of us." (Amtrak says it will have representatives aboard some trains to field questions from staff and passengers; none, however, are visible aboard the Broadway.)

Operating employees are equally confused. The Broadway pulls into Chicago's Union Station Sunday at 9:55 a.m.—55 minutes late. "There was some confusion in Harrisburg (Pa.) last night," explains an attendant. "We changed some cars we didn't used to have to change."

(There is also confusion in Union Station. "Is this the Broadway Limited?" asks one Chicagoan who has come to greet a traveling friend. "You're kidding. It looks more like a Russian troop train.")

THE GERIATRIC EXPRESS

The outward appearance of the Zephyr, scheduled to depart at 2:45 p.m. that afternoon, is somewhat more auspicious. And boasting four dome cars, two diners and four sleeping cars—somewhat more ample space than is required by the 133 people aboard—the Zephyr begins its maiden Amtrak run on time.

Indeed, the Zephyr's passengers soon discover punctuality is the order of the day, with the first call for dinner announced promptly at 4:30 p.m. and the last call following two and a half hours later at 7 p.m. "It isn't exactly what you'd call continental dining hours," says one woman.

No reasons are advanced for the early dinner, but a number of passengers are quite old and seem happy to retire early. Youth, indeed, is not a distinguishing characteristic of

most of those aboard. Though Amtrak Chairman Kendall talks of the rails becoming "increasingly attractive" to youth, a Burlington Northern representative on board the Zephyr admits that "we lost young people long ago—they just stopped riding trains, and we don't know how to get them back." The Burlington Northern operates the Amtrak Zephyr between Chicago and Denver.

A few of the livelier passengers are less than ecstatic with the trip. "They should operate more like an ocean-liner and forget about trying to be like airplanes," says one. "They should have music and activities—maybe even a cocktail party—it should be fun."

Many of those on board, however, say they will continue to ride trains even if they never become fun. "I will only fly in an emergency," explains Mrs. Fran Schweikert, a Michigan widow whose husband was killed in a plane crash. However, Mrs. Schweikert, en route to California, admits "it would be nice to have some more interesting people on the train."

A big drawing-card of the Zephyr, if not excitement, is the scenery through which it travels—particularly west of Denver. "I take the train to sightsee," says a Sacramento grandmother returning from a visit with relatives in New York. But she, as well as others, is annoyed as the Zephyr pulls away from Denver Monday morning with diesel-oil splattered across the windows of its one remaining dome car. (The three other domes, as well as several other cars, were dropped in Denver. "Why did they need all those domes to cross the plains at night?" one passenger asks. No one abroad has an answer.)

"THINGS ARE CONFUSED NOW"

But even the scenery is a source of dissatisfaction for some, particularly those who have traveled aboard pre-Amtrak Zephyrs. "They've cut out some of the best views," my friend, the traveling grandmother, informs me. "We used to go through the Western Rockies, and that was beautiful."

Since the Denver & Rio Grande Western Railroad chose not to join the Amtrak system, the Zephyr isn't able to use that line's tracks through Western Colorado. Instead the train now travels on Union Pacific tracks from Denver to Ogden, Utah, via southern Wyoming, and now cuts through some of the lower and least spectacular evaluations of the Continental Divide.

Besides cutting out cars and views, the train also drops a number of passengers in Denver. And when we pull away from the Colorado capital, the number of passengers aboard has shrunk to 40, some of whom have just boarded the train. Other than mountain-watching, solitaire proves to be a popular diversion.

Having obtained a permit to ride with the engineer from Cheyenne to Laramie, I am treated to a running historical commentary on the 37 beautiful miles connecting the two cities. The other passengers, however, are forced to make do with their own maps and guidebooks or on the knowledge of those who have previously made the trip. For me, it is a fascinating leg of the trip. For them, it is just another boring 37 miles.

"They used to have someone pointing out the sights to the passengers," explains W. H. Alberts, a general foreman for the Union Pacific Railroad Co. "But things are confused now. We're operating with temporary timetables."

BIG DEAL, A BUTTON

Temporary timetable or not, the Zephyr pulls into Ogden early; and while the engine is changed (we are now crossing onto the tracks of the Southern Pacific) those passengers who wish to do so are allowed to stroll about the Ogden station, which is no great treat. Those who do are presented with

a memento of the occasion: a free Amtrak button.

"Yeah, they give out buttons—why don't they give out information?" says an employe later that evening.

Bitterness on the part of train men against the new system—particularly based on lack of communication—is seen over and over again. "Listen, Roosevelt tried to run the trains with the military once and he failed," one train employe says. "These politicians don't know what they're doing. They're a lot of leeches."

Some, however, are optimistic. "This is going to look really nice when they fix it up," says the bartender in the lounge end of the antiquated dome car. "An Amtrak man said they're going to put in new upholstery. They say they're going to clean the windows in Chicago and then Denver and then Oakland. And they hope to standardize a lot of things, including drinking laws." (A precautionary note: Trains passing through states where alcoholic beverages aren't served—such as Iowa on Sunday—are forced to close their bars.)

But some seasoned passengers aren't enthusiastic about standardization. "They shouldn't standardize the menus," one says. "Each train should have its speciality."

The Zephyr's particular speciality isn't discernible. But those who use the dining car seem, if not wildly enthusiastic, at least generally satisfied. (Typical dinner entrees include "special sirloin steak dinner" at \$5.50 and "fried disjointed spring chicken" at \$3.75; a "wine bottle for 2" was also available for \$1.25.) And the rosebuds gracing each table, if somewhat wilted by the time the train reaches California, had at least begun the trip as fresh flowers.

Some passengers have also become wilted, and the subject of baths and showers crops up frequently as the Zephyr speeds through the snowy Sierras Tuesday morning.

LESSONS FROM MAY DAY RALLIES

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DRINAN. Mr. Speaker, no one condones any lawbreaking that might have occurred on the part of the 15,000 or 20,000 demonstrators who came to Washington on the days of May 2-6, 1971.

I did not approve or endorse the tactics of techniques adopted by the demonstrators who came to the Nation's Capitol during the first week of May. I think nonetheless that all of us should have sober thoughts about the number of illegal arrests that were made on these streets of Washington during the 5 days when these predominantly young people were in this city. I think that all of us would agree with an editorial in the Christian Science Monitor on Saturday, May 8, 1971, to the effect that—

We are disturbed about the way in which more than 12,000 persons were swept off the streets by police.

The Monitor editorial, reproduced below, went on to state that—

Mass arrests and abandonment of due process have no place in American society.

Similarly an editorial entitled "Repression on Capitol Hill" in the New York Times for May 8, 1971, stated that—

The arrest of more than a thousand persons on the steps of the Capitol on Wednesday brought the week's anti-war protest to an ominous climax.

The New York Times stated that the arrest of these individuals "Was a spectacle of lawlessness and repression hardly to be expected in a republic of free men."

The editorials from the Christian Science Monitor and the New York Times follow:

[From the Christian Science Monitor, May 8, 1971]

LESSONS FROM MAY DAY RALLIES

Nothing was gained on any side by the sorry spectacle of the May Day rallies in Washington this week.

Contrasted with the impressive protest by the Vietnam veterans two weeks earlier, the obstructionism and vandalism by milling thousands can only have set back the cause they espoused.

Sit-downs in the streets, sleep-ins on the Mall, and nudity on the Capitol steps are hardly the stuff of which conscientious protest against government policy are made. Many Americans, whose doubts about the Vietnam involvement may have been deepened by the veterans' protest, may have had second thoughts after the May Day debacle.

On the government's side, one must be grateful that the lessons on police violence at Chicago and Kent State University were largely well learned. Guns stayed in their holsters. Night-sticks got some exercising, but mainly against legs rather than heads. And while tear gas may have ridden too heavily on the raw spring winds, it is better to have split tears than blood.

This said, we also are disturbed about the way in which more than 12,000 persons were swept off the streets by police. Casual passers-by, on their way to jobs or classes, found themselves grabbed by police, loaded onto buses, and put into jails or open-air stockades, without regard for usual arresting procedures.

A correspondent of this newspaper watched a long-haired lad, walking peaceably along a street, picked up and led off by police in what our writer describes as "a hit or miss" arrest. Similarly a Los Angeles Times reporter recorded the random arrest of citizens, the only apparent on-scene selectivity being based on length of hair and style of dress.

So many dragnet arrests were made that the District of Columbia's public defender, Mrs. Barbara A. Bowman, brought suit in Superior Court against police, asking them to show cause why all charges should not be dropped against all who were arrested. A court of appeals later upheld Mrs. Bowman's objection to dragnet arrests, but not to dropping of all charges. The American Civil Liberties Union agreed with Mrs. Bowman, and charged the police with not making plans for prompt and humane processing of persons arrested.

It is tempting to underline some of the ironies in the situation. Demonstrators who were indiscriminate in harassing Washington workers are now protesting indiscriminate arrest; demonstrators who sought to suspend the process of law and impose anarchy on Washington are now demanding the protection of law.

Despite the ironies, it is the obligation of a democracy to offer justice both to those who treasure it and those who abuse it.

Mass arrests and abandonment of due process have no place in American society. They are repugnant to all who hold police power to be subordinate to individual constitutional rights.

Perhaps this week's sorry affair need not be a total loss if citizens learn from it that

mass action, aimed at violating others' rights by obstructionism, is self-defeating; and if the police realize the need of further refining control techniques in handling mass protests.

[From the New York Times, May 8, 1971]

REPRESSION ON CAPITAL HILL

The arrest of more than a thousand persons on the steps of the Capitol on Wednesday brought the week's antiwar protests to an ominous climax. In a crass display of arbitrary power, the Constitutional rights of these citizens were ignored as they were hauled off to a makeshift detention center. It was a spectacle of lawlessness and repression hardly to be expected in a republic of free men.

The mass arrests earlier in the week were questionable because the Washington police suspended the use of normal arrest forms and simply swept up thousands of citizens in a dragnet operation. Inevitably, innocent persons who were merely walking to work were seized by mistake. But since the demonstrators had publicly avowed that they intended to disrupt traffic, block access to Federal offices and "shut down the Government," the police had a difficult assignment in keeping the streets open and maintaining public order. The police were constantly confronted with the fact that the potential for violence was there.

None of these extenuating circumstances applied to what took place on the Capitol steps on Wednesday afternoon. The protesters were sometimes shouting, singing and gesturing, but their assembly was entirely peaceful. Even larger crowds often gather on the same site without difficulty. It is a Constitutional right of every American to assemble peacefully and to petition members of Congress. Yet the police, after giving a warning to disperse that was inaudible, began arresting these citizens. Both houses had already adjourned for the day and the Capitol building had been closed except to members and employes before the arrests began, while sympathetic Congressmen were actually addressing the crowd when the police moved in.

The most profoundly disturbing part of this entire debacle is the response of most members of Congress. It is no surprise that such reactionaries as Representative Joe Waggoner of Louisiana and John Hunt of New Jersey applaud this police deprecation, but even members who can be expected to know better such as Representative Edith Green of Oregon blithely dismiss the matter because they disapprove of the manner and style of those arrested. Is this nation to have one Bill of Rights for the "crazies" and another for the respectable people?

The Justice Department, which has been closely supervising Washington police tactics, shares responsibility for this outrage. But when Congress does not defend constitutional liberty on its own front steps, it cannot shift the ultimate blame to the Executive. Wednesday was a day of shame for this nation's representative institutions.

FARM DAY

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1971

Mr. LANDGREBE. Mr. Speaker, it is appropriate indeed that the House of Representatives should set aside this time

for the observance of "Farm Forum Day."

American agriculture is truly a magnificent growth industry which has created miracles in terms of producing an abundance of food and fiber for our own ever-growing population, with sufficient amounts left over to maintain an expanding export market.

The achievements of American farmers and ranchers are something for which each of us here today can be grateful and in which we can take pride. A quarter century ago, 28 million Americans were engaged in operating some 6 million farms and ranches. Today, fewer than 10 million Americans operate less than 3 million farms. Yet, an abundance of high-quality food products is always available in stores and supermarkets across the country.

For such a small percentage of the total population to continue to supply such an abundance of food and fiber to the constantly expanding nonfarm population, it has been necessary for our farmers and ranchers to achieve production efficiency which has made American agriculture the envy of the world.

Attaining that efficiency in production and distribution has not been easy. Federal and State governments, through their agricultural research agencies, business concerns, and farmers themselves have devoted countless man-years of work and spent many millions of dollars in painstaking research to improve production of food and fiber products which meet the rigid demands of the home-maker when she goes about the business of obtaining food products with which to provide her family a wholesome and nutritious diet.

But, research accomplishments were only the first step. The results of sound research are beneficial only to the extent that they are applied by individual farmers and ranchers in their own operations.

The cost of applying new techniques and adapting newly developed equipment has been phenomenal.

Had producers not had the ability and the foresight to utilize technological advances, it would not have been possible for them to produce the abundance we presently enjoy. The development of our industrial economy has been directly proportional to the extent to which individual agricultural producers have been able to supply the food and fiber needs of persons engaged in nonagricultural pursuits.

Those of us who live and work in our urban areas are dependent upon agriculture for sustenance, and we should recognize that the manner in which we live and work would not be possible without an efficient agriculture.

Many housewives doubtless are appalled at what appears to be a continuing upward spiral of food prices. In too many instances, it is taken for granted that all price increases are due entirely to increases in prices paid to farmers and ranchers for their products, and that they are getting rich at the expense of those who must purchase their food products.

Nothing could be farther from the truth.

Actually the average American consumer spends less than 17 percent of disposable income for food—an all-time low for this country and the smallest percentage spent for food in any country in the world.

The fact is that food costs have risen an average of 33 percent since 1960, but, during the same time, prices received by farmers have risen only 10 percent. And that is only one side of the coin. While prices received have gained only 10 percent, costs of operation have been in a fast-moving spiral, resulting in lower net income.

It is entirely fitting and proper, therefore, that we recognize and applaud the efforts of the 5 percent of our total population which supplies us with the greatest abundance of high-quality food and fiber the world has ever known. It is appropriate that we seek to dispel the myth that farm prices are soaring as a result of higher farm prices when, in fact, much of the added cost of food is due to the housewife's demand for highly-processed, fancy-packaged, easy-to-prepare food items.

I am grateful to American agriculture for its essential contribution to the Nation's economy, and I am proud of farmers in Indiana and in every other State of this great Nation.

RUMANIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DINGELL. Mr. Speaker, throughout history Rumania has been a crossroad between East and West. In the late 15th century the country was overrun and conquered by the Ottoman Turks. Thenceforth, for nearly 400 years Rumanians lived under alien rulers. These were callous and corrupt agents of the sultans. Through their misrule the people suffered very much, but as the Rumanians by themselves could not shake off the oppressive foreign tyranny, they worked secretly to attain their freedom. In 1877, when the Russo-Turkish war was raging in the Balkans, the liberty-loving Rumanians cast off the Ottoman yoke and on May 10 of that year, they proclaimed their national independence.

That was a memorable day in Rumania's modern history. The Rumanian forces then joined the Russians in the war against the Turks, and at the end of that war their newly won independence was confirmed by the Congress of Berlin in 1878. During the First World War Rumanians fought on the side of the Allied and Associated Powers, and in the end succeeded in having their territorial claims recognized, thus assuring the formation of a greater Rumania. They were also involved in the last war, and as we know, they became victims of totalitarian aggression. Since the end of that war they have been living under a regime of Communist dictatorship.

Under this dictatorship the Rumanian

people have again suffered severely, but in recent years their Communist leaders have shown some independence of the Kremlin line and have pursued a national policy. However, this stand has not allowed any freedom to individual Rumanians. They are not free in their own homeland.

On the 94th anniversary of their Independence Day we hope that they regain their independence and live in peace in their historic country.

HELEN BENTLEY COMMENDED FOR CONTRIBUTIONS TO MARITIME INDUSTRY

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. GARMATZ. Mr. Speaker, international commerce is an essential element in our national health. It is vitally important to our Nation's continued growth—both to our overall economy and to our transportation industry. The American merchant marine, which is an integral part of that industry, has been forced to face fierce foreign competition in order to carry its share of foreign commerce.

Foreign competition, especially in the form of rate wars and discriminatory practices against American shipping, has been a constant source of concern to everyone interested in a healthy American maritime industry.

Mr. Speaker, these destructive aspects of foreign competition are being effectively reduced by the outstanding work of Helen Delich Bentley, chairman of the Federal Maritime Commission; under her dedicated and dynamic leadership, I think that more progress has been made in these areas than ever before. As an example of her agency's accomplishments in these vital matters, I would like to include two documents in the RECORD: one is a press release relating to the destructive rate war in the North Atlantic; the other item is a report from the Federal Maritime Commission which discusses current actions being taken to improve trading conditions between the United States and Japan. Both documents illustrate the definite contributions Mrs. Bentley is making to the American merchant marine and to international commerce. I hope my colleagues will read them.

The documents follow:

REPORT OF MRS. HELEN DELICH BENTLEY, CHAIRMAN, FEDERAL MARITIME COMMISSION, RELATIVE TO JAPAN VISIT APRIL 11-20, 1971, RATE DISPARITIES

The matter of rate disparities was taken up both with the Japanese Shipowners Association and the Ministry of Transport officials. It also was referred to in my general official meeting with the Foreign Minister of Japan.

From the Japanese side, the principle subject of discussion concerned overtonnaging and rationalization of ships in the liner trades. They do not want overtonnaging in any of the markets of the United States or in any of their other liner services because of the chaotic conditions created by too many

ships in a limited trade. Naturally, we don't want a repeat of the North Atlantic rate war either, but I told the Japanese that their government structure permits them to dictate terms to their shipowners relative to the numbers of ships, etc., while we have no legal means of keeping any steamship operator or company from putting as many ships as he desires on a trade route.

On with the discussion regarding rate disparities. Relative to the over-all picture, I pointed out that in the trade between Japan and the East Coast of the United States there had been an increase of 7 to 10 percent from the East Coast of the United States to Japan as of April 15, 1970, and another increase of 12½ percent is slated as of June 1, 1971. On the other hand, the only increase on commodities from Japan to the United States took place on October 1, 1970, and amounted to 7½ percent. Between the West Coast of the United States and Japan, there had been an increase of 7 to 10 percent from the West Coast to Japan on April 15, 1970, and another increase of 10 to 15 percent slated for June 15, 1971, in the same direction. By comparison, there was one increase of 9 percent on October 1, 1970, from Japan to the West Coast of the United States.

When you consider the fact that before these particular increases went into effect, a disparity between similar items going in opposite directions already was in existence, that disparity was widened by these particular increases.

For instance, assuming a rate on a commodity as of January 1, 1970, was \$100 going from the United States, it was increased at a minimal to \$107 on April 15, 1970, which will be compounded upon June 1, 1971, and raised to \$120.37. If the April 15, 1970 increase was 10 percent, the price as of June 1, will be \$123.75. By the same token, a \$100 item bound from Japan to the United States has only been increased to \$107.50.

On some specifics, for instance, the rates filed with us show that dry paint pigments from the United States are charged \$62.00 a weight measurement ton compared to \$45.25 to \$53.00 inbound from Japan. Refrigerating equipment pays \$57.75 from the United States and \$37.25 and \$44.50 to the United States from Japan. Plastic sheets including lamination pay \$85.00 a ton from the United States and \$41.00 to the United States. Copy machine chemicals are charged \$76.25 from the United States and \$45.25 to \$53.00 to the United States. Tire patches are charged \$72.25 from the United States and \$54.50 to the United States. Electric hand tools are charged \$90.00 from the United States and \$54.50 to the United States. Electric motors are charged \$72.50 from the United States and \$48.50 to the United States.

The American Chamber of Commerce in Tokyo on April 19, 1971, passed a resolution calling for the elimination of all disparities on commodities moving to and from the United States, alleging that the higher freight rate definitely has an adverse effect on the part of some of their sales in Japan and they think that the Federal Maritime Commission has the responsibility to help clear this up. We told them we are working in this area and that we needed assistance from them also in informing us when they come across any disparity. The Chamber's resolution called for the Federal Maritime Commission to make a full list of the different disparities on all commodities between Japan and the United States.

Because there are more than 50,000 items on file and sometimes this is four to five fold depending upon how many independent lines and how many conferences are involved, it would take not only months but perhaps years to make a commodity-by-commodity comparison all the way down the line. To expedite the matter, I urged that they come to us with specifics whenever pos-

sible and that we would pick up as many as we could in the interim to try and clear this up.

The American Chamber of Commerce resolution noted that "such disparities exist where the inbound and outbound rates on identical products differ. In practice all trans-Pacific disparities involve higher transportation costs for U.S. exporters than foreign exporters.

"Due to the great distance between the United States and Japan, freight rates represent a relatively high percentage (about 17 percent on the average) of total delivered costs. Moreover, freight rates are particularly important in relation to U.S. exports to Japan since Japan applies duties on a C.I.F. (cost, insurance, and freight) basis. Finally, a number of commodity taxes are applied on the duty paid-landed value.

"The Chamber is concerned both about the existing large disparities in rates and the tendency for these disparities to grow as disparate rate increases are applied by the shipping conferences. Some of these disparities are already extremely large, both absolutely and relatively.

"While there are historical reasons for these disparities and they may have been well-founded at some time in the past, this is no longer true. We wish to make clear that it is not the 'Conference System' we object to, but rather the misuse of this system which adversely affects U.S. trade.

"The ACCJ notes that the conferences state that if a well documented case showing that a disparity adversely affects U.S. exports were presented the conference would act to reduce or eliminate the disparity. We find this assurance of little tangible benefit. In fact, the conferences have in a number of cases not so acted although good cases were presented to them. Moreover, we see no reason why U.S. exporters should be required to demonstrate injury before they obtain equitable treatment from conferences whose mere existence depends on the sanction of United States administrative organizations which are charged with promoting U.S. trade.

"We would, of course, prefer to see a reduction in U.S. outbound rates so that we could increase sales here and in a number of cases we have examined such action would have led to a substantial increase in trade. However, if this were not possible even an increase in U.S. inbound rates would be desirable since it would help to reduce the glaring inequality in import costs which adversely affects a number of U.S. industries faced by import competition.

"Accordingly, the ACCJ requests the conferences covering U.S.-Japan trade to examine this situation and take speedy action towards instituting freight rate equalization. The ACCJ also requests the Federal Maritime Commission to furnish the Chamber with data on all existing disparities so that individual firms can ascertain how these affect their operations.

"If substantial progress is not made towards the elimination of these disparities, the American Chamber of Commerce in Japan requests the Federal Maritime Commission to take appropriate remedial action."

Although the Japanese Government and the Japanese shipowners never admitted that an actual rate disparity in shipping commodities between the United States and Japan existed, the Ministry of Transport did agree to establish a working committee composed of members of its staff to work with members of the FMC staff to further probe the matter and see what final recommendations should be made by the two Governments.

This was considered a great step forward by all concerned because it will give both parties a working base so that the matter can be duly probed by both sides as soon as possible.

JAPANESE TONNAGE FIGURES

The Japanese expect that country's total annual export trade to be about 88 million tons and its import trade, 940 million tons by late 1974. Of the export tonnage, they project that 50 percent or 44 million tons will be carried by Japanese vessels, or a total of 55 percent by Japanese and foreign vessels chartered by Japanese shipowners. On the import tonnage, 510,800,000 tons will be carried in Japanese ships which will be equal to 54.3 percent, while 62.5 percent by both Japanese and Japanese chartered vessels.

The largest amounts of imports to Japan include raw materials such as iron ore, coal, and oil.

Under the tonnage of oceangoing vessels required to be constructed, the Japanese conclude that they need by 1975 a total of 4,500,000 gross tons in liner vessels, including containerhips which would be up from 3,500,000 held and under construction as of March 31, 1970. Their tramp fleet should be increased to 13,800,000 gross tons or up from 5,500,000; specialized bulk carriers up to 12,100,000, up from 5,400,000; tankers 14,600,000, up from 9,100,000; or a total of 45 million tons by 1975, up from 23,500,000 held and under construction as of March 31, 1970.

NORTH AMERICA AND LINER CARGO MOVEMENTS

From 1960 to 1969, the amount of export trade from Japan to North America increased from \$1,221,000,000 to \$5,439,000,000 a year, or 18 percent a year while the import cargo from North America to Japan increased 11.7 percent a year, from \$1,757,000,000 in 1960 to \$4,759,000,000. The Japanese estimate that the amount of liner cargo movements between Japan and the Pacific Southwest did increase from 1,020,000 freight tons a year to 2,765,000 tons in 1969 at an annual growth rate of 11.8 percent. This is expected to reach 3,999,000 tons by 1975. Between Japan and the Pacific Northwest, the amount of general cargo moving went from 535,000 in 1960, to 1,460,000 in 1969, and is expected to go to 2,083,000 by 1975, again at an annual growth rate of 11.8 percent. Between Japan and New York, the tonnage increased from 1,615,000 tons in 1960 to 3,611,000 tons in 1969 and is expected to reach 4,922,000 tons by 1975 at an annual growth rate of 7 percent. These figures do not include East Canada, Great Lakes and the Gulf.

SHIPBUILDING

As was noted, the Japanese are preparing to add about 28 million more gross tons to their own fleet, constructed in Japanese shipyards by January 1, 1975. The most modern yard in Japan is Tsu Shipyard at Nagoya. There they can build ships up to 600,000 gross tons, but have only series of vessels up to 260,000 tons for the most built there. Their yard is laid out so that it is a canal grading dock and can be opened at both ends. You can have two docks in one if you're not building 600,000 ton ships. This helps speed up the construction.

One thing that is very noticeable in Japan is that whenever they want more acreage for shipyards or industrial areas, all they do is dredge up sand and dirt from the bottom of the ocean or bay and make acreage. For instance, the Tsu yard is on a 460 acre plot of ground that was all dredged or made land. The Hitachi Shipyard at Osaka is another one on dedged land consuming about 200 acres of a 1,000 acre area. They have not run into objections from the Japanese people relative to the adverse affects that made land might have on water flows, etc. By being able to build up such acreage, the Japanese industry is able to have area in which to build new plants and compete with all of the rest of the world. The story is the same for other shipyards in Japan.

Of particular interest to me was the fact that the shipyards in Japan keep only a four-

day inventory of supplies on hand. Their entire economy and production are so computerized that the materials just automatically arrive on the scene exactly when they are scheduled. There is no concern over strikes or other disruptions to the flow of goods. This is extremely important to an efficient and economic operation.

TOTAL CARGO CARRIED BY CONFERENCE MEMBERS

Between Japan and the Pacific Coast, the Japanese-flag ships in 1970 carried 46 percent while United States-flag ships carried 51 percent, and third-flag ships carried 3 percent. The Japanese-flag portion dropped sharply from 55 percent the year before which they attribute to the fact that for more than a month in 1970, their ships took all their Seattle-Portland cargo to Vancouver because of the dispute between these two ports on where container ships should dock in the Pacific Northwest.

On the trade route between the East Coast of the United States and Japan, of the cargo carried by conference members, 63 percent moved on Japanese-flag ships and 17 percent on U.S.-flag ships, and 20 percent on third-flag ships.

PORT PROBLEMS

Director General Suzuki, of the Japanese Shipowners, expressed hope that there would not be a repeat of the trouble to their container ships which occurred in the Portland Case. Mrs. Bentley replied that the problem of ports is one of the most difficult concerning containerization and that we were involved now in a major case which could have a major influence on the whole picture when it is through. Since it is another Portland-Seattle case under formal procedures before a hearing examiner, Mrs. Bentley declined to comment further on this.

F.M.C. ACTION BRINGS EXPORT RATES CUT

Shipping lines serving United States foreign trade and commerce, which are members of the North Atlantic Continental Freight Conference, have reported to the Federal Maritime Commission that the Conference has eliminated or reduced freight-rate disparities on twenty-two export commodities in the trade from U.S. North Atlantic ports to Continental Europe, it was announced today by Commission Chairman Helen Delich Bentley.

The Conference reported it had taken the action after the Commission had ordered an investigation into disparities in U.S. foreign commerce allegedly adverse to U.S. exports.

The rate actions reported by the Commission today will eliminate or reduce previously existing disparities on some of the commodities which are the subject of the formal Commission proceedings requiring the carriers to show cause why they should not be ordered to eliminate from their tariffs rates which are prima facie allegedly discriminatory against American exporters.

Chairman Helen Delich Bentley announced the Commission's pleasure in the preliminary step towards resolution of the discriminatory rate problems in the trade taken by the Conference and expressed hope that this action will signal a further return of stability to the troubled waters of this most important segment of U.S. international trade.

Chairman Bentley stated that the Commission was prepared to pursue, to the fullest extent, solutions to mutual shipping problems in the cooperative atmosphere created by the carrier actions.

Among commodities on which the North Atlantic Continental Freight Conference reported to the Commission it would institute lower rates to provide greater incentive to American exporters to penetrate the European markets are:

Fencing or netting, radios, baking machinery, punching machines, electric motors, typewriters, paper bags, meats in glass or

tins, tobacco, synthetic yarn, furniture, record changers and players.

Members of the Conference are, Atlantic Container Line, Ltd.; Dart Containerline Company Limited; Hapag Lloyd Aktiengesellschaft; Sea-Land Service, Inc., Seatrain Lines, Inc., and United States Lines, Inc.

REPORT TO NINTH DISTRICT CONSTITUENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. HAMILTON. Mr. Speaker, I include in the RECORD, the first of two weekly commentaries on the "Relationship Between The United States and the People's Republic of China":

WASHINGTON REPORT

(By Congressman LEE HAMILTON)

(EDITOR'S NOTE.—"Ping pong diplomacy" has clearly improved the atmosphere between the United States and the People's Republic of China (Peking), but it has not resolved the basic issues in their relationship. This is the subject of this and next week's newsletters.)

Since the outbreak of the Korean War in 1950, relations between the United States and Peking have been hostile. There has been no direct communication between the two governments and very few Westerners have been allowed to visit the Chinese mainland.

During the 1950s, the U.S. adopted a strongly ideological stance, viewing Peking as an aggressive agent of "monolithic world communism" which should be militarily contained and diplomatically isolated. We opposed a seat for the Peking regime in the U.N., refused to recognize her, objected to even non-official travel, and built an extensive system of military bases around her. The Republic of China on the island of Taiwan, which had received U.S. support in the Chinese civil war, was viewed as the legitimate government of all China.

Peking was hostile, too, although for a brief period the Chinese communists experimented with greater flexibility. It assumed a conciliatory stance and proposed diplomatic talks with the U.S. A number of proposals were initiated, such as exchanges of newsmen and the opening of trade, which, if implemented, might have led to greater interaction between the two countries.

In the 1960s, the situation reversed itself. The U.S. gradually moderated its stand, and eventually called for expanded non-official contacts, while Peking refused to consider doing so until the central issue of Taiwan could be resolved.

Prior to the unexpected invitation to visit Peking extended last month to the U.S. ping pong team, there had been no response by mainland China to a series of unilateral American policy changes, all minor in nature but potentially great in their impact. More specifically, recent administrations have:

Stated that the U.S. aim now is to establish a "more normal and constructive relationship" with mainland China.

Removed the naval patrol forces which formerly were maintained in the strait between Taiwan and the mainland.

Made it clear that the U.S. does not support Taiwan's "back to the mainland" aspirations.

And gradually loosened the total trade embargo that has existed between Peking and the U.S., though all direct trade between the two nations is still heavily restricted.

Why were these steps taken by the U.S.

and why did Peking choose to respond at this point in time?

In the case of the United States, one likely factor is the President's desire to place some restraint on the activities of the Soviet Union. By improving relations with the Soviet Union's neighbor and opponent, the U.S. will have an added lever in dealing with Moscow. This could lead to a reduction of tensions.

Another element is the President's goal to draw Peking into the discussion and settlement of major international problems. As a formal member of the world community, Peking may be less inclined to pursue troublesome courses of action.

Peking may have responded to U.S. initiatives at this point because of a desire to have a voice in shaping the future of Asia following settlement of the Vietnam war. Non-participation would leave this role to the U.S. and the Soviet Union.

A related reason for China's response may be the realization that a more cooperative attitude could lead to useful contacts with its Asian neighbors, especially Japan. Continued diplomatic, political and economic isolation is no longer advantageous if Peking is to assume a position of importance in international relations.

IS POLITICS THE REAL POLLUTER?

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. HOSMER. Mr. Speaker, an article in the May 1 issue of *Electrical World* magazine raises some profound questions regarding environmental protection which should be food for thought by all concerned citizens.

The principal issue is this: has the environment become so much of a political football that our zealous and well-intentioned efforts might actually be hindering the cause of environmental quality?

Dr. James H. Wright, director of Environmental Systems for Westinghouse Electric Co., discusses this and other timely environmental issues in an *Electrical World* interview. I commend it to my colleagues as enlightening reading.

INTERVIEW WITH DR. JAMES H. WRIGHT— IS POLITICS THE REAL POLLUTER?

A green Volkswagen putters by the Pittsburgh Hilton, where Dr. James H. Wright has just addressed members of the press on energy use and the environment. On the rear bumper of the car is a bright orange sticker which proclaims: *Ecology Now!* "That slogan," chuckles Dr. Wright to the man beside him, "means nothing."

Dr. Wright, a part-time mountain climber and conservationist, is the director of Westinghouse Electric Corp.'s Environmental System Dept. (Power Systems). With lightness, he readily admits to being a "Boy Scout" and sharing in the "environmental awakening" that the nation is going through.

But, he insists, the movement and the economy are headed for disaster if emotions and politics force regulatory actions which have as much meaning as the bumper sticker on that passing car.

In an exclusive interview with *Electrical World*, Dr. Wright, who has a PhD in chemistry and a deep background in nuclear technology, razors through the complexities of the environmental movement, comments on the latest developments in air-pollution abatement thermal utilization, and environ-

mental education, and pinpoints what he thinks is the ultimate solution to turning the pollution clock back 50 years.

Q. In the electric utility industry, who would you say are the leaders in environmental awareness and action?

A. I've often made the analogy between the utility industry's response to the environment and its response to nuclear power about 15 years ago.

Back in the late 1950s, several major utility companies were interested in nuclear power development—companies that invested manpower, money, or both in putting together projects, from design studies to demonstration programs, to develop nuclear power.

Some of these same companies have provided the industry with leadership to meet society's new demands for environmental quality. At this time, it would be hard to identify the leaders because the response for environmental action is universal throughout the industry.

Q. In comparison with other US industries, how would you rank electric utilities in environmental knowledge, awareness, and action?

A. US industry has not responded uniformly to the environmental challenge. In terms of research on environmental effects, the electrical industry, including manufacturers and utilities, appears to be the leading industry—with chemical and petroleum companies a close second. In terms of commitment of resources to environmental protection, the utility industry is far ahead of all others. Utilities will be spending more than \$1-billion per year for environmental protection during the '70s, and will just about double this in the '80s.

Q. Do you think there's too much stress on the impact man makes upon the environment?

A. No. I share in joining this environmental awakening that the country is going through. However, let me add that while I think the emphasis is proper, I am deeply concerned about the lack of planning for implementation.

The political and regulatory reactions to environmental problems have taken the shape of the best political football that has bounced by in a long time. These actions, particularly at the national level, are generally being designed to attract a favorable response from the masses, and often have no basis in fact or practicality. These regulatory actions are often emotionally inspired and politically administered. I think the results of this situation can be absolutely disastrous to the environment.

While improving the quality of our environment is an important objective endorsed by everyone, a leaderless, headlong stampede by the public and politicians can succeed only in destroying the movement itself or the means for implementing the objectives sought.

For example, consider the ridiculous regulations on the discharge of heat into Lake Michigan. The fact that the federal government first attempted to establish a one-degree temperature rise as the limit of heated discharge into Lake Michigan simply reflects pure political motivation, with little concept of what was going to happen in the lake.

You could design a condenser to have a one-degree temperature rise in cooling water by increasing the flow by a factor of 20. But that would not only be expensive, it could wreak environmental havoc in the lake because of the problems that would be created by the large water volumes and velocities. This one example illustrates how a hypothetical problem—the discharge of heat into Lake Michigan—can be politically administered to create potentially worse environmental problems.

There is a wide latitude between the normal temperature of the lake, with its normal seasonal changes and the temperature at which measurable effects on the ecosystem could be noted. But instead of getting to work and establishing the environmental data and the systems analysis that are required to identify what the allowable temperature ranges could be, they went to the extreme and said, "No heat discharged into Lake Michigan."

True, the one-degree limit has been eliminated, but it was proposed and, I think, it stands as a symbol of the real danger of what can go wrong with this environmental movement—the mis-allocation of resources.

You know, the great challenge to any society is to provide for the proper allocation of resources. We must learn that most of man's actions involve some commitment of resource allocations, including deferred environmental costs. For example, a cooling tower built to prevent real or imaginary damage to the aquatic ecosystem not only must be evaluated on its direct costs of material and construction-manpower resources, but must also include the incremental environmental costs associated with the higher consumptive use of water, fuel, and pollutant emissions from these added fuel requirements.

When cooling towers are installed unnecessarily for environmental protection, they represent a total loss of resources. And when auxiliary cooling systems are necessary for protection of the aquatic system, it is still important to consider the cost benefit on a total resource-allocation basis.

What all this means is that obviously we have not defined our objective for environmental quality. If our objective is total preservation of the natural environment, we immediately become a very poor nation, because we cannot use the natural resources with which this great nation is so liberally endowed. If our objective is a total disregard for environmental effects, we become a very poor nation a few years from now when our quality of life degenerates to an undesirable level.

Many choices exist between these two extremes. I would like to propose this objective for our efforts: That we develop the technical understanding that will allow us to use our natural resources and, at the same time, protect them as a heritage for future generations.

Q. It's been said that even though there seems to be a general condemnation of technology on the part of society, for the first time in US history, the demands that society has placed on technology have been far in excess of our technical ability to deliver. Do you agree with this?

A. This is a key point. In the past, technology has always been one, two, or three steps ahead of the society's demand for progress. But in this environmental push the demand has snowballed to the point where it has far exceeded our technical capabilities.

For example, getting back to Lake Michigan, in 10 years we could make a really beautiful study of the lake to determine the degree of heat loading that it could take without damage. Between now and 1981 we could not possibly load that lake with a damaging quantity of heat; at the end of the 10 years it would be possible to say whether or not the lake could handle another 20 years of discharge heat. But now there's no incentive even to study the lake, because arbitrary regulations have removed the incentive.

Q. Some of the biologists who are now involved in power plant impact studies are saying that there's entirely too much emphasis being placed on thermal plume, and that the real damage is in mechanical effects. Do you agree?

A. Yes. Evidence gathered from studies

conducted in all parts of the country have generally failed to show that present levels of discharge heat have caused memorable damage to aquatic ecosystems. The benthic organisms, fin fish and shell fish, have, generally, not been adversely affected. In our studies, we have shifted more of our attention in field investigations to the possible mechanical damage of plankton being transported through the condenser. We have found no indications of substantial damage to most zooplankters or phytoplankters from condenser operation; however, the study of fish eggs and larvae is not complete at this time and, therefore, continues to be a matter of concern.

One of the projects we're working on now is trying to determine whether we want a single- or two-pass condenser. We may find that a two-pass condenser with a Delta T up above 30F is preferable. In other words, we might find that a higher mortality rate in a smaller amount of water would turn out to be environmentally the most desirable.

None of this is to say that thermal effects will not become a major problem in some areas. We must do case-by-case analyses in order to know what bodies of water are resilient—suitable for power plants—and what bodies aren't. The Mississippi River and Lake Michigan, for example, have the capability to sustain thousands of Mw of heat rejection without adverse effects.

In principle, we must conduct the necessary scientific investigations to determine an environmental baseline, then assess the probable impact of the proposed power system on that baseline. Conducting these investigations for primary and alternative proposals will be vital both in the decision processes and in communications with the public.

Maybe I'm just a Boy Scout, but I am hoping that, down the road, sensible regulation could be developed that is based on the technology of environmental impact.

Q. Is there anything that can be done to minimize mechanical effects?

A. There's a lot that can be done. I think we're still using 19th Century design approaches for fish screens and fish-repel mechanisms. I think there's a lot of research and development that needs to be done in this area, in order to try to minimize damage to fish.

Q. What are some of the latest developments in the areas of thermal effects and thermal utilization?

A. I think both agriculture and aquaculture projects are familiar to us all. And now we've added the third dimension, the use of low-grade heat in the urban system—such things as heat in sewage-processing, space-cooling, and air-conditioning programs.

There are several interesting opportunities in thermal utilization. One concept uses the effluent water from sewage plants as cooling-tower makeup. Cooling towers can be used to concentrate, through evaporation, the nutrients contained in effluents from secondary-sewage-treatment plants. These cooling towers could be used to concentrate and recycle nutrients, something that's very difficult to do if you have to pay for the heat for this process.

Another recent innovation in the area of using power plants for environmental enhancement is using discharge water to deliver oxygen to an environmentally damaged river. It is conceptually possible for a power plant to environmentally upgrade a dying river by taking a side stream from the condenser, pressurizing it to about 100 psi, loading it up with 300 or 400 ppm pure oxygen, and then blending that back in with condenser water to deliver very large quantities of oxygen to a river damaged by oxygen sag.

Q. Moving to air pollution, what are some of the latest developments in SO₂ control, and which do you think are the most promising?

A. We've studied 13 of the many different systems for removal of SO₂. Each of these appears to have the capability of removing between 60% and 90% of the SO₂. But there's one thing that worries me about all of them. Even though each SO₂ removal process may be successful, it produces additional environmental problems.

Take the handling of waste dolomite. The present ash problem, for example, is small compared to the dolomite problem that's going to be involved in SO₂ removal. This of course, has an economic impact. Most people figure the economic impact on capital cost and on the operation of the desulfurization unit. This is inaccurate. You must add another factor. How do you dispose of the waste material, whether it be dolomite, sulfuric acid, or elemental sulfur or sulfate that's generated in the desulfurization process? Another problem will, of course, be finding a use for all this waste material from the SO₂ removal process.

Q. How much truth is there in reports which indicate that SO₂ seems to have a salubrious effect on man?

A. That's what some of the tests have shown. We find the same thing in low-level radiation on mice. With great consistency, we have found that low doses of radiation have increased their life spans.

That's what the facts show, but I would not like to try to convince anyone of this in today's emotionally charged situation. This may turn out like the fluoride-in-water problems.

Q. What progress is being made in NO_x control?

A. The two-stage-furnace design, with controlled addition of secondary air, offers excellent potential advantages for gas-fired boilers. The nitrogen content of liquid and solid fuel represents a limitation for these fuels, however. I am also interested in a longer-range prospect that involves a fluid-bed boiler, where we can use a lot of conductive heat transfer, reduce flame temperatures to minimize nitrogen fixation, and thereby get appreciable reductions in NO_x production. I think that's got real possibilities.

Q. In the area of computer technology and the environment, are there any new developments that you think utilities should be investigating?

A. Yes, I think there are several new and exciting computer applications for environmental management.

Utilities may find it to their advantage to accept a leadership position in the management of ambient air quality. This might be done by conducting total monitoring of air pollution in a total air basin. In this way, the utility could provide valuable systems analysis of air pollutants from all sources, and help regulatory agencies identify and deal with the most critical problems. The handling and analysis of this large mass of data clearly call for automated recording and recall systems.

In another area, this summer we're coming out with a hardware-software program that uses a computer to calculate the thermal-discharge plume. It verifies that calculation with just a dozen real points (buoys in the water) in the environment. This may provide a reasonable basis for monitoring compliance with state regulations on thermal discharge.

The application of the computer in a systems approach for energy-use patterns with minimum air pollution is another area we're working on, and it appears to have a great deal of promise.

Q. Do you think electric utilities should be concerned with noise abatement?

Absolutely. Utilities should be concerned about noise control—both inside the plant and outside. Inside the plant, noise can affect the efficiency of employees and contribute to their fatigue. Outside the plant, the public

will be demanding noise abatement from an environmental standpoint. Power plants and substations located in populated areas are going to face some pretty stiff noise-control laws in the future.

Q. Is present environmental legislation adding to our environmental problems, or forcing faster solutions?

A. It is actually doing both. In the case of SO₂, it's definitely forcing a faster solution in terms of large-scale commitments to systems not yet fully developed. If this forced solution turns out to be premature in terms of performance, the whole problem may be set back, due to the wasted resources involved.

In the case of the thermal discharges, most of the regulation is totally without technical justification. Forcing the use of cooling towers when they are not required, for example, may compound rather than solve environmental problems.

As far as the new federal plant-siting bill is concerned, despite the errors in it I think the intent is right. For example, with land being a limited resource, I do not feel that we can fall to plan land use wisely.

With the help of computer programs developed over the past 15 years, utilities can make some pretty good estimates for planning their future power-generation need. But I think it should be pointed out that it seems equally reasonable that utilities be asked to plan the sites for these future plants along with environmental-impact studies.

And since we must learn to include deferred environmental costs in our decision processes, maybe this new FPC regulation, allowing site stockpiling in the financial rate structure, will help our site-planning and acquisition programs.

Q. Taking into consideration all the vast complexities that this environmental movement has generated—complexities of laws, groups, opinions, and actions—can you see any real solution to the overall pollution problem?

A. Yes, but not the way we are now headed. It has to be solved on a systems basis. We must plan for environmental quality on a broad basis, not hammer individuals over the head.

It is my opinion that the only way to solve this problem is through the increased use of electric power. Electric power's role in our future energy-use patterns should be increased threefold, on a percentage basis.

Electricity represents the only feasible means for air-pollution control in transportation. The first step in any cleanup program is to collect all the trash in a few locations. The power plant does this—automobiles do not.

It's much easier, more economical, more feasible, and more administratively possible to maintain pollution-control and regulatory surveillance over a few large units than over a large number (100-million) of small units. Electric power production has to be the key answer.

Furthermore, nuclear power will play a major role in meeting that objective. Nuclear power development was undertaken for two important reasons: To develop a new energy system that would extend our fuel resources, and to provide this usable energy in the most nearly pollution-free manner. The past 15 years have seen both of these objectives fully achieved.

The poorly conceived arguments of some of the critics of nuclear power are reminiscent of the blaring headlines on another energy problem of nearly a century ago. In New York City, the people were ready to "hang" the Mayor and the City Council there for going through with an emotionally hot issue: They thought there was considerable peril associated with the switching from direct to alternating current! It's a problem of education and understanding.

Q. When utilities trek off to the colleges to do their recruiting, do you think they should attempt to woo graduates from the environmental fields?

A. Yes, if they know what to look for and do not have a "we-need-one-of-those" approach.

In the past couple of years, I've met a number of highly frustrated former university biologists who were employed at utility companies. They said they were frustrated because utilities did not quite know what work to give them, nor how to direct their efforts.

If a power company has not prepared its environmental objectives, and is not prepared to supervise this "new breed," then it shouldn't hire them—that's just plain horse sense.

As far as the general idea of hiring environmental experts is concerned, I think it would be extremely wise for utilities to have in-house capability, and then supplement it from time to time with outside expertise.

Q. Utilities have had problems hiring engineers out of college. Do you think they'll have the same problems hiring graduates from the environmental fields?

A. First of all, I do not believe that the difficulty of utilities in hiring engineers out of school still exists. Two major things have happened in the industry that tend to make it much more attractive to graduates—the nuclear power program and the environmental problems. Both of these have changed the image of the utility industry from a somewhat conservative-banker look to one of progressive leadership.

The same applies to graduates in the environmental field. If they want to "go where the action is," they will find few places more exciting than the new environment of the utility companies. Of course, there will always be some who prefer to sit back in the womb of the university and shout insults instead of working at the solution of society's problems.

Q. In the area of environmental sciences, how would you classify the level of education and training being given by U.S. universities?

A. Awakening. In the past, the universities of this country were the last vestige of veritable integration in our society.

The people in life sciences never talked to engineers or scientists, engineers never talked to lawyers who never talked to mathematicians. The last two years have seen some exciting signs of change in the old institutions. Joint seminars and cross-bred curricula are finally creating graduates with both a technical and a humanities background. Environmental engineering is a special field now being taught in two or three dozen universities.

Q. Do you think the Westinghouse Environmental School, which you directed last year, is perhaps a better answer to providing power companies with expertise than hiring recruits from the colleges?

A. I don't think so. What the school is doing is providing, in the absence of adequately trained people, an "environmental retrofit" for utility engineers. In addition, I believe we're pressuring the colleges to fulfill their obligations to society in this important area of training and education.

Q. It's been reported that there are a number of changes that the school is going to incorporate in this year's July session. Would you care to tell what they are?

A. In this year's school, we are emphasizing the study of case histories. Environmental management consists of our important factors—technology, public relations, and legal and regulatory processes—all of which are necessary to a successful endeavor. While technology will still be the point of emphasis, we will include all these factors in our lectures and case studies. By the way, we have cut the length of the school to two weeks in order to better accommodate the schedules of

busy people, and the program is still quite intensive—requiring approximately 100 hours per week of the participant's time.

Q. One last question: Do you think that power companies, since they have been so active in area development, can turn the tables by taking the role of enforcing strict environmental-quality standards in the areas they serve?

A. Utility companies can play a significant role in area environmental management. Among all industries, the electric utility has traditionally set the example of good citizenship. No other industry sells direct to so many citizen-customers. Furthermore, the electric utility is integrally and irreversibly tied to the community and its households.

I do have a vision that utilities are going to take the lead in the environmental-quality arena and, when they do, they're going to have to drag along with them some of their more reluctant brethren from other industries. And they can do this by leading the parade as good citizens and using Rotary Club meetings to make sure the "other guy" comes along.

One possibility for the utility industry would be to help sponsor financially, with other industries, environmental-awareness centers, which would eventually function as regional environmental-planning centers. These regional centers would act as repositories for environmental reports and information. By setting the standard in environmental awareness, action, and information, the 20th Century utility will provide the leadership to achieve the goals of that society which all industry serves.

RUMANIAN INDEPENDENCE DAY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. ZABLOCKI. Mr. Speaker, today marks the anniversary of Rumanian Independence Day. On this date the Rumanian monarchy was founded in 1866, the nation declared its independence from the Turkish Ottoman empire in 1877, and the Rumanian people converted their country to the rank of kingdom in 1881. Thus, the 10th of May marks a special day in the history of freedom.

However, within Rumania, the traditional celebration of these events has been suppressed. The Communist regime there, by stifling the memories of these great historical events, hopes to weaken the nation's will for freedom. To counter this, Mr. Speaker, free people throughout the world are raising their voices in encouragement and sympathy to the people of that valiant nation which has been under Communist domination for the past 26 years.

Despite oppression and domination at the hands of Communist forces, the spirit of the Rumanian people has shone brightly and the heritage of greatness which the free leaders of that proud nation have left behind still is enshrined in the hearts of her sons and daughters, both within their homeland and abroad.

Rumanians everywhere have cherished the 10th of May as their national holiday, the anniversary of happy and glorious events in their history, in which the achievements of the monarchy and the

people were interwoven. The oppression which the people of Rumania are now undergoing deprives them of their individual, political, economic, and religious freedoms. However, their zeal for renewed independence is as alive as during the prosperous era following the establishment of the Rumanian kingdom. They await with faith and courage for the dawn of a new day when their freedoms will be restored. The Rumanians are noted for their vigor and their nation is known for its ability to hold together despite the depredations of its neighbors.

As we turn our thoughts toward Rumania today, Mr. Speaker, we sympathize with the plight of her people and earnestly hope for improvement in the lives of the Rumanian people. As freedom-loving people, they cannot be kept in bondage.

REMARKS OF GOV. WINFIELD DUNN

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DUNCAN. Mr. Speaker, I recently had the opportunity of attending the meeting of the Tennessee Federation of Republican Women in Gatlinburg.

It was an honor to appear on their program with some of my Tennessee colleagues from the House and with our distinguished Governor.

I particularly enjoyed the remarks of Gov. Winfield Dunn and would like to place his speech in the RECORD, as follows:

REMARKS OF GOV. WINFIELD DUNN TO THE TENNESSEE FEDERATION OF REPUBLICAN WOMEN, GATLINBURG, TENN., APRIL 23, 1971

I could have selected many things to discuss with you this evening. I might have told you of the awesome responsibility of a new governor and the difficulty he faces with a Democratic controlled legislature. I might have told you of the satisfaction one receives in performing the duties in the state's highest office. I could have spent the evening talking about the fine U.S. Senators who represent Tennessee, Howard Baker and Bill Brock, or the outstanding Republicans who serve in the U.S. House of Representatives, Jimmy Quillen, John Duncan, Lamar Baker and Dan Kuykendall.

However, realizing that the months pass quickly into years, I want to talk to you tonight about our great President, Richard Milhous Nixon. In just a few short months it will be 1972 and time for another election. I will become increasingly more involved in the re-election of Richard Nixon as time draws near for the American people to again make their selection.

Richard Nixon is a man of very genuine greatness, not only here in the United States, but to an increasing degree, on the larger stage of world affairs.

He is a gentleman and a man of towering personal integrity... facts that are abundantly clear to anyone who knows him personally or has taken the trouble to look through the smoke screen of vilification and abuse he has had to bear.

(I saw a cartoon the other day—and it was not drawn by Bissell or by Herblock—that showed two news executives in the offices of one of our television networks and they

were examining the wire service reports of the California earthquake.

And, one of them was saying to the other, "Let's interrupt the programs with a bulletin, but first let's see if there isn't some way we can blame it on Nixon.")

I want to say parenthetically here that, hard as my first 90-odd first days in office have been, they have been made immeasurably easier by the abiding friendliness and sense of fair play on the part of the ladies and gentlemen of the news media with whom I am in touch every day.

I don't know that I am big enough or strong enough to stand up under the daily barrage that is levelled at the President.

But through it all, he is a gentleman.

He is a man of courage and selflessness.

He has handled matters of inflammatory emotional sensitivity with responsibility and balance, and in everything he has done he has shown a classical sense of the nation's history and purpose.

I feel particularly objective saying this about him, because there are some matters on which he and I have disagreed, and I anticipate that there will be others.

(When the Governor of Tennessee agrees one hundred per cent with the President of the United States, or with anyone else, there is pretty good evidence that we really don't need a Governor of Tennessee.)

But I want Tennessee to know—and I want him to know—that I regard his contribution to the United States as something beyond calculation.

The nation is in his debt.

And I am honored to be his friend, and to have been his guest.

And today we are here to talk about the year ahead.

The year 1972.

This is a year, like other years, in which America will arrive at a series of crossroads in the long journey in search of our national destiny.

There have been many such crossings in our history.

At each, we have made a choice—some for the better, some for the worse.

Somehow, no matter which choice we made, we managed in the long run to come out ahead.

From weakness we drew strength.

From confusion we brought about order.

From doubt we forged new confidence.

But the choice the nation will face in 1972 is perhaps different from any other in our history. And the penalties for making a wrong choice are perhaps the most severe in all of that history.

Let me be a little bit more specific:

In 1968 the American people had had about enough.

We hear a lot about the "beat generation".

And the "now generation".

Well, in 1968, America was the "fed up generation."

Fed up with riots.

Fed up with campus unrest and weak-kneed administrators.

Fed up with run-away inflation.

Fed up with permissiveness in the government and in the courts.

Fed up with a supreme court that seemed more interested in the criminal and the subversive than in the citizen.

Fed up with the constant escalation.

Under two Democrat administrations, of the Vietnam war.

(Let me say to the endless wall of the McGoverns and the Fulbrights and the Muskies and the Kennedys and all the rest that there were 540 thousand American boys in Vietnam when Richard Nixon took office. This week—as I speak to you tonight, the President is two weeks ahead of his self-determined schedule—there are now only 284,000.)

Fed up, I say.

Fed up with reckless spending and the endless government give away.

Fed up with broken promises and broken dreams and of a broken and terribly divided society.

So, in 1968 the people rose up on a national scale and they voted *against* the things that had provoked their outrage.

They voted against them and the nation has begun, like the case of the Vietnam involvement, to translate votes into programs and policies.

Reasonableness and responsibility has begun to return to the Supreme Court.

Today our nation is far richer and its wealth is distributed more widely and used to better purpose than ever before.

(Before you listen to the wailing and caterwauling of the hate America faction, let me give you a fact or two about this country of ours. Before you despair about poverty of America listen to this:

"The average annual per capita income in some 40 of the world's poorest countries today—many of them iron curtain countries enjoying the blessings of communism—is roughly \$120.

If you are good at math you will recognize that this amounts to a little less than 35 cents a day.

The annual per capita income of the United States is more than \$3,000 a year. That is more than \$8.00 a day—a 2,000% increase.

We have made important gains against poverty and against prejudice.

We have begun a decade of peace at home and a plan to bring peace in the world . . . campuses are quiet and productive and order prevails in our cities.

Our economy bids fair to resume the pace of long-run growth and within a matter of days the stock market will probably reach an all-time high in all the long 300-year history of our economy.

The Russian bear has become a bit tamer and the prospects for world peace a bit brighter.

Just last week we hit a ping-pong ball across the great wall of China and it came back in a friendly exchange—and for us to be playing a game with the same set of rules on a table of the same size and shape with the "other side" is certainly a step in the right direction.

So these are some of the things we will need to vote for in 1972.

Here are others:

Revenue sharing, which 78 per cent of the American people approve

Our sound fiscal policy

An end to the draft and an all volunteer army

Realistic and effective welfare reform

Our reorganization of the executive branch of Federal government.

There are many others . . . landmarks and benchmarks of an administration which has kept it word.

America is united behind one man—and the latest poll by Opinion Research Incorporated—possibly America's most respected information analyst—shows that a solid 54% of the American people approve of the Nixon policies as opposed to only 31% who disapprove.

The Democrats, far from being united behind a candidate have a round dozen of them.

And what are they running for?

Nothing that I can determine from reading what they write and listening to what they say.

They are running *against*.

And what are they against?

Apparently they are running against the FBI.

That seems to be about the sum and substance of it.

Against the FBI.

And against the Army.

And against our boys in Vietnam, although they were sent there by Democrat leadership.

Against national security, even in the face of the communist threat that menaces the nation as never before in our history.

One of the candidates—the man from Maine—has fancied himself as a phrase maker and he has come up with the phrase "Nixon's Gestapo" for the FBI.

Well, Gestapo or no Gestapo, we absolutely must have security in this nation, and I know of no reason why publicly elected officials should be exempt from investigations, any more than any of you.

It makes one wonder.

We must assume that too much violent objection to investigation might sometimes indicate that some of them, or some of their friends, have something to hide!

And that is why.

These phony issues . . . and these straw boogie-men.

That is why 1972 is going to be such a critical year.

Every appeal possible is going to be made to emotions, and to prejudice in the desperate struggle for votes.

But I don't think the American people are easily fooled, do you?

If this Republic survives five more years, it will be two hundred years old.

No Republic has ever survived anything like two hundred years.

And we didn't survive to that ripe and wise maturity by chasing after hob-goblins and swallowing political patent medicine.

The American people *know* who is in the White House.

They know that a respectable family lives there.

And worships there.

A family that believes in things.

Like family life where love is shared and shown and respect is a part of that love . . . like firmness and honor . . . and compassion . . . like determination tempered with reasonableness.

Intelligence and understanding.

Steadiness of purpose and of will, but flexibility and willingness to entertain new ideas and adopt them if they have wisdom and promise.

Yes, America needs Richard Nixon's leadership in 1972.

Tennessee needs it as well.

And Richard Nixon needs Tennessee.

He has always carried Tennessee—twice as Vice President, once against John Kennedy, and once again in 1968.

He is counting on his friends in Tennessee again.

"People who believe in his kind of God . . . and his kind of family life . . . and his kind of America.

We cannot let him down!

TRIBUTE TO SPEAKER CARL ALBERT

HON. CHARLES J. CARNEY OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. CARNEY. Mr. Speaker, I would like at this time to commend the record of the Speaker, on the occasion of his 63d birthday, and to express my admiration for his notable performance in office. Since entering this body some 24 years ago, he has won recognition as a practical man of affairs, an expert organizer, and, above all else, a man of his word.

A product of the great Southwest, he has brought to the Nation's counsels his deep concern for the problems of rural America. A longstanding member of the

Agriculture Committee, he fought hard in that capacity for every measure looking to the interests of the small farmer. Representing a region elevated to a position of economic significance by the rural electrification programs of the New Deal period, he has championed the interests of public power, at every opportunity. He is himself a veteran of World War II and, as a Congressman, has helped in the passage of several measures benefitting veterans in general.

Appointed majority whip in 1955, CARL ALBERT revealed himself in succeeding years a master of the complex procedures of democratic government, and, as Speaker—the post he has held for the past few months—he has again displayed the many abilities required for the smooth and effective functioning of the national legislative process.

It is a pleasure to salute our great leader, Speaker ALBERT, and to wish him the happiest of birthdays.

TENNESSEE PRESS REPORTS DEMANDS FOR RELEASE OF FUNDS FROZEN BY BUREAU OF THE BUDGET

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. EVINS of Tennessee. Mr. Speaker, the demands for release of more than \$12 billion in funds appropriated by the Congress and frozen, withheld, and impounded by the Bureau of the Budget—OMB—continue to echo in Tennessee and throughout the Nation.

In this connection I place in the RECORD herewith copies of articles and editorials from the Tullahoma News and Guardian, Tullahoma, Tenn.; the Lebanon Democrat, Lebanon, Tenn.; the Manchester Times, Manchester, Tenn.; and the Memphis Commercial Appeal, because of the great interest of my colleagues and the American people in this most important matter.

The articles and editorial follow:

[From the Lebanon (Tenn.) Democrat, Apr. 23, 1971]

EVINS CHARGES WHITE HOUSE AND BUDGET BUREAU IMPOSE NEW RESTRICTIONS ON TVA

Representative Joe L. Evins (D-Tenn.), chairman of the Subcommittee on Public Works Appropriations, charged Tuesday that the White House and the Office of Management and Budget (Bureau of the Budget) have imposed new restrictions on Tennessee Valley Authority not required by law.

Evins said the new restriction would require TVA to secure from local municipalities a commitment to repay water resource project costs for those portions of the projects allocated to water supply.

"This is an administrative action and not authorized by law," Evins said. "This is another example of the Bureau of Budget arrogating unto itself arbitrary and unwarranted powers."

Chairman Evins said the new restriction by the Bureau and the White House was announced after Congress had appropriated \$4.6 million for land acquisition and beginning of construction of the Normandy and Columbia Dams on the Upper Duck River in Middle Tennessee.

"First the Bureau impounded \$4.3 million of these funds in another unjustified action contrary to the will and mandate of the Congress. Now the Bureau is insisting that TVA and local municipalities agree to defray \$16 million of the total project cost before these appropriations will be released. This constitutes budgetary blackmail and I deplore and denounce these tactics."

Evins said the Subcommittee on Public Works Appropriations which is reviewing TVA budget requests is currently conducting a thorough investigation of the Bureau's newly imposed restrictions on TVA. "There is nothing in the TVA Act to require local communities to pay for benefits received for the use of water" Evins said. "The purpose of the TVA Act is to assist local communities and people of the Tennessee Valley in building a stronger economy. Additional restrictions and fees will not help achieve this goal and objective."

Evins concluded: "Will we ever learn who are the true friends of TVA?"

"Presidential candidate Goldwater advocated the sale of TVA. Under the Eisenhower Administration TVA was called 'creeping socialism' and territorial limits were imposed on the TVA setting boundaries and barring expansion.

"And now the present Administration is impounding funds for TVA appropriated by the Congress and is applying restrictions not authorized by law requiring the people of the Tennessee Valley area to pay for the use of water in the area."

[From the Manchester (Tenn.) Times, Apr. 23, 1971]

"BUDGET BLACKMAIL" CHARGED BY EVINS

Rep. Joe L. Evins has charged the White House and its budget office with "budgetary blackmail" in holding up funds for Normandy and Columbia dams and in demanding that the project water supply investment be repaid by area communities.

The Fourth District congressman further accused the Nixon administration of adopting a new policy contrary to the Tennessee Valley Authority Act and of a new action designed to restrict TVA's growth.

He also released a letter from a presidential adviser saying that the administration is, in effect, making the water supply repayment for the Duck dams a test case on its new requirement for TVA.

Rep. Evins' blast came Tuesday on the final day of hearings on TVA's 1971-72 budget before the House Public Works Appropriations Subcommittee, which the Fourth District congressman heads.

TVA Chairman Aubrey J. Wagner and other key officials, including John S. Barron, tributary area development director, were in Washington for the hearings.

Rep. Evins said the subcommittee is conducting a "thorough investigation of the Budget Bureau's newly imposed restrictions on TVA."

President Nixon's budget for TVA, sent Congress in January, contained no funds for the Duck dams. The U.S. Office of Management and Budget (formerly the Bureau of the Budget) is holding up \$4.3 million of \$4.6 million appropriated by the Congress at Rep. Evins' request.

It says it will not release the funds until communities that will benefit from water supply from the dams' reservoirs make a commitment on repaying the part of the Federal investment attributed to this.

Based on the original project estimated cost, this water supply amount was set at about \$16 million. Later figures have put it at \$19 million, totaling about \$26 million counting interest.

"This is an administrative action and not authorized by law," Rep. Evins said. "This

is another example of the Bureau of the Budget arrogating unto itself arbitrary and unwarranted powers . . . this constitutes budgetary blackmail, and I deplore and denounce these tactics."

The congressman added: "There is nothing in the TVA act to require local communities to pay for benefits received for the use of water. The purpose of the TVA Act is to assist local communities and the people of the Tennessee Valley in building a stronger economy. The additional restrictions and fees will not help achieve this goal and objective.

"Will we ever learn who are the true friends of TVA? Presidential candidate Goldwater advocated the sale of TVA. Under the Eisenhower administration, TVA was called 'creeping socialism,' and territorial limits were imposed on the TVA, setting boundaries and barring expansion.

"And now the present administration is impounding funds for TVA appropriated by the Congress and is applying restrictions not authorized by law, requiring the people of the Tennessee Valley to pay for the use of water in the area."

[From the Memphis (Tenn.) Commercial Appeal, Apr. 23, 1971]

TVA COST-SHARING SLAPPED BY EVINS

WASHINGTON.—Representative Joe L. Evins (D-Tenn.) Thursday protested a new administration policy requiring municipalities to help pay for Tennessee Valley Authority dams if they use water from the reservoirs.

Evins, chairman of the House Public Works appropriations subcommittee, said the new requirement by the Office of Management and Budget and the White House was disclosed after Congress had appropriated \$4,600,000 for land acquisition and beginning of construction of the Normandy and Columbia dams on the upper Duck River in Middle Tennessee.

"First," Evins said, "the bureau impounded \$4,300,000 of these funds in another unjustified action contrary to the will and mandate of the Congress.

"Now the bureau is insisting that TVA and the local municipalities agree to defray 16 million dollars of the total project cost before these appropriations will be released.

"This constitutes budgetary blackmail and I deplore and denounce these tactics."

Evins said his subcommittee is investigating the new requirements.

[From the Tullahoma (Tenn.) News, Apr. 23, 1971]

TIME FOR SENATORS TO ACT

White House policies on Tennessee Valley Authority projects—the Duck River dams in particular—and on withholding of funds voted by Congress have come to the point that it is imperative that our two United States senators do something about it.

Senators Howard H. Baker Jr. and Bill Brock need to act to counter what Rep. Joe L. Evins has labeled as the "budgetary blackmail" policy of the Nixon administration in withholding funds for starter work on Normandy and Columbia dams and in threatening the future flexibility of TVA through its administrative decisions without regard to the law.

The Fourth District congressman has been one of the leaders in a growing congressional protest against executive withholding of appropriated funds which now amounts to an estimated \$12 billion for all sorts of programs. Now the congressman and his colleagues in the Congress in this fight need to be joined by Senators Baker and Brock.

Rep. Evins' latest statement, made as TVA leaders, were testifying before House and Senate budget committees, points up a disturbing trend that applies to both the Duck

River dams and to TVA generally, as well as to the separation of powers between the executive and legislative branches.

By now, most area residents know that Congress has voted \$4.6 million for land buying and first construction on the two Duck dams, but that the U.S. Office of Management and Budget has ordered that all but \$300,000 of this amount not be spent. And it says it will not release the funds until a commitment is made for citizens of the area to repay the Federal investment in the dams attributed for water supply, a major benefit from the project.

Most no doubt recall also that such repayment is not required by law for TVA, but that it is for the Army Corps of Engineers and Bureau of Reclamation—and that the White House has decided, nevertheless, to insist that TVA comply with the provisions.

The latest comment from the White House is the most blatant of all regarding the presidential attitude toward TVA and its legal status.

Writing Rep. Evins, Max L. Friedersdorf, a special assistant to President Nixon, said of the water supply repayment: "It is especially important that we adhere to this decision, as this is the first case, to our knowledge, of a TVA multipurpose project which will provide significant benefits from water supply."

In other words, the administration intends to stick this new water-supply policy on TVA projects, whether it is authorized by law or not, and is determined to make the Duck River dams the precedent for this newest means of clamping down on TVA.

Can anyone deny that Rep. Evins describes it correctly?

"This is an administrative action and not authorized by law," he says. "This is another example of the Bureau of the Budget arrogating unto itself arbitrary and unwarranted powers. . . . This constitutes budgetary blackmail, and I deplore and denounce these tactics. . . ."

And, as Rep. Evins also pointed out, the TVA Act, which created and which governs the Tennessee Valley Authority, contains no requirement whatever to require anyone to repay water supply costs attributed to its dams. And it is also true that no community anywhere in the TVA area now benefiting from the use of water supplies from TVA lakes pays the government anything for the water.

"The purpose of the TVA Act," the congressman said, "is to assist local communities and the people of the Tennessee Valley in building a stronger economy. The additional restrictions and fees will not help achieve this goal and objective . . . now the present administration is impounding funds for TVA appropriated by the Congress and is applying restrictions not authorized by law, requiring the people of the Tennessee Valley to pay for the use of water in the area."

Rep. Evins continues to be heard on this serious topic, but it is more important than ever that action be taken by Senators Baker and Brock to combat a trend that may well be the Dixon-Yates policy of the Nixon administration in regard to TVA.

Our two senators, both members of the President's party and both keys to Republican progress in southern and border states, can make an impact by speaking up and taking appropriate action in the Congress on behalf of the Duck River project and on behalf of TVA, which can be significantly stifled if this repayment policy can merely be imposed without any legislative action by the Congress.

We would think also that two eminent conservative legislators such as Senators Baker and Brock would be quick to protest an encroachment on congressional powers and the overstepping of bounds that has been manifested by the White House budget

bureaucrats in both making new laws and enforcing them, in deciding which projects voted by Congress it will accept and which it will veto without using the constitutional veto process.

Both this issue and the one of insidious erosion of TVA's effectiveness mean that action by our senators is long overdue. Both Senators Baker and Brock, during their election campaigns and on other occasions, have had plenty to say of their support for TVA. Lip service at times is important, but what is needed now is some action. How do they stand on this threat to TVA and to congressional independence? The people of the Duck River watershed and the TVA region are waiting to hear.

FUNDING TO FIGHT LEAD POISONING—HEW EMPLOYEES SUPPORT, HEW HEADS OPPOSE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. RYAN. Mr. Speaker, in January of this year, the President signed into law the Lead-Based Paint Poisoning Prevention Act, Public Law 91-695. He did so despite recommendations from his own bureaucrats to veto the bill. At that time, I would have ventured to commend him—although it was obvious that his action was the consequence of considerable public pressures, not an over-weening empathy for the programs authorized by the legislation.

Today, the law is moribund. True, almost all programs involving health and public welfare are underfunded. But the Lead-Based Paint Poisoning Prevention Act has the sorry distinction of being totally unfunded. No funds have been requested by the administration for fiscal year 1971. No funds have been requested for fiscal year 1972.

This is unacceptable.

Initially, I patiently attempted to work with the Department of Health, Education, and Welfare, awaiting their initiative to implement the act. I have with increasing impatience looked for some movement, some appreciation of the needs of thousands of children—almost all of them in urban ghettos—who are condemned to be the victims of a vicious, man-made disease which is, and I stress this, preventable.

Well, it is clear that the administration has defaulted. No matter that some 400,000 children may be poisoned each year. No matter that more than 200 children die each year. No matter that some 12,000 to 16,000 children are severely enough victimized to require medical treatment. No matter that some 3,200 children incur moderate to severe brain damage, requiring special care. No matter that 800 children a year receive brain damage severe enough to require care for the remainder of their lives. The administration does not want any money to implement the Lead-Based Paint Poisoning Prevention Act, and so these little children have no hope.

Tomorrow, the second supplemental appropriation bill will be before the

House. Not 1 cent is provided for fighting lead-based paint poisoning. This is a severe deficiency of the bill. Hopefully, the Senate Appropriations Committee, whose subcommittee I testified before on April 23, 1971, will provide funds.

The tragedy of this situation is heightened by the fact that within the Department of Health, Education, and Welfare, the agency designated by the law to administer the grant programs, there are sincere, committed individuals who do perceive the enormous importance of the Lead-Based Paint Poisoning Prevention Act. Unfortunately, those with the power are not listening.

Today, the Health Employees for Change, a group within the Department, issued a strong statement regarding this situation. They stated:

In spite of the Administration's concern for prevention and health maintenance, there has been little support for action programs to deal with a clearly preventable disease that kills hundreds and leaves hundreds of thousands of children with some form of measurable brain damage each year: Lead Poisoning.

As the Health Employees for Change all too correctly observe:

Since the signing of the bill, nothing has happened.

And they called for "effective action now and not simply discussion about the problem."

I second this statement emphatically. But it is the administration whose affirmative action is needed. So far it is totally absent.

There is simply no reason for this. And that is a fact amply supported by HEW's own bureaucracy, which prepared the "implementation plan to carry out the DHEW responsibilities under the Lead Poisoning Prevention Act of 1971." Prepared by the Bureau of Community Environmental Management, the division delegated the responsibility to implement the act, this formal plan leaves no question that those concerned with actually running programs see the Lead-Based Paint Poisoning Prevention Act as enormously important. The plan begins:

Lead-based paint poisoning is one of the more serious health problems affecting urban core children today. Lead-based paint poisoning affects 400,000 children annually, causing 200 deaths and leaving many thousands permanently retarded.

On page 3, the implementation plan states:

(I)t is now practical and economically feasible for communities to carry out the massive screening programs recommended by the Surgeon General. There is a minimal need for further research.

The necessary information to eliminate the problem is known. The time for action is now and now is the time for effective action programs at the community level.

And on page 3, the implementation plan also states:

Based on the extent of the valid need evidenced to date—based on pilot screening programs already undertaken—the Bureau is convinced that the full funding authorized under the law for 1971 can be effectively utilized in the current fiscal year to carry out the types of community programs as outlined above . . .

And I want to emphasize another statement in this formal implementation plan. At page 2, it is stated:

Inaction on this problem would be an economic and human disaster.

We must depend upon the Senate to provide funds for the Lead-Based Paint Poisoning Prevention Act for fiscal year 1971. But, in actuality, it is not we who are privileged to live in decent housing—where lead-tainted paint and plaster chips do not fall from the ceilings and walls to be eaten by small children who then become sick—who are depending upon the Senate. It is the thousands of children who are waiting. It is their lives which are at stake.

I am including at this point the statement of the Health Employees for Change regarding lead poisoning, issued on May 10, 1971:

HEALTH EMPLOYEES FOR CHANGE POSITION STATEMENT—LEAD POISONING IN CHILDREN

In spite of the Administration's concern for prevention and health maintenance, there has been little support for action programs to deal with a clearly preventable disease that kills hundreds and leaves hundreds of thousands of children with some form of measurable brain damage each year: Lead Poisoning.

Health Employees for Change is deeply concerned at this inactivity. Lead Poisoning is a disease mostly of the Ghetto, affecting children from one to six years of age. Lead gets into the children's bones, blood stream, liver, kidney, and the brain. These children acquire lead poisoning by eating paint chips containing lead from the walls and window-sills of dilapidated houses built prior to 1940. It is estimated that some 400,000 children may be poisoned each year, and that some 12,000 to 16,000 children are treated and survive each year and some 200 children die each year. Based on one large study, of all children having lead poisoning, 39% go on to develop some measurable amount of brain damage. Of all children entering the hospital or clinic with acute lead poisoning about 10 to 15% of these children will have signs of symptoms of brain involvement: convulsions, and coma. Of those with neurological involvement, 82% will be left with permanent handicaps, 54% will have recurrent convulsions, 38% will have mental retardation, 13% will have optic atrophy (hence loss of vision). (Perlestein MA, Attala R, *Neurologic Sequellae of Plumbism in Children*, Clinical Pediatrics 5:292, 1966.

In November 1970, the Surgeon General issued a policy statement on the medical aspects of lead poisoning in children. At that time the Administration's position in front of the Senate Health Sub-Committee was to oppose S. 3216 which would have authorized the appropriation of funds for screening and treatment of children with lead poisoning as well as for encouraging communities to develop local programs to eliminate the hazards of lead based paint poisoning. Opposition was based upon a desire to stop the development of still another categorical program, and because there was enough authorization under Section 314(e) of the Public Health Service Act. While the above are both true, it was brought out in testimony that the Administration, under the current authorized programs, has no intention to develop a comprehensive program for lead poisoning in children. While it is true that there is sufficient authorization under Section 214 (e), there are no free funds available. In addition, there were 27 requests totalling over \$39 million dollars submitted to HEW to support comprehensive childhood lead poisoning programs.

In spite of the Administration's opposition, the lead poisoning bill was passed by Congress and signed without comment by the President, against the recommendations of HEW. Since the signing of the bill, nothing has happened. The President did not mention lead poisoning in his health message, nor was a request presented in the 1972 budget. For those who look to 314(e) for support, the 1972 request was decreased from 109 million to 105 million and will have to absorb a 16 million dollar obligation from OEO in the 105 million request. It is highly unlikely that a lead poisoning program under the current authorized programs can be developed. We therefore, urge Congress to appropriate the necessary funds under the Lead Based Paint Poisoning Prevention Act.

We again repeat our deep concern at the present inactivity. What is called for is effective action now and not simply discussion about the problem.

REMARKS BY HON. SEYMOUR HALPERN

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. HALPERN. Mr. Speaker, I am pleased to join my colleagues in commemorating the 53d anniversary of the Declaration of Freedom by the Byelorussian Democratic Republic. This great event in the history of the Byelorussian people took place in March 25, 1918.

On this day, 53 years ago, the Rada of the Byelorussian National Republic met to proclaim the independence of Byelorussia. This was the culmination of a growing nationalistic feeling among inhabitants of the republic. During the late 19th and early 20th century these feelings manifested themselves in the cultural aspects of society. Byelorussian journals and a Byelorussian theater was established. The cultural revival eventually had great political impact on events within the country. At the dawn of the 20th century, Byelorussian students founded a revolutionary party which help the first of a series of conferences calling for the autonomy of Byelorussia.

The events to the west of the small country, which caused World War I, and the events to the east, which brought a revolution in Russia, combined to make independence a possibility and finally a reality for Byelorussia.

The Germans imposed certain restrictions during their period of occupation of Byelorussia. Political leaders were permitted to carry out their work and Byelorussian language was accepted as the official language of the nation's public life.

In late 1917, the Bolsheviks wrested control of the country. Because of the precarious nature of the political situation in Russia, all Byelorussian conferences were able to convene in November 1917 and in March 1918. Finally on March 25, 1918, in Minsk, the ancient capital of Byelorussia, the Rada proclaimed the independence of Byelorussia.

What makes this day of remembrance

a sad occasion is the swiftness with which the light of freedom in Byelorussia was extinguished. In December of 1918, the Red army marched into Minsk and seized control of the Byelorussian Government. In 1919 they proclaimed the Byelorussian Soviet Socialist Republic and in 1922 the area was incorporated into the Soviet Union. For the last 52 years the people of Byelorussia have lived under hell of Russian rule. The Soviets have carried out a systematic policy of genocide. Over 4 million citizens have been victims of political terror, mass deportation, and forced resettlements in other parts of the Society Russian Empire.

Periodic purges have resulted in the arrest of thousands of artists, engineers, and members of the Byelorussian Academy of Science. Hundreds of thousands of farmers have been deported to Siberia. In essence, Byelorussia has become a colony of the Soviet Union. By means of a system of exploitation, similar to the mercantile system used by the English in the handling of the American colonies, Byelorussia's natural resources are being syphoned off for use by the USSR.

Through these 53 years of hardship the Byelorussians have refused to give up and have continued the battle to free themselves from foreign domination. Many of these freedom loving Byelorussians have emigrated to the United States and are continuing their unceasing efforts from our shores.

Let us continue to hope that the day may soon come when the courageous people of Byelorussia can enjoy the freedom and liberties which are afforded every American as a birthright, and that they can again proclaim, as they did 53 years ago, that they are a free nation.

POLISH CONSTITUTION DAY

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 3, 1971

Mr. WHALEN. Mr. Speaker, I rise on this occasion to commemorate the 180th anniversary of the Polish 3d of May Constitution Day.

Americans of Polish descent can take justifiable pride in the greatness of both the Polish document as well as our own Constitution. Both were adopted within 2 years of one another. Both embraced similar progressive principles.

But the accident of geography perhaps is one of the main reasons why our Constitution and Nation have flourished while Poland has suffered the agonies of partition and subjugation since 1791. Indeed, Poland still can feel the physical and political aftereffects of the Second World War even today. But I believe it is accurate to observe that the spirit which led to the creation of the 3d of May Constitution still lives in Poland and in the hearts of those of Polish nationality throughout the world.

Here in the United States, Polish Americans are mindful of the great tra-

ditions of their motherland which translates into their contributions to our own country.

There is a developing intellectual life in Poland which reinforces the belief that this great European nation one day will regain her freedom and live under the philosophy embodied in the May 3 Constitution. The alien form of government that has been imposed upon Poland and so many other countries trapped behind the Iron Curtain cannot be disguised as anything else. Even now in Soviet Russia we see signs of a yearning for a truly democratic form of government.

Mr. Speaker, I am pleased to join my colleagues in paying tribute to this great anniversary in Poland's history.

FIRST LADIES OF AGRICULTURE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. MICHEL. Mr. Speaker, President Nixon set aside last Friday, May 7, for a special salute to our Nation's farmers. I am proud to remind my colleagues that in my congressional district—the 18th of Illinois—reside two outstanding gentlemen who have been chosen to represent a sizeable portion of those farmers on the State and the national levels.

They are William Kuhfuss, president of the American Farm Bureau Federation, and Harold Steele, president of the Illinois Agriculture Association.

We all know that behind every great man is a great woman, and these men are no exception to that rule. Their wives, Elizabeth Kuhfuss and Margery Steele were subjects of a recent article in the Peoria Journal Star, and I want to bring that article to the attention of my colleagues in the House:

[From the Peoria Journal Star, Apr. 18, 1971]

THEY'RE THE FIRST LADIES OF AGRICULTURE

A woman who can wax ecstatically over soil is Mrs. Margery Steele of rural Dover, whose husband, Harold, recently was elected president of the Illinois Agriculture Assn.

"I think Illinois, or at least this area, in the spring, is the most gorgeous thing in the world. I can become a charter member of the Chamber of Commerce. When they turn this ground over with plows, I really get excited.

"I remember being with Harold at a meeting in Normal and the head of the ISU School of Agriculture said he was asked what one thing we should exhibit to show America's wealth and he said we should show the world a sample of soil. You know he was absolutely right. I'm astounded every year when the ground is turned over; it's just like turning over the coal bins!"

For someone who grew up in New York City, worked abroad and then came to Illinois as a bride of eight months, what did she know about farming?

"Not much at all. Harold has apologized many times for me and my lack of knowledge," she laughed. "Also for my family because they are still not too well oriented. When they come to visit, he just sort of shakes his head. I did know a cow from a steer, although he doesn't give me any credit for it."

Attired in a brightly-striped dress and red shoes, her graying hair worn short with side-swept bangs and dark-rimmed bifocals worn on a chain around her neck, Mrs. Steele reminisced about World War II days when she met her husband in Austria.

"It was in the 1940s when more and more men were being taken for service. I knew some people who were broadcasting in the European Office of War Information and so I applied for a job as junior radio engineer. Any field was open to women then if they wanted to try. Well, they saw my file and offered me a job in the Office of Strategic Services as a cryptographer.

"My job itself wasn't exciting; it was hard work, substitute and substitute. I worked in message centers coding and decoding messages. What was exciting was the people I worked with and the places where I was."

Mrs. Steele worked in North Africa 13 months, Greece for seven months and Austria for a year.

"My favorite place was Greece. The people were horribly, unbelievably poor but most of them were literate. Of course, there were very wealthy people in Egypt, but some very poor who couldn't read or write. There were many fine restaurants in Cairo where one could eat. I remember a place there called Groppi's that had 27 kinds of ice cream. It was the Howard Johnson's of the Middle East. But we found that water buffalo is not bad if you know how to cook it. The main thing was to start early in the day," she laughed.

"There were no accommodations for us at all in Greece. The English gave us a ration of bread a day and we got one ration a week from the American embassy. We had to live on the Greek economy and found that squid was delicious and plentiful. There was very little meat; we had hare and kid and lamb—and they don't waste any of it. We had delicious meat balls called Kestethes made from lamb entrails. There was a tremendous amount of fish, but we relied on beans and olives for protein. I used to say that I preferred my milk fresh, but I became very fond of yogurt.

"Vienna was altogether different. The French, Germans, Americans and English were hundreds of miles from our zone, but the Russians lived in the city, so we had to depend upon everything being airlifted in to us—just as it was later to West Berlin. It was not a calm place in which to work; there was always constant turmoil about something, constant friction."

As the war was ending, she met her future husband, an infantry captain, on a blind date in Vienna where he was chief agent of criminal investigation for the U.S. Armed Forces.

They were married in October in the stable of Schoenbrunn Palace, which had been converted into a chapel. Margery wore a floor-length bridal gown mailed to her from the U.S. by her mother.

The huge white farm house to which Mrs. Steele came as a bride in June, 1947 was built in 1903 by his grandparents.

"Structurally, it's very well made, but it's so big I never finish cleaning it. I start at the top and go through the five bedrooms, bath and sewing room upstairs, then the hall, then over this way, and then downstairs and I start here and over that way and before I quite get out that end, I'm long overdue up there again.

"There are two living rooms, a den, dining room, kitchen, utility room and half bath on this floor. Downstairs there's a six-room cellar, three with concrete floors. One was a coal room, one a wood room and one, a root cellar room. And then there's an attic over the whole thing.

"I had help when the kids were small. But the children are pretty good. I don't expect them to do housework, but when I get in a bind and I say, 'Hop to, I need you!' I mean hop to—and they do."

The Steele's four children include 23-old-old twins, Linda, an elementary education teacher in a suburb of Denver, Colo., and Greg, who lives at home; Becky, 19, who recently was graduated from Massey Junior College in Atlanta, Ga., and hopes to go into fashion merchandising; and Susan, 17, at home.

"And we also have a Japanese daughter this year, Kyoko Yamada. She and Susan are seniors at Princeton High School."

Kyoko, who has been with them since last September, is from Sappora, Hokaido, the northernmost island of Japan.

"She is the second American Field Service student we have had. In 1962, we had Akke Litzke van der Zylpp of Rottum, The Netherlands.

"Greg finished service a year ago. He had gone to Ames two quarters and started back to school at Southern Illinois University, but the school riots put an end to that. He's decided to stay on the farm and run the operation. For years he and Harold talked about farming together. I know Harold looked forward to it just as his father looked forward to it.

"Harold's father and I became very good friends through the years. In fact, we all lived here together in this house for 14 years. We closed off this part of the house and we lived on that side, up and down, and his folks had this side. Harold's dad had hoped one of his three sons would take an interest in farming and Harold was the only one who did.

"It's all Harold has ever been interested in and Greg is the same way. They think it's great going to Chicago, or Washington or New York and seeing how city people live, but then they'll say, 'Well, we've seen this: now let's go home.' And so when Greg finally had service and school behind him, they really looked forward to farming together," she said.

Now that the father is busy with the IAA, Gregg is the farmer-in-residence.

Greg is being married later on this year and will take his bride to live on another farm they own down the road.

Of all the household chores, Mrs. Steele finds cooking and ironing are her two favorites.

"Gardening has always been a problem and we finally gave it up as a lost cause. Harold always felt field work came first and garden plowing last. He always had a big acreage and was too busy to bother with a little garden plot. But after he would get his other plowing done, he would plow up the garden. It would be a little late, after everyone else had peas and beans and stuff in."

"I remember one time when we had everything in the garden in lovely shape and he decided that's where he was going to build a new hog shed. 'Whatever you want out of the garden, take it now because the hog shed is going to come that far,' he said, and that was pretty discouraging.

"The next year, the garden was put in late, as usual, somewhere else. Did you ever watch cattle come through a garden? Oh, it's cute! They're darling—all thousand pounds of each and every one of them.

"This happened every single year. If the cattle didn't get out, the hogs did. In another two weeks, you were really going to harvest something to eat from the garden when ZOOM—through went the livestock! I think Harold really got discouraged, too, because the last time, they went through his strawberry patch. That was sort of the life blow.

"I finally said, 'Well, I think it's easier for me just to run to town for whatever I need. Unless we get some really tight fence, let's forget the garden; I'm not going through that again.'"

Laughing, she removed her eye glasses and said, "Chickens? Yes, we tried those too. When we first came home, we had chickens, milk cows, beef, some pork, even a ram. I guess we had some ewes but I only

remember the ram because he was always taking someone and sending them flying.

"One day I got to figuring how much time I spent with those chickens. I wasn't a whiz bang at plucking, drawing, and cutting them up and with chickens about 29 cents a pound, I decided I was working for real scabby wages. Then the chicken house was struck with lightning and a raccoon got in the hen house, so we were out of the chicken business.

"Then we milked for a number of years, but with two cows, you're nothing but a nursemaid to them. You have to make sure you're around the house twice a day for that kind of nonsense. You can put hogs and cattle on self-feeders and they take care of themselves, but milking is the first thing in the morning and the last thing at night.

"So we started feeding out cattle and decided it was a luxury we could ill afford; we'd let somebody else play that game, so we started feeding hogs.

"We used to feed out 400 or 500 head of sheep, too, and the program we had then worked out fine; they were excellent gleaners in the fields. But there isn't that much profit to fritter away the many man hours needed.

"Having grown up in the city and watching my children grow up here on the farm, I'm grateful they had this. As a child in New York City, I was terrified most of the time. We moved there in 1927 and I was just old enough to remember the crash when people were jumping out of windows all over town. And I remember watching hundreds of people lining up every evening at the soup kitchens for a bowl of soup and a piece of bread."

Mrs. Steele is a member of Princeton Women's Club and has a hard time remembering to go to the afternoon meetings.

"I started out with twins and was real busy right away with them and trying to learn many other things a farm wife should know. But I belong to a bridge club.

"I thoroughly enjoy reading and that's a fine outlet for me—poetry, biographies and plays. But now I wear bifocals and that makes a tremendous difference in the amount of reading I do.

"My mother-in-law planted the traditional flower garden and I try to keep it up. She knew a great deal about plants and shrubs and planted them so that we have continuous bloom all spring and summer. I plant things to fill in. But I remember one year I even saved burdock, thinking it was rhubarb," she laughed.

"I love to refinish furniture. When we were married I didn't know one piece of wood from another—a piece of oak from a piece of walnut—but I do now. And Harold can get so ecstatic about wood that he pats the grain."

As to changes in the daily routine since her husband took on his new post, she said, "Well, first of all, he's not home. Not that he was underfoot all the time before but at least I knew he would be here every day—and usually most of the time for three meals a day. Now he's only home for weekends.

"He stays in Bloomington, comes home weekends and leaves home again early Sunday morning. This necessitates an odd strain of laundry late Saturday night when I have to get all his things washed and organized to get him back on the road next day.

"Next fall will bring the real change. Our son will be married in July and our baby, Susan, will go off to college in September so then I'll really rattle around here by myself.

"People say, 'Why don't you or when are you going to Bloomington?'

"But Harold is even gone from Bloomington, visiting various counties and making speeches around the state. If I'm going to rattle around I'd just as soon do it here where I have my books and my knitting and the friends I've made over the past 20 some years as to rattle around in a small

apartment in Bloomington wondering what to do with myself.

"I really don't know a great deal about his new job, but he finds it very worthwhile and stimulating. I know I can modestly say that he will do absolutely as fine a job as he is physically capable of doing, which is saying a lot. Sure, I'm prejudiced—I like him."

**SHE MADE A GREAT MANY BOO-BOOS LEARNING
TO BE A FARM HOUSEWIFE**

(By Elizabeth Kuhfuss)

Elizabeth Storm Kuhfuss, wife of American Farm Bureau Federation president William Kuhfuss, wears her title as First Lady of Agriculture as graciously as she did the state title during the 12 years her husband headed the Illinois Agriculture Assn.

"After he was elected in Houston last December, about 700 pieces of personal mail came in from all over the country, most of it offering congratulations and best wishes. I started out trying to answer it all, but it snow-balled out of all proportion; I'd get 10 letters answered and 15 more would come in.

"I got so bogged down, I had to get a cleaning lady to come in once a week," she said.

Things have sort of leveled off again now. A native of Lexington, Mrs. Kuhfuss is the daughter of two Christian Ministers, the Rev. Homer and the Rev. Myrtle Storm, both deceased.

"They always had two different pastorates not far apart. My brother and I lived with mother in the parsonage of her church. Father would keep a room in his church parsonage and rent the rest of the house. We would all see something of each other during the week, but we always had to go to our own church celebrations or services, then we would have our Sunday supper or Christmas celebration or whatever later. For some reason, our best holiday always was the Fourth of July.

"They both ministered at Carlock, then at Ladysmith, Wis., Minier, Pekin and Peoria. Mother preached for 53 years before she died.

"Bill and I met while we were students at Minier High School. I was a freshman and he was a sophomore. We started going together his last two years in school. After graduation, he went to Illinois State University at Normal. Then I went to William Woods Junior College, Fulton, Mo., and finished my last two years at Eureka College. We did a lot of letter writing during that time.

We became engaged in February, I was graduated in June, and the following August we were married. Bill brought me as a bride to this house (between Minier and Mackinaw) where he had always lived. Although his mother was moving to another farm near Minier, she stayed here until the town house was fixed up.

"She helped me to learn the routine of being a farm housewife. I made a great many boo-boos but his mother was always gracious and tactful. Like the time I spilled the lard.

"We had butchered and rendered the fat and strained the lard into large stone crocks. They were setting on the back porch to cool and she asked me if they had set. Well, the top had thickened and turned white and when I tilted the crock to see how much of it was congealed, lard spilled out of the crock, over the porch, down the steps and into the yard.

"I was beside myself to think of the waste but her response was quick and easy. 'That will be good to make soap. We've got too much lard anyway.'"

"I was the first daughter-in-law and, with

four sons, I guess she was happy to get a daughter. Anyway, there was always a good relationship between us."

The large 11-room white house where Elizabeth Kuhfuss has lived since her marriage was built by her husband's grandfather in 1892 on land he had farmed near the Mackinaw crossroads since 1878.

"This house had one of the earliest bathtubs in the country—a big tin contoured tub with a drain plug—even before the house had running water. The water had to be heated and poured into the tub and then drained out and carried away.

"There was a gasoline-powered generating system and I inherited the 32-volt electrical appliances from my mother-in-law. Then Bill got busy and worked for a high line through this part of the county and after that we had public utilities. The house formerly was heated from a natural gas well, but when that played out, oil heat was installed.

"The house has gone through four remodelings over the years. The last one was about 12 years ago, about the time Bill was elected head of the IAA. At that time, the kitchen became a family room with stone fireplace, a summer kitchen became the kitchen and a porch was enclosed to become an eating-study area."

The Kuhfusses have four children: Karen, who lives in Trenton, Ill., with her husband, Edward Koch, and their two children, Caroline and Devin, who will be three and five years old this spring; Linda, who just finished her doctorate in special education from the University of Illinois and has joined her husband, Dr. Thomas O'Donnell, an English professor at the University of Kansas in Lawrence; Thad, who is in the U.S. Army as a legal clerk at Leavenworth, Kan.; and John, 21, a senior at the U of I who expects to leave for service after graduation.

"This will really be a year of adjustment because the family is so divided. Thad, who expects to be out of service in June, will be going back to school he's already two-thirds of the way through law school at Washington University."

Things haven't always been so smooth for this husband and wife team.

"But I've learned a great deal from Bill—such as not worrying about things that never happen. I remember when Karen was just a baby and I discovered she had club feet. Bill went on a trip out of town after I had assured him the baby and I would be all right.

Then he came home to find her legs in casts.

I worried about all the money we would have to spend on surgery. As it turned out, we had new casts put on every two weeks and by the time she was nine months old, the casts were permanently removed and she soon started walking. We never did have the expense of surgery."

Another bad time for the young family was when Karen, the eldest, was nine, and John, the baby, only four months old.

"The doctor found I had a dermoid cyst and about nine inches of my lower intestine had to be removed. I knew I was seriously ill and I worried about raising my family. I even made contingent plans for how they would care for one another should something happen to me so that I couldn't rear them. I was ill for a long time and had to keep having annual checkups. At the end of five years, I was pronounced as cured. You see, the cyst had been malignant. Bill knew it and went through those five years alone—he didn't want me to have to worry about it.

"I've always been anxious to see the kids advance and be able to take care of themselves at each step as they grew older."

In addition to looking after her home, Mrs.

Kuhfuss knits, making things for herself and granddaughter, and she is secretary of the Little Mackinaw Unit of Homemakers Extension.

"I'm a charter member because Thad was born the year it was organized. I remember answering roll call at a meeting by announcing that I had visited my doctor for a monthly check-up. That's one way to announce the good news to your friends," she laughed.

"But I'm a great champion of Homemakers Extension. I've learned many good things through all the years—how to iron a shirt in six minutes, mending, all kinds of cookery, how to make soap. The lessons are so different now, more contemporary. Where we used to learn basic cookery, now we may have a lesson on a nationality or gourmet dish. But there's always something interesting to learn."

Mrs. Kuhfuss has served in the choir, Sunday school and Women's Guild of the United Church of Christ in Minier. She reads a lot, although she does not care for fiction.

"I guess it's a sign of aging, but I can remember when I was referred to as 'the daughter of Reverend Storm, then' the wife of Bill Kuhfuss,' and as 'the mother of Karen,' and now, more recently, as 'the grandmother of Carolina,'" she smiled, her eyes crinkling at the corners.

Mrs. Kuhfuss finds life is different since her husband's election as head of the nearly two million member organization.

"When he was at Bloomington and had speaking engagements within the state, I frequently would accompany him and then drive him home while he would sleep so as to be fresh for the next day's work.

"Now his office is in Merchandise Mart, Chicago, and he may find in one week that he's in Phoenix, Ariz., Denver, Colo., and Middlesex, Va., and the next week in Atlanta, Ga., or somewhere in Florida. Of course he flies now and is able to catnap on the plane. But he covers much more ground now as national president.

"With him traveling so much, we find it's harder to communicate. Bill finds the hardest thing about his job is that he doesn't have anyone to talk to—you know, the husband-wife type of talk.

"I clip news articles from local papers—things I think he will want to read—and jot things down on a list. So even though he is out of touch on the local level, he still has a sense of what is going on at the home base with our friends and acquaintances and neighbors.

"I'm concerned about his health and appearance. I keep a close check on his wardrobe and have to urge him to get a new suit occasionally. And I tuck a packet of vitamin tablets in his luggage, hoping he will remember to take them.

"His job requires a lot of physical stamina, which he has. Athletic men, I've found, seem to feel that if the goal is worthwhile, it's worth the required discipline. Bill always has been athletic—and he's also very well disciplined."

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

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

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 1,600 American prisoners of war and their families.

How long?

VA HOSPITALS TREATING DRUG ADDICTED VIETNAM VETERANS IN SPECIAL CENTERS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. TEAGUE of Texas. Mr. Speaker, many of our young men who are coming home from the war in Southeast Asia and elsewhere are suffering from addiction to narcotics, a condition that may be as crippling and as devastating personally as any wound of battle. These veterans deserve the best medical and rehabilitative help we can give them.

It is gratifying to know that the Veterans' Administration is providing this help for many young men and is planning to expand this care.

Under present plans, VA will have 30 special units to care for narcotics victims. Five have already been activated; 12 more will come into being in July of this year, and 13 more in July 1972.

They will be in existing VA hospitals and will provide some 500 beds for this highly important and complicated treatment. But the number of beds will not be the real measure of this program, because it contemplates most of its therapy being conducted on an outpatient basis while the veteran works or goes to school and attempts to bring new order to his life and assure himself a better future.

This posthospital care is expected to be provided for 5,000 to 6,000 veterans at the 30 facilities.

The five centers that have already been activated—at VA hospitals in Houston, Manhattan, Washington, D.C., Battle Creek, Mich., and Sepulveda, Calif.—call on varied skills and disciplines and therapy of the most advanced kind to bring about cure. Involved are physicians, nurses, psychiatrists, psychologists, social workers, vocational counselors, chaplains, physical therapists, and others.

One of the strengths of the centers is the fact that no two are exactly alike—they are geared to the needs of their patients and they reflect creativity and special abilities of those who run them. I am certain these are highly competent professionals and they are able to call on the best and most advanced knowledge concerning drug treatment. But they are also continuously conducting research and applying new concepts as they help their patients free themselves of their distressing and debilitating disease.

The clinics are organized to mesh with

other VA programs in trying to improve the personal situations of their patients. The veterans are counseled and advised concerning vocations and education as well as personal problems concerning family situations, living conditions, and income.

Some veterans are being treated as outpatients and attending school and college under the GI bill at the same time. Others are working or are training on the job under the GI bill. All are apprised of the ways in which they can make their veterans rights work for them.

Mr. Speaker, drug addiction is a major problem in this Nation. To me it is doubly tragic when it strikes men who are serving their country in uniform. It is good to know that the country they served is helping them to find their way back, and I hope the Veterans' Administration will speed up its efforts.

CONGRESSMAN RYAN TESTIFIES ON RENT CONTROL AT AD HOC HEARINGS OF STATE LEGISLATORS IN NEW YORK CITY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. RYAN. Mr. Speaker, to speak of the housing situation in New York City is to speak of catastrophe. Rents and carrying charges are soaring as are the costs of privately owned housing. More than 130,000 families are on the waiting lists for public housing. Subsidized housing is in massive short supply, and housing subsidies are equally lacking.

Amidst this disaster, the device of rent control serves to stave off an even worse situation. At least rent control prevents landlords from skyrocketing rentals to levels guaranteed to drive out the remaining moderate- and middle-income families and individuals. Yet, despite its utility—despite its necessity—the Governor of New York has proposed legislation which would have a devastating impact, bringing widescale rent decontrol. This legislation is misguided; it is unacceptable.

On May 8, 1971, I appeared to testify at ad hoc hearings held in New York City by the Democratic members of the New York State Legislature's Joint Committee on Housing. Following is my testimony:

STATEMENT OF CONGRESSMAN WILLIAM F. RYAN, AD HOC HEARINGS OF DEMOCRATIC MEMBERS, NEW YORK STATE LEGISLATURE'S JOINT COMMITTEE ON HOUSING, NEW YORK CITY, MAY 8, 1971

The rent control proposals which Governor Rockefeller has produced are a tribute to reverse logic. While New York City has achieved national, if not world, renown as the prime example of what is charitably referred to as a housing crisis, the Governor proposes to escalate that crisis into disaster. The proposed virtual destruction of rent

control which has emanated from the State House in Albany is a time bomb, guaranteed to relocate middle income residents to the suburbs, leaving New York City a haven for the rich and a hell for the poor.

The Governor's legislation proposes to lift controls on all apartments "voluntarily" vacated by their tenants.

Another bill, which would apply to all rent-controlled apartments, but not those subject to the city's rent stabilization law, would decontrol any apartment that was not used as the "primary residence" of the tenant.

Still another bill would permit owners to pass on to tenants in controlled units increases in costs over which, and I quote, "the landlord has no control," as the Governor phrased it. This would include increases in maintenance, utility and fuel costs, and taxes.

Finally, the Governor has asked the Legislature to terminate the city's authority to extend control to units not now subject to rent control and its authority to impose even stricter controls on those now under control. This proposal would have the effect of nullifying the pending rent control referendum.

This is, indeed, a recipe for disaster. The basic problem afflicting New York City is the lack of sufficient housing—decent, adequate housing—at rentals and carrying charges which can be afforded by families of low, moderate, and middle incomes. New York City may be Fun City for the rich, but for the rest it is the Hiroshima of housing—a city where there simply is not enough housing at feasible costs for hundreds of thousands of people. What does the Government propose? A package of proposals designed to further erode the habitability of New York City, not a massive housing production and rehabilitation program.

What are going to be the results? The Rand Institute reports that rents in post-1929 buildings would go up by about \$100 a month—\$1,200 a year. Rents in pre-1929 buildings built after 1901 could go up about \$50 per month—\$600 a year. Some rentals may soar by as much as \$1,800 per year. It has been estimated that two-thirds of the rent-controlled apartments in the city would completely change tenants within seven years. On the West Side of Manhattan there would be fifty percent decontrol within approximately four years. Thus, all of these apartments would be subject to massive rent increases.

Now, who is kidding whom? The residents of New York are groaning under enormous rents and carrying charges. Even subsidized housing—the Mitchell-Lama projects—are putting an onerous burden on their inhabitants. How can people pay these enormous increases?

The answer is that the rent control proposals demonstrate a grasp of reality so tenuous that one questions whether Albany is in the same state as New York City.

And what of the proposal that the controls will be lifted as apartments are "voluntarily" vacated by the tenant. Emily Post may not have written this up in her etiquette book as an invitation—on a silver platter—to harassment by landlords, but my reading of the reality of New York City housing tells me that Governor Rockefeller proposes to declare open season on tenants. If his proposal becomes law, we are going to see open warfare in the corridors of every rent-controlled apartment in the city, with the landlords having the clout, and the tenants easy targets.

For years now, the tenants and cooperators of New York City have been handed placebos in place of panaceas. Today, the big doctor in Albany has produced a new landmark

in prescriptions—destroy the patient. That's the ultimate cure. Some may call it euthanasia. I call it the grossest folly.

LEST WE FORGET

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. MILLER of Ohio. Mr. Speaker, in a land of progress and prosperity, it is often easy to assume an "out of sight, out of mind" attitude about matters which are not consistently brought to our attention. The fact exists that today more than 1,550 American servicemen are listed as prisoners or missing in Southeast Asia. The wives, children, and parents of these men have not forgotten, but I hope that my colleagues in Congress and our countrymen across America will not neglect the fact that all men are not free for as long as one of our number is enslaved.

Maj. John Murray Martin, U.S. Air Force, [redacted], Pittsburgh, Pa. Married and the father of five children. 1954 graduate of the University of Pittsburgh. Officially listed as missing November 20, 1967. As of today, Major Martin has been missing in action in Southeast Asia for 1,266 days.

SUCCESS OF NIXON'S FOREIGN POLICY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. KEMP. Mr. Speaker, I wish to call two recent articles to the attention of my colleagues. The first, by Russell Kirk, raises the point that Vietnamization might very well be successful to the embarrassment of some.

The second, a foreign impression from the London Daily Telegraph, points out who those "some" are that will be embarrassed. The London editorial, reprinted in the Sunday Observer, states that the President is showing that he is able and determined to discharge his responsibilities without reaction to the shouted obscenities which are now a routine part of demo techniques.

The editorials follow:

NIXON'S SUCCESSES AS A STATESMAN
(By Russell Kirk)

Despite the endeavor of his political adversaries, and of a good many of my columnar colleagues, to make it appear that President Nixon's foreign policies are ineffectual, in truth Mr. Nixon has been more successful in diplomacy and related matters than has any other President since Theodore Roosevelt, perhaps. If he continues in this fashion for the rest of his term—and possibly for a second term—we Americans may find our way out of a variety of perils and predicaments. True, Mr. Nixon may set his sights—or his

rhetoric—too high on occasion. Not long ago he declared that there may never be another war—which imprudent notion repeatedly has tended to bring on, in the course of history, precisely the calamities it had been meant to avert.

Before his election to the presidency, Mr. Nixon told me that his model of a statesman, in international affairs, was Woodrow Wilson. Certainly much Wilsonian idealism lingers in President Nixon's mind and conscience, which is his weakness, not his strength. Yet so far, his actual policies (as distinguished from his occasional language) have been practical and realistic.

Take his course in Indo-China. Since Mr. Nixon took office, American ground forces in Indo-China have been reduced to little more than half of what they were at the height of our involvement.

This disengagement has been achieved without sacrificing the territory of America's Asiatic allies to the Communists. South Vietnam has fairer prospects of withstanding communism than it has enjoyed since the end of World War II.

In the Levant, Mr. Nixon has done much to prevent a fresh—and catastrophic—clash between Israel and the Arab states.

In relations with Communist China, Mr. Nixon has opened some little windows to a more tolerable relationship, without abandoning our Nationalist Chinese allies in Taiwan. In his dealings with Soviet Russia, he has yielded no ground, but has raised hopes of some tacit settlement of rival interests; and the masters of the Kremlin appear to respect his talents as much as they dislike his ends.

Wouldn't it be hideously embarrassing if America should come out of Indo-China, after all, undefeated—with the Communists still denied Saigon? (Embarrassing for the left, that is, after all their vacillations.) Wouldn't it be humiliating if a conservatively inclined President and a conservatively inclined professor (from Harvard, of all places!) should accomplish what a series of liberal administrations couldn't achieve—an enduring settlement in the Middle East, a reduction of tensions with China and Russia, the ending of military conscription? Who could be happy about such a consummation—except the American people?

HAS THE VIETNAM WAR ROTTED UNITED STATES' CREDIBILITY?

Is America so rotted by the Vietnam War, so rent by protest against most of the things that the Nixon Government stands for at home and abroad, as now to be no match, in power or the will to use it, for an imperialist Soviet Russia or a resurgent China? If this were indeed so the European and other democracies, which now take American protection as much for granted as the sun and the rain, should be doing something more constructive than self-righteously deploring the presages of America's decay so eagerly served up by the media.

Has the canker eaten as deep into the American soul as the television pictures suggest? About 300,000 demonstrated against the war in Washington alone (one recent weekend). Eight hundred youthful-looking "veterans" from Vietnam discharged their appointed task of reflecting vocally and visually the supposed demoralization of the American Army. The climax was a well-organized and well-photographed orgy in which the various military decorations so prized in the country's history were dishonored, thrown away, and trampled underfoot. It was a kind of antipatriotic black mass, calculated to shock in the same way as the shouted obscenities which are now a routine part of demo techniques. Senators Kennedy, McGovern, and

Muskie were among those anxious to be associated with such proceedings. In this atmosphere the highest estimates of drug-addiction and officer-murder in Vietnam seemed credible.

And yet President Nixon—contrary to all indications when he took office, despite organized malice of unprecedented scale and intensity at home and all the enemy's efforts to exploit America's self-inflicted wounds—is resolutely achieving his objectives. More than half of the troops have already been withdrawn, and the reverse flow has been increased. The South Vietnamese, growing daily stronger, will soon be carrying the entire burden of the land fighting. The initiatives in Cambodia and Laos, far from bringing China into the war, as Mr. Nixon's denigrators predicted, must have played some part in bringing China to the contemplation of a settlement that is implied by her overtures. In America, the economy is responding to treatment, the racial scene, and even campuses seem to be cooling.

Abroad, Mr. Nixon—despite isolationists of the Right and Left, and pandering by the Democratic leaders to the pacifist and protest movements—is showing that he is able and determined to discharge America's responsibilities. He sometimes has to trim a bit in dealings with an awkward Senate, but in a showdown it knows that he would have public opinion behind him. He did not withdraw troops from Europe. He stood up to Russia in the Syria-Jordan crisis last October, recently reinforced the Sixth Fleet to compensate for Russian moves and is evidently not going to allow Russian expansion in the Indian Ocean to go unanswered. While seeking a missile agreement, he is telling Russia firmly that he will not allow her to steal marches or gain advantages, and is taking practical dispositions accordingly. Such things do not make such good television programs as veterans' protests, but in the present context they are much, much more important.

LETTER FROM VIETNAM

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Monday, May 10, 1971

Mr. HARRINGTON. Mr. Speaker, John Anderson is a specialist fourth class in Delta Company, 4th Battalion, 21st Infantry, 117 Infantry Brigade, Americal Division, now stationed in Vietnam. Recently he and 21 of his platoon members sent a letter to the Ipswich Chronicle which said in part:

My whole platoon would be proud to fight for their country for a just cause, but the cause over here just isn't worth dying for.

We have lost faith in our leaders and in America itself for getting caught up in a conflict like this and hope someday we will be able to regain our faith and trust in America.

These men are from different parts of the country, representing various religious and ethnic backgrounds; some volunteered while others were drafted. Yet they share one bond; they are disillusioned with their country.

We sent them to fight a war we will not claim and yet cannot ignore, defining their mission but not their goal. All we asked was that they kill and be killed

quietly without upsetting our sensibilities or awakening our consciences. Is that too much for a nation to ask of her sons?

Then upon their return, after they have bought our honor with their blood, we reward them handsomely. Backpay and a one-way ticket home, a few medals and a mimeographed letter of thanks are our gifts to them. And for all this we make only one request—go home. Go quickly and quietly. Get a job, start a family, forget about Vietnam. Forget about search and destroy, napalm, hooches, and gooks, forget death and destruction. Forget, so that we can.

We tell them to rejoin society, work, relax, vote. Vote for experienced, tested leadership, for statesmen who understand the complexity of the problems you have lived. If there have been mistakes, others made them. If there are not any jobs, if prices are high, if your sacrifices cannot be justified—well, after all we inherited this mess. Things are not that simple, it takes time. All of this we tell men like Specialist Fourth Class Anderson and then we ask them to trust us.

Seven years of war and death in Indochina have cut deeply into the American spirit. The agonies of the last decade have numbed our conscience and we have come dangerously close to tearing apart the fabric of our society. After all this, are we to clothe our mistakes in self-deceit.

If we cannot erase the memories, if we cannot restore the dead, then let us at least deal honestly with the living. We have betrayed ourselves, breaking faith with our past, let us not now mortgage the future.

Men such as Specialist Fourth Class Anderson are both our hope and our future. Our responsibility to them goes beyond benefits and security. It goes to the heart of this Nation. In time I hope we can earn back the trust of John Anderson and those like him but it will require an honesty and a dedication far greater than we yet have displayed. I insert the text of John Anderson's letter as a reminder of that responsibility:

WE HAVE LOST FAITH IN OUR LEADERS

Army specialist Fourth Class John Anderson, son of Mrs. Louise Anderson, Brownville avenue, submitted this letter to the editor this week, and included the signatures of 21 of his platoon members. The soldiers are members of Delta company, Fourth Battalion, 21st Infantry, 117th Infantry Brigade, Americal Division, now stationed in Vietnam.

TO THE EDITOR:

I'm an Infantryman in (the above company). I'm writing because I feel obligated to let the people back home know what's going on over here and how we feel. The majority of the people in my platoon (2nd platoon), are members of or support the actions of Vietnam Veterans Against the War.

None of us want to be over here and none of us want to fight. Pres. Nixon has led the people back home to believe that we (the infantry) would be out of the combat role May 1 and pulled back to firebases. This is not true. Already our commanders have told us we would still be going to the field after May 1.

Two days ago 1st platoon was ambushed by

a group of North Vietnamese Army (NVA) soldiers. They had two people wounded. After first platoon was out of the contact area the battalion CO called on the radio and told 1st platoon he was proud of them for making contact with the enemy.

After talking with the members of first platoon they didn't seem too proud of what they were forced to do. Yesterday my platoon was on patrol by a river when we found some hooches, the company commander had us burn the hooches.

After we had burnt the hooches we continued on our patrol and started walking in some open rice paddies when we were ambushed. Luckily no one was hurt. Not one of us wanted to burn those hooches or walk into that ambush but the "career soldiers" (lifers) made us do it.

My whole platoon would be proud to fight for their country for a just cause, but the cause over here just isn't worth dying for.

We have lost faith in our leaders and in America itself for getting caught up in a conflict like this and hope that someday we will be able to regain our faith and trust in America.

Two-thirds of the combat troops over here were drafted. The career soldiers, the ones that believe in this war, aren't out in the field fighting; we are. They are in the rear making money in many corrupt ways such as selling government property to Vietnamese civilians and bringing prostitutes into the firebases. Before I came into the Army I believed in this war but after seeing things first hand I have changed. I think that many people back in the world that believe in this war would also change after coming over here.

Please, for the sake of myself and my fellow soldiers do what is ever possible in whatever small way to end this needless and bloody conflict. Replies should be addressed to

SP-4 J. W. Anderson [REDACTED] D 4-21,
11th BDE, Americal Div., APO San Francisco,
Calif. 96217

A list of the people in my platoon who have read and support this letter:

(List of 21 signers is illegible.)

RUMANIAN INDEPENDENCE DAY

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. BUCHANAN. Mr. Speaker, it is always a privilege for me to join in the celebration of national events which have great meaning to the millions of persons on this earth who do not possess the precious freedoms enjoyed by those of us in the United States of America. At this time, therefore, I take pleasure in joining in the observance of the Rumanian national holiday, which is celebrated annually on the 10th of May.

The 10th of May commemorates three significant events in the history of Rumania.

On May 10, 1866, the Rumanian people saw the successful outcome of the nation's long struggle to acquire the right of electing as its sovereign a member of one of the Western reigning families and thus put an end to the strifes and rivalries among native candidates to the throne. On this date, Charles, Prince of

Hohenzollern-Sigmaringen—a scion of the Southern and Catholic branch of the Prussian royal family—was proclaimed Prince of Rumania. This action was the founding of the Rumanian dynasty.

Eleven years later, on May 10, 1877, during the turmoil of the Russo-Turkish War, the Principality of Rumania proclaimed her independence by severing the old and outdated bonds that linked her with the Ottoman Empire. This independence had to be fought for on the battlefields south of the Danube, where the young Rumanian Army, as an ally of Russia, played a noteworthy part in the defeat of the Turkish forces. The Congress of Berlin of 1878 confirmed Rumania's independence and conferred Europe's official recognition.

Four years after the Rumanian people had proclaimed their independence, a further step was taken as they decided to raise their country to the rank of a kingdom. Charles I was crowned King of Rumania, by the will of his people, on May 10, 1881. On that day a prosperous era, which lasted over six decades, opened for the nation. The culmination of this era was reached when national unity within the historic boundaries was attained after World War I.

Throughout all these years the Rumanian people have cherished the 10th of May as their national holiday and the anniversary of glorious events in the history of their nation. In today's Rumania, however, the traditional celebration of this event has been suppressed along with many other traditions revered by the Rumanian people.

The repressions to which the brave people of Rumania and the other captive nations of the U.S.S.R. are subjected are a continuing source of deep concern to freedom-loving people everywhere. In joining the Rumanian people in their observance of this significant occasion, those of us who are privileged to enjoy the freedoms so brutally denied them express our continuing support for their hope of obtaining these freedoms again. I pray that their hope will be strengthened through our expressions of support and that they will once again control their own destinies and enjoy the precious human right to freedom.

POLICE CHIEF BIAGIO DiLIETO

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. GIAIMO. Mr. Speaker, on May 13 Police Chief Biagio DiLieto of New Haven, Conn., will be honored at a community tribute and testimonial dinner.

Ben DiLieto ascended to the highest office in the New Haven Police Department as an appointee of the Honorable Bartholomew Guida, mayor, and as a consequence and appropriate recognition of his 23 years of distinguished service in the public interest.

Formerly director of the police department's communications and central complaint bureau in New Haven, Chief DiLieto has assumed his critically important post in full command of the necessary expertise in communications and information systems which will spell the future success or failure of police departments across the Nation.

Appropriately, the main address at this Thursday night's testimonial will be by Dr. Robert R. T. Gallati, director of New York State's intelligence and identification systems, and a former classmate of Chief DiLieto's at the Federal Bureau of Investigation training classes.

Chief DiLieto's expertise in sophisticated communications systems is tempered and complemented, however, by his identification with the very human problems of those who encounter the wrong side of the law, and especially with young people through his work in juvenile delinquency programs.

Prior to his terms as precinct captain, patrol division in 1967, and director of training for the police department in 1961, Ben was director of the department's youth division, and also special assistant to the mayor for formulation and implementation of a comprehensive antidelinquency program in New Haven.

Ben DiLieto's concern with and work for youth were shown recently by his innovative action in devoting law enforcement assistance administration funds earmarked for his department's work to partial support for New Haven's residential youth centers, programs attempting to arrest and reverse the growth of delinquency through group work and supervised living.

Illustrating further the merit system of police promotion, Chief DiLieto was promoted to the rank of captain in 1967, having achieved first ranking on the promotion list with highest scores in combined examinations.

Commended 10 times in departmental work, holder of the silver medal of the department for commendable service, Ben DiLieto's record is replete with the kind of quiet but dangerous heroism that we who benefit from good police service often do not hear about or believe occurs only on television.

Aside from traditional police work, however, Chief DiLieto's contributions in the areas of administration and program development deserve—and have received—national recognition.

Police training in New Haven, innovative, flexible, and oriented to changing times, is a model for the Nation, and Ben DiLieto's institution of a police science program in cooperation with the University of New Haven was the first such development in New England.

A graduate in police science/public administration from that university—formerly New Haven College—from the Delinquency Control Institute of the University of Southern California, and from the FBI National Academy in Washington, D.C., Chief DiLieto has attracted attention and earned rewards wherever his talents have been applied. Elected presi-

dent of his DCI class at Southern California by fellow students representing law enforcement agencies from all over the world, Chief DiLieto was also commended by J. Edgar Hoover for academic excellence achieved in the FBI program.

In community work, no less than in traditional and innovative departmental police work, Chief DiLieto has excelled in dedication. Outstanding young man of the year in 1958, according to the New Haven Junior Chamber of Commerce, and man of the year in 1960 according to New Haven's Melebus Club, Chief DiLieto's activities in New Haven and throughout Connecticut have brought credit to him personally and to the department he now heads.

In times when more and more is asked of those who head our police departments, when, indeed, police chiefs must be diplomats, community leaders, and department and professional leaders, Ben DiLieto fully deserves the vote of confidence to be presented by distinguished members of the Greater New Haven community Thursday night.

As has been written about this coming tribute, it is "as much an expression of our confidence in his future performance as it is of our desire to honor him for his splendid work in the past. It is an affirmation of our respect for the man he is, was, and will be."

MAYNARD CENTENNIAL

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. DRINAN. Mr. Speaker, I make notation today of the centennial observance of the town of Maynard which I am honored to represent as one of the 31 cities and towns of the Third Congressional District of Massachusetts.

The people of Maynard, who now number almost 10,000, have always been proud of the heritage and the spirit which has brought them together and kept them together despite many adversities over the past 100 years.

In 1871, Maynard separated itself from the parent towns of Sudbury and Stow with which it had been associated for nearly two and a half centuries.

Maynard was the 19th town in the Massachusetts Bay Colony and the second plantation to be settled away from the coastlines of the Atlantic Ocean.

Maynard has always been, however, a very small town in geography. It is 5.7 square miles in area and at the time of its incorporation was the third smallest town in the Commonwealth of Massachusetts.

The town of Maynard is on the Assabet River. The name Assabet is from the Indian Algonquin language and means "The place where materials for making fish net grows." It was the power of the Assabet River that helped the industrious and hard-working people of May-

nard to attract commercial and industrial corporations in the 19th century to the growing town of Maynard. The town of Maynard was for many decades the home of the American Woolen Co., and in more recent days has been the home of the Digital Corp.

For more than a century the town of Maynard has been characterized by all of the New England virtues of industry, frugality, hospitality, and good government.

In 1941 the people of Maynard and surrounding towns voluntarily relinquished more than a thousand acres of their precious land for use by the military personnel of the United States. Despite the fact that the land taken from the town of Maynard would be a very valuable asset to this community the people of Maynard have always felt that the uses of the military and of their Federal Government should take priority. In the recent past, however, it would seem that an accommodation can be worked out between the town of Maynard and the military objectives which occupy parts of the land taken from the people of Maynard for use in World War II.

One of the excellent features of the 100th birthday program conducted by Maynard on Independence Day, April 19, 1971, was a splendid presentation by the Maynard Community Band—an organization which has existed for well over 50 years and which performs regularly for the people of Maynard and surrounding towns.

It is an extraordinary privilege to be able to participate in the ceremonies of a community which rightfully has pride in its ancestry and great hope for its future. One of the most remarkable features of the centennial celebration was the production of a truly fascinating book of 234 pages which details all of the remarkable history of the migration of peoples to this lovely town in Massachusetts where the ingenuity and resourcefulness of so many people over so many decades have created a community which has a very unique sense of purpose and determination. With these qualities Maynard can look optimistically to the next 100 years.

RUMANIAN INDEPENDENCE DAY

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. MORSE. Mr. Speaker, today, the 10th of May, is the national holiday of the Rumanian people. It is a day when Rumanians in the free world commemorate the founding of the Rumanian dynasty and express for themselves, and for the people of today's Rumania who are stifled in their desire to participate in this traditional celebration, their protests against suppression and their hopes for freedom.

I am honored to be able to join in

reaffirming the principles of liberty and independence which are the rights of the people of Rumania, and the hopes of all those of Rumanian descent who are deeply concerned over the tragedy of their land of origin. And I am pleased to be able to share with my colleagues the following statement which I have recently received from the Rumanian National Committee:

THE TENTH OF MAY: RUMANIA'S INDEPENDENCE DAY

The Tenth of May is the national holiday of the Rumanian people, celebrating three great events of its history.

On May 10, 1866, Charles, Prince of Hohenzollern-Sigmaringen, a scion of the Southern and Catholic branch of the Prussian royal family, was proclaimed in Bucharest Prince of Rumania, and thus founded the Rumanian dynasty. It was the successful outcome of the nation's long struggle to acquire the right of electing as its sovereign a member of one of the Western non-neighbouring reigning families in order to put an end to the strifes and rivalries among native candidates to the throne. This ardent wish, though officially expressed as far back as 1857 by the Moldavian and Wallachian Assemblies—the "Ad-hoc Divans"—convened as a result of the Paris Treaty of 1856, was nevertheless opposed by the Russian and Austrian empires, equally disquieted by the growth in power and prestige of the young bordering nation they both secretly hoped to absorb some day. It was due to unrelenting efforts made and wise steps taken by Rumanian patriots, and also to the constant diplomatic assistance of Napoleon III, Emperor of the French (to whom Prince Charles was related through the Beauharnais and Murat families) that all political obstacles were gradually removed and what was to be the prosperous and glorious reign of Charles I could be inaugurated on May 10, 1866.

Eleven years later, on May 10, 1877, during the turmoil of the Russo-Turkish War, the Principality of Rumania, until then nominally a vassal of the Sultan, proclaimed her independence by severing the old and outdated bonds that linked her with the Ottoman Empire. This independence had to be fought out on the battlefields south of the Danube, where the young Rumanian Army, as an ally of Russia, played a noteworthy part in the defeat of the Turkish forces. The Congress of Berlin of 1878 confirmed Rumania's independence and conferred Europe's official recognition, a bright page in the country's dreary history though marred unfortunately by the loss of Bessarabia, cynically wrenched by Czar Alexander II and his government from the ally who helped them obtain victory over the Turks.

Another four years elapsed after the Rumanian people had proclaimed their independence and a further step was taken as they decided to raise their country to the rank of a kingdom. On May 10, 1881, Charles I was crowned, by the will of his people, King of Rumania. A prosperous era, which lasted over six decades, opened on that day for the nation. Its apex was attained when national unity within the historic boundaries was reached after World War I. The socially progressive country had now become a factor of peace and equilibrium in the South-East of Europe.

During all those years and up to the present time, Rumanians have cherished and revered the Tenth of May as their national holiday, the anniversary of happy and glorious events in their history, in which achievements of Monarchy and people were interwoven. It remains the symbol of their

permanency and perseverance through woes and hardships to reach the ultimate end of freedom and well being.

The ruthless foreign rule which now oppresses the Rumanian nation has not been able to uproot the people's attachment to the traditional celebration of the 10th of May. In order to try and alter at least its significance, official celebrations were shifted from the 10th to the 9th of May, anniversary of the Soviet victory. But, though flags are now hoisted on May 9th, Rumanians in their captive homeland celebrate in their hearts the following day, awaiting with faith and courage the dawn of new times, when freedom shall be restored to them.

TITO OPPOSES COUNTERREVOLUTION IN YUGOSLAVIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. RARICK. Mr. Speaker, on April 30, 1971—CONGRESSIONAL RECORD, page 12884—I commented on the appearance of U.S. Chief Justice Warren Earl Burger and Soviet Chief Justice Gorkin at the World Peace Through Law Conference to be held in Yugoslavia during July of 1971.

Apparently General Tito, who calls himself a "humanistic Marxist," is under serious opposition from his people and faces a counterrevolution; thus the need to bolster Tito's stock by improving his local image to sedate his flock by the personal appearance of two representatives of the world's major powers.

Interestingly enough, the recent reports from Belgrade indicate that General Tito, who has always championed Communist liberation fronts and revolution around the world, is vehemently opposed to any international liberation movement against his own police state in Yugoslavia.

Yugoslavia may just as well end up being an interesting site for world peace through law—the site of non-violent demonstrations.

I insert related news clippings at this point:

[From the Washington Post, May 6, 1971]

TITO'S SPEECH

SARAJEVO, Yugoslavia. — President Tito called for the further development and perfection of Yugoslavia's unique social system, which he said was "humanistic," "Marxist," and an inspiration to the world's proletariat.

Yugoslavia started down the path of revisionism 20 years ago by inaugurating workers' councils in the country's enterprises. The system of "workers' self-management" has been criticized from all sides, including Soviet Communists as well as Yugoslav centralists who fear that it is draining power away from the Communist Party.

Tito, opening the 20th anniversary "congress of self-managers," said the experiment was a success and would proceed.

[From the New York Times, May 2, 1971]

TITO ASSAILS CRITICS AT HOME AND ABROAD

(By Alfred Friendly, Jr.)

BELGRADE, Yugoslavia, May 1.—President Tito today placed much of the blame for Yugoslavia's current political crisis on oppo-

nents abroad but also intimated that he would crack down on domestic dissent and probably shuffle both the Government and Communist party.

In a rambling, 40-minute May Day address, broadcast on radio and television from the town of Labin near the Italian border, the 78-year-old leader reserved his sharpest remarks for Yugoslav newspaper and television journalists, university students and professors and "megalomaniac" investors. These groups have often been targets for his wrath.

But the speech, which revealed few details of the three-day leadership meeting President Tito held this week, had a new tone of harshness toward critics at home and abroad.

"We have placed democracy on a very high level, on a strong foundation," the President said in a reference to the open discussion that makes Yugoslavia unusual among Communist nations. "But there cannot be democracy for the enemies of our social system who fight against everything we wish to achieve."

"Up until now we have tolerated too much", he said as applause from the well-dressed crowd in the coal-mining town interrupted him. "We have tolerated such enemies and their actions too much, and they are at work in many areas."

The President, who will be 79 on May 25, said that the mass of Yugoslavs still gave him and his associates in the party full support. On a recent trip through backward areas in the south, he said, he had been received "with the same faith" as was shown in him after World War II, when he turned his victorious Partisan movement into a government.

Toward the end of that trip, Marshall Tito made several angry speeches indicating that nationalist rivalries among leaders of the country's six republics were becoming a danger to Yugoslavia's development and unity. It was then that he announced this week's leadership meeting, which observers thought would be a major showdown on economic and political issues.

In discussing the meeting on his island retreat of Brioni, however, the President said only that "very sharp discussion" had ended in unanimity. He did not say how outstanding economic questions had been reconciled nor did he point to any change in existing policy beyond "more energetic" application of party and governmental discipline.

GREATER AUTONOMY FOR REPUBLICS

Stating that Yugoslavia was not in danger of disintegration, he said the current reorganization giving greater autonomy to the governments of the six republics would strengthen the nation.

"We have settled the national question, not only in theory," he maintained. "All that remains is to implement our decisions. There is no nationality in Yugoslavia that wants to be outside Yugoslavia."

Part of the reorganization, he added, would probably be a shuffle of federal posts, which many expect this summer. Beyond that, President Tito said, it may prove necessary to remove prominent party members from posts that they have become "too weak" to occupy.

As for bankers, business managers and others who follow policies opposed by the Government's economic stabilization measures, he declared, "They will not only be expelled from the party but also from their jobs."

[From the Washington Post, May 1, 1971]

YUGOSLAVIA'S LEADERS AVERT SPLIT

(By Dan Morgan)

BELGRADE, April 30.—Yugoslavia's top leadership today averted a public split in its

ranks by "unanimously" subscribing to a declaration that singled out nationalism as the main threat to the country's unity.

The declaration came at the end of a three-day meeting of about 80 top Communist and government officials at President Tito's Adriatic island retreat of Brioni. It was called by Tito himself as a step to restore unity to the Yugoslav Communist Party's quarrelling factions.

It was not clear from the communique issued today to what extent this aim had been achieved. But an announcement that a conference of the Yugoslav League of Communists would be called soon came as a surprise and suggested to observers that Tito intended to press further with his campaign to heal divisions within the party.

The first such conference in Yugoslavia's history was held only last November and none had been anticipated for this year.

Rivalries have become more pronounced in recent weeks as Communists from Yugoslavia's diverse regions have used a period of decentralization and political relaxation to argue for more local say.

The most explosive issue was raised by Croat Communists who charged that they had been smeared by a conspiracy to link them with the terrorist Ustashi exile organization.

Frictions between Serbs, the largest national group in the country, and Croats, the second largest, have been on the rise.

The party presidium in effect accepted a Croat allegation of a conspiracy. The communique cited an effort by "hostile, subversive forces to exploit our internal difficulties and to seek support from the enemy in our own country."

But the presidium denied earlier insinuations by Croat leaders that federal security police in Belgrade may have had a hand in the smear campaign, details of which have never been revealed. The presidium said "some weaknesses" in the security services had come to light and these agencies would have to be strengthened.

Rumors that the session might signal a major party purge did not materialize. The presidium was unanimous in its estimate of the "seriousness" of the economic situation.

It noted the dangers of bureaucratic, technocratic and centralist tendencies—which are taken as a euphemism for outmoded orthodox ideology. The leadership warned against nationalism, which it described as a basis for "the gathering for all anti-Communist forces undermining the confidence and unity of our peoples."

[From the Washington Post, May 9, 1971]
TITO MAKES APPEAL FOR YUGOSLAV UNITY
(By Dan Morgan)

SARAJEVO, YUGOSLAVIA, May 8.—President Tito today reasserted his role as Yugoslavia's premier political institution in what was described as his most powerful appeal for unity in many years.

His target was all those who undermined that unity, from critical intellectuals to retired, high-pensioned generals who sit in Balkan cafes and grumble about "what does not suit them."

The audience he appealed to was the Yugoslav working class, which he deputized as the "watchdog" against the possibility that new forms of political centralism could arise in the six constituent Yugoslav republics, which will receive broad new powers in a coming constitutional reorganization.

His brisk, barbed remarks, delivered off the cuff, were frequently interrupted by delegates to a congress of factory employees representing the country's workers' councils.

One Western observer who has followed Yugoslav politics since World War II said the speech was Tito's best "in 20 years." A Yugoslav official said the address would rally

thousands of persons behind him once again and create the psychological atmosphere in which concrete changes could be made in political, economic and social structures.

FACIIONAL BICKERING

These changes, stalled recently by factional bickering were initiated by President Tito last fall. Yugoslavs have described this as an effort by the 78-year-old leader to vent the potential crisis of the post-Tito era while he was still around to control it.

Rivalries between the country's diverse republics and national groups quickly surfaced and at times Tito had seemed unwilling or powerless to step in. But today he threw his full personal prestige behind the campaign to submerge differences and work out a viable system for the future.

To observers who have watched him for years, he seemed as dynamic and full of fight as he did in 1945 when he and his partisans followed the retreating Germans out of the country and established a Communist regime.

They said the style of the speech, as much as its content, demonstrated his political touch and his special position as the pillar of Yugoslav unity.

SELF-MANAGERS

He was addressing the second congress of Yugoslav self-managers, made up of factory employees who are most active in the system of "self-management"—the method of industrial democracy and worker ownership of enterprises.

Yugoslavia's decentralized system was introduced in 1950, as an alternative—and a challenge—to the rigid systems in the Soviet bloc. Assets of the state monopolies were distributed to enterprises and councils of workers were set up to run them.

Yugoslav workers, he said, were not going to "go back" to capitalism.

President Tito made clear there is only one Yugoslav working class and only one Communist Party. Just because the six republics are to have more power, they are not going to become new centers of "republic statism," he said.

Nevertheless, it remains to be seen whether Tito's appeal to the workers—over the head of the leaders in the republics—will have enough momentum to result in a system of consultation between the republics that will assure equality between them and be an efficient decision-making apparatus. Sometimes this summer, a 23-member presidency will be inaugurated to run the country.

LEAVING PARTY

But President Tito left no doubt that he expects those who oppose his course to "go out" of the League of Communists, Yugoslavia's Communist Party.

"We shall see who among us leaders accepts the right course we are going to initiate," he said.

Tough work is still ahead, including adoption of sweeping constitutional changes that will mean a drastic reduction of federal powers; a party conference to fix the relationship between the Communist Party organization in the republic and the Yugoslav League of Communists; and "gentlemen's agreements" between republics on economic questions that will determine regional say in economic matters.

But today the audience gave its loudest applause for Tito's attack on intellectuals who "only criticize" and who want to take over now that Yugoslavia has been built up into a strong state.

But he said, "There are also generals, retired ones, who draw large pensions and engage in coffee shop talk, assessing negatively what does not suit them . . . all the while drawing 350,000 (old) dinars (\$2,300) a month."

[From the Sunday Star, May 9, 1971]

TITO THREATENS TO PURGE DECENTRALIZATION CRITICS

(By Dennison I. Rusinow)

SARAJEVO, YUGOSLAVIA. President Josip Broz Tito yesterday threatened a purge of Communist party members and bureaucrats who oppose a series of constitutional changes designed to limit the power of the central government and strengthen the authority of the six national republics.

Addressing the closing session of the second congress of self-managers, Tito referred to past failures to follow word with action and to a Western news report that his words were "an empty gun." He promised that "this will not happen this time. The gun is not empty, we have plenty of ammunition."

A sense of nervousness and bitterness among Yugoslavia's diverse nationalities has been growing in past months to the point that plans for decentralizing the nation have been threatened.

EARLIER MEETING HELD

The three-day congress of self-managers follows a special meeting last month at Tito's island retreat of Brioni of the presidium of the League of Communists that, according to Tito and others who attended, began with "very sharp words." But the meeting reportedly ended in agreement to maintain an ideologically unified Communist party while going ahead with a radically decentralized government.

At the Sarajevo meeting of some 2,300 delegates from factories, firms and institutions, Tito vigorously supported the concept of decentralization and sought to stem the open criticism among the country's nationalities, particularly the most numerous groups, Serbs and Croats.

The workers in self-management, said Tito, would insure that local "statism" and "bureaucratism" would not replace the national "statism" and "bureaucratism" now being dismantled.

The United interests of the working class and the impact of a united market would prove stronger than bureaucratic forces thriving on centrifugal trends, he said.

"We shall also have to see who is among us leaders who does not accept the rigorous course we are going to institute," he said in a threat to those who oppose the current policies.

CRITICIZED BY RICH

Criticism of the system, Tito said, did not come from poor pensioners and low income workers who had a right to criticize, but from those with large pensions and cars who had done better than they deserved out of the system.

Naming those who oppose the Yugoslav kind of Communism within the Communist party would only create "even greater confusion in the present artificial psychosis," Tito added, "but I know who they are."

He referred to "some general on the retired list," whose real complaint was disappointment in "megalomaniac" ambitions to "become president of the republic or at least a minister."

FEDERAL ACTION FOR POPULATION POLICY—WHAT MORE CAN WE DO NOW?

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. FOLEY. Mr. Speaker, I include in the RECORD Dr. Robert W. Lamson's article entitled "Federal Action for Popu-

lation Policy—What More Can We Do Now?" which appeared in a recent number of *Bioscience*. Since Dr. Lamson served on the professional staff of the Senate as an aide to the former Senator E. L. "Bob" Bartlett and subsequently with the Defense Department and Interior Department. He has been a pioneer in sensitizing both the Washington, D.C., policymakers and professionals to the importance of a Federal population policy and to the close interaction between any strategy to restore the quality of our environment and improving our social policy and the population explosion.

I strongly commend Dr. Lamson's recommendation to my colleagues:

**FEDERAL ACTION FOR POPULATION POLICY—
WHAT MORE CAN WE DO NOW?**

(By Robert W. Lamson)

A critical problem and a question confront us. The United States and World Population will not increase forever. There are limits. How will they be imposed?

We have roughly three options.¹

(1) *Physical limits—war, famine and disease*: to approach more closely the physical capacity of the earth, and thereby, to bring into play the traditional agents—war, famine, and disease—which have helped to limit growth of populations in the past.

(2) *Repression*: to risk, by delaying action now, the use later of more manipulative and repressive social and political techniques, which some individuals now advocate and governments may come to use, in order to avoid the "traditional" physical limiting agents.

(3) *Voluntary limitation*: to control our size and growth, voluntarily, by increasing human awareness and individual decision to regulate family and population size. This option is based on wide-spread provision of the means to limit births as well as on democratic creation of policies to influence the intent of individuals to use these means.

Current concern over the environment has led to increased discussion of the need to control population size, primarily via the third option.

Consider for example, the following statements which reflect the concern of the Executive Branch as well as the Congress of the United States:

Dr. Roger Egeberg, Assistant Secretary for

¹ Provision of means to limit births and family size include abortion, sterilization, pills, chemicals, various types of contraceptives, rhythm, abstinence, and delayed marriage.

Methods for motivating people to limit family size include clinics, information, and propaganda, removal of incentives for having additional children beyond a given number through the tax and social security system, raising the legal age for marriage, provision of careers for women which will serve as viable alternative means to the self-fulfillment now attained through having and raising children.

Manipulative and repressive techniques include putting contraceptive chemicals in food and water supplies; greatly increasing the legal age for marriage and government licensing of the right to bear children with harsh penalties for violation; compulsory sterilization, abortion, and contraceptive inoculation or immunization against fertility via implantation of fertility-reducing drugs and chemicals; and infanticide.

For a Malthusian anti-utopia, see Anthony Burgess, 1962. *The Wanting Seed*, W. W. Norton & Company, Inc., New York.

Health and Scientific Affairs, the Department of Health, Education and Welfare: "What does freedom of choice in family planning imply in the present state of our society? It implies enormous population growth for the simple reason that the typical American family, if it can, will elect to have three children, not two. . . . I think we are going to have to work for a change in national mores, a change based on the public acceptance of the demographic facts of life. I think we are going to have to help the people of this country understand that their vital interest and that of their children demands that we control the growth of population."

Secretary Robert H. Finch, Department of Health, Education and Welfare, when asked at a meeting in Washington, D.C., what young people can do to protect the environment, replied: "I'd begin by saying, have only two children."

The House Committee on Government Operations: "We fully agree that one of the most serious challenges in the last third of this century will be the growth of population and that our response to that challenge will be determined by what we do today."

The House Republican Task Force on Earth Resources and Population: "The overriding concern of the Task Force is for realization that the time for action is now and that the need is urgent."

Dr. Lee DuBridge, Science Advisor to the President: "Do we need more people on the earth?" We all know the answer to that is 'no.' Do we have to have more people? Also 'no.' . . .

"Our spaceship called the Earth is reaching its capacity. Can we not invent a way to reduce our population growth rate to zero? Of ensuring that there be no more births than deaths?"

"That is the first great challenge of our time. And we are the first generation to come face to face with this challenge and recognize it. Will we do something about it? Every human institution, school, university, church, family, government—and international agencies, such as UNESCO—should set this as its prime task."

If the nation and the U.S. government are serious about the importance of the population problem and about zero population growth, which the President's Science Advisor stated as a desirable goal for national policy, then we must ask ourselves several questions, and begin to implement the answers.

What can we do now, with existing resources, to carry out this goal through voluntary limitation.

In the future, what measures can we take for which we will need additional funds, personnel, equipment, facilities, authority, and new organizational arrangements?

The federal government can, immediately, with existing authority and resources, take many actions in the areas of research, planning, and operations to cope with our critical domestic population problem—the additional 100 million projected for the year 2000, if current trends continue.

RESEARCH

On 1 July 1969, an interagency Ad Hoc Group on Population Research made a report, "The Federal Program in Population Research," to the Federal Council for Science and Technology.

The Group recommended that the government create an interagency Standing Committee on Population Research to review and evaluate federal population research activities; to advise on gaps, priorities, and uses, as well as appropriate ways to support and administer research; to review efforts to collect, store, and disseminate information; to review federal mechanisms to iden-

tify research underway and further research needed in the future; and to identify organizations involved in research.

The federal government, particularly the new Commission on Population Growth and the American Future, now has an opportunity to help implement these actions. In addition, much research remains to be done.

Population Growth Rates and National Goals: For example, we need to analyze the effects of alternate trends in population growth and distribution on the success and cost of federal programs as well as on the capacity of the United States to protect and enhance its values and to meet its goals.

There are many goals and programs affected by population growth as well as agencies which should, therefore, have an interest in this research. Too large a population and too rapid growth make it more difficult for us to achieve these goals. Consider the various agencies with responsibilities for meeting the need to:

Protect and enhance the environment, and meet increasing demands for resources and services (Departments of Agriculture; Health, Education and Welfare; Housing and Urban Development; Transportation; and Interior; Smithsonian Institution; Water Resources Council; National Water Commission; Corps of Engineers).

Provide energy (Atomic Energy Commission; Federal Power Commission; Department of the Interior).

Supply housing and other urban functions (Department of Housing and Urban Development).

Provide transportation (Department of Transportation).

Solve manpower and unemployment problems (Department of Labor).

Solve problems of trade, industrial production, economic growth, location of population and industry, and examine and cope with the effects of population stability on the economy (Council of Economic Advisors; Departments of Commerce and Labor).

Provide for education, health, and welfare services (Department of Health, Education and Welfare).

These agencies could introduce their analysis of the impact of population trends into their Annual Reports, public information materials, and reports on proposed legislation.

Environment and Population Policies: Based on its survey of ongoing population research supported by federal agencies as of 30 April 1969, the Ad Hoc Group on Population Research found that, of a total of some \$55 million spent for population research, about \$20,000 or 0.04% of it concerned the environment, and about \$153,000 or 0.3% concerned population policy and its implementation.

Even allowing for some error in reporting, there does seem to be a need for more research emphasis in such areas as the implementation of alternate population growth rates and policies for the achievement of environmental quality values, goals, and programs. In this regard, population study centers could be encouraged to examine the environmental policy aspects of population growth and distribution; and, environment and resource study centers could be encouraged to analyze the relation between population trends and environmental problems. Federal activities with an interest in such research include: the Council and Cabinet Committee on Environmental Quality; the Departments of Interior; Agriculture; Commerce; and Health, Education and Welfare; The Atomic Energy Commission; and The Federal Power Commission.

Incentives: In addition to creating, through biomedical research, more efficient means to limit births, we also need more

analysis of incentives to use these means and to limit family size. The physical and social environment can be designed to restructure incentives for having children, for example, through housing and community arrangements, and by creating alternate careers for women which provide opportunities, in addition to having and raising children, through which women can find personal self-fulfillment. The Council on Urban Affairs; the Departments of Housing and Urban Development; Labor; and Health, Education, and Welfare, all have interests and responsibilities in this area. In addition, the tax and social security system as well as federal and state laws can accelerate or retard population growth and influence population distribution. There are opportunities here for the Departments of Justice; Commerce; Health, Education, and Welfare; Treasury; and Internal Revenue Service; and the Council on Environmental Quality.

Zero Population Growth: Finally, we need more research on the problem of stabilizing U.S. (and world) population at various levels—less than its present size, or double its present size, or greater by a factor of 2.5, 3, or 4. The critical research questions are: What are the requirements for, and effects of, achieving a stable population, at what

level, at what rate, and when—in 40, 60, 76, 100, or 200 years?

PLANNING AND OPERATIONS

We can take, immediately, many practical steps to plan and implement policies for zero population growth, and to translate the results of research into action. Consider the following opportunities.

Planning: In our plans to support science, we can aim directly at developing the manpower, institutions, and medical and social technology necessary to achieve zero population growth. The Office of Science and Technology, the Department of Health, Education and Welfare, and the National Science Foundation have important responsibilities and opportunities in this area.

We can include considerations of population growth, distribution and control in planning, programming, and budgeting studies conducted throughout the government. The Bureau of the Budget can make sure that all agencies plan for a range of alternate demographic futures, based on alternate patterns of population growth, distribution, and use of technology. For example, federal water resource planning should consider a range of contingencies based on the difference between high and low popula-

tion projections for the nation as a whole as well as for specific river basins.

River Basin Commissions, Regional Commissions and States, in addition to attempting to meet demands for resources, could be encouraged to look at a range of population projections, and to consider the problem of limiting demands for resources by influencing population growth and distribution within a particular river basin or region. In addition to the Bureau of the Budget, agencies in a position to encourage this activity include the Departments of Interior, Agriculture, and Commerce; the Corps of Engineers; Water Resources Council, and National Water Commission.

In commenting on proposed legislation, especially proposals which attempt to meet the demand for some resources or service, agencies of the Executive Branch can discuss the relation of the proposals to population growth, what difference it would make for the success of the legislation if the high or low population projection came true, and the limits to the proposal's ability to meet the demands which population growth creates. The Bureau of the Budget, in coordinating comments on legislation, has an opportunity to encourage agencies to include such considerations in their reports.

FRAMEWORK FOR ANALYZING FEDERAL ACTIONS FOR POPULATION POLICY—TO INFLUENCE CAPACITY AND INTENT TO LIMIT BIRTHS

Research ¹	Planning	Operations	Goals	Options
Reproductive biology Fertility regulation techniques and materials. Description of population size, distribution, characteristics and trends. Determinants of population size, distribution, characteristics and trends. Consequences of population size, distribution, characteristics and trends. Research on operation aspects of population problems. Programs to support institutions which perform research on population.	Plan to control population growth as well as to meet the needs (for resources and services) generated by population growth. Contingency planning for a range of alternative demographic futures. Use of planning, programming and budgeting system.	Public information Annual reports Reports on legislation Family planning programs—Clinics Programs with States and cities Possible futures; use of tax and social security. Careers for women Urban design	Zero population growth via	Voluntary limitation. Manipulation and repression. War, famine and disease.

¹ This list of research categories is taken from the report by the Ad Hoc Group on Population Research.

Public Information and Education: This activity is important in influencing people's intent to limit births. To some degree, public information can substitute for positive and negative incentives.

As we have seen, most agencies have interests and programs which are affected by population growth. They could, therefore, adapt their public information programs to convey to the public the interaction between: (1) alternate population growth rates; (2) family size; and (3) the ability of the agency to continue to solve the problems which it is chartered to solve. Federal agencies can do much more to develop public awareness of the population problem through conferences and seminars, and by developing needed public information and media materials, T.V. programs, speeches, charts, graphs, posters, pamphlets, movies, and policy exhibits.

For example, the National Aeronautics and Space Administration, with the Department of Interior; Health, Education and Welfare; and Agriculture could develop a series of posters on the theme "Spaceship Earth," the need to take proper care of it, and the relation of this theme to population growth, environmental quality, and average family size. The Department of Health, Education, and Welfare could develop teaching aids for use in acquainting students at various grade levels with the demographic facts of life, how to prevent conception, and what needs to be done to preserve and extend the quality of the environment.

The Post Office Department could (1) create a series of stamps concerning the relation between population growth, family planning, family size, and problems of resources, the environment, and society—air, water, and land pollution, transportation,

food, housing, medical and welfare services, and education; (2) provide free distribution of information and publicity via pamphlets and posters; and (3) increase the opportunity for employment of housewives.

The Government Printing Office and the Department of Health, Education, and Welfare could create and maintain a special list of available government publications, charts, exhibits, posters, stamps, films, etc., on population and family planning.

All federal agencies could include in their Annual Reports information on the relation between trends in population growth and distribution, and the success or failure of their mission.

Federal agencies such as the Department of Health, Education, and Welfare and Office of Economic Opportunity which have family planning programs could, in addition to enabling families to control births, also attempt to influence their intent to do so, for example, through information concerning the relation between family size, population growth, and other social problems.

Finally, most federal agencies have programs with regions, states, and cities and could encourage them to consider alternatives for population growth and distribution in their planning, programs, and public information.

CONCLUSION

As this article demonstrates, the government currently commands many resources to do more *now*, through research, planning, and operational programs, to implement Dr. DuBridge's priority, no-growth goal for U.S. population.

However, we urgently need the wisdom, will, and decisions to put these many existing capacities to work—to increase quickly public discussion of the population problem and

of the goals and means to cope with it, and to expand, among policy makers and the public, the awareness, concern and understanding which are necessary for effective action.

What do we do now, with the resources at hand, and with the time we have left, will help to determine how, at some future date, we will achieve the inevitable limits to the world and U.S. population growth.

Our lack of foresight and prompt action increases the likelihood that we will limit our population through some combination of manipulation, repression, war, famine, and disease. Thus, we will fail to protect and promote our values of economic well-being, environmental quality, democratic government, and individual freedom.

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DOCUMENTARY—OR HATCHET JOB?

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. GONZALEZ. Mr. Speaker, the CBS News program "The Selling of the Pentagon" has aroused great controversy, as have others before it.

The principal problem with this show is that its producers edited statements in such a way that people were shown to be saying things that they never intended; the speakers hardly recognized, in many cases, the statements they were shown to be uttering. Though there could not have been any doubt that the show did depict people saying certain words, the ideas conveyed by the words were not the ideas that the speakers had in mind. It all has a distinct aura of doublethink, produced in this case by artful editing.

One writer has given his reaction to all of this in an article in the *Retired Officer* magazine. I call this to the attention of the House; it is yet another reminder of the problems that so clearly arise from editing practices that distort the real facts:

THE WAYWARD PRESS

(By Claude Witze)

Washington, D.C., March 15, 1971: We are reprinting with permission the following article, from the column "Airpower in the News," from the April 1971 issue of *AIR FORCE* Magazine, the publication of the Air Force Association. Mr. Witze is the magazine's senior editor.

The winter issue of the *Columbia Journalism Review*, a quarterly published at the Columbia University Graduate School of Journalism, is devoted almost entirely to a study of how the press has performed in covering the war in Vietnam. The only possible conclusion a reader of these eight essays can reach is that the press has done a deplorable job. No matter what epithets you might want to hurl at the political administrations in Washington and Saigon, at the military hierarchy, at the military-industrial complex and at the doves or the hawks, even more heated epithets could justifiably be thrown at the purveyors of ink and electronic signals.

There is one examination of television's performance, written by Fred W. Friendly, a former president of CBS News, who indulges in a bit of self-flagellation, confessing that the "news media, and particularly broadcast journalism" must share the responsibility for public misunderstanding of the situation in Indochina. Speaking of the years when he, Friendly, was the man in charge at CBS, he says, "The mistakes we made in 1964 and 1965 almost outran those of the statesmen."

One thing missing from Mr. Friendly's rec-

itation is any suggestion that the television medium lends itself in a peculiar way to distortion of fact. This reporter has nearly 40 years of experience on newspapers and magazines, including more than a decade operating from the copy desk of a metropolitan daily. Television news was born and brought up within that same 40-year period. I have watched it closely and confess that I never was impressed by its impact until Lee Harvey Oswald was murdered on camera. No newspaper or magazine will ever duplicate that 1963 performance in Dallas. Yet, if I saw it today, I would demand confirmation that the event took place at all and that what we saw on the tube was not a clever compilation of film clips, snipped from a wide variety of source material and glued together to make a visual product that could be marketed to some huckster of toothpaste or gasoline and then turn out to be a winner of the Peabody Award.

In support of this professional skepticism, we have the performance of Mr. Friendly's own CBS on February 23. The program was billed as a "News Special" and was called "The Selling of the Pentagon." It ran for one hour, with commercials, and featured a recitation of the script by CBS's charismatic Roger Mudd. Mr. Mudd did not write the script; he was burdened with it. The show's producer works in New York. He is reported to be 34-year-old Peter Davis, who says he and his staff spent 10 months working on this "documentary." Mr. Davis does not appear to make any claim to objectivity in his work. He is making a charge: that the Department of Defense spends a vast amount of money on propaganda designed to win public approval of its programs. Armed with cameras, scissors and cement, he proceeded to make his case.

This magazine has neither the space nor the desire to do a detailed critique of "The Selling of the Pentagon," but we have examined enough of it to demonstrate that it leaves CBS with a credibility gap wider than the canyons at Rockefeller Center. Here is an example:

At one point, early in the script, Mr. Mudd, the narrator, transitions to a new sequence in Mr. Davis' portrayal with a paragraph of four sentences. We will examine the sentences one at a time:

MUDD. "The Pentagon has a team of colonels touring the country to lecture on foreign policy."

The team to which he refers comes from the Industrial College of the Armed Forces (ICAF), with headquarters here in Washington. There are four colonels on the team—two from the Army and one each from the Air Force and the Marine Corps. There is also a Navy captain, and, totally ignored by CBS, a foreign-service officer from the State Department. They are not "touring the country." They have a briefing on national-security policy that is given seven times a year, no more and no less. ICAF is not mentioned in the CBS script, and there is no reference to the mission of the college. A TV cameraman who visited the school could easily take a picture in the lobby of a wall inscription that says:

"Our liberties rest with our people, upon the scope and depth of their understanding of the nation's spiritual, political, military, and economic realities. It is the high mission of the Industrial College of the Armed Forces to develop such understanding among our people and their military and civilian leaders."

The quote is attributed to Dwight D. Eisenhower, who spoke those words at the dedication of the college in 1960. He understood the requirement, perhaps more clearly than any other man in our history.

The ICAF national-security policy briefing is designed for the education of Reserve officers from all branches of the armed forces, not primarily for the general public. The

reason the team, including the State Department officer, gives it in seven locations each year is to reduce travel expenses by eliminating the necessity for Reserve officers to visit the college. None of this was explained by CBS.

MUDD. "We found them [the ICAF team] in Peoria, Ill., where they were invited to speak to a mixed audience of civilians and military Reservists."

Here we have a use of the word "found" that would not be permitted by a competent newspaper copy editor. CBS was told that Peoria was on the schedule, and the CBS camera crew spent three days at the seminar in that city with the concurrence and cooperation of the Defense Department, the ICAF, and the Peoria Association of Commerce. Before departing, CBS was given full information on the curriculum, the scheduling, the military and civilian participation, the costs and the funding. The Association of Commerce was the sponsor, in this case, and was permitted to establish the rules under which civilians were admitted. Their seminar, billed in Peoria as the "World Affairs Forum"—a label not mentioned by CBS—covered all aspects of national-security affairs. That includes economics, resources, technology, social problems and military affairs, as well as foreign policy.

MUDD. "The invitation [to Peoria] was arranged by Peoria's Caterpillar Tractor Co., which did \$39 million of business last year with the Defense Department."

The Peoria seminar was not arranged by the Caterpillar Tractor Co. It was arranged by the city's Association of Commerce, which provided the auditorium and other facilities. The Association has no defense contracts. A spokesman for the Association, contacted by this reporter, said his group shared the sponsorship with the 9th Naval District. There were two chairmen for the meeting. The civilian chairman was Charles B. Leber, who in his business life is an officer of the Caterpillar Tractor Co. The military chairman was Captain Paul Haberkorn, USNR. He is the owner and operator of Peoria's Ace Hardware Store. The hardware store also has no defense contracts, which probably explains why it failed to get a mention on the CBS show.

MUDD. "The Army has a regulation stating: 'Personnel should not speak on the foreign-policy implications of the U.S. involvement in Vietnam.'"

The ICAF team, consisting of five military officers and a State Department officer, does not speak on the foreign-policy implications of our involvement in Vietnam, which would be in violation of Army regulations. The regulations governing ICAF say the material used must be cleared for accuracy, propriety, and consistency with official policy. Both the State Department and the Defense Department have a hand in this routine clearance of all ICAF presentations.

In the CBS show, the camera moves from Mr. Mudd, following his recitation of the above inaccuracies, to one of the lecturers at Peoria. CBS does not identify the speaker in this paste-together of film clips, but he is Colonel John A. MacNeil of the U.S. Marines, a veteran of World War II and Vietnam. If the TV audience sensed that the next five sentences, out of the mouth of Colonel MacNeil, sounded somewhat disjointed, there was good reason for it. They came from four different spots in the camera record and the sequence was rearranged to suit the somewhat warped taste of producer Davis. Sentence by sentence, the quotes go like this:

MACNEIL. "Well, now we're coming to the heart of the problem, Vietnam."

This appears on page 55 of the prepared, and approved, text of the briefing. Next sentence:

MACNEIL. "Now, the Chinese have clearly and repeatedly stated that Thailand is next on their list after Vietnam."

That one was cut out of what the Colonel was saying back when he was on page 36 and discussing an entirely different aspect of the presentation. Then:

MACNEIL: "If South Vietnam becomes Communist, it will be difficult for Laos to exist. The same goes for Cambodia and the other countries of Southeast Asia."

This is found on page 48 of the script. What is most important is that the statement was not original with Colonel MacNeil or the drafters of the briefing. It is a quotation. The CBS scissors-and-paste wizard deleted the attribution. Colonel MacNeil made it clear, in the words immediately preceding the above sentences, that he was quoting Souvanna Phouma, the Prime Minister of Laos. In other words, Souvanna Phouma said it; CBS distorted the film to make its viewers think Colonel MacNeil said it. It is the kind of journalistic dishonesty that a reputable newspaper would not tolerate. Many reporters have been fired for lesser indiscretions.

MACNEIL: "So, I think if the Communists were to win in South Vietnam, the record in the North, what happened in Tet of '68 makes it clear that there would be a bloodbath in store for a lot of the population of the South."

To get this one, the CBS film clipper searched deeper into his filmed record. In the prepared script of the ICAF team, it appears on page 73.

It is easy to see how this technique can be used to make a man say almost anything you want him to say. Once the right words are on tape, they can be rearranged, and were by CBS in this instance, to make a presentation sound inept, stupid, wrong, vicious or to reach any conclusion that the film clipper wants to get across to his audience. What the speaker actually put onto the sound track cannot be recognized.

Another example of this in "The Selling of the Pentagon" comes out of Roger Mudd's interview with Daniel Z. Henkin, the Assistant Secretary of Defense for Public Affairs. Two minutes and four seconds of the interview were used out of 42 minutes of filmed conversation. Here is one breakdown:

MUDD: "What about your public displays of military equipment at state fairs and shopping centers? What purpose does that serve?"

Now, that is not easy to explain, but there are two answers to that question from Mr. Henkin. One is his real answer and the other is the answer concocted by the CBS cutting room from the available tape. TV viewers only know the answer CBS put together. We will give you both.

Here is the answer from the transcript of the Mudd broadcast:

HENKIN: "Well, I think it serves the purpose of informing the public about their armed forces. I believe the American public has the right to request information about the armed forces, to have speakers come before them, to ask questions and to understand the need for our armed forces, why we ask for the funds that we do ask for, how we spend these funds, what we are doing about such problems as drugs—and we do have a drug problem in the armed forces; what we are doing about the racial problem—and we do have a racial problem. I think the public has a valid right to ask us these questions."

If the TV viewers thought that was a bit disjointed for a reply and, more important, that it did not answer the question about displays at fairs and shopping centers, it was not Mr. Henkin's fault, because—except for the first sentence—that was not his answer to the question. In the transcript of the interview, the real answer appears, most of which ended up on the CBS cutting-room floor.

HENKIN: "Well, I think it serves the purpose of informing the public about their

armed forces. It also has the ancillary benefit, I would hope, of stimulating interest in recruiting as we move or try to move to zero draft calls and increased reliance on volunteers for our armed forces. I think it is very important that the American youth have an opportunity to learn about the armed forces."

This reply, the real one, of course makes sense and is responsive to the question. The producers of "The Selling of the Pentagon," however, was less interested in responsive answers that made sense than he was in portraying Mr. Henkin as a bureaucratic buffoon. The Secretary, incidentally, is himself an experienced and sophisticated reporter of military affairs but can be portrayed otherwise with the television technique of clipping what amounts to a phony reply from his answer to another question. And the other question, TV viewers did not know, also ended up on the cutting-room floor.

It is not necessary to labor the point, although there are several other instances, Mr. Henkin, in a letter to F. Edward Hébert, Chairman of the House Armed Services Committee, said that after spending his life in the news profession he "could not be pleased by the fact that the program's producer [Mr. Davis] chose to rearrange my words. . . ."

Congressman Hébert himself stars in "The Selling of the Pentagon." He also is a former newspaperman and stands completely shaken by this experience with television, although he had been quoted earlier as considering network TV "the most vicious instrument in America today."

That opinion appears to have been reinforced. Lou G. Burnett, who is Mr. Hébert's press aide, testifies that he was contacted early in the CBS effort by one James Branon of the network's New York office. Mr. Branon said CBS was planning to do a documentary on the prisoner-of-war situation. He said the show would explore the plight of the POW and his family. He was seeking film clips that might contribute to this exercise. Mr. Burnett responded with alacrity because he knows his boss is deeply interested in the problem and eager to help the POW families. In New Orleans, he knew, station WWL-TV had a film clip from an old "Congressional Report" program, in which the Congressman had interviewed Major James Rowe, a former POW. The interview was in the form of a report to Mr. Hébert's constituents. Mr. Burnett, Mr. Hébert's press aide, had the film shipped from New Orleans to New York and helped CBS's Mr. Branon round up other films dealing with the POW problem. The Hébert clip wound up in "The Selling of the Pentagon" and was offered as an example of how "sympathetic congressmen" are used by the Pentagon "to counter what it regards as the antimilitary tilt of network reporting."

Mr. Hébert's ire, it should be suggested was aroused more by his depiction as a patsy for the Defense Department than it was by the misrepresentations used to obtain the film. The chairman is, of course, proud of his reputation as a stern critic of military transgressions wherever they occur. In many years as an inquisitor for the House Armed Services Committee, he has never been accused of being unfair, but often accused of being tough. From the time of his famous "Chamber of Horrors," which depicted military procurement waste and had officers squirming at their desks, to the most recent congressional inquiry into the My Lai incident, he has been one of the Pentagon's most uncomfortable hair shirts.

Mr. Henkin's office estimates that it expended 640 man-hours of labor assisting CBS in the production of "The Selling of the Pentagon." No reasonable request for help was denied. CBS reimbursed the government for the cost of one guard and one

electrician employed during photography one day in the Pentagon.

Out of this day's effort came a short clip of a news briefing that was deemed suitable by CBS for inclusion in "The Selling of the Pentagon." The CBS crew filmed an entire DoD press briefing, at which Jerry W. Friedheim, a deputy to Mr. Henkin, responded to routine queries from the Pentagon's regular press corps. During the session, the reporters asked 34 questions. Thirty-one of them brought replies from Mr. Friedheim. In three cases, he was unable to be responsive. As the film was edited for broadcast, CBS used six of the 34 questions, including, of course, all three of the ones that could not be answered. Why couldn't they be answered? In one example, used by CBS, Mr. Friedheim was asked about the size of some warheads. He said he had nothing to give out on that. If he did have something and gave it out, he could go to jail.

There are a number of small factual errors in the CBS script that represent nothing more than sloppy reporting. For example, narrator Mudd has a line referring to "30,000 Pentagon offices." There are only a few more than 26,000 persons employed in the Pentagon, all but the top executives sharing an office with many other people. An educated guess is that there may be 5,000 offices in the building.

One interesting fact, denied to viewers of "The Selling of the Pentagon" by CBS editors, is the origin of a clip introduced by Mr. Mudd as "an excerpt from a film called 'Road to the Wall' [in which] the Pentagon has James Cagney tell of a Communist plan that encompasses even more than the world." The excerpt was shown. What CBS did not disclose is that "The Road to the Wall" was produced by CBS itself in 1962 and that James Cagney was the CBS choice as star of the picture. Also, that CBS was paid about \$100,000 of the taxpayers' money to turn out the picture. At the time, CBS Films said in a press release from its offices—on Madison Avenue, of all places—that the picture would be "an historical treatment of the Communist Party in operation throughout the world—its doctrine, its pronouncements." In 1962 CBS was far from derisive about the project and was proud that "it will be distributed for showing at all military bases inside and outside the USA and will be backed with pamphlets, posters and other informational material on communism."

Once all the facts about "The Selling of the Pentagon" are on the record, and someone has examined the clips on the cutting-room floor, it will be interesting to find out what Fred Friendly will write about it in the *Columbia Journalism Review*. From where we sit, watching the tube, the broadcast industry continues to carry its share of responsibility for public misunderstanding. The incredible thing is that the camera is not to blame. It's scissors, paste and a collection of calloused consciences.

CURRENT ECONOMIC TRENDS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. GAYDOS. Mr. Speaker, there has been considerable discussion about the effect the administration's latest inflation alert will have on the upcoming contract negotiations within the basic steel industry. I, along with others, feel the administration was wrong in imply-

ing the steelworker was escalating inflation in seeking wage increases when, in reality, all he is seeking to do is catch up with a cost of living which has increased from 2.8 percent in 1967 to 5.9 percent in 1970.

A very clear explanation of how labor feels about the administration's interference and current economic trends was given during a recent labor news conference radio interview, featuring Nathaniel Goldfinger, director of the AFL-CIO's department of research, and several leading representatives of the press. I would like to insert a transcript of that interview into the RECORD, and respectfully urge my colleagues to read it.

The transcript follows:

CURRENT ECONOMIC TRENDS

Guest: Nathaniel Goldfinger, director of the AFL-CIO's Department of Research.

Reporters: Hobart Rowen, business and financial editor of the Washington Post; Murray Seeger, Washington correspondent for the Los Angeles Times.

Moderator: Frank Harden.

MUTUAL ANNOUNCER. The following time is presented as a public service by this station and the Mutual Broadcasting System.

HARDEN. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL-CIO. Labor News Conference brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is Nathaniel Goldfinger, director of the AFL-CIO's Department of Research.

In the view of the AFL-CIO, the Nixon Administration's economic policies have failed to effectively stem the inflationary spiral that continues to erode the buying power of workers' wages, while recent White House pronouncements and actions have created a double standard that rewards business and banks while demanding restraints on workers' wages. Here to question Mr. Goldfinger about the effects of the Administration's economic policies, and alternatives the AFL-CIO urges, are Hobart Rowen, business and financial editor of the Washington Post, and Murray Seeger, Washington correspondent for the Los Angeles Times. Your moderator, Frank Harden.

And now, Mr. Rowen, I believe you have the first question?

ROWEN. Mr. Goldfinger the White House issued its third so-called "inflation alert" a few days ago, which said, in a broad way, that we were making some modest progress in controlling price inflation, but very little progress on the wage side. I wonder what your reaction is to that statement?

GOLDFINGER. Well, Mr. Rowen, once again, that's the Administration's tack—trying to single out the working people of this country as "scapegoats" for the Administration's own failures.

The Administration, when it came into office in January 1969, promised to cool the economy and to cool inflation. But, their "game plan" was obviously ill conceived—it's been obviously one big flop. It has resulted in rising unemployment—a recession, followed by stagnation.

At the same time, there has been a continuation of rapid increases in price levels. Even in the past couple of months, the Consumer Price Index—which is the government's measure of living costs—has been about 5% above a year ago.

Well, with all of this in the picture, and with soaring bank profits—soaring salaries of bank executives, and all sorts of other things, including land speculation, land prices, and so on—the Administration's focus in these past several months has been to blame all of the problems on the working people, and on working people who seek wage increases.

And mind you, Mr. Rowen, these are wage increases that are sought, by and large, to offset the prior rise in the cost of living.

ROWEN. Well, Mr. Goldfinger, isn't it a fact though that wage increases have been continuing to go up very sharply, while profits in the economy have actually been going down, as a share of the national income?

GOLDFINGER. Well, that's both true and hokum at the same time.

The point is, the cash-flow to corporations in this country skyrocketed 91%—91%, Mr. Rowen, from 1960 until the middle of 1969. They have declined since the middle of 1969, as the result of the recession—with declining sales and declining production. But at the same time, while the cash-flow to non-financial corporations has eased off, the cash-flow and profits to banks have been soaring, as a result of very high interest rates—the highest interest rates in 100 years.

So when you look at the profit situation, it's not quite the way the Administration poses it.

The profit overall situation in the past several months is a reflection of the recession—not a reflection of price reductions, or even of cuts in profit margins. The current situation in the American economy, unfortunately, is one of relative economic stagnation, following a period of more than a year of general economic recession—with rising unemployment, cuts in production, cutbacks in working hours, and actual declines of the buying power of the average worker's weekly take-home pay.

SEEGER. Mr. Goldfinger, this most recent inflation alert focused on the negotiations coming up in the basic steel industry. For the first time, the White House is talking about negotiations ahead of time, and warning against an inflationary settlement in that industry. Do you see this as a change of policy?

GOLDFINGER. Well, I'm not sure to what degree it's a change of policy, but the way I see it rather clearly in my mind, Mr. Seeger, is that the White House and the Administration is sitting on the other side of the bargaining table—with the corporations—against the workers.

This is the White House injecting itself into a collective bargaining situation.

I think it is shocking—it's a shocking lack of objectivity—it's a shocking example of the Administration showing its partiality for the corporations and against the workers.

SEEGER. Earlier, this Administration said it would stay out of collective bargaining negotiations. In the last few weeks, we've had the formation of a committee in the building trades industry to set some type of guidelines for wage increases. Now we have this—what used to be called "jawboning"—in the steel industry. This seems to be an escalation by the White House.

GOLDFINGER. Well, it does look to me, Mr. Seeger, like an escalation of "scapegoating"—"scapegoating" the American workingman, trying to lay the blame for all of the problems—all of the failures of the economic policies of this Administration—on the workingman, rather than where it belongs—and it belongs, essentially, right at the doorstep of the Administration.

ROWEN. What share of responsibility, Mr. Goldfinger, do you think that labor generally should accept and take for the current inflation?

GOLDFINGER. Well, the working people in this country did not cause the inflation, and the working people of this country are its prime victims.

Wage increases have caused increases in unit cost, to some degree—that's true.

But, this is a minor factor in the overall situation. The cause of the acceleration of inflation over the past couple of years, Mr. Rowen, has been the Administration's own policies, which shot interest rates up to the highest levels in 100 years. They shot up—in

1969 and early 1970—to the highest level since the 1860's. The rise in interest rates put increased pressure on costs and prices throughout the economy.

Now, a second factor of great importance, in terms of the Administration's contribution to the stepped-up rise of living costs, has been the recession itself.

With industry operating at 74% of productive capacity, it's obvious that the productive efficiency of the American economy is at a standstill.

That's what's happened—and, as a result of productive efficiency being more or less at a standstill during much of the past two years, we have additional pressures on unit costs. Now, if you look at the record, Mr. Rowen, you find that the cost of living rose 2.8% in 1967; 4.2% in '68; 5.4% in '69; 5.9% in 1970—and in the first couple of months of this year, it's running about 5% a year ago.

Now, workers obviously are trying to offset that when they come into bargaining—into negotiations with employers—workers and unions are trying to offset the prior increases in living costs, and to make some improvements in buying power.

ROWEN. Well, Mr. Meany told the Senate Banking Committee the other day—he said this—"We want inflation ended. We want full employment restored. We are prepared to sacrifice to meet these goals—as much as anyone else." What would be the program of the AFL-CIO to curb inflation and restore full employment?

GOLDFINGER. Well, that's a big order for a short program.

We of the AFL-CIO have made numerous recommendations—very specific recommendations.

In the first place, we think that the economy has to be lifted. We need a boost in the economy. We need job-creation to reduce the very high levels of unemployment.

There is a bill before Congress right now, which has passed the United States Senate and is moving ahead in the House of Representatives, which would create public service jobs in state and local governments and federal agencies—by and large, for long-term unemployed people. It is called the Public Service Jobs Program.

The President of the United States—Mr. Nixon—vetoed this kind of legislation several months ago.

Now, the Congress is moving ahead again—moving with a similar bill. We think that the adoption of this kind of bill is essential, as one small step toward job-creation and toward a reduction of unemployment.

Another thing which is essential, we think, is stepped-up expenditures—government expenditures—at the federal, state and local levels—with federal grants-in-aid to state and local governments for essential social improvements, such as urban transit, street improvements, public buildings, anti-pollution devices, water and sewer systems.

These kinds of things are badly needed by the cities, and by the states, and by the American people. They would create jobs both on the site—on the construction sites—and in the manufacture of goods—and the materials. This kind of development would not only reduce unemployment, it also would increase industry's productive efficiency, and thereby, begin to reduce some of the pressures on unit costs.

These are some of the things which we believe are needed.

But moreover, Mr. Rowen, as Mr. Meany stated once again—before the Senate Banking Committee a couple of weeks ago—the AFL-CIO is prepared to cooperate with overall, across-the-board stabilization controls, if the President deems that they are necessary, provided that such overall stabilization controls are on all forms of income—all prices, profits, dividends, rents and interest payments—as well as on the wages and salaries of workers.

SEGER. The authority cited by Mr. Nixon for his stabilization plan in the building industry, Mr. Goldfinger, was this stabilization law. Now, I see, the AFL-CIO is supporting renewal of that authority. Were you surprised that this was used in just one sector of the economy?

GOLDFINGER. Yes, Mr. Seeger, we were surprised by that.

We supported the original legislation. We endorsed the purpose of the original legislation when it was pending before the Congress last year.

It's interesting that the Nixon Administration opposed the legislation at that time. They then used it, in our view, in an utterly distorted form. This legislation provided, as we saw it, for across-the-board controls—gave standby authority to the President of the United States for across-the-board and equitable controls—not only on the wages of workers, but on executive compensation, prices and profits too.

The President's Executive Order on construction stabilization, which is entitled Stabilization of Wages and Prices, is very specific in its controls on wages. But, there is hardly anything more than vague language about some kind of future effort by a government committee that is going to look into the possibility of some kind of restraint on construction prices, on executive compensation of employers and management in construction, and on profits.

The order is completely inequitable and unfair. It is solely weighted against the workers in the construction industry.

SEGER. Well, do you want that law rewritten when it's renewed? It expires in a few weeks.

GOLDFINGER. Mr. Meany very specifically urged that the Congress, in extending the law, make it abundantly clear that this authority is for overall, across-the-board, and even-handed measures, rather than for singling out one industry or one group of workers.

ROWEN. Mr. Goldfinger, at the same time the White House put out its Inflation Alert, Chairman McCracken, of the Economic Council, spoke somewhat optimistically about results in the first quarter. He said there had been a strong upturn, and that there were hopes for improving sales. How does that check with your own assessment of the recovery from the recession?

GOLDFINGER. Well, Mr. Rowen, that looks to me again like optimistic rhetoric.

It looks to us like the Administration—instead of adopting concrete programs to lift the economy to create jobs, to increase sales and production—it looks to us like the Administration is engaged in some kind of program of trying to psych the economy upward.

This goes back to the French psychologists of the 1920's, who said that every day, in every way, things are getting better and better.

Apparently, the Administration is following that kind of strange advice—just keep saying things are better and perhaps they will get better.

But, if you look at the record—at the concrete evidence—the point is that there were approximately 5 million unemployed people in the first quarter of this year—that's the January-March quarter of this year.

ROWEN. Will that number grow, do you think?

GOLDFINGER. Yes—that is the same number of unemployed as in the fourth quarter—the last quarter of 1970.

I'm afraid that on the basis of the way things look, Mr. Rowen, that number will grow.

There is no evidence in the cards now—there is nothing on the horizon to indicate any significant sharp push of sales, production and employment.

SEGER. Do you see the economy getting an exaggerated push from the auto industry,

and from the steel industry, in this quarter? Do you see the possibility of that slacking in the second quarter?

GOLDFINGER. Well, much of what Dr. McCracken is talking about—the first quarter rise in the Gross National Product—is simply a rebound from the effects of the General Motors strike last October and November.

But, there is no evidence of any widespread upsurge of activity in this economy. That's one of the things that very badly disturbs the American people generally, and particularly the trade union movement. We see a record of not only high levels of unemployment, but, month after month, the Labor Department reports—in the past several months—continuing widepreads, rather small, true enough, but widespread layoffs—in the construction industry—in almost every manufacturing industry.

The only sector of the economy where employment is increasing substantially is state and local government employment.

ROWEN. You spoke a moment ago about the need for more public service jobs, and for larger federal expenditures to stimulate the economy. What would be the AFL-CIO's attitude toward a program for further tax cuts, or for acceleration of the tax cuts that have already been planned for 1972 and '73?

GOLDFINGER. Our emphasis, Mr. Rowen, is on the Administration's moving ahead on the needed job-creation programs.

Let me give you an example of the kind of situation that exists.

According to the Senate—United States Senate committee—this Administration now has more than \$12 billion of appropriated funds frozen. These funds include things like \$191 million for Appalachian regional development; \$217 million for forest roads and trails; \$942 million for low-rent public housing; \$200 million for basic water and sewer facilities grants; \$583 million for Model Cities programs.

Now, we think that these funds, which have been appropriated by the Congress, should be spent by the Administration to create jobs and to provide these badly-needed improvements. The cities certainly need them.

ROWEN. Well, does that mean that the AFL-CIO would be against tax cuts in this situation?

GOLDFINGER. We have not adopted a policy on that specific issue, Mr. Rowen.

But, at the moment, we think it is much more important to get this economy moving ahead on the basis of existing programs and existing authority. We think it is much more important to get a large portion of the \$12 billion that the President is sitting on—has frozen—to get that money into public investment and job-creation programs—particularly when the cities are in such a sad state. It seems shameful to us that there is almost \$1 billion for low-rent public housing frozen by the Administration, and almost \$600 million additional funds for Model Cities programs frozen.

SEGER. Mr. Goldfinger, the White House analysis the other day showed that the only area where wage increases seem to be slackening off is the non-union manufacturing area. This would make it sound as if during a recession, unions should grow. Is that what's been happening in this last period?

GOLDFINGER. I haven't followed the month-to-month reports on this.

Union dues payments tend to decline during a recession, because of unemployment and layoffs. When people aren't at work, those things decline.

It's quite obvious, from the report, that those non-union people need a union, to protect them and to provide advances.

Unions have been growing in the past number of years. In some parts of the economy, such as state and local government employment—and public employment generally—there have been very significant advances in union membership.

ROWEN. Would you be as strongly against restoration of the 7% investment tax credit as you are against accelerated depreciation?

GOLDFINGER. Mr. Rowen, we are opposed to both devices—they are tax bonanzas to big business.

The Administration has come up with this step-up in depreciation, which is a tax bonanza of \$3 to \$4 billion a year for the next several years.

This is another example of the double standard followed by this Administration. They blame the workers for the problems that exist, and then give handouts to business.

The 7% credit is the same kind of device as the accelerated depreciation.

HARDEN. Thank you, gentlemen. Today's Labor News Conference guest was Nathaniel Goldfinger, director of the AFL-CIO's Department of Research. Representing the press were Murray Seeger, Washington correspondent for the Los Angeles Times, and Hobart Rowen, business and financial editor of the Washington Post. This is your moderator, Frank Harden, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL-CIO, produced in cooperation with the Mutual Broadcasting System.

MUTUAL ANNOUNCER. The preceding program time was presented as a public service by this station and the Mutual Broadcasting System. The opinions expressed are solely those of the participants.

INTERFAITH RALLY IN WEST ORANGE, N.J.

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. MINISH. Mr. Speaker, on April 20 I discussed in the RECORD the shocking bombing of the Jewish Center in West Orange, N.J. I am pleased to follow up on that report by informing my colleagues of the interfaith rally held in West Orange last Sunday organized by local civic and religious groups.

An estimated 1,000 persons gathered at West Orange Mountain High School to mount a "Rally for Unity." Also present at the rally, sponsored by 15 churches and synagogues and 47 local organizations, were West Orange Mayor Louis P. Falcone and former State Senator Mac-yln Goldman.

After the closing prayer was delivered by Msgr. John T. Lawlor of Our Lady of Lourdes Rectory, the rally participants marched from the high school to the lawn of the Jewish Center despite rain.

Mr. Speaker, I believe that out of this tragic bombing incident has come a strong showing of brotherhood, for which the citizens of West Orange can justifiably take pride. This community, in which I have the good fortune to reside, has demonstrated its total commitment to redress the wrongs perpetuated against one house of worship within the community. In such stressful times it is good to see a community such as West Orange, which is truly united.

For the edification of my colleague, I include below the speech delivered by keynote speaker Judge Brendan T. Byrne, as well as the program of the

rally for unity which lists both the participants and the sponsors of the rally:

REMARKS OF JUDGE BRENDAN T. BYRNE—
MAY 2, 1971

This is a special day for West Orange! A day in which we come together from various callings to demonstrate unity.

Many of us were literally awakened to the need for this demonstration of unity by the events of April 18th, two weeks ago. A blast rocked the mountain top and the augur of violence which had never really threatened our community before, seemed to be upon us.

And those who woke early and heard radio accounts of what had happened, heard interviews with a courageous rabbi, who standing in the midst of terror and destruction was announcing his determination to carry on. Rabbi Mozeson's course has been charted with a dedication that does not yield to intimidation or panic, and which did not yield on that morning even for a moment.

So, under Harold Mozeson's inspiration, a sense of normalcy quickly returned to our community. The panic that might have been, was not. Nothing was destroyed but brick and lumber; and a leader of the Jewish Community, even if he had stood alone, was unshakable.

Yet, a significant thing happened in West Orange. The community, with remarkable unity, determined that Harold Mozeson would not stand alone. Immediate offers of support and assistance were forthcoming. Community outrage was universal. People who did not know where the Jewish Community Center is in West Orange, felt that their values had been threatened. And the Rabbi who stood alone in the rubble, found he was not alone. He saw an outpouring of community leaders, of civic leaders, of religious leaders, and of citizens, which was unparalleled in our community history.

This was not an outpouring of people who felt a sense of shared guilt for the wanton act of destruction of April 18th. It was an outpouring of people who shared a sense of appreciation for what the Jewish Community Center stands for in West Orange, and who could not passively accept any threat to it.

That outpouring must have impressed and comforted Rabbi Mozeson. And I know it has added to his strength in his determination to rebuild.

But he has made it clear that the rebuilding is only of the bricks and lumber and physical structure, because nothing else was destroyed.

The attack on April 18th was obviously an attack on a symbol. What that symbol stood for is only of the bricks and lumber and spirit of community service by a congregation, that spirit is undamaged.

If the attack was on the spirit of dedication of a rabbi to his congregation, that spirit is undamaged.

If that attack was on a forum where ideas could be exchanged and where controversy could be explored, that forum exists and will continue to exist.

If that attack was on the courage of a man, of a rabbi, of a leader, that courage has been tested—that courage is firm.

If that attack was on the concept of tolerance in this community, that tolerance is more firmly rooted than it has ever been.

April 18th is a significant date in the history of our country. It was the date on which the people of Lexington and Concord were awakened to the need to protect freedom and liberty. They stood and were counted. We stand to be counted today.

RALLY FOR UNITY—MAY 2, 1971

Mountain High School Auditorium and
Jewish Center of West Orange

PROGRAM

Pledge of allegiance—Entire assembly.
Invocation by Rev. Ernest C. Enslin, Pleasantdale Presbyterian Church.

Showing of colors—Boy Scouts, Girl Scouts, Veterans Groups.

National anthem—Entire assembly.

Greetings—Harry Bonnet, President, Town Council.

Keynote address—Honorable Brendan Byrne.

A message from our youth—Participants to be announced.

Acknowledgement—Murray Gottlieb, President, Jewish Center.

Song presentation—Lincoln Jr. High School 8th Grade Choir, Ronald Owens, Director.

Benediction—Father John Judge, Our Lady of Lourdes Church.

Entire assembly to march to the Jewish Center and reassemble on the Temple Grounds.

Song "Kumbaya" and Friendship Chain—Cantor Edward W. Berman, Choir and Assembly.

Closing prayer—Rabbi Harold Mozeson, Temple B'nai Sholom, Jewish Center of West Orange.

SPONSORS

Churches and synagogues

Olivet Congregational Christian.
Holy Trinity Episcopal.
St. Mark's.
Church of the Holy Innocents.
Bethany-Evangelical Free.
Beth Israel Synagogue.
Ahawas Achim B'nai Jacob and David Norwegian Mission Assembly.
Patterson Memorial Presbyterian.
Pleasantdale Presbyterian.
Ridgewood Community.
St. Cloud Presbyterian.
Our Lady of Lourdes Roman Catholic.
St. Joseph's Catholic Church.
Church of God—Undenominational.

Organizations

American Legion Post No. 22.
American Jewish Committee.
B'nai Brith Lodge No. 1068.
B'nai Brith Women, West Orange Chapter.
Boy Scouts of America, West Orange Troops.
Catholic Daughters of America No. 782.
Citizens League of West Orange.
Community Service Council of Orange and Maplewood.
Creative Arts Group.
Crestmont Deborah.
Democratic Club of West Orange.
Girl Scouts of America, West Orange Troops.
Hadassah.
Jewish War Veterans.
Jaycees, West Orange.
Junior Women's Club of West Orange.
Knights of Columbus, West Orange.
Ladies Catholic Benevolent Association.
League of Women Voters.
Mountain High Booster Club.
National Council of Jewish Women, West Orange.
O. R. T.
Police Athletic League and Women's Division.
Pleasantdale Businessmen's Association.
Republican Club of West Orange.
Rotary Club of West Orange.
Societies of Our Lady of Lourdes Church.
Suburban Club.
Tory Corner Businessmen's Association.
Unico National, Orange-West Orange Chapter.
Valley Civic Association.
Valley Settlement House.
V.F.W. No. 376.
West Orange Chamber of Commerce.
West Orange Chronicle.
West Orange Community House.
West Orange Civil Defense.
West Orange Council of P.T.A.'s.
West Orange Fire Auxiliary.
West Orange First Aid Squad and Ladies Auxiliary.
West Orange High School Booster Club.
West Orange Kiwanis.

West Orange Lions Club.
West Orange Mountain Top League.
West Orange Optimists.
West Orange Police Auxiliary.
Women's Club of West Orange.

Chairman and Master of Ceremonies—
Father John Judge, Our Lady of Lourdes Church.

Co-chairmen—Rev. Ernest C. Enslin; Rev. Kenneth Lynde; and Rev. Harold J. Stanton.

Honorary chairman—Rabbi Harold Mozeson.

PAST, PRESENT, AND FUTURE OF
THE INTER-AMERICAN SYSTEM

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. FASCELL. Mr. Speaker, one of the questions put to me most frequently as chairman of the Inter-American Affairs Subcommittee is why we in the United States should keep giving assistance to the nations of Latin America.

Seldom have I seen that question answered so succinctly or eloquently as it was in a recent Pan American Day speech in Tampa, Fla., by the Honorable Eduardo Gaitan-Duran, Minister Plenipotentiary of the Embassy of Colombia.

Because of the interest of many in this Chamber in Latin America, I am inserting the speech in the RECORD:

PAST, PRESENT, AND FUTURE OF THE INTER-AMERICAN SYSTEM

Mr. Chairman: First of all I want to express deep appreciation, on behalf of Mrs. Gaitan and myself, for your kind invitation to speak to you tonight. As a representative of my country, I feel deeply honored to address such a distinguished audience regarding the special relationship between the countries of the Americas—an appropriate and meaningful subject for this Pan American Day celebration.

I do not believe it is necessary to recall all the history that has forged such a profound and unique relationship between the countries of the Hemisphere. Everyone here knows that since the very dawn of our independence there has been a conception of unity and solidarity as a common enterprise for peace among the Republics of the Americas.

Today Pan American relations are cemented by an international law of its own, which applies the universal principles of the law of nations with special human and social characteristics. Over a period of eighty years, with the participation of all member nations, there has been an incredible amount of work devoted to perfecting and strengthening the economic, political, cultural and military bonds of the Hemisphere. Thus, the legal body that represents Pan American ideals—the Organization of American States—is a dynamic system that has changed with the times and the needs of the people of the Americas, acquiring an unsurpassed degree of competence that makes it possible to keep alive the drive to promote a better life for all Americans.

But the greatest change in the system is the conviction expressed by all its members that economic and social development is possible and that the conditions of poverty, hunger and ignorance that afflict the majority of its people must and can be changed. The future of the Pan American System rests on the premise that the improvement of the conditions of the peoples in the Americas is its most urgent and important task, basic to the stability of all the members of the system.

Since World War II, however, two funda-

mental changes have occurred in Latin America: a rapid population increase and a migration from the rural to the urban areas. For example: Colombia's three largest cities have been growing at rates over 6% a year for the past two decades, and over 50% of the population of Colombia now lives in cities of 100,000 people or more. In 1938, 70% of the population lived in the country-side. Selective migration of young adults from rural to urban areas has resulted in a slow expansion of the rural force, while the urban labor force has increased at a rate of 4.4% annually. As of 1964 three quarters of Bogota's population between the ages of 15 and 59 had been born outside the city, and almost half of them had arrived in the capital within the preceding eleven years,—since 1953. Bogota today has a population of 2.5 million people and by 1975 it will reach 3.5 million. These trends may be observed in most of the other countries of Latin America.

Besides the altered composition of the urban population, the rate of the general population growth is explosive: forty years ago the yearly rate of increase was 1.8%, today it is 3.0%. At the present rate it is estimated that by the year 1980 the population of Latin America will be 337 million and by the year 2,000 will reach 580 million.

The changes in size and location of the population of Latin America have been the predominant factors that have depressed the rate of economic growth,—5.2% a year during the past ten years,—thus creating a condition that Raul Prebisch has described as "The dynamic insufficiency of the Latin American economy".

"The rate of development"—says Prebisch—"has not been active enough to respond to the urgent demands of the demographic expansion, with a tremendous wastage of human potential that is discarded in one form or another, with detrimental effects upon the economy and the social status of the people."

Usually a reduction in the agricultural labor force is a necessary factor in the process of development, but in the case of Latin America this reduction does not mean a corresponding increase in the industrial labor force. Quite the contrary, every year millions of young men come into the labor market,—which has limited offers for employment,—and find meager subsistence in the area of services. This creates a tremendous depression in the growth rate since the quality of the work available is not productive enough to permit a consumer economy of sufficient strength to generate a high rate of industrialization.

Fortunately, in Latin America, most of the chronic problems of our development are well known, and we are aware that progress depends primarily on the nations themselves, that development is a national effort produced by the internal dynamics of a society, and that, whatever the sacrifices, it is necessary to set our clocks ahead of time without blaming anyone for what is happening to us. That is why the Panamerican concept acquires more and more relevance today, because we all know very well that much of the impulse for development has come from collective efforts of the hemisphere. Between 1960 and 1969, the Latin American countries invested 150 billion dollars in the various programs established under the Alliance for Progress concept, while the United States contributed 6.7 billion for the same purpose a substantial effort to the progress of the hemisphere.

But if there is agreement that development should be sought primarily by the underdeveloped countries themselves, and that they should improve the management of their economies, it is also true that because of the weakness in trade and our accumulated indebtedness, it is not possible to continue a reasonably fast rate of progress, tak-

ing into account the factors of population and employment, without continuing assistance from foreign capital, both private and governmental.

External aid helps to overcome formidable obstacles in the process of development. It contributes to the fulfillment of the objectives that Latin America has set out for itself. It creates a framework within which greater amounts of resources can flow. It is vital to the promotion of Latin American trade with the rest of the world. It could provide the leverage necessary to permit a better utilization of resources. It could be above all a meaningful relationship which creates friendship and understanding.

But on the subject of international cooperation, the question is immediately raised: "Why should the industrialized nations, particularly the United States, give economic aid to Latin America? Why should we care? What is in it for us? . . . When there are so many problems at home, why should we help foreigners? . . . Besides the obvious answers that economic progress has always been a primary drive of the wealthy nations, that it is closely related to world order and that it has strategic and humanitarian considerations, let me dream for a while and express a thought on the meaning of a developed Hemisphere to the United States of North America.

There is a deficit today in balance of trade between the United States and Latin America. In a two-way stream involving goods worth 9 billion dollars, 4.8 billion are exported to Latin America and 4.2 billions are imported from the area. But the imbalance is more serious if we take into consideration that 80% of United States exports are manufactured and semi-manufactured goods, machinery and equipment, while only 20% of Latin American exports to this country are in these categories. In other words, the Latin American countries do not have sufficient resources to pay for the capital goods they need to import.

The human resources of Latin America, properly utilized, can be a tremendous asset: The immense natural wealth, the common heritage of Pan Americanism that makes easy and close relations between nations, and the definite Latin American commitment to the principles of Western civilization. What would happen in the light of the above if the annual income of all the people of all the nations of the Hemisphere were raised to one thousand dollars per year, instead of today's \$460 dollars?

The mere thought of such an increase in the per capita income of the Latin nations brings visions of a huge effort requiring tremendous quantity of imports in the form of capital goods, machinery and equipment over a relatively short period of time. Most of the countries have the capacity to utilize greater amount of imports today, but they are hampered by restrictions imposed by their balance of payments. If the rate of growth of the Continent can be raised and maintained at a yearly rate of 8%, the need for capital goods for the next twenty or thirty years would be immense. This is not an impossible task. There are countries in the Hemisphere today,—Colombia for one,—with long range development plans with growth targets of 7.6% a year, which are being implemented.

What would happen then if the income per capita of the Latin American countries were to improve to such level as to permit additional purchasing power for their people? What would be then the demand for United States goods? Colombia, with 22 million inhabitants, where only 18% of the population can buy manufactured goods, imports close to 300 million dollars a year from the United States. What would be the impact on the industry of this country if a potential market of 600 million people were to expand rapidly its purchasing capacity?

As the growth of the countries increase, so is their need for capital and consumer goods. Would it be possible for the United States to supply this demand? Would this country be prepared to satisfy added tourism from Latin America? Would the State of Florida, the city of Tampa be ready to handle an endless stream of visitors, eager to shop, to visit, to enjoy the sights, to absorb the culture of the land?

Think for a moment on what it means to have a prosperous neighbor. Think of the possibilities of the commercial exchange between this country and the ones South of the border.

With the technological advances in the United States, greater productivity will create a true international distribution of labor within the Continent, saving precious labor resources that can be applied to more capital oriented enterprises, at the same time promoting industries in countries where less expensive labor is available.

No nation is ever self-sufficient. Therefore, as conditions improve, the Latin American industries will demand more advanced elements to become more efficient. These goods, of high capital input, will have to be purchased from this country. Thus, the old principle that the "rich will get richer" will apply to the fullest with the development of the Latin American countries.

Why cannot we think then of economic assistance as a form of a long range investment, of a bilateral relationship, where the brilliant future is the resultant of an effort made by partners? Why cannot we think in terms of mutual benefits, and not in terms of gifts? Many of you here tonight are in banking. Is it not true that the bank's main business is to utilize its resources in order to bring profits to both the lender and the borrower? Why cannot we think of the necessary and vital development loans that this country extends to others in the Hemisphere as a trigger that will ultimately bring benefits to the lender and to the borrower? And if we complement aid funds with a proper trade policy, would not that be the same as developing the huge markets of which I spoke just a moment ago?

These and many other questions come to mind with the thought of a faster development of the Latin American countries. Its implications for the industrial potential of the United States are incredible. It does stagger the imagination of people that can think ahead of their times, of people that can put together not only the mere humanitarian feelings towards a less fortunate human-being, but the conception of an objective that will be as great as man can make it. This people are here tonight. Thus the Pan American Day celebration is an opportunity to discuss the great future of a great people and to think ahead about the economic and social progress of a whole Continent, bound together by the ideals that brought us here tonight.

MASONIC YOUTH COMMITTEE
ESSAY CONTEST

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. ROBISON of New York. Mr. Speaker, I take great pleasure in sharing with my colleagues the winning essays of the Masonic Youth Committee Essay Contest in New York. The topic is "Freedom" and the participants are students throughout the State. This year's winners have written a group of outstanding

essays—all of them framed around the author's personal reflections about the meaning of freedom in contemporary society. We should all consider the deeper meanings of our liberty more often, for freedom is the first victim of apathy.

Reading over these essays, one is struck by the simple but eloquent truth in them. One student, in defining freedom, states:

Freedom is the right to speak freely. However, we must also listen politely to what others have to say. More than any other form of government democracy demands a capacity for good manners. Freedom of speech does not give anyone the right to shout obscenities or make inflammatory statements.

How refreshing it is to hear such words after the spectacle last week here in Washington, when thousands of youth tried to violate the rights of others in the name of peace.

The students who wrote the winning essays this year in the Masonic contest are, I am happy to note, much more representative of the youth of America than the self-styled revolutionaries of the streets. The winners are as follows: Curtis Burden, Liverpool, N.Y., first prize, \$600; Susan Cook, Brownville, N.Y., second prize, \$400; Richard Lincer, Plainview, N.Y., third prize, \$300; Joan Wightman, Andover, N.Y., honorable mention, \$100; Hessa Bhadte, Elmont, N.Y., honorable mention, \$100. The essays follow in order, with Mr. Burden's first-prize work first:

WHAT IS FREEDOM?

(By Curtis Burden)

America is being challenged today as never before in her history to show the world that a free society can govern itself well, and provide a good life for all its citizens. Our forefathers thought that life without freedom was not worth living, and that has become an American ideal. From the beginning of its history America has stood for freedom. People have come to this land from all over the world seeking freedom and an opportunity to improve their lives. Freedom demands responsibility and restraint on the part of the individual. To be free is to be responsible. Otherwise freedom turns into license.

Yet, what is freedom and what are its limits? Freedom is the right to speak freely. However, we must also listen politely to what others have to say. More than any other form of government democracy demands a capacity for good manners. Freedom of speech does not give anyone the right to shout obscenities or make inflammatory statements.

Freedom is the right to assemble peaceably. This does not mean engaging in riots that endanger the lives and property of others.

Freedom is the right to print the truth. The press has the responsibility to restrain itself and not to print things that would be injurious or offensive to individuals or our country.

Freedom is the right to worship as we please, but not to force our religious beliefs on others.

Freedom is the opportunity for all our citizens regardless of race, color, or religion to advance as far as their ability and ambition will take them.

Freedom is being able to choose that which is right and good.

The Liberty Bell at Philadelphia, which rang when the Declaration of Independence was signed, is preserved by Americans because it symbolizes the fact that they once fought and won their freedom. It reminds them that the fight for freedom never ends.

Freedom is not a heritage, but a fresh conquest for each generation. The price each man must pay for freedom is to strive constantly to extend it to all people.

FREEDOM

(By Susan Cook)

Freedom is a state of mind. It is choosing your own friends, your own school or college, your own career. It is you deciding on what movies to see, what clothes to wear, what foods to eat. Freedom is changing something rather than just loving or leaving it. Freedom is all of these plus many more things. It can be expressed in a million ways, your manner of speaking, in your hobbies, in what you accomplish, whether in school or not. Freedom depends on your feelings and how you express them.

It is an abstract term which is used in many different meanings. It is doing what you want, when, and how you want. However, freedom does have its special limits. As long as you do not infringe upon the rights of others, you may enjoy freedom. When you ignore other people's rights, you are not enjoying freedom but, rather, license. Some people mistake license for freedom and feel that there should be no laws and regulations because laws infringe upon their freedom. These people are wrong. They do not realize that without laws to govern us, we would lose our freedom. Our society would no longer exist. It would turn into a survival of the fittest, lacking any freedom whatsoever.

Most Americans understand the difference between freedom and license and abide by the law which they, themselves, helped to establish. Our form of government, a democracy, is merely an outgrowth of freedom. Americans are known for their independent spirit and their high regard for freedom so it is only natural that they have a democratic type of government to protect that priceless abstraction known as freedom.

WHAT IS FREEDOM?—AN OPEN LETTER TO YOUTH

(By Richard Lincer)

What is freedom? This is the challenging question which confronts our nation today. People are attempting to make the fullest use of their freedoms and at times freedoms are being abused. Therefore it is necessary for people to know what freedom is so they can determine what their rights are. But this proposition is indeed difficult to carry out because "freedom" is a term which does not lend itself to simple definitions. Freedom as a concept is nebulous and indefinite. The concept of freedom includes what freedom is, as well as what freedom is not. If the limits of individual freedom are overstepped, then the freedom of all suffers. Freedom is responsibility and selfcontrol. Freedom is an elusive ideal and perhaps the best way to define it is by specific examples and not by words.

Freedom is the right to believe whatever you want as long as you do not restrict the beliefs of others. Freedom is the right of free speech as long as you do not deny this right to others. Freedom is the right to criticize as long as you can offer something better. Freedom is government by majority rule as long as that majority does not use its powers to subvert the rights of minorities. Freedom is the right to call for peace as long as you do not preach violence.

But freedom also has its limits and acts outside these limits are not freedom but license. Individuals who abuse freedoms in a free society limit the freedoms of everyone else. Thus, freedom is not the right to destroy and disrupt because your opinions differ with those of others. Freedom is not the right to force the closing of colleges or universities because certain "nonnegotiable demands" are not met. Freedom is not the right

to cry out against industrial polluters when you yourself pollute the earth with soft drink cans and "souped-up" cars. Freedom is not the right to condemn the capitalist system when you can offer no alternative and you insist on having your stereos, cars, and clothes. Freedom is not the right to "turn on" with drugs, run away from life, and distort your natural senses.

No freedom is absolute. Freedom is just as much privilege as responsibility. Freedom is a delicate balance between privilege and license which, if upset, restricts the rights of all. Today's youth as the nation's future leaders must be aware of the concepts of freedom if it is to use freedom wisely and lead our nation with foresight. We must not chastise others for restricting people's freedoms before we examine our own actions. We dare not be so self-righteous as to believe that only our views are correct. Freedom is an awesome burden and its challenge faces youth today—the way in which we handle this challenge will determine the fortunes of our nation for years to come.

FREEDOM

(By Joan Wightman)

Freedom, libertad, liberte—they sound different but they all mean the same. To every man across the world, the word freedom, expressed in his native tongue, brings a very distinct, unique feeling within himself—a feeling that is very hard to explain or define. This one emotion has led masses of people through both victory and destruction throughout all the phases of history.

In one sense the emotion is very complicated, being mixed with love, pride, and hatred all at once, and in another it becomes a simple inborn reaction. Even as a butterfly knows what freedom is as it flutters away from you. Every insect, animal, and human being seems to be born with its meaning imbedded deep in his soul.

There are a great many problems in the world today with few answers and if you were to examine these problems I think you will find their basic source in the question of freedom. You can look at freedom in two different aspects: one—those given you by the government and two—those that you allow yourself as your personal morality. Of course these do become interrelated but to me the latter is the one most prominent in the questions and problems of the day.

Americans, comparatively, are well adorned with governmental freedoms but these become worthless without sound personal freedoms. This is a necessity to real freedom—the promotion of personal liberties (meaning freedom of thought, speech, press, life, and pursuit of happiness). How do you promote these?—by listening, caring, and helping.

Let me, through today's problems show you some examples. A person can stage a demonstration or march but if no one listens or bothers to try to see the message his freedom to protest is worthless—his freedom is gone. Apathy is a growing problem and destroys freedoms. It is an imprisonment—you must care. The small majority of students who are provoking violence on the campuses are infringing on the education of others and therefore their freedom. Drug addiction is a very sad and crucial problem. Some believe it is their right, but is it? They are not only destroying their own freedom in their drug "imprisonment" but may also be destroying the freedom of those around them by committing crimes and damaging families or lives. Future generations may also be greatly affected. Has anyone this right? I don't think so.

So you ask me "What is freedom?" Freedom in my mind is the right to be an individual in a working society with rights to open communication and contact between all—no matter what race, color or creed. In

the use of your freedoms you must not infringe or harm others but promote them through love, attention, and help. Freedom is a good uncomplicated interrelationship between all with a main purpose to preserve others as well as your own. The key to freedom lies in this one old phrase, "Do unto others as you would have them do unto you."

FREEDOM

(By Hessa Bhadte)

Much has been written about the forces of freedom that have battled their way, opposed by blindness and fear, through the history of mankind. The inalienable rights described in our federal and state constitutions are, for the most part, guaranteed to us by nature of our citizenship. However, they are simply the by-product of a great freedom that we must possess first as human beings. That is, the freedom of thought and criticism and the necessity of self-determination that is vital if humanity is to have self-respect.

True freedom is that which allows each man, and each man alone, to govern his life. A man must be free before he will want to contribute to society. It necessarily follows that the value of his society is dependent upon the extent of his individual freedom. Thus, a meaningful society must revere the ideals of freedom. No society of value can be built on repression and conformity. If freedom and originality are inconspicuously stifled in our schools and expressive arts, we risk creating a generation of extremely mediocre people. And what is freedom if it is not that which prevents mediocrity?

A contemporary author, when discussing the essentials of meaningful living, cited first the basic need of human beings for others and the definite desire for solid relationships therein, as well as a good understanding of oneself. The necessity of freedom was mentioned last and for this, I feel the author was remiss. Without freedom the former becomes virtually impossible, for if our freedoms of association are abridged, so too are our relationships with other people.

The following words, spoken by Wendell L. Willkie, constitute what I believe to be a basic truth.

"Freedom is an indivisible word. If we want to enjoy it, we must be prepared to extend it to everyone, whether they are rich or poor, whether they agree with us or not, no matter what their race or the color of their skin."

LLOYD GRAHAM'S PERSPECTIVES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. KEMP. Mr. Speaker, notwithstanding the fact that the Washington Post, Star, and Daily News are all fine newspapers, we have got to read and listen to our local media to get that proper "perspective."

I get back to the district a lot, but when I am not there, you can bet I am checking out our local editorial pages for grassroots sentiment. Lloyd Graham writes for the Buffalo Courier-Express and he says it in plain talk:

The administration knows what it is doing.

I feel it is imperative to call two of his articles to the attention of my colleagues

and I insert them at this point in the RECORD:

ABUSE OF PRESIDENT NEW FAD

After President Nixon addressed the nation on the evening of April 7, it was reported in the press that Hanoi spokesmen and those of the Viet Cong denounced the speech and said it held no promise of peace. They described it as an attempt to continue the war. As enemies, this reaction was to be expected.

Further, Communist spokesmen refused to retreat from their demand that the President set a firm date for the unilateral withdrawal of American military personnel in Vietnam.

Mme. Nguyen Thi Binh, Hanoi's foreign minister, was quoted as saying, "Nixon's speech showed that he will leave a significant number of troops in Vietnam to support the Saigon regime and to continue his war policies."

Others quoted the day after the speech said, "The best prospect for an end to the war... is a fixed date to end (the) involvement."

"The people of Southeast Asia can no longer bear this war, and neither can the United States."

The last two quotations were not from Hanoi spokesmen. They were from United States senators. This leads one to wonder, whose side are they on? The quotations might easily have come from Hanoi leaders. In effect, they were saying the same thing.

Another senator, McGovern of South Dakota, was quoted as saying that the President "is still trying to convince us that a tragic blunder represents America's finest hour."

On the other hand, there were many senators who applauded the President's position. Sen. Robert Griffin of Michigan described what he said as "sincere, credible, and courageous."

Sen. Cotton of New Hampshire endorsed the Presidential statement on Vietnam 100 per cent. "The President's unequivocal declaration for the first time stirred my confidence that we are finally disengaging from Vietnam."

Now all this smacks of party politics. Setting aside questions of sincerity, this is not to say that the Democratic Party is following the Hanoi line. However, this does point up the ambivalent view of the presidency which is inherent in the two-party system.

In being President of the United States, a person comes into enormous power. But he also inherits a counter-balancing measure of hostility—hostility from the opposition party, skepticism possibly tied to hostility from the news media, and kibitzing from mild to vicious from thousands of individuals, high and low.

There was a time when the President was regarded by a large segment of Americans as a sort of father figure.

In any national crisis, the President is bound to be the center of a cyclone of vituperation. During the American Civil War, a large segment of citizens loathed President Abraham Lincoln and denounced him in the bitterest terms.

Even under normal conditions in this century, that is, without war, the tendency to criticize the president seems to have become more widespread and inflammatory. Perhaps Daniel P. Moynihan, professor at the Harvard Graduate School of Education and adviser to presidents, made a most wise observation from experience when he said that the matter of criticism has become more than political.

It has become a part of American culture, that which he described as "the culture of disparagement." With this goes skepticism.

Perhaps of skepticism would be even more appropriate. It has become fashionable to snipe not only at the remarks of a president but also at the manner in which he speaks.

Probably President Lincoln is admired today as much for his fortitude as for any other quality. He had the guts to muddle through a cataclysmic conflict. History finds fault with the way he conducted the Civil War—he was unlucky with generals except at the last—but time has generally proven that he had integrity and that his aims were valid and correct. He was steadfast. He would not be swayed by hecklers.

Our great Presidents have been those who have faced up to issues and have had what is euphemistically described as intestinal fortitude to act on their appraisal of the facts, facts which often they alone possess, no matter how rough the opposition. This was particularly evident in Grover Cleveland, the two Roosevelts, Harry Truman, and even Woodrow Wilson, not to mention John Kennedy, for example, in the Cuban missile crisis.

A President is elected to be a leader, the commander-in-chief, the top executive. If there is anything disappointing and even unnerving to the rank-and-file Americans, it is to be saddled with a leader who does not lead.

It will be a sad day for these United States if we ever have a President who acts as a weathervane in the winds of public opinion.

The President inevitably has knowledge of facts and conditions and trends and policies of friends and enemies available to few if any others, and in integrity, he must act on that knowledge. The critics may sound off on partial knowledge or no knowledge at all, even on personal whim. And often do.

All through these attacks, the President must keep a straight face. And smile. Hopefully, he is not swayed by fools and heel-snappers.

One of the great overriding virtues of this country is that anyone can express an opinion. He even may be insulting in doing so, but this is a matter of personal taste.

With that free-speech virtue goes the responsibility of listeners to be discriminating and to consider the competency of those who express opinions.

TV GIVES "ROMAN FORUM" VIEW OF WAR

Tonight and every night, blood of the battlefields of Southeast Asia is seen in 40 million American living rooms, and probably in 40 million other homes throughout the world. Not actually on the rug, but still there.

This is the first war which, in sight and sound, has been brought into the home. Not only in sight and sound but in living color, thanks to Edward H. Herold, the inventor who contributed so much to the creation of color television.

Actually, the TV tube does not bring in real war but merely a viewer non-participation, on-the-spot presentation thereof. It gives you the sights and sounds of war with more or less comment and explanation, like a guided tour, say, of the Roman Forum.

The inventors and developers of video and audio contrivances have yet to find a method to convey the smell and stench of war and death. You are still unable to feel, that is, actually touch death and destruction; or taste it.

Give them time, however, and you of the television audience no doubt will have in addition to sight and sound all of the other sensations of actual battle instantly. Live! Unrehearsed! In your own living room. If that is what you want. Plus instant replay, if the first time around is not sufficient for you.

Truth is that television news executives, newscasters, cameramen, and correspondents are but slightly more sophisticated than the viewers of their product.

They present the scenes of Khe Sanh, the

My Lai massacre, glimpses of the human drama involving Lt. Calley, the South Vietnamese withdrawal from their forays in Laos, and all the rest as though these were events of a kind new in the world.

It is difficult to believe seriously that they actually think this. They and their viewers should realize that My Lai butchery has been repeated thousands of times in past conflicts, often with even greater brutality, since the beginning of written history, nay, since the beginning of conflict man with man. For example, you may find plenty of proof of this in the Old Testament.

The scenes of carnage and devastation and wreckage of war at Khe Sanh have been repeated times without number in past wars. World Wars I and II were the real mass killers. More than 400,000 Americans alone died in World War II.

Exhausted, crippled, bloodied, and bandaged fighting men, struggling out of the Laos fighting, are nothing new under the compulsion of the war god Mars.

One difficulty is that we see on the "you-are-there" tube only the scenes the cameramen and correspondents choose or find it possible to obtain for you, scenes and events that they in their superior wisdom decide that you, the viewer, should see and hear.

Also, never forget that you see, out of the material transmitted to the editors, only that which those editors in their god-like wisdom and professional dexterity decide you should see and hear within their time limits.

Convinced that the human animal just dotes on blood and thunder with insatiable appetite, the operating requirements seem to call for the reporting—any reporting—to be as violent as possible in both sight and sound.

They do not give you the opportunity to view what happens to the North Vietnamese as results of their encounters with the South Vietnamese.

You do not see what happens when the smoke has cleared away from an American bombing sortie. Nor do you see what happens when a gunship works over an enemy truck train or missile bunkers or an ammunition and supply dump.

You do not see any heroic acts of self-sacrifice and man-to-man loyalty, of which this war must have its customary quota, the personal friendship and devotion of men under stress being what it is.

You do not see views of some of the operations behind the lines that make the effectiveness of those in combat possible. That sort of thing, they believe, belongs in the "Who-Cares File."

You do not see North Vietnamese burning South Vietnamese villages and torturing prisoners and assassinating victims. Yet all of these acts take place. (Duc Duc was a rare exception.)

War is presented as an unrelieved horror, which it is not. A horror it always has been for the unlucky participants, but there are other moments, moments when it is a big bore.

It is a period of unthinkable loneliness, spiced with fear and uncertainty, which the luckless, caught-up individual must sweat out.

War is a season of loss of individual freedom and suspension of constitutional rights.

The over-riding difficulty with the presentation of war news or other news of violence is that television gives it such stark immediacy. Triggered by the snitching of some returned soldiers, it showed the reality of the My Lai massacre. Does anyone believe there have not been other My Laits on both sides, not only in this war but in other wars? Anyone who has been there will tell you that under the stress of combat fury and fear, anything can happen and often does.

It was just Lt. Calley's bad luck that there were some nosy "comrades" around who blew the whistle.

When you see an inert bundle of broken bones and torn human tissue on a stretcher on TV, you know instantly it is real. TV gives it immediacy that relates to every one of us.

When you see a bundle wrapped in black plastic, you know that this is all that is left of a human being, the cold ashes of some mother's pride and adoration, some Mary's Golgotha, and the end of some person's hopes and ambitions.

You know, when you see those war scenes, that they are real, even though they may be accompanied by background music. They are no play-acting, no "Gunsmoke" with Matt Dillon and his "bad guy" walking away from the scene of action. There will be a grave.

Do the television crews who bring the blood of battle into our living rooms have a responsibility for all this? Do they have any taste? And if they have are they permitted to exercise any taste?

Certainly, they must have a selective responsibility. Without taste, they should not be permitted to serve in a position charged with such potentialities for mass emotion. But do not expect too much of them. They are certain they know what a sensation-hungry public wants. If they do not know, the rating services will nudge them. Perhaps they are right.

You, as a viewer, also have a responsibility to yourself and to your fellows.

Probably, Philo T. Farnsworth, Vladimir K. Zworykin, John A. Flemming, Sheldford Bidwell, Lee De Forest, and the rest of the television and transmission developers never fully realized the monstrous aspects of that which they created.

Perhaps, in the long run, that very immediacy of battle fury in our own homes will become a potent force for peace. The immediacy and reality dissolve the glamour of war, the uniforms, the paraphernalia—the glow that never was, really, except, like beauty, in the eye of the beholder.

It is just possible that this stark reality will set off such a chain reaction of outrage that a fear of war, as war, to be used as a national policy and instrument will move the minds of the world's political leaders; yes, even the minds of the predatory ones and those who would force their fanatical political theories on all others not of their thinking.

PRESIDENT NIXON—ONE OF THE GREATEST

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 10, 1971

Mr. NELSEN. Mr. Speaker, Mr. Francis R. McGovern, editor and publisher of the Minneapolis Daily American, has waged a long, untiring battle against great odds to establish his newspaper in Minneapolis, Minn. He is qualified to understand in a very personal way the deepest meaning of the word "courage." So I was tremendously pleased to note, in a recent editorial, Mr. McGovern's assessment of President Nixon as one of our alltime greatest Presidents. Mr. McGovern does not always agree with Mr. Nixon, as he points out. But he is willing to give our President credit for the tough decisions he has been forced to make "during the most explosive emotional binge" our Nation has experienced since the great depression. I am honored to include Mr. McGovern's commonsense editorial at this point in my remarks:

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I probably disagree with President Nixon as much as I disagree with my wife . . . nevertheless, our Chief Executive in my mind is one of the great ones.

And, I reject the attitude that I support everything Mr. Nixon does or says because I admire him.

To second guess the leader of the greatest nation on earth is a wonderful sport . . . as long as I don't have to take the responsibility for what I think. In other words, if what I would do had the force of the President's decisions, I might have second thoughts about my snap judgments and even my whole approach.

Take the case of William Calley, I think President Nixon should not have offered to review the trial. I think the Calley murders and his conviction demonstrated that the United States is finally going to take itself out of the barbaric class. I think it was a start toward stopping our mad rush to animalism—atrocity, abortion, infanticide, euthanasia, genocide and selective extinction of misfits and handicapped.

But, as the President explained to my fellow editors Friday night, reaction of the nation to the Calley verdict led him to take a step which would calm the nation's emotions—emotions which erupt into national violence.

I don't agree with the President's assessment of the situation, but neither am I the man responsible for what might have happened.

His willingness to suffer my criticism in order to do what must be done takes courage, too—for I have often stated I think he's the greatest President in my lifetime. To kick friends in the teeth in the line of duty is a tough but admirable quality in a leader.

During the give-and-take-exchange to the editors, the President also made the confession that he had been beat on a couple of occasions by one of his questioners. It's tough to field questions on an extemporaneous program in front of the whole nation and win all the time—even if you are as sharp as the seasoned Mr. Nixon.

To admit in public that you were wrong is the mark of a courageous man—and a conscientious man.

The President's political courage is brooking the anger of the construction workers by taking action against them as a means of halting inflation is another case in point to illustrate his greatness.

For once, a Republican executive had a substantial segment of labor fighting for him on the most critical issue of the age—the Vietnam war. But when it became necessary to disagree with them on another issue, he faced his responsibility squarely and took the rap.

Many people who have polarized themselves against the President are acting like the so-called far-rightists who see men like Hubert Humphrey or George McGovern as agents of the Communist plot.

That makes me feel sad because Richard Nixon has worked as hard and long at doing what he wanted to do as I have on my job. Only a man with total dedication can understand what that means; to help you understand, go back to Ernest Hemingway's *The Old Man and the Sea*; you'll thereafter, love men who try. The smattering of examples I have related here is evidence that Mr. Nixon is totally courageous and concerned. His experience is a lifetime in government. I disagree with him as much as anyone does, but, that doesn't take away from his greatness.

His genuine greatness is keeping this nation together during the most explosive emotional binge this people has experienced since the turmoil of the Great Depression.

A lesser man could turn the world into the Planet of the Apes.